and intangible property. It has been proposed that the president of the convention reconvene the convention in order to formulate another proposal with reference to taxation of forests, and that such proposal be submitted to the voters at the March elections. The convention can be reconvened in this way, for when it adjourned it did so subject to the call of the president. This will probably be done for Governor Felker in his inaugural address has recommended that the legislature make sufficient appropriation for reconvening the constitutional convention to the end that that body may consider the advisability of submitting any proposed changes to the constitution to the voters to be voted on at the March elections. This would enable the present legislature to pass legislation in accordance with any changes that might be approved by the people. Governor Felker in his recommendation pertinently suggests the desirability of an amendment allowing the legislature to propose amendments. Certainly the results of the constitutional convention of 1912 emphasize the need of such change. Many believe that this is the most important amendment that could be adopted.

RECENT DECISIONS OF STATE COURTS ON POINTS OF PUBLIC LAW

Executive power. State vs. Rhame. (South Carolina, September 21, 1912. 75 S. E. 881.) Power of removal from office not incident to office of governor, nor incident to power of appointment, if term is fixed by statute. Implied power also negatived by express grant of more limited power. Two judges dissent.

Method of passing statutes. Baltimore Fidelity, etc., Company vs. Canton Lumber Company. (Maryland, May 10, 1912. 88 Atl. 188.) The constitution is not violated by the willing return of a bill by the governor to one branch of the legislative at its request, supported by the concurrent action of the other branch in making such request. Distinguished from People vs. Devlin, 33 N. Y. 269.

Method of passing statutes—Amending acts. Lyons vs. Police Pension Board. (Illinois, June, 21 1912. 99 N. E. 337.) Under the constitutional provision requiring the section amended to be inserted at length in the new act, a new provision which in substance amends a section of a prior act, cannot be framed as an additional section.

Delegation of powers. State vs. McCarty. (Alabama May 7, 1912. 59 So. 543.) Stock quarantine act not rendered unconstitutional by leaving it to live stock board to determine when certain measures are to be taken in any part of the State.

Delegation of powers. Board of Election Commissioners vs. Davis. (Mississippi, October 28, 1912. 59 So. 811.) The principle of local option involves no unconstitutional delegation of legislative power.

Elections. People vs. Smith. (New York Supreme Court, Special Term, August 30, 1912. 137 N. Y. Supl. 177.) Provision of election law of 1909 requiring 1500 signatures to a petition for nomination for county offices is invalid because unreasonably burdensome in a number of counties in view of their small population.

Elections—Primary elections. Ex parte Wilson. (Oklahoma, July 29, 1912. 125 Pac. 739). "If an elector is challenged on the ground that he is not in good faith a member of the party whose ticket he is attempting to vote, the duty of the inspector is the same as upon a challenge as to any other qualification. An elector who resists the challenge and makes oath that he possesses the qualification contemplated by the constitution should bear in mind that the usual test is: Did the elector vote the party ticket at the last preceding general election?"

Personal rights. State vs. Feilen. (Washington, September 3, 1912. 126 Pac. 75.) Vasectomy or sterilization of a person convicted of rape is not cruel and unusual punishment.

Personal rights—Peonage. Wilson vs. State. (Georgia, August 14, 1912. 75 S. E. 619.) The thirteenth amendment is not violated by a statute which punishes as a common cheat and swindler one who agrees to perform service with intent to procure money and not to perform the service contracted for. The provision that failure to perform the service and to return the money without good cause shall be presumptive evidence of the intent, is merely a rule of evidence, and is severable.

Personal rights—Self crimination. Ex parte Kneedler. (Missouri, June 1, 1912. 147 S. W. 983.) A statute makes it a felony for the

operator of a motor vehicle by whose culpability an injury has been caused to leave the place of the accident without stopping and giving his name and residence or reporting the accident to the nearest police station. Held—contrary to 130 N. Y. Supl. 544—that this is a reasonable police regulation. Not necessary to decide whether the compulsion will constitute a defense to a criminal prosecution.

Procedural rights. Stead vs. Fortner. (Illinois, October 2, 1912. 99 N. E. 680.) Where a statute declares places in which intoxicating liquor is unlawfully sold to be nuisances and abatable as such, the attorney-general may proceed against them in equity.

Vested rights. Somerville vs. St. Louis, etc. Company. (Montana, October 26, 1912. 127 Pac. 464.) Under the reserved power to amend the laws under which a corporation is organized, a corporation previously organized may be authorized by a vote of stockholders holding two-thirds of its stock to render the stock assessable.

Equal protection. Bloomfield vs. State. (Ohio, June 27, 1912. 99 N. E. 309.) Aliens may be prohibited from engaging in the business of selling intoxicating liquors.

Equal protection and class legislation. Stewart vs. Western Union Telegraph Company. (South Carolina, November 1, 1912. 76 S. E. 111.) The mental anguish statute of 1902 providing for recovery of damages for mental anguish in action against telegraph companies under certain circumstances, is not unconstitutional as unduly discriminating against telegraph companies. Rules regarding classification under the police power stated.

Equal protection—Exemption. Consumers' League vs. Colorado and State Railroad Commission. (Colorado, May 6, 1912. 125 Pac. 577.) Act creating state railroad commission act is not invalid because it exempts from the common carriers to which it applies, mountain railroads less than twenty miles long and hauling chiefly minerals. Discusses principles of classification. If classification is reasonable on its face evidence can not be taken to show that it is unconstitutional.

Municipal corporations—Debt limit. Paine vs. Port of Seattle. (Washington, November 12, 1912. 127 Pac. 580.) Where a new

municipality is created out of territory over which other municipal corporations have jurisdiction, its constitutional debt limit is calculated independent of the others. (Otherwise where two districts are consolidated into one, 66 Wash. 324.)

Municipal corporations. Swain vs. Fritchman. (Idaho, May 4, 1912. 125 Pac. 319.) Commission government act of 1911 sustained against a number of technical objections drawn from the provisions of the state constitution and against the objection that it impairs the rights of bondholders. One of the three judges dissents on the ground that initiative and referendum may be used to negative the necessary tax levies.

Administrative law. Enterprise, etc. District vs. Tri-State Land Company. (Nebraska, October 18, 1912. 138 N. W. 171.) Where a statute under the police power authorizes a proceeding affecting the property rights of any person and does not expressly provide for notice to be given, the right to notice is implied.

Administrative law—Right to sue. Kavanaugh vs. Gordon. (Missouri, July 2, 1912. 149 S. W. 587.) The Missouri waterway commission has no standing to question the validity of the appropriation of $7000, part of the $17,000 appropriated to the commission, to pay the salary and expenses of one person named as special agent and expert. The principal opinion, holding that the members of the commission may sue, is dissented from by the majority of the court.

Statutes. Hayes vs. State. (Georgia, July 23, 1912. 75 S. E. 523.) Act making penal the operation of an automobile on highways "at a rate of speed greater than is reasonable and proper, having regard to the traffic and use of such highway, or so as to endanger the life or limb of any person or the safety of any property," is too uncertain and indefinite to be capable of enforcement.

Interstate law. Tennessee Coal Company vs. George. (Georgia, June 5, 1912. 75 S. E. 567.) The provision in an employers' liability act of Alabama that actions must be brought in a court of competent jurisdiction within the State of Alabama and not elsewhere, will be ignored by a court of Georgia. The court relies on Atchison, etc., R. Company vs. Sowers, 213 U. S. 55.