

## THE GERMAN EMPIRE

•The M Co. •

# THE GERMAN EMPIRE

BY

BURT ESTES HOWARD, PH.D.

New York

THE MACMILLAN COMPANY

LONDON: MACMILLAN & CO., LTD.

1906

*All rights reserved*

**COPYRIGHT, 1906,**  
**By THE MACMILLAN COMPANY.**

---

**Set up and electrotyped. Published September, 1906.**

**Norwood Press**  
**J. S. Cushing & Co. — Berwick & Smith Co.**  
**Norwood, Mass., U.S.A.**

TO THE MEMORY  
OF  
JONATHAN SAYRE SLAUSON

# CONTENTS

	PAGE
CHAPTER I	
THE FOUNDING OF THE GERMAN EMPIRE . . . . .	I
CHAPTER II	
THE EMPIRE AND THE INDIVIDUAL STATES . . . . .	19
CHAPTER III	
THE KAISER . . . . .	28
CHAPTER IV	
THE BUNDESRAT . . . . .	48
CHAPTER V	
THE REICHSTAG . . . . .	79
CHAPTER VI	
IMPERIAL LEGISLATION . . . . .	100
CHAPTER VII	
THE IMPERIAL CHANCELLOR . . . . .	123
CHAPTER VIII	
CITIZENSHIP UNDER THE GERMAN CONSTITUTION . . . . .	134

---

	PAGE
CHAPTER IX	
THE JUDICIAL ORGANIZATION OF THE EMPIRE . . . .	171
CHAPTER X	
ALSACE-LORRAINE AND ITS RELATION TO THE EMPIRE . . . .	204
CHAPTER XI	
THE CONSTITUTION AND IMPERIAL FINANCE . . . .	241
CHAPTER XII	
THE ARMED FORCES OF THE EMPIRE . . . . .	320
CHAPTER XIII	
THE IMPERIAL CONSTITUTION . . . . .	403
INDEX . . . . .	437

## INDEX

- Abolitionsrecht*, Kaiser's pardoning power does not involve, 44-45.
- Accounts, Committee of (*Bundesrat*), 55, 127, 294, 319, 417.
- Administration of Imperial Debt, Board for, 128.
- Administration of Imperial Invalid Fund, 255-257.
- Administration of Imperial Railways, Office for, 128.
- Administrative authority of *Bundesrat*, 60-68.
- Admiral, the commanding, an officer of the Empire, 24, 329.
- Admirals' Staff of the Navy, 329.
- Admiralty, the, 128.
- Agriculture, regulation of, 23.
- Alfred, Prince, mentioned relative to citizenship, 144 n.<sup>3</sup>.
- Alsace-Lorraine, Kaiser's power in relation to, 46-47; Commissioners from, sit in *Bundesrat* without a vote, 51; Committee for (*Bundesrat*), 55, 215; entitled to elect members to *Reichstag*, 80 n.<sup>2</sup>; number of delegates to *Reichstag* from, 86; citizens of, as citizens of German Empire, 138 n.; question of status of, in German Empire, 204-206; Law concerning Union of, with German Empire, 206-207; five periods in development of organization of, 208-224; military dictatorship in, 208-210; imperial dictatorship in, 210-215; responsibility of Imperial Chancellor in, 212-213, 214; position of president (*Oberpräsident*) in, 213-214; passage of power in, to *Bundesrat* and *Reichstag* (1874), 215-218; erection of Territorial Committee for, 217-218; establishment of Territorial Committee as fixed factor in legislation of, and effects, 218-222, 232-234; present system of administration in (from 1 October, 1879), 222-234; present relation of, to German Empire, 224-227; Ministry in, 227-228; Council of State in, 229-230; *Bundesrat* the organ of the legislative power in, 230-232; legislation in, 234-240; government railroads in, 257-258; has no share in revenue from tax on beer and in transit dues on beer, 261; exempted from beer and wine taxes, 274 n.<sup>4</sup>, 283, 295; Kaiser exercises rights of head of military contingent in, 343 n.<sup>2</sup>; obligation to military service of citizens of, 373 n.<sup>2</sup>; military oath taken to Kaiser only, by armed forces of, 380 n.<sup>1</sup>.
- Ambassadors, imperial control of, 24, 41, 409; exemption from payment of duty on certain articles imported for, 292; rights of individual States to send, 296.
- Amending of Constitution, 27, 54, 110, 394, 435.
- Amendment of bills by *Bundesrat* and by *Reichstag*, 111.
- Amtsgerichte*, 173, 174-178.
- Anhalt, 19 n., 403; representation of, in *Reichstag*, 85 n.<sup>2</sup>; military convention with, 349 n.<sup>2</sup>, 370, 380, 381, 390.
- Anhalt-Schwartzburg, 3 n.<sup>2</sup>.
- Annexation, Law of (concerning Alsace-Lorraine), 210-212.
- Appellate courts, 173, 187-188.
- Army, not of unitary character, 24-25, 321; under North German Confederation, 29, 321-322; Kaiser's supreme command of, 45-46, 322-326, 429-430; persons in active service in, may not vote, 82; legislation with respect to, 110; mobilization of, 252, 351-353; position of Bavaria



- relative to, 325-326, 351-353, 431-432; ordinance-issuing power in respect to, 334-343; discussion of Kaiser's right of command over, 344-359; rights and duties of Kaiser as commander of, 347-359, 430-431; position of individual States relative to, 359-381, 429-430; relation of rulers of individual States to, 369-370; obligation of citizens to service in, 371-381, 426; service in, is duty owed to home State, not to Empire, 374-380; furnishing of recruits for, 387-390; places for enlistment in, 389 n.<sup>2</sup>; distribution of financial burdens of, 390-393, 426, 428.
- Army and Fortifications, Committee for, (*Bundesrat*), 26, 55-56, 68, 340, 368, 384, 388.
- Army Corps Districts, 388.
- Arrest of members of *Reichstag*, 95-97, 414.
- Assembly, right of, 356.
- Assessments, proportional, of German States in imperial financial system, 298-305, 311 n.<sup>1</sup>.
- Assessor, definition of, 194 n.
- Association, imperial control of right of, 22, 356, 406.
- Attorneys, fees of, 171; examinations for, 193-195.
- Auditing of imperial accounts, 311-316.
- Auditing Office, Prussian, 312-314, 319.
- August Treaty, the, 6-7, 10, 11; terms and effect of, 7-9; expiration of, 13.
- Austria, moves mobilization of federal army against Prussia, 2-3; elimination of, from reorganized Germany, 5; communes of, included in German tariff jurisdiction, 269.
- Authentication of public documents, 22, 406.
- Authorities, loss of citizenship by decision of, 159-164.
- BADEN, 3 n.<sup>2</sup>, 16, 19 n., 403; *Sonderrechte* of, 26, 261; votes of, in *Bundesrat*, 50; representation of, in *Reichstag*, 86 n.<sup>1</sup>, 412; treaty with United States relative to citizenship, 165 n.<sup>4</sup>; courts in, 173 n.<sup>1</sup>; has no share in revenue from tax on beer and in transit dues on beer, 261; taxation of beer and brandy in, 278-280; exemption of, from beer tax and transit dues on beer, 295; military convention with, 349 n.<sup>2</sup>, 350 n.<sup>2</sup>, 370, 371 n.<sup>2</sup>, 380, 381, 390, 398 n.<sup>2</sup>.
- Bank, Imperial, 67, 128, 319.
- Banking regulations, 21, 405.
- Bank-notes, tax on, 260.
- Bankruptcy, proceedings in, 177, 186, 187 n.<sup>7</sup>.
- Bankruptcy Law, 171, 172.
- Bankrupts, loss of franchise by, 81; ineligible to *Reichstag*, 88.
- Bar examinations, 193-195.
- Bavaria, 3 n.<sup>2</sup>, 19 n., 403; takes initiative in union of all German States, 15-16; rights obtained by, on entrance into North German *Bund*, 16-17; imperial power in, does not extend to domicile and settlement, 21, 26; *Sonderrechte* of, 26, 46 n.<sup>4</sup>, 295, 402; right of, to preside in *Bundesrat* when no Prussian substitute for Chancellor is available, 26, 53-54, 129, 132; chairmanship of Committee of Foreign Affairs (*Bundesrat*) held by, 26, 56, 409; representation of, in *Reichstag*, 86 n.<sup>1</sup>, 412; treaty with United States relative to citizenship, 165 n.<sup>4</sup>; Supreme Court in, 173 n.<sup>1</sup>; postal and telegraph administration in, 249 n.<sup>1</sup>, 295, 296; has no share in certain imperial revenues, 260-261, 295; taxation of beer and brandy in, 261, 278-280, 295; tariff treaties between Austrian communes and, 269 n.<sup>2</sup>; small amount contributed by, to expenses of central administration, 295-296; diplomatic service of, 296; special senate of, in organization of Imperial Military Court, 296-297; military rights of, 325, 332-333, 343, 389-390; extent of Kaiser's military power in, 351-353, 385; exempted from constitutional provisions as to state of war, 358-359; military convention with, 364, 368, 393-394; erection of fortifications in, 383 n.<sup>1</sup>, 385-386; financial obligation of, relative to army, 391-392.

