

*Grundriss der Ethnologischen Jurisprudenz.*—ALBERT HERMANN POST.—Two Vols.—Oldenburg and Leipzig, 1895.

*Ethnologische Studien zur Ersten Entwicklung der Strafe.*—S. R. STEINMETZ.—Two Vols.—Leiden and Leipzig, 1894.

In these two carefully prepared and thoroughly reasoned works we have for the first time an unbiased application of the facts furnished by ethnology to an analysis of the evolution of jurisprudence. The study of them will prove of the greatest profit to the advocate, the anthropologist and the philosophic student of the growth of society.

Dr. Steinmetz, in his over 900 large octavo pages devoted to the subject, pursues the idea of punishment through all the forms under which it appears in early conditions, such as personal revenge, blood feuds, compounding of offences, family, totemic and social punishment, the vengeance of the gods, and religious chastisement. The foundation for this historic analysis is laid in the earlier pages of the first volume by an able excursus on the psychological motives which underlie the thirst for vengeance and the passion for cruelty. This furnishes a philosophic basis on which the author constructs his conclusions by an inductive study of all the forms of punishment and penalty found in primitive and early peoples. With this he is contented, and with a temperance worthy of high commendation, he refrains from committing his work to one or another 'school' by applying it to the defence of some pet doctrine of popular sociology, which would at once limit its usefulness. He rather says: "Here are the psychic motives; and here are the results to which under various conditions they have given rise. Let the facts present their own inferences."

This impartial spirit also thoroughly pervades the more comprehensive study of Dr.

Post. It is considerably over a thousand pages in length and is an exhaustive analysis of the whole notion of rights, of the person, the family, the clan and the state, as they apply to both persons and things. In the second volume he traverses in his investigation of penalties much of the ground occupied by Dr. Steinmetz, and a comparison of their methods and results is quite interesting. The author's reading is immense, and the care with which he cites his authorities is most praiseworthy. While fully aware of the distinctly philosophic nature of his subject,—for a people's abstract conceptions of ethics are embodied in their concrete forms of laws,—he withstands the temptation to theorize on these points and keeps himself strictly within the limits of objective and inductive inquiry.

Of both these works it may be said that they represent the purest scientific method, and that they stand in the front rank of the contributions to Ethnology in its true sense which have appeared of late years.

D. G. B.

*Flora of Nebraska.*—Edited by members of the Botanical Seminar of the University of Nebraska.—Introduction and Part 1., *Protophyta-Phycophyta*; Part 2, *Coleochaetaceae, Characeae*.—Lincoln, Nebraska, Published by the Seminar, 1894. 4to, pp. 123, pl. 36.

The beautiful work here noticed must long hold first place in the published results of the exploration and study of a local flora. It is hard to find words in which to express our gratification at its appearance, and we have tried in vain to find any point which is fairly open to adverse criticism. Beginning with a synopsis of the larger groups, including families, and an introduction contributed by Professor Bessey, in the details of which there is room for much difference of opinion, there follow concise descriptions of the classes, orders, families, genera,