

Of and About the Makers of Books.

Notices of Recent Interesting Volumes and Chats Concerning Literary Men and Women.

FAMOUS COMPOSERS.

Parts 21-25, inclusive, of the J. B. Mill company's magnificent series of "Famous Composers," are now issued, leaving only five more parts to follow. The present number comprises biographical and critical studies of Herold, by George P. Upton; Auber, Saint-Saens and Massenet, by Oscar Comettant; Halévy, by Oscar Comettant; Rossini, by Oscar Comettant; and Schubert, by Philip Hale; Dvorak, by Henry T. Finck; Chopin, by Edward Dannreuther; Gounod, by Arthur Pougin and Berlioz, by A. Julien. There is also a most instructive essay by M. Fougère on "Music in France." In the details of the book-making this series has thoroughly sustained its early promise, which were by no means inconsiderable; its illustrations, besides being for the most part new in design, are faultlessly engraved and printed, and the material, as well as literary, elegance of the terpsichore such as to cause delight to bibliophiles.

The dark, melancholy face of Hector Berlioz, alike suggestive of Edwin Booth and Noah Webster, is never represented to us without reminding us of his famous disease, which he aptly called the "sickness of isolation." His is a most conspicuous case of genius allied to madness. Never quite understood and always something of a madman, with rapidly alternative fits of great gaiety and profound depression; an enthusiast with the extravagance of a Don Quixote, a realist in matters of artistic faith; an idealist who metaphorically cracked heads with the seeming cruelty of a Nero, yet this same quack Berlioz, if we may believe M. Julien's sympathetic sketch, was at heart the most affectionate of men, who longed for comprehension and appreciation, and literally wore his life out in fretting because he was blessed with neither.

We have no mind to follow M. Julien through the details of Berlioz's biography. Somehow it seems to us that such details, in the case of the great composers, are largely shared in common. Almost without exception they follow a fashion like this: "Born of poor parents who discouraged their child's genius. Struggled long in vain to find a competent teacher, and next to win over a liberal-minded patron. Composed innumerable short pieces at an incredibly early age. Astonished the proxy mediocrity of his surroundings by glimpses of an incomprehensible power; and then went to Paris—or Vienna, or what not—to beg, tremble, toil and starve until such time as a kinder fate deigned to bring honors, recognition, popularity and wealth." Few alterations are necessary to adjust this schedule to any individual subject. In the case of Berlioz it holds good all but the last clause; for in his case the wealth never came, and the recognition, honors and popularity not until he had been a dozen years dead—not, in fact, until a tardy public had too late discovered that in the composer of "La Damnation de Faust" it had won and lost the epoch-making genre of instrumentation.

But if he did not gain applause while living, he lacks no reverence dead. "The true domain of Berlioz," says M. Julien, "is the orchestra. He gave an extraordinary impetus to the art of instrumentation—after Beethoven and Weber, on whom he leaned—by his marvelous instinct for blending the various timbers of orchestral instruments, by his indefatigable search for new combinations of tone, by his constant effort to add to the power and the expressiveness of the orchestra in order to make it translate the most diverse sentiments, thus giving to his music a stronger relief, a more diverse color. The prodigious result was that he almost recreated the art of orchestration, opened a new horizon to it and therefore deserves the title of the French Beethoven."

One of the best writers and yet withal one of the least satisfactory biographers in this entire series is Mr. Dannreuther's sketch of Chopin. We do not lay the blame for this on the author of the sketch, who has, within his narrow limits, compacted much valuable and interesting biographical material. The fault is rather with Chopin himself, for having been a creature and lived a career not to be made clear short of several duodecimo volumes, and even then full of perplexity, inconsistency, capriciousness and mystery. Mr. Dannreuther has tried valiantly to tame his hero down to the proportions of a rational being; but we cannot say that he has succeeded. Chopin must remain, to the great majority of readers, a fantastic, abnormal being, full of complexities of character and habits, an individuality as marked in its way, although happily in a different way, as Du Maurier's imaginary Polish virtuoso, Svengali.