- Beer, tax on, 260, 261, 273-274, 278-280, 300, 415.
- Beet-sugar, tax on, 277, 415, 417.
- Behörde*, significance of word, 125 n.<sup>1</sup>.
- Berlin, representation of, in *Reichstag*, 86.
- Bills, Kaiser's right of transmission of, from *Bundesrat* to *Reichstag*, 34, 42, 104-109, 127, 411; right of initiative of *Reichstag*, 99, 101-103; right of initiative of *Bundesrat*, 101, 102-103; amendment of, by *Bundesrat* and by *Reichstag*, 111; final action taken on, by *Bundesrat*, 116-117; financial, 305-306.
- Bills of exchange, stamp tax on, 289.
- Bills of Exchange, Law of, 181.
- Bills of lading, stamp tax on, 289.
- Birth, citizenship in German Empire by, 139-141.
- Bismarck, circular note of (June 10, 1866), 5-6; draft of constitution for *Bund* laid before representatives of States by, 10; appointed Chancellor of North German *Bund*, 13; purpose of, in revival of title of "Kaiser," 31; quoted on sovereignty of *Bundesrat*, not of Kaiser, 58 n.<sup>1</sup>.
- Bonds, stamp tax on, 289.
- Brandy, tax on, 260, 261, 273 n.<sup>2</sup>, 274, 278-280, 300, 301, 415.
- Brandy-tax group of States, 110, 278-280.
- Bremen, 12, 19 n., 403; has one vote in *Bundesrat*, 50; representation of, in *Reichstag*, 85 n.<sup>2</sup>; status as a free haven, 271, 415; military convention with, 351 n.<sup>2</sup>, 371 n.<sup>2</sup>, 380, 381, 390, 393, 397, 398 n.<sup>2</sup>.
- Brunswick, 9, 11-12, 19 n., 403; votes of, in *Bundesrat*, 50; question of succession in, 76; representation of, in *Reichstag*, 85 n.<sup>2</sup>; military convention with, 349 n.<sup>2</sup>, 370, 371 n.<sup>2</sup>, 380, 381, 390, 393, 396.
- Budget, of individual States, 23; the imperial, 76, 305-307, 432-433; the military, 390-393, 431.
- Building regulations, 23.
- Bund*, North German. See North German Confederation.
- Bundespraesidium*, 28-29, 301, 409-410.
- Bundesrat*, a body representing the allied governments, 21, 28; sovereign power of, 21, 32-33, 58, 115-116; Imperial Chancellor chairman of, 26, 52-53, 123, 410; Bavaria's special rights in, 26 (see Bavaria); legislation on the Imperial Constitution in, 27, 54, 101, 394, 435; Kaiser's right of transmission of bills from, to *Reichstag*, 34, 42, 104-109, 127, 411; the Kaiser and, 40, 41, 42, 54, 62-66; and declarations of war, 40-41, 66, 397-398, 409-410; and making of treaties, 41, 397-398; position of, in imperial system, 48-49; Kaiser's right to open, prorogue, and close, 41, 52, 410; composition of, 48-50, 407; members of, vote as State represented has instructed, not individually, 50-51; has no power to verify instructions of representatives to, 51; Commissioners from Alsace-Lorraine in, 51; method of transaction of business by, 52-56; introduction of measures into, 54; majority principle prevails in, 54, 110, 129; Committees of, 55-56, 408-409; members of, cannot be members of *Reichstag*, 57, 83-84, 409; status of members of, 57, 433-434; triple functions of (legislative, administrative, and judicial), 58; legislative function of, 58-60; administrative function of, 60-68; supervision of execution of laws by, 60-61; ordinance power of, 62-65; choice of imperial officials by, 65-66; judicial function of, 68-78; consent of, necessary to closing of *Reichstag*, 90; sanction imparted to bills by, 116-117; Committee for Alsace-Lorraine, 215; an organ of the legislative power in Alsace-Lorraine, 230-232; exclusion from tariff jurisdiction rests with, 270, 271-272; connection of, with granting of expenditures, 308, 310, 392; consent of, necessary in military conventions if imperial matters are affected, 397-398.

