

"general reader and to those whose interests and duties call them to the study of public affairs; it is meant for the library, the study table, the editorial room, and the class room." There are some 250 contributors to this work, including many of the best known university men in America.

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MOSES, ROBERT. *The Civil Service of Great Britain.* Pp. 324. Price, \$2.00. New York: Longmans, Green and Company, 1914.

The thesis of this doctoral dissertation is essentially that the results secured by the British system of dividing civil service employment into two classes (one open to university graduates and practically closed to others, the second open to all comers with the prerequisite qualifications) have, on the whole, proved successful and beneficial in securing high-grade talent in the public service. The author feels that the government "should see that its schools educate for all kinds of work, that ability and promise are lifted as far as possible above want and social handicap. . . . For the present we must recognize and be prepared to find men who are ambitious and dissatisfied, and for whom the state can do nothing; and we can extend only our sympathy to the stenographer or clerk of long standing who sees himself subordinated to recent university graduates, and feels that he has suffered the last indignity."

The author points out that there is no such thing as really open competition in the United States in civil service. As obstacles separating the ablest available competitors from the best available positions he enumerates: the apportionment to states, the practice of submitting to the appointing officer the names of three eligibles for each vacancy, the low standards of examinations for all but the technical and legal positions, the practice of preferring disabled veterans, soldiers and sailors for all civil positions, the want of proper waiting lists and the practice by which "candidates bid for salaries"—that is, indicate the lowest salary that they are willing to accept.

It is contended that the personnel and efficiency of the civil service should be improved by "raising educational standards and salaries and making a definite appeal to men of the highest college and university training, and to those especially prepared to choose the civil service as a career." On the whole, the thesis is a well supported, well written and creditable piece of research work.

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TAFT, WILLIAM HOWARD. *The Anti-Trust Act and the Supreme Court.* Pp. 133. Price, \$1.25. New York: Harper and Brothers, 1914.

First and last an enormous amount of literature has been written upon the various decisions of the Supreme Court under the Sherman Anti-Trust Act. But it may be confidently asserted that never has there appeared a more keen and searching analysis of those decisions than is contained in ex-President Taft's little book *The Anti-Trust Act and the Supreme Court.*

The volume begins with an examination of the common law rule regarding

restraint of trade and carries the reader through the successive interpretations of the Sherman Act by our highest court, closing with a brief summary of its effects upon business.

Several interesting points are made by the author. In the reviewer's estimation one of the most important is that of the common law doctrine of the reasonableness of restraint of trade measured "by the lawful purpose of the principal contract." The common law rule of reasonableness did not and does not extend to cases where the main object was to get or keep another man out of business or to restrict his business in quantity, prices or territory (p. 11).

In Chapter III the inadequate preparation of the first Sugar Trust case is forcibly emphasized as one of the causes leading to the decision and it is pointed out that Mr. Justice Harlan's emphatic dissent "represents much more fully the present view of the court." The author takes the ground that both the Trans-Missouri and Joint Traffic decisions were based upon a misconception of the common law rule of restraint of trade induced partly by the error of the lower court in holding the arrangements reasonable at common law and partly by a failure to interpret correctly the Mogul Steamship case. In other words, the decisions of the court were correct, since the arrangements involved were not reasonable at common law; but this body erred in the grounds upon which it placed those decisions. In the chapter on the Oil and Tobacco decisions, the author endeavors to show that these decisions harmonize with the other decisions of the Supreme Court.

The author's view of the Sherman Act is that under the construction of the Supreme Court and measured by the common law test this measure has constituted all the law necessary for adequate regulation of the trusts. It is difficult to escape from this conclusion in the light of the careful analysis made. Furthermore, the author points out that under the common law interpretation adopted by the court there is no need of any doubt in the mind of any man as to the legality of any given business arrangements under the Sherman Act. If the main purpose is to reduce competition and gain control of the business in any particular branch and if this is not a mere incidental result, the arrangement is a violation of the Sherman Act and a man "must know that he is violating the law and no sophistry, no pretense of other purpose need mislead him."

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VAN HISE, CHARLES R. *Concentration and Control*. (Rev. Ed.) Pp. xiii, 298. Price, \$2.00. New York: The Macmillan Company, 1914.

When Dr. Van Hise's book first appeared some two or more years ago the present reviewer criticized it in THE ANNALS because of many statements which not only would not bear careful scrutiny but which also indicated both carelessness and lack of knowledge. The new edition seems to have made no attempt to correct the loose and erroneous statements of the old. In so far, therefore, as this is the case, the second edition is subject to the same criticisms that were made in the earlier review.

The new matter in *Concentration and Control* consists of a few additional pages in the chapter on the Laws regarding Coöperation and a new appendix deal-