We will touch briefly upon the one incident in Chopin's life which gives rise to the most acrimonious discussion, and then pass on. "It is hardly possible," in Mr. Dannreuther's opinion, "to write a history of Chopin's life without mentioning the friendship with George Sand, Madame Dudevant. The witnesses, nine out of ten, are suspect. One cannot move a step without treading on dangerous ground. Early in 1837 Liszt introduced Monsieur Frederic to Madame George, or with slight and perhaps correct change in the appellations, Monsieur George to Madame Frederic. Frederic, Monsieur, or Madame, the senior by about five years, the mother of two children, and separated from her husband, was known for her literary gifts for the world. Bohemian life she had been leading. A pleasant acquaintance gradually developed into something like a civil marriage, and ended, after some years, in a complete rupture, which saddened the close of Chopin's life." "Something like a civil marriage," felicitous, to say the least. But why try to gloss it over? The genius of neither of the guilty pair can obscure their common fault nor dim the moral taught by their unhappy example.

at the age of eleven years was speedily dismissed as a duncie. Fortunately, he went thence to study under Henri Reber, who perceived his capabilities and soon promoted him to the equally considerate care of Ambrose Thomas. It was Thomas who once said of the composer of "Marion," when accused at this early date of writing too vast a deal of indifferent stuff: "Let him see his wild oats. You will find that when he has sowed down and become more reflective, he will achieve something. He is a genius." And Mr. Thomas' prediction was signally realized.

It was in the year 1863 that Massenet first came into public recognition, by winning the first prize in counterpoint and fugue at the Conservatoire and the Grand Prix for musical composition at the Institut de France. M. Comettant narrates upon the authority of M. Massenet himself an interesting reminiscence of that epochal period in the young composer's career, which we cannot do better than repeat in our own words. It should first be said that at this time although Massenet was 21 years old and married, he did not look to be above 16.

"The composer," says M. Comettant, "had just returned to France, after passing in Italy and Germany the reputation period of the laureates of the Institut. While walking in the street he met Paderewski, the founder and director of the celebrated 'Popular Concerts.' Paderewski was one of the best men in the world, but he had the habit of treating young composers in a brusque and patronizing manner. He had only seen Massenet once, and that was during the performance of the cantata for which he had been awarded the Grand Prix. As he has already been stated, Massenet looked much younger than he really was. Paderewski accosted him with a frown, as though he had some business to transact with him, and speaking in an offensively familiar and condescending manner, said: 'Ah, so you have returned to France. What have you been doing during your absence?'

"I have been writing music, M. Paderewski."

"That is all very well; but it is not sufficient to write; you must write good music. Is your music really good?"

"Sir, it is not for me to pass judgment upon it."

"You have written, I believe, an orchestral suite?"

"Yes, sir."

"Well, but everybody writes orchestral suites. Is yours a good one? Are you satisfied with it?"

"Well, Monsieur Paderewski, I feel obliged to admit that it pleases me when I play it on the piano, but I have not yet heard it performed by an orchestra."

"Of course it pleases you. But how much music is there that pleases the composer, and yet is not worth a button? Can I see your manuscript?"

"You do me too much honor, Monsieur Paderewski. I will send my score to you this evening."

"Good, I will tell you what I think of it and whether it pleases me as much as it pleases you. Let me say that I think very little of the music of young men who win the Prix de Rome. They only know how to imitate the faults of the masters they study. However, we shall see."

"And Paderewski quitted Massenet with an air of utter dissatisfaction. The young composer hastened home and told his family of the interview and of the faint hope he cherished that his suite might possibly be performed at the famous Popular Concerts. He then rolled up his score, took it to Paderewski's residence and left it with the conductor. Ten days later Massenet received by post a gift which filled him with equal joy and surprise. It was a ticket admitting him to a rehearsal. He was invited to the Cirque d'Hiver, where the Popular Concerts were given, to hear a rehearsal of his orchestral suite."

"Next day, full of excitement, he set out for the rehearsal. On arriving at the door, however, he had not sufficient courage to enter, so overcame him by his emotions. 'Perhaps,' thought he, 'the orchestra effect will not be what I intended,' and he felt that he had not strength to brave the severe criticisms of Paderewski and the jeers of the members of the orchestra."

"Massenet returned home without having dared to listen to the rehearsal of his work and wholly disconsolate with himself. He called himself a coward and a pretender, and as he passed along the boulevard his eye mechanically seeking the announcements of the performances at the theatres and concert halls, he was suddenly attracted to see his own name on the programme of the Paderewski concert to be given on the following Sunday. They were really going to play his suite! He ran rather than walked home to announce the glorious news."