- Bureaus of Imperial Chancellor, 127-128.
- CHANCELLOR. *See* Imperial Chancellor.
- Children, illegitimate, and citizenship, 141-142, 154 n.<sup>4</sup>, 155.
- Church and state, regulation of relation of, 23.
- Citizenship, imperial supervision of, 21, 405; of unitary State and of federal State, 134-139; acquirement of, in German Empire, 139-154; loss of, 155-167; reinstatement to, 166-167; protection of rights through, 167-170; involves liability to military service, 371-374.
- Citizenship, Federal Office for, 295.
- Coat of arms, Kaiser's right to imperial, 39.
- Code of Civil Procedure, 171, 172.
- Code of Criminal Procedure, 171; Military, 356, 428.
- Coinage, 21, 67, 405.
- Colonies, laws issued for, 122.
- Colonization, regulation of, 21.
- Command, regulation of military affairs by, 334-343; element of, in bills, *see* Sanction.
- Commerce, imperial control of legislation pertaining to, 21, 405; treaties affecting, 63.
- Commerce, Committee on (*Bundesrat*), 55, 408, 426.
- Commercial Code, 172.
- Commercial courts, 181-183.
- Committees, of *Bundesrat*, 55-56, 215, 409; of *Reichstag*, 92.
- Common carriers, lawsuits of, 177.
- Compensation, claims for, 67.
- Competence, Empire's competence to enlarge its, 27.
- Conferment of citizenship, 144-154.
- Confiscation for evasion of duty payments, 287.
- Constitution, each State has control of its own, 23.
- Constitution of North German Confederation, history of, 6-12; judicial controversies over, 12-13; provisions of, looking to union of all Germany, 15; powers bestowed later on Kaiser found in, 28-29.
- Constitution, Imperial, publication and character of, 18; provisions included in, 21-22; amendments of, 27, 54, 110, 394, 435; the military conventions and the, 393-398; text of, 403-435.
- Consular courts, 45, 69; appeals from, 190-191.
- Consular jurisdiction, 172.
- Consular representation, 22.
- Consuls, imperial control of, 24, 426; appointment of, 41; pardon in cases of judgments passed by, 45; registration of citizens by, 164-165.
- Consumption taxes, 110, 261, 273-277, 415-416; rights of States relative to levying, 273-277; collection and administration of, 292-293.
- Content of a law, determination of, 100-111; distinction between "sanction" and, 100 n.<sup>2</sup>.
- Contingent, scope of word, 360-361.
- Contraband goods, 286-287.
- Conventions, military, 393-402.
- Costs of courts, 171.
- Council of State in Alsace-Lorraine, 229-230.
- Court, *Bundesrat* as a, 68.
- Court of Guardianship, 156.
- Courts, jurisdiction of States over, 24; costs of, 171; four grades of, 173; *Amtsgerichte*, 174-178; *Landgerichte*, 179-187; *Oberlandesgerichte*, 187-188; *Reichsgericht*, 188-191; military, 357, 365.
- Courts-martial, 357-358.
- Credentials, of members of *Bundesrat*, 51, 76; of members of *Reichstag*, 91, 413.
- Criminal Code, 171, 172; penalties under, during state of siege, 356 n.<sup>2</sup>.
- Criminal courts, 180.
- Criminal law, Kaiser's protection before, 39.
- Criminal Procedure, Military Code of, 356, 428.
- Criminal proceedings against members of *Reichstag*, 95-97, 414.
- Crown Prince, imperial title of, 39.

- Customs and Tax Deputies, imperial, 281-282, 290 n.<sup>1</sup>.
- Customs and Taxes, Committee on (*Bundesrat*), 55, 127.
- Customs duties, 21, 24, 110, 261-290; places exempted from, 270-273; articles imported for rulers and ambassadors exempted from payment of, 292.
- Customs inspectors, 63-64.
- Customs laws, 62-64, 66.
- Customs Treaties, 280 n.<sup>3</sup>.
- Customs Union, important part played by, in realization of German unity, 261-262.
- Customs Union Treaty (8 July, 1867), 14-15, 50, 62, 64, 262-268, 418.
- DEBT, the imperial, 297, 316-319.
- Declarations of war, 40-41, 66, 409-410.
- Defects in execution of laws, powers of *Bundesrat* concerning, 63-64, 68, 407.
- Department of Interior, 128.
- Department of Justice, 128.
- Deutscher Reichs- und Preussischer Staats-Anzeiger* newspaper, 258-259.
- Directory of Imperial Printing-office, 259.
- Dislocation, Kaiser's right of, relative to army contingents, 350-351, 384.
- Dismissal from citizenship, 155-159.
- Disputes between States, 70-71, 434-435.
- Distribution of Recruits, Law governing, 388.
- Documents, authentication of public, 22, 406; stamp tax on, 288-290, 292.
- Domicile, imperial control in matters of, 21; suffrage dependent on possession of, 82; and citizenship, 140.
- Drafts, stamp tax on, 289.
- Duties, customs, 21, 24, 110, 261-292.
- ELBE, status of lower, respecting tariff boundaries, 272-273.
- Election Circles (*Reichstag*), 86.
- Elections to *Reichstag*, 81-87, 90-91, 412.
- Elections, Committee of (*Reichstag*), 92.
- Embezzlement, trial for, 178.
- Emigration, regulation of, 21; and citizenship, 156-159.
- Emperor, German. *See* Kaiser.
- Employees, lawsuits of, 177.
- Engraving of laws, 117-120, 411.
- Enlistment, places of, 389 n.<sup>2</sup>.
- Equalization tax, 274-275.
- Equipment, military, administration of, 248-249.
- Equipment of Troops, Fund for, 258.
- Examinations for judiciary, 193-195.
- Execution against recalcitrant State, 27, 43, 66, 69, 411.
- Execution of judgments, 22, 406.
- Execution of laws supervised by Kaiser, 42-43, 411.
- Expenditures, granting of, 307-311.
- Expenses of army, distribution of, 390-393, 426, 428.
- Expropriation of land for fortifications, 383, 430.
- Exterritoriality, non Prussian members of *Bundesrat* have privilege of 57.
- FEEs, laws regulating court, witnesses', attorneys', etc., 171.
- Final Resolution relative to Bavarian military rights, 351-353.
- Finances, imperial, 66-67, 99, 241-319, 432-433; military, 390-393, 426, 428.
- Fire regulations, 23.
- Fiscus, the Imperial, 241-245.
- Fishing, regulation of, 23.
- Flag of navy and merchant marine, 425.
- Foreign affairs, imperial control over, 24, 405.
- Foreign Affairs, Committee on (*Bundesrat*), 55, 56, 409.
- Foreign countries, loss of citizenship by residence in, 164-167.
- Foreigners, surveillance of, 21; citizenship of children of, 140; naturalization of, 151-153; loss of citizenship by marriage to, 155; military service by, not compulsory, 373.
- Foreign Office, 128.
- Forestry regulations, 23.
- Fortifications, imperial control of, 24, 381-387, 430; under North German *Bund*, 29; money from sale of, 67; abandoned, 251, 386; territorial rights of States and erection of, 381-383; Kaiser's military administration of,

