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The Native States of India. By WILLIAM LEE-WARNER. (New York and London: The Macmillan Company, 1910. Pp. xxii, 425.)

Sir William Lee-Warner's well known treatise, "The Protected Princes of India," has appeared in a new edition and under this title. The work is an indispensable one to anyone desiring an accurate knowledge of the complicated political status of the nearly seven hundred native states included within the Indian Empire of Great Britain. The exact place to be assigned these principalities in the various catalogues of political units, whether considered from the point of view of the international lawyer or of the constitutional jurist, is a problem difficult to solve. The author's formal definition of a native state is that it is "a political community, occupying a territory in India of defined boundaries, and subject to a common and responsible ruler who has actually enjoyed and exercised, as belonging to him in his own right duly recognized by the supreme authority of the British Government, any of the functions and attributes of internal sovereignty." "The indivisibility of sovereignty upon which Austin insists," he adds, "does not belong to the Indian system of sovereign States" (p. 31).

The tie which binds these States to Great Britain, it is justly declared, is not an international one. They have no real international life. Nor is the bond feudal in character, as held by Sir Lewis Tupper in his work "Our Indian Protectorate." Nor, finally, one is surprised to learn, is the tie to be described as a constitutional one, as argued, for example, by Westlake in his "Chapters in International Law." A political body which has neither an international nor a constitutional character is by most writers held to be an impossibility. And in truth our author does in fact return to the international field by holding that the Indian States, though not subject to international law, may find a status under its "shadow," and be described as semi-sovereignties. The reviewer is by no means satisfied with either the author's reasoning or his result; though the limitations of a review will not permit a statement of the argument. The exceptional value of the work to the political theorist is, however, certain.

Mr. Lee-Warner does not confine himself to an analysis only. He estimates values and discusses policies. The value and scope of the original work first published in 1894 are so well known, however, that

a further account of this is not necessary. A renewed recognition of the merits of the treatise is sufficient.

Trichotomy in Roman Law. By HENRY GOUDY. (Oxford: Clarendon Press, 1910. 77 p.)

In this interesting little work the author develops the thesis that the predilection of Roman jurists for the number three in their legal definitions and classifications is traceable to a desire for artificial symmetry, and is neither logical nor fruitful of any practical result. Roman writers, including the jurists, were profoundly influenced by symbolic numbers in the external arrangement and composition of their work. Professor Goudy begins his illustration of this early symbolism by quoting from the Twelve Tables: "If a *paterfamilias* sells his son three times his *potestas* over the son shall end." He finds particularly strong support for his thesis in the texts and principles of the Institutes of Gaius and Justinian and cognate texts in the Rules of Ulpian and in the Digest. From these sources, he has selected nineteen specific illustrations of the Roman partiality for the tripartite classification. The following will illustrate the author's selections: "All law was either made by consent, or established by necessity or settled by custom." (Modestine in Lib. 1 *Reg.*, *Dig.* 1; 3, 40). "The subject-matter of private law relates either to persons, or to things or to actions." (Gai. 1, parag. 8; *Inst.* 1. 3 pr.); "Persons are divided into *liberi*, *servi*, and *libertini*" (*Inst.* 1. 5 pr.; Ulpian in Lib., *Institutionum Dig.* 1. 1, 4). He subjects these principles and definitions to a critical examination, and succeeds in showing that they are generally neither logical nor suitable to the treatment of the topics they severally represent.

Within the space of a few pages Professor Goudy tests his thesis in the Roman law of things and actions and finds it equally applicable. Cicero, Seneca and other writers are also drawn upon to bear witness to the truth of the author's theory. The frequent use of the traditional three the author attributes to a tendency of the Jurists (especially Ulpian), more or less conscious, to adopt symbolic tripartite divisions or to invent them. The tendency is largely traceable to the influence of the Stoic and other schools of philosophy.

In the course of the discussion, the author displays that profound