"They play—my suite—Sunday—Popular Concerts—Oh! how my heart beats!"

An equally interesting anecdote is narrated concerning Saint-Saens, who is to symphony what Massenet has been to harmony and counterpoint. Prior to the production of the former's single opera, "Acanto," in 1890, Saint-Saens, in obedience to custom, had quitted Paris for the country and left no word as to his address. When the opera was put under rehearsal it was supposed as a matter of course that the composer would return to supervise the various details, but herein was public expectation disappointed. Really the French government's hostility aroused and it instructed its diplomatic agents throughout the world to make inquiries as to the composer's whereabouts. The failure of this inquiry gave rise to the rumor that Saint-Saens had died in some part of Ceylon where certain French travelers believed they had seen him as he was making his way to Japan. The fact was, as afterward transpired, that on the very day that "Acanto" was produced with great success in the Academy of Music, Paris, Saint-Saens was purposely secreted in the Canary Islands, where he wrote a book of poems printed in the following year.

MISCELLANEOUS.

Ian MacLaren's "Bonnie Briar Bush" continues to be, now that Tribby's gone to pot, far and away the most popular book of the hour. The July Bookman, just out, and by the way, an excellent number bubbling over with news and gossip for those interested in literary themes—has reports from twenty-three American cities, eleven of

which give this admirable and wholesome volume the place of honor as the best seller on their stalls, while in six other cities it is ranked close to the top. No other book on the market at present begins to have such uniform popularity; and the general testimony is that the demand for it is on the increase. Tribby is rapidly becoming merely a reminiscence.

Speaking of Zangwill, that abnormally clever and sometimes satirical Hebrew who is deemed by many the smartest critic in London, certainly by the younger set, the July Bookman prints a picture of him which destroys illusions. Many who had idealized his personal appearance from the irresistible brilliancy of his caustic into something quite striking and quite handsome will learn with dismay that his countenance in reality is destined to stop a clock and his physique to send the hero-warrior into a trance. But of course Zangwill cannot help that; and, truly, it is a wise dispensation which gives to some men beauty and to others brains. It kind of even matters up.

Before we pass from Zangwill, it should be said that the Chap-Book for July 15 begins the first of a series of fortnightly letters from him, entitled as the Critic's "Without Prejudice." In these letters our London friend will wield the scalpel on his fiction-writing contemporaries and keep clearheaded readers en courant with literary movements and gossip on the other side. The same number of Chap-Book contains a laughable bit of epistolary dialogue from Clyde Fitch and a novel by Theodore Watts-Law which is as conspicuous for its propriety as the last one by this ambitious versifier was for its untamed fervor and fine scorn of the conventions.

J. M. Stoddard, formerly of Lippincott's, is named as the editorial head of a new magazine which looks as if it might find a profitable field. The new comer is a weekly, called "Information," and endeavors to be a "cyclopedia of current events." The gist of the week's news in all departments of legitimate human activity so far as known is printed in alphabetical fashion, in the belief that busy readers will have need of some ready reference. "Information" is printed by the publishers of the New Science Review, at 65 Fifth Avenue, New York.

The title of economic literature set going by the recent discussion of the currency question floats two new pamphlets to our notice. One is entitled "The White Dollar, Its History, Utility and Limitations," by Murat Halstead, published by the Franklin News Company, Philadelphia. The other is "The Perkinsons of Money," published by Charles H. Kerr & Co., 175 Monroe Street, Chicago. Both are "gold bug" in tone and tenor.

AUTHORS AND PUBLISHERS.

Count Tolstol is at work on a great novel on the subject of "Justice."

"Fort Frayne" is the name of Captain Charles King's new novel of army life.

Stevenson's "St. Ives" will appear initially in McClure's Magazine as a serial.

John Strange Winter's new story has been christened "A Magnificent Young Man."

The Samuel F. Smith "America" memorial fund now amounts to \$2,000. Andrew Carnegie has contributed \$400.

The American Association will hold its Springfield, Mass., Aug. 23 to Sept. 7 next.

Henry James' "Terminations" comprise "The Altar of the Dead," "The Death of the Soldier," "The Coxon Fund," and "The Middle Years."

Mr. Arthur Sullivan and Playwright Pinero are said to be busy upon a comic opera in the satirical vein, directed against the Deacons.