- 384-385; appointment of commanders of, 385.  
 Fortresses, construction of, 46.  
 Frankenstein Clause, the, 300-305.  
 Frankfurt, 3 n.<sup>2</sup>, 50.  
 Free ports, 270-272, 415.  
 Freight charges, lawsuits over, 177.  
 French War Indemnity, 251, 253, 258 n.<sup>6</sup>.
- GARRISONS, determination of, by Kaiser, 350.  
*Gerichtsverfassungsgesetz*, 171; provisions of, 191-201.  
 German Emperor. *See* Kaiser.  
 German Empire, origins of, in North German *Bund*, 1-2; the August Treaty a definite step toward erection of, 7; relationship between North German *Bund* and South German States leading to formation of, 14-15; birth of, 17-18; Constitution of, 18, 403-435; character of, as a State, 19-20; States composing, 19-20, 403; sovereignty in, rests with *Bundesrat*, 21, 32, 58, 115-116; field of legislative power of, 21-22; executive power of, 23-25; extent and limit of powers of, 25-27; not a monarchy, though composed of monarchies, 32-33, 57-58; has no voice in choice of Kaiser, 35-36; question of regency in, 37-38; legislative power of, exercised by *Bundesrat* and *Reichstag*, 58-59; acquirement of citizenship in, 139-154; loss of citizenship in, 155-167; control of judicial organization by, 171 ff.; status of Alsace-Lorraine in, 204 ff.; finances of, 241-319, 432-433; working capital of, 245-259; administrative means of, 246-251; financial means of, 251-259; continuity between *Zollverein* and, 261-269; practically a single tariff district, 269, 273; relations of, with States, respecting administration of finances, 290-294; expenses of, 294-298; Auditing Court of, 313-316; Prussian legislative competence in military matters for, 331-334, 427-428.  
 German States, position of, as to power in Empire, 20-21; exclusive legisla-  
 tive powers of, 23; field of executive control of, 23-25; lack power to withdraw from union, 25; limitations of power of, 25; ordinance power of *Bundesrat* in, 65; decision of controversies between, 70-71, 434-435; relation of Imperial Chancellor to, 129; reception into citizenship in, 146-154; administration of justice by, 172; eligibility to judicial office in, 197; the "proportional assessments" of, 298-305, 311 n.<sup>1</sup>; imperial army composed of contingents of, 321; military supremacy of, 359-381; obligation to military service is a duty owed to one of, rather than Empire, 374-381; erection of fortifications and territorial rights of, 381-383 (*see* Fortifications); distribution of military expenses among, 390-393, 432; the military conventions with, 393-402. *See* North German Confederation.  
 Government railroads, 243 n.<sup>1</sup>, 257-258, 418-420.  
 Grant of citizenship, 144-154.  
 Guardianship, persons under, excluded from franchise, 81; Court of, 156.
- HAMBURG, 19 n., 403; vote of, in *Bundesrat*, 50; representation of, in *Reichstag*, 85 n.<sup>3</sup>; tariff jurisdiction relative to, 270 n., 271-273; military agreement with, 351 n.<sup>2</sup>, 371 n.<sup>2</sup>, 380, 381, 390, 393, 397, 398 n.<sup>2</sup>.  
*Handelsrichter*, 181-183.  
 Hannover, 3 n.<sup>2</sup>, 6, 50, 407.  
 Hanse Cities. *See* Bremen, Hamburg, and Lübeck.  
 Heinze Law, the, 93 n.<sup>2</sup>.  
 Heligoland, excluded from German tariff jurisdiction, 270 n.; provisions as to liability to military service of natives of, 373 n.<sup>2</sup>.  
 Hesse, 3 n.<sup>2</sup>, 6, 16, 19 n., 50, 403; votes of, in *Bundesrat*, 50; representation of, in *Reichstag*, 85 n.<sup>3</sup>, 86 n.<sup>1</sup>, 412; treaty with United States relative to citizenship, 165 n.<sup>4</sup>; military agreement with, 349 n.<sup>2</sup>, 350 n.<sup>2</sup>, 370, 371 n.<sup>2</sup>, 380, 381, 390.

- Holstein, 50.  
 Hotel bills, lawsuits over, 177.  
 Hunting, State supervision of, 23.
- ILLEGITIMACY** and citizenship, 141-142, 154 n.<sup>4</sup>, 155.
- Immunity** of members of *Reichstag* from criminal prosecution, 95-97, 414.
- "Imperial," title of, bestowed by Kaiser on officials and authorities, 39.
- Imperial Auditing Court, 392.
- Imperial Bank, Board of Governors of, 67.
- Imperial Chancellor, an appointee of the Kaiser, 43-44, 123-124, 410; presides over *Bundesrat*, 52-53, 123, 410; substitute for, as chairman of *Bundesrat*, 53-54, 129, 132; acts for Kaiser in transmission of bills, 104; responsibility of, in transmission of bills, 108-109; responsibility of, in engrossment of laws, 120; responsibility of, in publication of laws, 121-122; functions of, as imperial official and as Prussian delegate to *Bundesrat*, 125-126; may not be a member of *Reichstag*, 127; controls all other administrative officials, 127-128; responsibility incurred by, in countersigning measures, 130-131, 411; substitute for, as imperial minister, 132-133; responsibility of, in Alsace-Lorraine, 212-213, 214; dissociation of, from government of Alsace-Lorraine, 223; Imperial Fiscus represented by, 243-244; responsibility of, with respect to Imperial Invalid Fund, 256 n.<sup>2</sup>; levying of "proportional assessments" by, 305; responsibility of, for acts of Imperial Naval Office, 329; not responsible for orders of Kaiser as commander of army, 346-347; responsibility of, for ordinances of Kaiser, 354 n.<sup>2</sup>; supervises military affairs of the several States, 368.
- Imperial Debt Administration, 318-319.
- Imperial Debt Commission, 67, 252, 319.
- Imperial Diet. See *Reichstag*.
- Imperial Gazette, publication of laws in, 121-122, 404; appointment of members of *Bundesrat* published in, 127; declarations of martial law published in, 354.
- Imperial Insurance Office, 69.
- Imperial Military Court, 365.
- Imperial Naval Office, 68-69, 329.
- Imperial Post-office Department, 128.
- Imperial Printing-office, 258, 259.
- Imperial Tax deputies, 281-282, 290 n.<sup>1</sup>.
- Imperial Treasury Fund, 258-259.
- Income, imperial, 67, 259-290.
- Independence of judiciary, 128, 197-202.
- Indigenat*, the common, 167-170, 404.
- Industrial activity, control of, 21, 24.
- Initiative, Kaiser's right of, of legislation, 42, 54; right of, of *Reichstag*, 99, 101-103, 412-413; right of, of *Bundesrat*, 101, 102-103.
- Insolvent persons, loss of franchise by, 81.
- Inspection, Kaiser's right of, of armed forces, 348-349, 384-385.
- Inspectors, customs, 281-282.
- Installation, acquirement of citizenship through, 153-154.
- Instruction, regulation of public, 23.
- Insurance matters, imperial supervision of, 21, 405.
- Insurance Office, 243 n.<sup>1</sup>.
- Intellectual property, protection of, 22, 405.
- Interior, Department of, 128.
- Interpellation, right of, 99.
- Invalid fund, 128, 253-257, 319.
- Inventions, imperial control of, 22, 191, 405.
- JADE**, harbor of, 68-69, 387, 424.
- Judges, appointment of, 44, 191, 411; life tenure of, 44, 199; independence of, 128, 197-201; of *Amtsgerichte*, 174; of *Landgerichte*, 179-180; of commercial courts, 182-183; of jury courts, 184; of *Oberlandesgerichte*, 187; of *Reichsgericht*, 188-189, 202-203; qualifications of, 192-197; fixed compensation of, 199-200; removal and transfers of, 200-202; of military courts, 365.
- Judgments, execution of, 22, 406.
- Judicial Affairs, Committee on (*Bundesrat*), 55.

