LITERARY ITEMS.

It having been charged that Mr. R. H. Dana, Jr., in his recent edition of Wheaton's "Elements of International Law," made unwarrantable use of the notes of a former editor, Mr. Lawrence, the following communication has been written to *The Nation* by Mr. Dana's brother:

To the Editor of The Nation.

DEAR SIR: The paragraph on my brother's edition of Wheaton, in to-day's *Nation*, although expressly but the indication of a first impression, is likely, from the general character of your paper, to have more effect on the minds of impartial readers than the many assertions of Mr. Lawrence himself, unsupported as they have been by a particle of proof.

As several professional gentlemen, in common with myself, have come to an entirely different result, after collating the two sets of notes as far as 700th page, this could hardly be but from a difference of the test applied in judging of the accusation of plagiarism and wholesale appropriation of his notes brought by Mr. Lawrence. We assumed, as a matter, of course, indeed of necessity, that there would be a considerable degree of similarity or even community of topics annotated and discussed in the notes; that there would be some corresponding degree of community of reference to authors who have previously discussed the same questions, and that the historical events entering into or giving rise to the legal discussions would be substantially the same in both. Professional men do not need to be told, and the general reader will recognise upon its being stated, that this must be so.

For plagiarism we looked to see whether, under an appearance of originality, the same views, the same or similar courses of reasoning in their support, were to be found in the two series of annotations; we looked to what was the work proper to the two editors themselves—that is, what of additional reasoning and argument, or what new point of view either has contributed to the already existing material, which is, of course, known to be open to the use of all experts in this somewhat limited and peculiar branch of jurisprudence.

The course pursued in publishing this edition, as I understand, was first carefully to strike out Mr. Lawrence's notes—not, as Mr. L. assumes, out of discourtesy, but because they are, in a literary sense at least, his property—and then to reprint the text and notes of Wheaton, adding Mr. Dana's MS.; and I have thus far observed but a single "appropriation" of Mr. L.'s notes. Owing, as I am told, to an "office-error," No. 80 of Lawrence's notes, consisting of a quotation of four lines from "Blackstone" (Stephens's ed.), reappears as note 52 of Dana; but this is to be rectified. It is to be remembered that there are 547 notes in the two editions.

To avoid any misunderstanding, I add that it is, of course, a part of the general duty of an editor to have by him for consultation at first hand, if requisite, those authorities whom he quotes and discusses. Mr. Dana, apart from his own knowledge of the chief foreign publicists, had especial opportunity for being informed as to Continental jurists. I know that the proper works were at hand and used during the preparation of his notes.

It is but just to the writer of the paragraph in your paper to recall that he characterizes his examination as "cursory," and it is precisely the necessary resemblances that I have referred to of topic and authority that lie upon the surface; but such is the difference in substance and results that I doubt if an editor of a similarly professional text-book was ever less indebted to a predecessor than are the notes of Mr. Dana to those of Mr. Lawrence.

I have thought myself entitled to publish this much in vindication of my brother's editorship during his absence, but in the brief interval before his return, knowing his indisposition to a newspaper discussion of what really belongs to a professional forum, I shall not feel at liberty to commit him at all to such a discussion. The law journals or the courts are the proper tribunals for an adequate investigation, and I believe newspaper readers come very soon to that opinion. I, certainly, shall not tax their patience. Yours, &c.,

EDM. T. DANA.

Boston, Aug. 30.

In connection with the recent bringing to light of important Samaritan Biblical manuscripts, a dispute has arisen in England as to whether the Prince of Wales, during his recent visit to Palestine, was really shown, as it is said he was, the most ancient roll of the Samaritans. A correspondent of *The Athenæum*, Mr. Barclay, now states, on the authority of Priest Amram, that His Royal Highness did see the MS. in question, and that Amram affirms the book of Deuteronomy (except a gap now patched with paper before the record of the law) to be in the handwriting of Abishua, and that the Tarikh (Deut. vi., 10-26) runs as follows: "I, Abishua, son of Phinehas, son of Eleazer, son of Aaron the priest, to them be honor from Jehovah and His will, wrote this Holy Book in the door of the Tabernacle on Mount Gerizzim, in the year 13, in the reign of Israel, in the land of Canaan and its boundaries." This roll is exhibited at the seven feasts each year. In the chronology of the Samaritans stands the entry "that in the year 4281 from Adam, and in the 19th year of the priesthood of Jehoiakim, Jesus, the son of Mary, was crucified in cursed Salem."

BOOKS RECEIVED.

The Poems of Thomas Kibble Hervey. Edited by Mrs. T. K. Hervey. With a Memoir. 16mo. pp. 437. Boston: Ticknor & Fields.

Peace with God. By William Adams, D.D. 32mo. pp. 46. Robert Carter & Brothers.

"The Omnipotence of Loving-Kindness;" being a Narrative of the Results of a Lady's Seven Months' Work among the Fallen in Glasgow. 16mo. pp. 348. The Same.