Dr. J. P. Crozer Griffith, of the University of Pennsylvania, has just issued a manual for mothers and nurses concerning "The Care of the Baby."

Hamlin Garland is writing a long novel with the title of "Rose of Dutchess County." "Cooley" is said to be a common western term for a well-to-do settler.

Clovercock, the home of Alice and Phoebe Cary, near Cincinnati, has been purchased by their cousin, Mr. Louis L. Thomas, who has married the oldest of the Cary sisters. It is intended to preserve it in the family as a Cary memorial.

A "Century Edition" of Burns, edited by W. E. Henley and E. B. Housman, is to be printed by Messrs. T. & A. Constable, of Edinburgh, and published in that city. It will fill four volumes, issued at intervals of about three months in the course of this year and next.

Richard Mansfield will appear next season in a dramatization of Dostoevsky's sombre "Crime and Punishment," under the title of "Rodion." The role of the remorse-stricken murderer will be offered him a powerful opportunity for his peculiar gifts of portraiture.

Harper's Weekly will soon begin the publication of a number of articles by Julian Ralph, who has recently toured in the west, investigating such subjects as "Civilization in the Indian Territory," "Education in the West" and the peculiarities of "Municipal Government in Western Cities."

The remains of Samuel Woodworth, the poet, are soon to be cremated in San Francisco. At one time John Van Varde agitated the project of placing Woodworth's remains in the city of New York, but his plans were never carried out. In Massachusetts there is considerable talk of purchasing the site of his Woodworth home in Scituate and dedicating the ground to public use as a park.

HAMLETS OF WAYNE.

Glimpse of Madisonville, Hollisterville and Salem as They Appear to Our Correspondent on the Wing.

Special to the Scranton Tribune.

Hamilton, July 19.—Madisonville lies about three miles northeast of Moscow on a direct line to Salem or Hamilton, as the postoffice is called, and near the county line of Wayne. The apple, pear and peach crops are good in this locality. The farmers grow small berries, make butter and take it to Hamilton. Many of them engage their butter at one price by the year. Sheep, poultry and turkeys are perhaps more abundant here than any other place the same distance from Scranton. Most of the lands which come to the Scranton market are shipped from this section. Madisonville was settled fifty or sixty years ago. Joseph Hornbeck was about the first settler. He had three sons, Samuel, William and Joseph, now all dead; but the old homesteads are still occupied by the Hornbecks, who constitute a large portion of the settlers. S. J. Hornbeck, of Moscow, is a son of Samuel T. Weldy, George Krotzer and Billy Evans are also among the old settlers. Benjamin McQuay, aged 87, died a few days ago. He lived in this place about fifty years. The farmers have a burning of 100 members. They meet once in two weeks.

As we pass on about five miles we come to Hollisterville. One thing is

very noticeable concerning the bay, which is only about half crop. The farmers within a certain distance of Hollisterville have been in the habit of taking their crops to the market outside of this limit, it being too far to draw to have raised more stock. Hence, in passing through the country at this time of year, as a rule, hay is from 20 to 40 per cent. better beyond this line. I would say here, if you mean to catch a string of fish, go to Hollisterville and stop with the genial landlord, Horace Simons, who will treat you in first-class style on the most reasonable terms.

Leaving Hollisterville, we pass through a good farming district. The indications here are for a fine crop of apples. No kind of fruiting along for about three miles we come to Salem or Hamilton, as the postoffice is called. This is a beautiful country town, somewhat elevated with fine, cultured farms all about it, with good roads, making fine drives in every direction. Here is a fine view of the bay, and a fine view of the bay, and a fine view of the bay.

Scranton people for summer homes. It is a five mile drive over a good road from Lake Ariel. A telephone line connects it with the lake.

GREEN ROOM GOSSIP.

Rhea will produce Nell Gwynne, Jimmy Powers is studying music, Verona Jarreau goes with The Passing Show next season.

M. B. Curtis will produce Gentleman Joe here this season.

A novelty promised for the next drama will be "No Kidding" in his own words.

Frank Thompson, the only son of Denham Thompson, has been playing Happy Jack in The Old Homestead.

Willson Lackaye's make-up as Svengali has set the Chicago critics fairly wild with wonder and admiration.

Happy Little Home, the title of a new comedy in which George W. Monroe will be seen the coming season.

Madeline Shirley has received from London a new burlesque called Little Napoleon and Miss Don't Care.