- Judicial Organization, Law of, 171, 173, 191-201.
- Judiciary, right of, to pass on constitutionality of laws, lacking, 120; independence of, 128, 197-201.
- Jungholz, German tariff jurisdiction includes, 269.
- Jura singulorum*, States enjoying, 295-297. See *Sonderrechte*.
- Jurors, 184-186.
- Jury courts, 183-186.
- Jury service, members of *Reichstag* may refuse, 97.
- Justice, Department of, 128; Commission for (*Reichstag*), 192; administration of military, 365-366.
- KAISER**, powers of, found in Constitution of North German Confederation, 28-29; the name, supersedes former titles held by king of Prussia, 29; Bismarck's purpose in reviving title of, 31; sovereignty does not rest with, but with *Bundesrat*, 32-33, 58, 115-116; extent and limitation of powers of, 33-34, 38-47, 57-58; *Reichstag* summoned, opened, and closed by, 33-34, 89-90, 410; transmission of bills by, 34, 42, 104-109, 127, 411; position of, unique among political institutions, 34; succession to position of, 34-36; personal rights of, 38-40; source of income of, 39-40; sole and exclusive representative of the Empire, 40; governmental rights of, 40-47; and ambassadors, consuls, and the representatives of foreign powers, 41; and making of treaties, 41; initiation of legislation by, 42, 54; engrossing and publishing of laws by, 42, 59, 114, 120-122, 411; supervision of execution of laws by, 42-43; appointment of Imperial Chancellor by, 43-44, 123-124, 410; appointment of judges by, on motion of *Bundesrat*, 44; right of pardon of, 44-45; supreme commander of armed forces, 45-46, 322-326, 329-330, 344-359; power of, in Alsace-Lorraine, 46-47, 211-212, 215-217, 223-224, 239-240; right of, to open, close, and prorogue *Bundesrat*, 52, 410; tariff and tax laws administered by, 63; appointment by, of officials chosen by *Bundesrat*, 65-66; cannot initiate bills, 103-104; question of rights of, regarding bills to be transmitted, 105-109; appointment of substitute for Imperial Chancellor by, 132-133; ordinance-issuing power of, respecting army and navy, 336-337, 340-341, 343; rights and duties of, as military commander, 347-359; right of mobilization of, 351-353; right of, to declare martial law, 353-359; rights of, during state of siege, 357-358.
- Kiel, harbor of, 387, 424.
- Konstanz, communes of, excluded from tariff jurisdiction, 270 n.
- Landgerichte*, 173, 179-187.
- Landsturm*, Kaiser's right regarding, 350, 351.
- Landwehr*, 45, 79, 349, 373-374, 427.
- Lauenburg, 85, 403.
- Law, legislation pertaining to civil and criminal, 22; criminal, and members of *Reichstag*, 95-97, 414; martial, 353-359.
- Law on Acquisition and Loss of Federal and State Citizenship, 139.
- Law of Free Migration, 150, 167.
- Law governing Imperial Officials, 126, 367-368.
- Law on Legal Relations of Objects devoted to Service of Imperial Administration, 247-248.
- Law relating to Military Service, 376.
- Law concerning Union of Alsace-Lorraine, etc., 206-207.
- Laws, engrossment and publication of, 42, 59, 114, 117-122, 129-130, 411; supervision of execution of, 42-43, 60-61, 64-65; part of *Bundesrat* in formulating and passing, 58-60; consent of *Reichstag* necessary for passage of, 98-99; four stages in perfecting of, 100; determination of content of, 100-111; sanction of, 111-117; Imperial Gazette the organ for publishing, 121-122, 404; relative to

- administration of justice, 171-173; made in and made for Alsace-Lorraine, 219-220, 234-240; military, 334-343.
- Legal procedure, imperial control of legislation pertaining to, 22.
- Legation Fund, the, 258.
- Legitimation, acquirement of citizenship by, 141-142; loss of citizenship by, 155.
- Leipzig, *Reichsgericht* at, 173, 188.
- Lichtenstein, 3 n.<sup>2</sup>.
- Lippe, 19 n., 403; question of succession in, 74, 76; representation of, in *Reichstag*, 85 n.<sup>2</sup>; military agreement with, 351 n.<sup>2</sup>.
- Loans, imperial, 260, 316-319, 433.
- Lottery tickets, stamp tax on, 289.
- Lübeck, 19 n., 403; vote of, in *Bundesrat*, 50; representation of, in *Reichstag*, 85 n.<sup>2</sup>; incorporation of, in general tariff district, 271 n.<sup>2</sup>; military convention with, 351 n.<sup>2</sup>, 371 n.<sup>2</sup>, 380, 381, 390, 393, 397, 398 n.<sup>2</sup>.
- Ludwig of Bavaria, on adoption of title of "Kaiser," 31-32.
- Luxemburg, 3 n.<sup>2</sup>, 6; imperial railroad in, 258, 260; included in German tariff jurisdiction, 269.
- MARINE** matters, imperial control of, 22, 424-425.
- Marriage, acquirement of citizenship by, 142-144; loss of citizenship by, 155.
- Martial law, Kaiser's right to declare, 353-359, 431.
- Mecklenburgs, the, 3 n.<sup>2</sup>, 6, 403; votes of, in *Bundesrat*, 50; representation of, in *Reichstag*, 85 n.<sup>2</sup>; military convention with, 349 n.<sup>2</sup>, 393, 396.
- Meiningen, 3 n.<sup>2</sup>, 403.
- Migration, control of, 21, 405; and citizenship, 156-159; bearing of, on question as to whom military obligation is due, 375-379.
- Military conventions, the, 393-402.
- Military courts, 296-297, 365.
- Military persons ineligible to membership in *Reichstag*, 82.
- Military Service, Law respecting Obligation to, 157-158, 334, 376.
- Military service, obligation to, 361, 371-381, 426-427; question as to whom duty is owed, Empire or State, 374-375.
- Mines, State regulation of, 23.
- Ministries of individual States, 367.
- Ministry for Alsace-Lorraine, erected, 223; character and functions of, 227-228.
- Ministry of Public Works, 257-258.
- Ministry of War, Prussian, 25, 342, 388.
- Mittelberg, German tariff jurisdiction extended to, 269.
- Mobilization of army, 252, 351-353, 428; Bavarian agreement concerning, 351-353.
- Money bills, 99, 305-306.
- Munich, Supreme Court at, 173 n.<sup>1</sup>.
- Mutiny, trial for, 357.
- NATURALIZATION**, 151-153.
- Naval Affairs, Committee for (*Bundesrat*), 55-56.
- Naval Office, Imperial, 68-69, 329.
- Naval ports, 382, 387; Kaiser's right of military administration of, 384-385.
- Navigation, control of, 22, 406.
- Navy, imperial control of, 22, 23, 24; under North German *Bund*, 29; Kaiser supreme commander of, 46, 322-326, 329-330; persons serving in, cannot vote, 82; legislation with respect to, 110, 328; Imperial Military Court highest criminal court for, 297; unitary character of, 321-322, 326-327, 424; liability to service in, 328-329, 371-381, 424; officers of, 329-330; rights and duties of Kaiser as commander of, 347-359.
- Newspaper, government, 258-259, 260.
- Nicolausburg, Preliminary Peace of, 4.
- Nolle prosequi* powers, 45.
- North German Confederation, origins of German Empire in, 1-2; the treaty constituting base for erection of, 6-8; final adoption of Constitution for, 11; date of erection of, 13; relationship between South German States and, 14-15; entrance of South German



