

NEW BOOKS.

Madison and the Union.

We have received from Doubleday, Page & Co. a large octavo volume of four hundred pages, entitled "The Life of James Madison," by Gaillard Hunt, who is well known to our readers as the editor of Madison's writings. It cannot be said that biographies of the fourth President have been numerous. The well-known "Life" by William G. Reeves, however, stopped short at 1794, and the "Life" contributed by Mr. Gay to the "American Statesmen" series seems brief in comparison with the subject's long and active career. The eight years of Madison's administration have been exhaustively studied by Mr. Henry Adams in a work which is recognized as authoritative, but it did not enter within the scope of the author's purpose to give a detailed account of those years and followed his tenure of the office of Chief Magistrate. The memorable part played by Madison in the framing and adoption of the Federal Constitution as a member of the Philadelphia Convention and of the Virginia State Convention, and as one of the principal contributors to the "Federalist," has been repeatedly set forth. Nevertheless, there was a time when the book before us, which will be found especially valuable for the light it throws on Madison's attitude toward nullification and secession. It is the chapters dealing with this matter which deserve particular attention.

It is well known that the Kentucky Resolutions of 1798 were drafted by Jefferson and amended by John Breckinridge, who introduced them in the Kentucky House of Representatives, where they were adopted by an almost unanimous vote. Madison had no hand in preparing the Kentucky Resolutions, and never saw them until after his own resolutions had been introduced in the Virginia Legislature; but there had been undoubtedly an agreement between him and Jefferson that Virginia and Kentucky should say substantially the same thing. Kentucky, however, went further than Virginia did, and the time came when it was harder to explain the Kentucky Resolutions than it was to explain those which Madison had written. As Madison was not in the Virginia Legislature at the time, he gave the draft of his resolutions to John Taylor of Caroline, who submitted it to the House without alteration. The draft prepared by Madison declared the Alien and Sedition laws "unconstitutional, null, void and of no effect," but, by general agreement, the words "null" and "of no effect" were stricken out as liable to misinterpretation. This was the only amendment made to Madison's draft.

Of the eight resolutions it is the third which raises the question whether Madison can be held to have sanctioned in advance the nullification doctrine subsequently propounded by South Carolina. This resolution declared that the Virginia Assembly viewed the powers of the Federal Government as resulting from the compact to which the States are parties, as limited by the plain sense and intention of the instrument constituting that compact; as no further valid than they are authorized by the grants enumerated in that compact, and that, "in case of a deliberate, palpable and dangerous exercise of other powers not granted by the compact, the States who are parties thereto have the right and are in duty bound to interpose for arresting the progress of the evil, and for maintaining within their respective limits the authorities, rights and liberties appertaining to them." Mr. Hunt brings out the interesting fact that a part of the language just quoted was reproduced by the Hartford Convention of 1814 in the course of its report, when it declared "that such a course in violation of the Constitution is absolutely void in an undeniable position. But, in cases of deliberate, dangerous and palpable infractions of the Constitution, affecting the sovereignty of the State and liberties of the people it is not only the right but the duty of such a State to interpose its authority for their protection in the manner best calculated to secure that end." It will be observed that the Hartford Convention used the singular noun "State," whereas the Virginia Resolutions used the plural "States." Much obviously depends upon this distinction. The Hartford Convention justified the nullification of a Federal law by a single State, but Madison repeatedly protested that his resolutions contemplated nothing of the sort. He maintained that South Carolina's nullification doctrine was a standard deduction from the declarations which he had written. What he had in view was concerted action by the States to secure repeal of obnoxious laws, or an explanatory amendment to the Constitution. The interposition was not to be single, but concurrent. In a word, the Virginia Resolutions embodied an enunciation of a primary principle—namely, that of the sovereignty of the States over their Constitution. Madison declared that the Federal Government was a mere power of attorney, revocable at the will of any one of the parties granting it. No State, he said, could of itself secede from its constitutional compact with the other States; the others must consent, or there must be "an abuse of the compact resolving the seceding party from the obligations imposed by it."

Madison said that Edward Livingston's speech, delivered in the Senate March 13, 1800, expressed his views. Livingston said that it was an attribute of the sovereignty of the States to watch over the operations of the Federal Government and to protect their citizens from unconstitutional measures. An act which, in the opinion of a State, was palpably unconstitutional, though affirmed by the United States Supreme Court, could be null, he suggested, in direct war, namely, "by reconstituting against it Congress by an address to the people in their elective functions to change or instruct their representatives; by a similar address to the other States, in which they will have a right to declare that they consider the act as unconstitutional, and therefore void; by proposing amendments to the Constitution in the manner pointed out by that instrument; and, finally, if the act be unconstitutionally oppressive, and they feel the strongest conviction that it is in violation of the rights of the people, to resort to the use of force, which every people have to resist extreme oppression." That is to say, the right of revolution, justification by a single State was, Livingston said, and Madison concurred with him, but limited by any right of sovereignty, and warranted by practice or constitutional exposition, not implied by the true construction of the Virginia Resolutions of 1798.

pent creeping with his deadly wiles into Paradise." M. W. H.