Edwin Miller Hoyle's new play, Mexico, will be produced at the Euclid Avenue Opera House, Cleveland, on August 2.

Courtenay Thorpe will include in his repertoire A Fantomine Rehearsal, in which Rosina Voss was so successful.

Percy Gaunt, Thomas Frost and Dore Duffell, writing a comic opera, which will probably be produced next season.

Sydney Armstrong, after a year's rest, has completely regained his health and strength and is again ready for professional work.

The Earl of Rossllyn will be a member of Mr. Wyndham's London company next season. He is about twenty-eight years of age.

Johnstone Bennett has signed with the Garrick theatre company next season. She says she is tired of starting.

Mr. Thomas Q. Seabrooke will make his debut as a star in comedy under the management of Mr. J. J. Brady at the Park Theatre, Boston, on September 8.

Henry Abbey announces that he will never bring another non-English speaking star to this country, as he lost money on Rejane, Coquelin, Hading and others.

Girl Wanted is the title finally adopted for the new comedy by R. N. Stephens, in which Frank Bush is to star the coming season. It had been intended to call the piece The Real Thing.

Robert Downing will make the greatest production of his career in the first performance in America of Sardou's famous play, Helena, which will be given in Washington on September 2.

The London comedy, The Strange Adventures of Miss Brown, by Robert B. Russell, will be produced by Charles A. and the fun is produced by a boy assuming the clothes of a girl.

Mr. Rhea has just signed a contract to make a tour next season under the management of Rich & Maeder, presenting a revival of "The Two Orphans," the French, and her new play, Nell Gwynne.

Billy Emerson, the veteran minstrel comedian, has become impressed with the growing importance of the vaudeville form, and as a result he has signed for next season with Weber and Fields' company.

Rose Coghlan has signed to play a six weeks' engagement in L. R. Stockwell's company at the Columbia Theatre, San Francisco, where she will probably present Miss Coghlan from going out on tour as early as in previous years.

The following actors have been engaged by Richard Mansfield to support Joseph E. M. Holland on their next season: Maud Harrison, Olive Oliver, Robert Cotton, Hugo Toland, Mrs. E. J. Phillips, Mrs. Rankin, Flossie, Ethyl and William Morris.

Charles Reade's drama, Never Too Late to Mend, has been revived at the Standard in London, with Henry Neville as Tom Robinson. It was Mr. Neville's first appearance in London since his return from America, where he appeared as leading character in "The Tree of Life."

Charles's Aunt has reached Portugal, and is attracting large audiences to an Oporto theatre. In its Portuguese guise it is a Madras de Charles. With the exception of an original and successful piece, this is the first time in years that an English drama has been performed on the Portuguese stage.

The play in which the Messrs. Holland will make their first appearance as stars at the Garrick Theatre in New York, early next month, formerly called Horace, has been renamed The Man With a Past. It was written by Edward and Harry Johnston, and is a comedy in three acts. Holland, the cast will include Maud Harrison, Mrs. Rankin and Olive Oliver.

Florence Reed, the daughter of Roland Reed, has just graduated from a young college in Philadelphia, where two years ago she carried off the art scholarship, for which there was great competition. She speaks German and French fluently and has inherited considerable histrionic talent. But the only Holland says he will keep her off the stage if he can.

The principal feature in Minnie Madden Fiske's repertoire next season will be an adaptation of play by Daudet and Hennequin, The Three of the House, from Frou and La Femme de Claude. She will also appear in a triple bill, A White Pink, by Daudet, and Grandpapa and A Light in the Window, a Louisiana study, both from her own pen.

A. W. Pinero will write no more problem plays—at least none for the next few years. He contends that to write a play like "The Sign of the Cross" or "The Notorious Mrs. Ebbsmith" is three or four times as great and trying as that required for a play like The Amazons, or Sweet Lavender. Pinero's health has been rather bad lately and he will rest by writing a few comedies.

Miss Minnie Palmer, it is announced, is coming back to America to act. She will begin a tour of this country about Christmas. She will be accompanied by her daughter, under the management of Francis Gerard, of London. A route is now being booked for her. Miss Palmer has not been seen on the stage since the spring of 1891, when she appeared in "The Minute at the People's Theatre, New York. She went to London soon after that, and has since been starred in the plays of M. P. Maeterlinck, and My Brother's Wife, two plays in which she has previously played here. She also appeared in pantomime as London.