- States into, 15-17; treaties between South German States and, looking to union, 16-17; extension of, into German Empire, 17-18; Constitution of, 28-29; powers later bestowed on Kaiser existent in organization of, 28-29; Standing Orders of, 91 n.<sup>2</sup>; part taken by Customs Union in formation of, 261-264; preponderance of Prussia in area and population in, 330.
- November Treaties, 46 n.<sup>4</sup>, 53.
- OATH, military, 379-380, 430.
- Oberlandesgerichte*, 173, 187-188.
- Officers, naval, 24, 329-330; army, 24-25, 46, 363-364, 370, 430-431.
- Officials, eligibility of, to *Reichstag*, 84-85; fees of court, 171; customs and tax, 281-282.
- Oldenburg, 3 n.<sup>2</sup>, 19 n., 403; government of, 68-69; representation of, in *Reichstag*, 85 n.<sup>2</sup>; military convention with, 349 n.<sup>2</sup>, 350 n.<sup>2</sup>, 351 n.<sup>1</sup>, 370, 371 n.<sup>2</sup>, 380, 381, 390, 393, 396-397, 398 n.<sup>2</sup>.
- Order of Business, *Reichsgericht*, 189.
- Ordinances, Kaiser's power to issue, 43; power of *Bundesrat* to issue, 60-62; military, 334-343; of Kaiser for Alsace-Lorraine, 231, 239-240.
- PARDON, Kaiser's right of, 44-45; right of, in military matters, 381.
- Passports, 21, 405.
- Patents, imperial control of, 22, 191, 405.
- Paupers, franchise denied to, 81-82; ineligible to *Reichstag*, 89; ineligible to citizenship, 150.
- Pension fund, 128, 253-257.
- Pensions, 254 n.<sup>2</sup>.
- Playing-cards, stamp tax on, 288-289, 292.
- Police, medical and veterinary, 22, 406; in service of States, though acting for Empire, 24.
- Police regulations of individual States, 23.
- Population, representation in *Reichstag* dependent on, 85; statistics of, at formation of North German Confederation, 330 n.<sup>2</sup>.
- Ports, imperial war (Jade and Kiel), 68-69, 387, 424; free, 270-272, 415.
- Postal administration, 22, 23-24, 249, 258, 421-424.
- Post-office Department, Imperial, 128.
- Prag, Treaty of, 5, 14.
- President, distinction between Kaiser and American or French, 33.
- President of Alsace-Lorraine, 213-214; office of, abolished, 223; *Statthalter* succeeds to position of, 225-226.
- Press, regulation of, 22, 406, 433-434; trial of crimes committed by, 187 n.<sup>2</sup>.
- Press Law, Imperial, 356.
- "Principles for a New Federal Constitution," 6.
- Printing-office, Imperial, 258, 259.
- Promissory notes, stamp tax on, 289.
- Property, protection of intellectual, 22, 405.
- Property claims, lawsuits involving, 177, 186, 189 n.<sup>2</sup>.
- Proportional assessments of the several States, in imperial financial system, 298-305, 311 n.<sup>1</sup>.
- Protectorates, laws issued for, 122; appeals from decisions of officials of, 190-191.
- Prussia, union of States proposed by, 6; attitude of, toward provisions of August Treaty, 9; certain special rights of, 26; permanent right to Praesidium in *Bundesrat*, 26, 52-53, 123, 132, 402; intended effect on, of adoption of title of "Kaiser" for king, 31-32; votes of, in *Bundesrat*, 50; vote of, in *Bundesrat*, decisive in certain cases, 54-55, 110, 406-407; chairmanship of Committees of *Bundesrat* held by, 56; not represented in Committee on Foreign Affairs (*Bundesrat*), 56; representation of, in *Reichstag*, 85 n.<sup>2</sup>; law examinations in, 194 n.; payment into imperial treasury for work of imperial ambassadors by, 296; preponderance of, in population and area considered in development of German Empire, 330; army of, at establishment of

- German Empire, 330-332; legislative competence of, in military matters, for whole Empire, 331-334, 338-339, 427-428; and the military conventions, 393-402.
- Prussia, king of: command of armed forces of union of States assigned to, 7, 394-395; powers of, in North German *Bund*, 28-29, 409-411; becomes German Kaiser, 29; slight effect of change of title, 30; *ipso facto* German Kaiser, 35; Imperial Chancellor represents, in *Bundesrat*, 124-125.
- Publication, of laws, 42, 59, 114, 117-122, 129-130, 411; of appointment of members of *Bundesrat*, 127; of military ordinances, 342-343.
- Publication Law relative to Constitution of North German *Bund*, 11-13.
- Public instruction, 23.
- Publicity of proceedings of *Reichstag*, 93-94, 412.
- Public meetings, regulation of, 23.
- QUORUM, of *Bundesrat*, 54, 410; of *Reichstag*, 94, 413.
- RAFTING, regulation of, 22, 406.
- Railroad Freight Rates, Committee on (*Bundesrat*), 55.
- Railroad Office, expenses of, 295.
- Railroads, imperial, 243 n.<sup>1</sup>, 258, 418-420; trial for destruction of, 357.
- Railroads, Post, and Telegraph, Committee on (*Bundesrat*), 55, 408.
- Railway Department, Imperial, 128.
- Railway matters, imperial control of, 22, 418-420.
- Reception into citizenship, 146-151, 167.
- Recruits, furnishing of, to imperial army, 387-390.
- Referendar*, definition of, 194 n.; employment of, in Prussia, 195 n.<sup>2</sup>.
- Regency, provisions for, in Prussia, 37-38; powers of *Bundesrat* relative to, 74.
- Reichsgericht*, 44, 173, 188-191; position of members of, as judges, 202-203.
- Reichs- und Staats-Anzeiger* newspaper, 258-259, 260.
- Reichstag* of North German *Bund*, 28-29.
- Reichstag*, body representing the German people, 28, 79-80; Kaiser's rights of opening and closing, 33-34, 41-42, 89-90, 410; Kaiser's right of transmission of bills from *Bundesrat* to, 34, 42, 104-109, 127, 411; and making of treaties, 41; *Bundesrat* and, 52; members of, cannot be members of *Bundesrat*, 57; legislative function of, 58-60, 98-99; consent of *Bundesrat* necessary in dissolving, 66; elections to, 81-87, 90-91; composition of, 81-86; eligibility to, 83-84; members of *Bundesrat* ineligible to, 83-84; apportionment of representation in, 85-86, 412; period of membership of, 87; officers of, 91-92; method of proceedings of, 91-94; Standing Orders of, 91-92; divisions of, 92; publicity of proceedings of, 93-94, 412; immunity of members of, from criminal prosecution, 95-97, 414; salaries prohibited to members of, 97, 414; majority principle prevails in, 110, 413; Imperial Chancellor may not be a member of, 127; right of, and its limitations, to grant expenditures, 307-311, 392; consent of, necessary in military conventions if imperial matters are affected, 397-398.
- Removal of judges, 200-202.
- Requisitions, fulfilment of, 22, 172; military, 67; of troops for police purposes, 358 n., 371, 431.
- Residence abroad, loss of citizenship by, 164-167.
- Reuss, 3 n.<sup>2</sup>, 6, 19 n., 403; representation of, in *Reichstag*, 85 n.<sup>2</sup>.
- Revenue of German Empire, 259-290.
- Revenue regulations, 63-64, 66.
- River dues, 22, 406.
- Rivers, tariff boundaries include, 272-273.
- Road laws, 23.
- Roads, construction of, 22, 406.
- Royal Statistical Office, 287-288.
- Rulers of States, relations of, to army contingents, 369-370.