A San Francisco Story. In "The Socialist and the Prince" (Funk & Wagnalls Co.) Mrs. Fremont Older has written a powerful romance of life in San Francisco in the '70s, when, as the opening sentence tells us, nothing was extraordinary because everything was extraordinary. Those were the stirring days of the anti-Chinese movement and the "Sand-Lot" agitation, when San Franciscans were divided into two classes—millionaires and those who hoped to be millionaires. The Socialist of the story is Paul Stryne, leader of the sand-lot agitation and uncompromising slayer of octopi and hunter of money devils generally—a vigorous and aggressive young man with a prominent chin and brows and a somewhat theatrical gift of eloquence. The prince is Alessandro Ruspoli, a cousin of the King of Italy, who was making a tour of the world and staying in San Francisco for a time. He was dark as a Turk, with glossy jet hair and black eyes that made one think they had burnt until they were dead.

On one occasion Paul Stryne led his riotous followers to the top of Nob Hill which, at all the world knows, is the home of the Octopi of the Pacific Coast. Here, from the steps of Col. Peyton's brownstone house, he harangued the mob, while, barricaded behind the doors and darkened windows of the adjoining mansions, the Walsinghams, the Pickets, the Hacketts and other capitalists and their families shivered in terror and awaited developments. Meanwhile rude men sat upon the roofs of the houses and smoked and made themselves at home. Some spat upon the veranda floors. Strains of music came from the orchestra within the Peyton house while Stryne was speaking—and a bonfire was blazing on the lawn. Suddenly the Peyton door was swung open by the butler and in the entrance stood a tall, lithe and graceful young woman calmly looking at the fire, the thousands of strange faces and as Stryne, who was Theodosia, daughter of Col. Peyton, who, by the way, was president of a railroad and had shares in all the big corporations on the Pacific Coast. At Theodosia's sudden appearance Stryne was abashed. His vehement eloquence was checked. His eyes dropped and in doing so they fell upon a small black patch on Theodosia's collarbone, which unnecessarily called attention to the fairness of her shoulders and added to the agitator's embarrassment. But Theodosia was calm and merciful. She said:

"I am speaking to Mr. Stryne, I believe?" Stryne saluted again with the deference which a European social training gives. "Mr. Stryne, I am Miss Peyton. . . . We are just finishing dinner. Bring any of your friends you choose. I am sorry your house is too small to seat them all, but you have so many friends!" "Stryne bowed again and answered: 'You are most kind, madam. I thank you; but I have a previous engagement with these friends.' "Col. Peyton will be so sorry. Another time, perhaps. Any time, Mr. Stryne."

"Again, madam, you are most gracious; but I have an engagement for life with my friends." The girl smiled automatically, bowed to Stryne and was lost in the shadows of the great hall. Thereafter we trace the progress of Theodosia and the course of her love affairs with the Socialist, the Prince and some others. She sang with a high, pure soprano voice, played the piano brilliantly, read superficially some books worth while, and spoke several languages. Though young, she was no novice in matters concerning love. She had, we are told, run the gamut of flirtation and could keep an affair going with half a dozen men at a time. She had finished her knowledge of the French language by a flirtation with a Lieutenant of the French navy, whose ship was in port; and she studied Spanish and the history of the Catholic Church, with a handsome, dark-eyed, pale-faced young Spanish priest. One night she awoke to find a basket of crimson roses passed through a window into her room. "A moon came from the ground below. The young priest was lying prostrate, for the ladder on which he mounted had fallen in his descent." It is gratifying to learn that the padre was conveyed safely to his home and that Col. Peyton called upon the Archbishop; that the young man was merely sent into the interior of Alaska, for discipline and presumably in search of a cooler climate—and that in his sagacious middle age he was made a Bishop. Theodosia was certainly liberal in her ideas and had a thirst for knowledge. She believed that one is not young and San Francisco reared for nothing. As she explained to the Colonel:

when the latter remonstrated with her for trifling with the affections of the German Consul-General.

"Papa, I don't want a homely flirtation, because you are such a dear, good man that you are not capable of giving it. Now I could instruct you. Tell me, dear old boy, don't you really think that we women, who are exiles three thousand miles away from anything that is worth living for, and six thousand miles away from all that is worth living for, ought to have a little recreation? You yourself admit that my German is greatly improved."