History of the Reformation in Europe in the Time of Calvin. By J. H. Merle d'Aubigné, D.D. Vol. IV. England, Geneva, France, Germany and Italy. 12mo. pp. xxxi., 491. The Same.

Out of the Depths. The Story of a Woman's Life. 12mo. pp. 370. Philadelphia: T. B. Peterson & Brothers.

Moreton Hall; or, the Spirits of the Haunted House. A True Tale in Real Life. 8vo. pp. 107.

The First of the Knickerbockers: A Tale of 1673. By P. Hamilton Myers, esq. [Sunnyside Series.] 12mo. pp. 119. Chapman & Co.

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The location, one of the most desirable in the city, will be made known the 15th of September, when Mlle. Rostan will be at home to receive applications personally. Till then all letters to be addressed to Miss L. F. ROSTAN, Box No. 4,165 General Post-Office, New York City. Circulars sent if desired.

FEMALE COLLEGE, Bordentown, N. J.—The Fall Term commences September 18. For catalogues containing terms, &c., address Rev. JOHN H. BRAKELEY, A. M., President.

GARDNER INSTITUTE.—FRENCH and ENGLISH BOARDING and DAY SCHOOL for YOUNG LADIES, No. 34 West Thirty-second-st., reopens Sept. 18. Circulars obtained at the Institute.
Mr. and Mrs. C. H. GARDNER, Principals.

HUDSON RIVER INSTITUTE.—Superior advantages in English, Classics, Science, Commercial, French, German, Piano Music and Painting. Lewis's Gymnasium for ladies, and Military Drill for gents. Eighteen instructors. Term opens September 10. The Rev. ALONZO FLACK, A. M., Principal.—Cleverack, Columbia County, N. Y.

IRVINGTON INSTITUTE, A FRENCH, ENGLISH and CLASSICAL BOARDING SCHOOL for BOYS.—Professor A. BOURSAUD, late Principal of the Brooklyn Hights Institute, will REOPEN his school on the 19th of September next at Irvington, Westchester County, N. Y., on the Hudson River, 25 miles from the city. The French is the language of the family, and will be constantly used in the institution. Circulars may be obtained by writing or applying to Messrs. IVISON, PHINNEY & Co., Publishers, No. 48 Walker-st., or at the present residence of the Principal, No. 4 Harrison-st., Brooklyn L. I.

JOHN MACMULLEN'S SCHOOL, No. 900 Broadway, corner of Twentieth-st., will reopen on MONDAY, Sept. 17. Circulars at the the Bookstore of Mitchell & Solnas, No. 911 Broadway and at the School.

J. H. PATTON'S CLASSICAL, ENGLISH AND FRENCH SCHOOL reopens Sept. 17, at No. 1,169 Broadway.

MOUNT WASHINGTON COLLEGIATE INSTITUTE (Classical, Commercial and French, with preparatory departments, No. 126 West Fourth-st., corner of Macdougal-st., on Washington-square. GEO. W. CLARKE, A. M., Principal) prepares boys of all ages for business or college, and opens its twenty fourth academic year Sept. 10, 1866. Circulars of terms, &c., at bookstores or at the Institute.
The Hons. F. A. Conkling and Welcome R. Beebe, Messrs. A. P. Wetmore, Robert Bonner, Charles Bliven, Theo. E. Tomlinson, George Mitchell, George Hoffman, Francis P. Sage, Daniel E. Delevan and 140 other well-known merchants and citizens are PRESENT PATRONS, whose names, with their sons, are in the new Catalogue and Circular.
N. B.—Students for College, West Point or Naval Academy are allowed (individually) to advance to higher classes as rapidly as their attainments permit.

MISS BEAN'S FRENCH AND ENGLISH BOARDING AND DAY SCHOOL FOR YOUNG LADIES, No. 59 West Forty-second-st., will reopen September 20.

MR. VAN NORMAN'S French and English BOARDING and DAY SCHOOL for YOUNG LADIES, No. 5 West Thirty-eighth-st., New-York (Murray Hill), reopens Sept. 20. Address as above.

MRS. BLIGH'S ENGLISH and FRENCH BOARDING and DAY SCHOOL for YOUNG LADIES, No. 49 WEST SEVENTEENTH-ST. will RE-OPEN on the 20th of September. All letters will have prompt attention. Circulars may be had at the school.

MISS S. M. ROGERS'S SCHOOL, Lexington-ave., corner of Thirty-seventh-st., will RE-OPEN SEPT. 17.

MISS ARMSTRONG'S
FRENCH AND ENGLISH
BOARDING AND DAY SCHOOL,
At No. 32 East Twenty-first-st.
will reopen on THURSDAY, September 20.
Miss A. will be at home on and after September 1. Letters addressed as above will meet with prompt attention.