- SALARIES prohibited to members of *Reichstag*, 97-98, 414.
- Salt, tax on, 260, 278 n.<sup>1</sup>, 291, 300, 416-417.
- Sanction of a law, 100 n.<sup>2</sup>, 111-117; proper organ for imparting, 113-117.
- Saxe-Altenburg, 19 n., 85 n.<sup>2</sup>, 403.
- Saxe-Coburg-Gotha, 19 n., 85 n.<sup>2</sup>, 403.
- Saxe-Meiningen, 6, 19 n., 85 n.<sup>2</sup>, 403.
- Saxe-Weimar, 3 n.<sup>2</sup>, 19 n., 85 n.<sup>2</sup>, 403.
- Saxony, 3 n.<sup>2</sup>, 6, 19 n., 403; votes of, in *Bundesrat*, 50; representation of, in *Reichstag*, 85 n.<sup>2</sup>; excluded from privilege of erecting its own Supreme Court, 173 n.<sup>1</sup>; population of, at formation of North German Confederation, 330 n.<sup>2</sup>; military agreement with, 349 n.<sup>2</sup>, 350 n.<sup>2</sup>, 364 n.<sup>2</sup>, 368, 393-394; peculiar juristic character of convention with, 399-401; *Sonderrechte* of, 400-401.
- Schaumburg-Lippe, 19 n., 403; representation of, in *Reichstag*, 85 n.<sup>2</sup>; military convention with, 351 n.<sup>2</sup>, 370, 380, 381, 390, 398 n.<sup>2</sup>.
- Schlussprotokoll*, Bavarian, 53.
- Schöffen*, 174-178.
- Schöffengerichte*, 174-178.
- Schwarzburg-Lippe, military convention with, 370, 380, 381, 390.
- Schwarzburg-Rudolstadt, 19 n., 85 n.<sup>2</sup>, 403.
- Schwarzburg-Sonderhausen, 19 n., 85 n.<sup>2</sup>, 403; military convention with, 351 n.<sup>2</sup>, 398 n.<sup>2</sup>.
- Schwurgerichte*, 183-186.
- Search, right of, 356.
- Secretary of State for Navy, 24.
- Securities, stamp tax on, 289.
- Settlement, regulation of, 21, 405.
- Siege, state of, 355.
- Signals used in navigation, supervision of, 22, 406.
- Slander, punishment of, 96, 178.
- Sonderrechte* of South German States, 17, 26-27, 46 n.<sup>4</sup>, 400-402; States enjoying, exempted from share in certain revenues, 261; bearing of, on payment of interest and principle of imperial debt, 297.
- South German States, 14-17. *See*
- German States and North German Confederation.
- Sovereignty, not a test of statehood, 20; rests with *Bundesrat*, 32-33, 57-58, 115-116.
- Staatlos*, condition of being, 144, 155.
- Stamp taxes, imperial, 260, 288-290, 300; collection of and accounting for, 293.
- Stamp Tax Law, Imperial, 182.
- Standard, imperial, Kaiser's right to, 39.
- Standing Orders, of *Bundesrat*, 52, 126; of North German *Bund*, 91 n.<sup>2</sup>; of *Reichstag*, 91-92.
- State-rights theory in Germany, 323 n.<sup>1</sup>.
- States, individual. *See* German States.
- Statistical fee, 260, 287-288.
- Statistical Office, Royal, 287.
- Statthalter*, office of, in Alsace-Lorraine, 223, 224-227, 235, 236.
- Stock, stamp tax on shares of, 289.
- Succession, laws of, 23; to Kaisership, 34-36, 74-78.
- Suffrage, right of, 81-83.
- Sugar, tax on, 260, 300, 417.
- Supreme Courts, 173, 187-188.
- TARIFF, extent of jurisdiction of German, 269-273.
- Tariff *Bundesrat* (1867), 14-15.
- Tariff laws, coöperation of Kaiser and *Bundesrat* in issuing and administering, 63-64.
- Tariff Matters, Committee on (*Bundesrat*), 55, 281.
- Taxes, imperial control of legislation pertaining to, 21; collection of, by the States for the Empire, 24, 290-294; sources of imperial income from, 259-290.
- Tax laws, rights of *Bundesrat* concerning, 63-64.
- Telegraph administration, 22, 23-24, 249, 258, 421-424.
- Tenants, lawsuits of, 177.
- Territorial Committee for Alsace-Lorraine, 217, 222, 232-234.
- Thüringian Customs and Tax Union, 280 n.<sup>2</sup>.
- Thüringian States, 3 n.<sup>2</sup>, 350 n.<sup>2</sup>, 370, 380, 381, 390, 393, 398 n.<sup>2</sup>, 403.

- Tobacco, tax on, 260, 300, 417.
- Trade and Commerce, Committee for (*Bundesrat*), 55, 68, 384.
- Traffic regulations, 22, 419.
- Transfers of judges, 200-202.
- Transit dues, 261, 273, 275-277.
- Transportation, free railroad, to members of *Reichstag*, 97.
- Transportation charges, lawsuits over, 177.
- Travellers, lawsuits of, 177.
- Treason, trial for, 190, 357; penalty for, 356 n.<sup>2</sup>.
- Treasury Office, imperial, 128, 290.
- Treasury warrants, 318.
- Treaties, conclusion of, 41, 66, 99; with United States regarding citizenship, 165 n.<sup>4</sup>; customs, 280 n.<sup>3</sup>; military, 332, 393-402.
- Treaty, Customs Union, 14-15, 50, 62, 64, 262-268, 418; relative to Alsace-Lorraine, 204.
- Trespass, lawsuits over, 178.
- ULM, imperial administration of, 385 n.<sup>3</sup>.
- Uniforms in army, 370, 429.
- United States, citizenship of Germans in, 165 n.<sup>4</sup>.
- VAGRANTS, ineligibility of, to citizenship, 150.
- Veterinary police, imperial control of, 22, 406.
- Veto, Kaiser has no right of, 42, 114.
- Vice-Chancellor, appointment of, 132-133.
- Votes, apportionment of, among States represented in *Bundesrat*, 49-50, 407; majority principle governs, in *Bundesrat*, 54, 110, 129; in Committees of *Bundesrat*, 55; in election of members of *Reichstag*, 81-83; in *Reichstag*, 94, 110, 129, 413.
- WAGNER, Adolf, on imperial finances as affected by Frankenstein Clause, 302.
- Waldeck, 19 n., 403; representation of, in *Reichstag*, 85 n.<sup>2</sup>; military convention with, 351 n.<sup>2</sup>, 370, 371 n.<sup>2</sup>, 380, 381, 390, 393, 396, 398.
- Waldshut, communes of, excluded from tariff jurisdiction, 270 n.
- War, declaration of, 40-41, 66, 409-410.
- Warehouse regulations, 277.
- War Ministries of individual States, 366-367, 388.
- War Treasury, imperial, 67, 251-253, 319.
- Water rights, regulation of, 23, 406.
- Waterways, 22, 272-273, 406, 425.
- Way-bills, stamp tax on, 289.
- Weights and measures, regulation of, 21, 406.
- Weser, lower, included in common tariff territory, 273.
- Wilhelm-Luxemburg railroad, the, 258, 269 n.<sup>2</sup>.
- Wine, tax on, 274.
- Witness fees, 171.
- Württemberg, 3 n.<sup>2</sup>, 16, 19 n., 403; *Sonderrechte* of, 26, 46 n.<sup>4</sup>, 401-402; votes of, in *Bundesrat*, 50; representation of, in *Reichstag*, 86 n.<sup>1</sup>, 412; treaty with United States relative to citizenship, 165 n.<sup>4</sup>; courts in, 173 n.<sup>1</sup>; postal and telegraph administration in, 249 n.<sup>1</sup>, 295, 296; has no share in certain imperial revenues, 260-261; taxation of beer and brandy in, 261, 278-280; a small amount contributed by, to expenses of central administration, 295-296; rights of, in military matters, 341-342; military convention with, 349 n.<sup>2</sup>, 350 n.<sup>2</sup>, 364 n.<sup>2</sup>, 368, 393-394; erection of fortifications in, 383 n.<sup>1</sup>, 385 n.<sup>1</sup>; administration of military finances by, 393.
- Zollannexe, 269.
- Zollschloven, 270-271.
- Zollverein, administrative organization in, 62; *Bundesrat* succeeds to rights of, 62, 64; importance of rôle played by, in realization of German unity, 261-262.