Miss Helen, John Rogers, secured a divorce from her in London May last.

Jury Systems Here and Aroad.

Interesting Comparisons Which Indicate That Our Own Laws Could Be Materially Improved.

The agitation among some of our most careful jurists in behalf of jury reform is increasing rather than lessening. While conservative sentiment unquestionably agrees with Attorney General McCormick, of this state, that it would be unwise to discard the present jury system, and that the effort should rather be to clearly define its defects and then improve them, it is equally determined, if one may judge from representative press comments, that the attorney for defense should take an oath in open court that he would employ nothing but the truth in the defense. If that were done now, and violations were made punishable by suspension or being debarred, it seems to me that much of the effective speaking heard at the bar would be false. "In France," writes Mr. Scaife, "the number of names to be placed on an annual list for each department is fixed by law. Once a year, the justice of the peace, his deputies, and the head (maire) of each ward (commune) of a district (canton) meet together, and draw up a list containing the names of the number of names to which the district is entitled, which list is exposed to public view for objection, during two weeks. All such lists are then sent, with the objections, to the president of the civil court of the county (arrondissement), who, with the justices of the peace and the county council, reduces the number to one-half by choice, and from this list that of the trial jury is afterward reached by two drawings by lot. Let it be remarked that in France, as in all other countries of the continent where the jury system is in use, it is employed only in criminal cases, where the jurist as a rule is strongly opposed to trusting the complicated matters of civil life to jury trial."

Germany's Complicated System. "Germany has adopted a most complicated system of selecting jurors, the action of judges and an elected commission, which would probably surpass the patience of any American jurist. Suffice it to say that by this means the court, where a crime is to be tried, is furnished with the names of thirty men who have been deemed worthy of the office of juror. Service is obligatory, under a penalty of from 5 to 1,000 marks, to be fixed without appeal to the court."

"The law of the Swiss Confederation provides for the election every six years of one juror for every 100 of the population; and those elected must serve, unless they are more than 60 years of age or afflicted with a chronic sickness or other defect which renders them incapacitated to act as juror. From those elected, a list is drawn by the court, once every year, and sent to each circuit, where it is published. When there is to be a trial, a second list of 54 is drawn by lot, in open court, from the names thus received; from which list each party is allowed to challenge twenty, leaving fourteen; and from these fourteen, two are drawn by lot, who are present in the jury box and sworn like the others, but who have no voice in the verdict, unless one or other of the first twelve has by accident or illness been rendered incapable of performing his duty."

Electing the Jurors. "The Swiss canton of Neuchâtel has a new code of criminal procedure, which has been highly praised by European jurists. This provides for the election of jurors; and from all those thirty-eight names are drawn by lot, one for each session, from which the trial jurors are again drawn allowing for challenges, half to each party, unless only twelve remain. If several accused are to be tried at the same session, they may be asked by the resident of the court if they agree to be tried by the same jury; and in case of affirmative answer, they may consult together on the challenges. Service on the jury is here also obligatory, subject to a penalty of from 20 to 100 francs."

"Where the jurors are not elected, the law especially provides that persons belonging to certain unworthy categories shall be excluded from the jury list. Thus Germany declares incapable of acting as juror all those who have been legally charged or convicted of any crime or misdemeanor which has for a result the loss of the 'honor right' (Ehrenrechte) of citizenship, or of the possibility of admission to public office. Servants and those who receive or have received within three years help from the poor office are also excluded."

The French System. "French law has not only similar general provisions, but adds a long list of details as to causes which render incapable of acting as juror, some of them being permanent, others having force for five years only. Among the former, or excluding forever, are not only grave crimes and misdemeanors, but sentences to fine and imprisonment for theft, cheating, abuse of confidence, default as public depositary, usury, attack against the principle of property or of the rights of family, vagabondage or begging; also bankruptcy which has not been followed by judicial rehabilitation. Domestic or hired servants, and those unable to read and write French, are also declared to be unworthy a seat in the jury box. In both countries public functionaries are of course excluded, while old men are exempt. Both require a juror to be at least 20 years of age, and do not compel any one to act in this capacity more than one term in two years. 'Somebody' recently cited a case where the juror returned a verdict of guilty, when the district attorney and the judge were both of contrary opinion. In this regard, the code of Neuchâtel has what seems to be a good provision. In case the verdict is guilty, and the three judges of the court are unanimously of the opinion that the jury are mistaken, they may declare the judgment suspended, and postpone the trial till the next session, when it must be tried by an entirely new jury, not including a single member of the former one. If, however, the second jury brings in the same verdict as the first, judgment accordingly must be passed by the court. The action of the court in this instance must be of its own proper motion, without any demand from either party, and must be pronounced immediately on the declaration of the jury's verdict."