It pleases us to know that Theodosia finally marries the Prince and in later life "bore herself with that dignity and freedom from coquetry that only satiety furnishes, and which a reformed American flirt alone can assume."

Nor is it any strain to our sense of justice to learn that the Socialist, having presumably renounced in despair the regeneration of San Francisco, set out to save Italy and came to a bad end. There is much that will interest and entertain in Mrs. Older's story and she seems to know her San Francisco well. Though, perhaps, her statement that the San Francisco maid is at present the most chaperoned girl in the United States may be received with mild surprise by some who are acquainted with that gay and festive town.

A Fine Story by Stewart White. In "Conjurer's House" (McClure, Phillips & Co.) Mr. Stewart Edward White has succeeded in writing a real story. He has shown talent of an unusual kind in his previous books, like "The Blazed Trail," but it was shown rather in remarkable descriptions of nature and in separate episodes which, however powerful, were not thoroughly welded together. Here he tells a simple, direct story that hangs together from beginning to end. The strange power he has of bringing home the feeling of the wilds is shown again in the picture of the mysterious northland that is being brought closer to civilization, the Hudson Bay territory close to the Bay and running up into the Arctic circle. There are but three people in his tale and the lines that draw their characters are perhaps a little thick, but the author creates for us a charming and natural young girl, a fine young fellow who is rather obstreperous and a dramatic version of the man who is absolute master in a savage community regardless of human law or opinion. We cannot say that Mr. White's psychology comes up to his wonderful sense of nature; he does not seem to care so much for humanity; but this story shows a marked advance in that respect over his previous tales and it is an extremely good story in every way.

Two Summer Novels.

A very pleasant story in his old "Chimmie Fadden" vein is Mr. Edward W. Townsend's "A Summer in New York" (Henry Holt & Co.). Mr. Townsend has no occasion to use his curious East Side dialect, but he makes up for it by reveling in Manhattan slang. A love story connects his episodes, but the book is almost a guide-book to the pleasures New York city affords as a summer resort, a guide that is much more needed by the dwellers in Manhattan than by the strangers who have learned to visit the city in the summer months. Mr.

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OUT TO-DAY EXPANSION OF THE REPUBLIC SERIES. THE HISTORY OF PUERTO RICO. By R. A. VAN MIDDELDYK. Horace Greeley. By WILLIAM A. LINN. HISTORIC LIVES SERIES. D. APPLETON & COMPANY Publishers. NEW YORK BOSTON CHICAGO.

A LITERARY SENSATION. The Letters of Mlle. Julie de Lespinasse. JULIE DE LESPINASSE. Lady Rose's Daughter. HARDY, PRATT & CO., 44 Federal Street, Boston.

HARPERS BOOK NEWS. LADY ROSE'S DAUGHTER. Lady Rose's Daughter has now been published two weeks. It has in this time entirely justified its publishers' hopes that it might be enthusiastically received. With one accord the papers of the country have placed it as the book of the day. In fact, no book in years has received such flattering, unqualified praise. THE SUBSTITUTE. Will N. Harben's latest book, The Substitute, has just been published. Like "Abner Daniel" and other stories by this author its scenes are laid in Northern Georgia and its people are characterized by their simple philosophy and quaint humor. The story tells of the love of a man for a woman above him in social station. The story is novel, vivid, compelling, and above all it rings true.

WALDA. Another new publication is WALDA, the first book of Mary Holland Kinkaid. It is a love story placed in a religious community (the scenes are photographically true), where love and marriage are tacitly discouraged. A man of the world falls in love with WALDA, the coming prophesies of this community, and she finds that she must struggle between her religious beliefs and the instincts of her heart. An atmosphere of austere piety pervades the story and gives it additional charm. THE PRIDE OF TELFAIR. Elmore Elliot Peake in The Pride of Telfair tells a plain, unvarnished tale of the people of one of the progressive small "cities" of the middle West. The book has all the bustle and alertness of the West in it, while an unforced humor and common-sense philosophy entertain the reader on every page. The story tells of a keen young lawyer—the pride of the town—and a love affair in which much of the city assisted.

HARPER & BROTHERS FRANKLIN SQUARE, NEW YORK. THREE NEW NOVELS. MRS. WILFRID-WARD'S NEW NOVEL. The Light Behind. Second Edition on the Press. TRUTH. Every one agrees this is Zola's greatest novel. "The most powerful novel of modern times."—Chicago Tribune. TRUTH. DORA GREENWELL-McCHESNEY'S NEW NOVEL. Cornet Strong of Ireton's Horse. Second Edition on the Press. JOHN LANE.

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