# FRANCE

BY JOHN EDWARD COURTENAY BODLEY

Cloth

Demy 8vo

\$2.50 net

---

In this work the author has treated French institutions with the same care and method as were given to those of this country by Bryce in his "American Commonwealth," or Russia by Mackenzie Wallace.

Of the two volumes, the first deals in an exhaustive and judicial way with "The Revolution and Modern France," "The Constitution and the Chief of the State."

The second is devoted to "The Parliament System" and "Political Parties."

The work represents the result of a seven years' continuous residence in France in constant association with the French people of all classes and of all shades of opinion.

In connection with Bryce's "American Commonwealth," it affords the basis of an exhaustive comparative study of the institutions of the two great modern republics.

## COMMENTS

"Mr. Bodley's considerable work on France is a book of political philosophy, but one in which the philosophy is so much disguised by the lightness produced by constant modern and personal illustration that it will be possible for the general reader to digest its contents without knowing how much philosophy he has read. In this respect it may be compared with the works of Tocqueville and Mr. Bryce upon the United States; but it is easier to read than either of those remarkable books, and it strikes us as being sounder in its philosophy than was the more famous of the pair." — *Athenæum*, London.

"It would be impossible to exaggerate the importance of such a book as Mr. Bodley's admirable study of France since the Revolution. The book has the three essential qualities of a foreigner's study of another land than his own: sympathy; varied and accurate knowledge of his subject; and moderation in praise and blame. A juster view of France does not exist in English; a fuller and more competent treatment of a complex and abounding interesting subject has never been given us." — *The Literary Era*.

"Mr. Bodley's work is deeply thoughtful in tone, comprehensive in scope, graphic in style, and altogether masterly in conception and painstaking execution. It is bound to be the paramount authority on French constitutional history in English-speaking countries." — *Chicago Tribune*.

---

THE MACMILLAN COMPANY

64-66 FIFTH AVENUE, NEW YORK

# The American Commonwealth

By the Right Hon. JAMES BRYCE, D.C.L.,  
AUTHOR OF "THE HOLY ROMAN EMPIRE"; M.P. FOR ABERDEEN

THIRD EDITION, REVISED THROUGHOUT  
IN TWO VOLUMES

Large 12mo, \$4.00 net

Abridged Edition, in one volume, \$1.75 net

---

## PRESS NOTICES

"His work rises at once to an eminent place among studies of great nations and their institutions. It is, so far as America goes, a work unique in scope, spirit, and knowledge. There is nothing like it anywhere extant, nothing that approaches it. . . . Without exaggeration it may be called the most considerable and gratifying tribute that has yet been bestowed upon us by an Englishman, and perhaps by even England herself. . . . One despairs in an attempt to give, in a single newspaper article, an adequate account of a work so infused with knowledge and sparkling with suggestion. . . . Every thoughtful American will read it and will long hold in grateful remembrance its author's name." — *The New York Times*.

"Written with full knowledge by a distinguished Englishman to dispel vulgar prejudices and to help kindred people to understand each other better, Professor Bryce's work is in a sense an embassy of peace, a message of good-will from one nation to another." — *The Times*, London.

"This work will be invaluable . . . to the American citizen who wishes something more than a superficial knowledge of the political system under which he lives and of the differences between it and those of other countries. . . . The fact is that no writer has ever attempted to present so comprehensive an account of our political system, founded upon such length of observation, enriched with so great a mass of detail, and so thoroughly practical in its character. . . . We have here a storehouse of political information regarding America such as no other writer, American or other, has ever provided in one work. . . . It will remain a standard even for the American reader." — *New York Tribune*.

"The book should be known by every American who wishes to understand his own country. . . . It is by far the most able, sincere, candid, and impartial study of the condition of the United States that has ever appeared since De Tocqueville's memorable work." — *Boston Beacon*.

**THE AMERICAN COMMONWEALTH.** *Abridged Edition.* For the use of Colleges and High Schools. Being an Introduction to the Study of the Government and Institutions of the United States. One vol. Crown 8vo. \$1.75 net.

---

THE MACMILLAN COMPANY  
64-65 FIFTH AVENUE, NEW YORK

# A Short History of Germany

BY ERNEST F. HENDERSON

A.B. (Trinity), M.A. (Harvard), Ph.D. (Berlin)

AUTHOR OF "A HISTORY OF GERMANY IN THE MIDDLE AGES," ETC.

Cloth

8vo

\$2.50 net

---

"Every sentence contains fact, fact valuable and desirable; and the careful, retentive reader will, after perusal, find himself possessed of a goodly stock of important information as well as of a pleasant memory of enjoyable hours passed in the reading of the work."—*Book News*, Philadelphia.

"All in all, this history of Germany may be called a notable work, and if not the best, at least one of the best ever written on the subject. It is certainly one to be recommended to the American reader who seeks a better understanding of this great people."—A. P., in *The Courier-Journal*.

"Mr. Henderson's history proves that the modern chronicle of the development of a nation can be, and often is, even more interesting than the old-fashioned history which was merely a collection of biographies of famous men and descriptions of dramatic events."—*The Times*, Washington.

"It is scarcely fair to compare Mr. Henderson with so supreme a stylist as Green, but the former possesses to a remarkable degree the same vividly dramatic power of sketching in a scene or portrait. Examples of this, from the purely descriptive point, are extremely numerous."—*New York Commercial Advertiser*.

"Such a work as this 'Short History' was needed, since no other American writer has undertaken the task in the light of modern methods, and it is a worthy contribution to historical literature. Mr. Henderson's style is clear, concise, and engrossing, and he is eminently just and reasonable in exposition."

—*Detroit Free Press*.

---

THE MACMILLAN COMPANY

64-66 FIFTH AVENUE, NEW YORK