Unanimous Verdicts Unnecessary. "It may not be out of place here to call attention to a fact that not a single country of continental Europe requires unanimity for the verdict of the jury. The Swiss Confederation

makes ten out of twelve votes necessary; otherwise he goes free; for second trials are not in favor on the continent. France requires but a simple majority, as do a number of the Swiss cantons, and they give to the prisoner the benefit of the doubt, in case of equal vote. Germany requires two-thirds for conviction."

"One other point I should like to make. An old French law provided that, before the commencement of every trial, the attorney for defense should take an oath in open court that he would employ nothing but the truth in the defense. If that were done now, and violations were made punishable by suspension or being debarred, it seems to me that much of the effective speaking heard at the bar would be false."

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"The law of the Swiss Confederation provides for the election every six years of one juror for every 100 of the population; and those elected must serve, unless they are more than 60 years of age or afflicted with a chronic sickness or other defect which renders them incapacitated to act as juror. From those elected, a list is drawn by the court, once every year, and sent to each circuit, where it is published. When there is to be a trial, a second list of 54 is drawn by lot, in open court, from the names thus received; from which list each party is allowed to challenge twenty, leaving fourteen; and from these fourteen, two are drawn by lot, who are present in the jury box and sworn like the others, but who have no voice in the verdict, unless one or other of the first twelve has by accident or illness been rendered incapable of performing his duty."

Electing the Jurors. "The Swiss canton of Neuchâtel has a new code of criminal procedure, which has been highly praised by European jurists. This provides for the election of jurors; and from all those thirty-eight names are drawn by lot, one for each session, from which the trial jurors are again drawn allowing for challenges, half to each party, unless only twelve remain. If several accused are to be tried at the same session, they may be asked by the resident of the court if they agree to be tried by the same jury; and in case of affirmative answer, they may consult together on the challenges. Service on the jury is here also obligatory, subject to a penalty of from 20 to 100 francs."

"Where the jurors are not elected, the law especially provides that persons belonging to certain unworthy categories shall be excluded from the jury list. Thus Germany declares incapable of acting as juror all those who have been legally charged or convicted of any crime or misdemeanor which has for a result the loss of the 'honor right' (Ehrenrechte) of citizenship, or of the possibility of admission to public office. Servants and those who receive or have received within three years help from the poor office are also excluded."

The French System. "French law has not only similar general provisions, but adds a long list of details as to causes which render incapable of acting as juror, some of them being permanent, others having force for five years only. Among the former, or excluding forever, are not only grave crimes and misdemeanors, but sentences to fine and imprisonment for theft, cheating, abuse of confidence, default as public depositary, usury, attack against the principle of property or of the rights of family, vagabondage or begging; also bankruptcy which has not been followed by judicial rehabilitation. Domestic or hired servants, and those unable to read and write French, are also declared to be unworthy a seat in the jury box. In both countries public functionaries are of course excluded, while old men are exempt. Both require a juror to be at least 20 years of age, and do not compel any one to act in this capacity more than one term in two years. 'Somebody' recently cited a case where the juror returned a verdict of guilty, when the district attorney and the judge were both of contrary opinion. In this regard, the code of Neuchâtel has what seems to be a good provision. In case the verdict is guilty, and the three judges of the court are unanimously of the opinion that the jury are mistaken, they may declare the judgment suspended, and postpone the trial till the next session, when it must be tried by an entirely new jury, not including a single member of the former one. If, however, the second jury brings in the same verdict as the first, judgment accordingly must be passed by the court. The action of the court in this instance must be of its own proper motion, without any demand from either party, and must be pronounced immediately on the declaration of the jury's verdict."

Unanimous Verdicts Unnecessary. "It may not be out of place here to call attention to a fact that not a single country of continental Europe requires unanimity for the verdict of the jury. The Swiss Confederation

makes ten out of twelve votes necessary; otherwise