MISS HAVENS, No. 250 Madison-ave., will resume her French and English BOARDING and DAY SCHOOL for Young Ladies, SEPTEMBER 20. Applications addressed as above, will receive her immediate attention.

MAPLE HALL FEM. SEM., Jamaica, L. I., will reopen Sept. 3. F. A. ANDREW.

MR. MILLS respectfully announces that his private classes of young Ladies will resume their studies on MONDAY, the 1st of October. Any communication for Mr. M. left at the book store of MITCHELL & SEIXAS, No. 911 Broadway, will receive prompt attention.

MADS. CUTTER & BURNS' English and French BOARDING and DAY SCHOOL for Young Ladies, No. 48 Pierrepont-st., Brooklyn Hights, will REOPEN on MONDAY, Sept. 17.

MORRIS FEMALE INSTITUTE,
MORRISTOWN, N. J.,
Offers to a small and select number of pupils the highest educational advantages, both solid and ornamental, and superior home accommodations. Term opens September 18.
C. G. HAZELTINE, Principal.

MR. BISBEE'S MILITARY SCHOOL, COLLEGE HILL, POUGHKEEPSIE, N. Y. Next session begins September 4. Send for a circular.

M. ERNEST FISTON'S
FRENCH, ENGLISH AND CLASSICAL SCHOOL
FOR BOYS,
(formerly C. D. Morris's)
No. 55 West Thirty-second-st., corner of Broadway, will reopen SEPTEMBER 10.
Circulars obtained at the School.

POUGHKEEPSIE YOUNG LADIES' SEMINARY—A select family school, opens Sept. 13, 1866. For Circulars, address GEO. W. McLELLAN, A. M., Principal, Poughkeepsie, N. Y.

RUTGERS FEMALE INSTITUTE.—Nos. 487 and 489 Fifth-ave., N. Y. BOARDING and DAY SCHOOL. The 109th Academic Term will commence on WEDNESDAY, Sept. 19. Circulars obtained at the Institute. H. M. PIERCE, President.

THE MISSES HOWLAND'S English and French BOARDING and DAY SCHOOL for Young Ladies and Children, No. 22 East Thirty-fifth-st., will REOPEN on THURSDAY, Sept. 20. Address as above.

THE REV. J. H. TYNG'S SCHOOL for a limited number of BOYS opens on 18th inst., at No. 907 Broadway.

THE FERRIS FEMALE INSTITUTE, No. 135 Madison-ave., corner of Thirty-second-st., will reopen Sept. 18. Ten boarding pupils admitted.

THE ENGLISH, FRENCH and CLASSICAL SCHOOL of Dr. F. BERTHET & GEO. B. GOODALL, will be open SEPTEMBER 17, at No. 920 Broadway. There is a Gymnasium. For Circulars, apply to LOCKWOOD, No. 411 Broadway.

THE MISSES WALKER will REOPEN their DAY SCHOOL for YOUNG LADIES No. 138 Madison-ave., on THURSDAY, Sept. 20.

THE MISSES GREEN will REOPEN their SCHOOL for YOUNG LADIES, at No. 1 Fifth-ave., first door from Washington-square, on WEDNESDAY, Sept. 26.

UNION HALL FEMALE SEMINARY at Jamaica, Long Island, New-York, is now open for the reception of pupils. Terms $300 per annum. Miss H. M. G. STEVENS, Principal.

WYERS'S BOARDING-SCHOOL for YOUNG MEN and BOYS, West Chester, Pa.—An English, Mathematical, Commercial, and Classical School; Corps of instructors large, number of students limited to 150; accommodations, playgrounds, gymnasium, ample and convenient. Terms, $350 per scholastic year of 10 months. School opens Sept. 5. For Circulars address WILLIAM F. WYERS, A.M., Principal and Proprietor, West Chester, Pa. Circulars at A. S. BARNES & Co.'s, No. 111 William-st., care of Mr. HULSE.

Instruction.

ANSCHUTZ MUSIC INSTITUTE,
SEECK'S MUSIC HALL,
No. 141 EAST EIGHTH-ST., BETWEEN BROADWAY AND FOURTH-AVE.
The office of this Institute is now open from 9 to 4 p. m. for the reception of applications and examination of pupils. For circulars, terms, &c., apply as above. The course will commence Sept. 17.
CARL ANSCHUTZ.

AARON RAND'S SCHOOL for BOYS will reopen September 17 at No. 11 West Twenty-seventh-st.

ANTHON, MR. GEO. C., will reopen his Classical FRENCH and ENGLISH SCHOOL, with Primary Department and Gymnasium, Fifth-ave., cor. Twenty-sixth-st., on MONDAY, Sept. 10.

AT $20.—Penmanship, Arithmetic, and Bookkeeping. Lessons unlimited, $20. Algebra, Grammar, and Spelling, each $5. FAINE, No. 62 Bowery, Brooklyn, removed to No. 349 Fulton-st.

AN Italian gentleman wants to give LESSONS in ITALIAN or SPANISH in payment for l