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THE UNIVERSITY OF NEBRASKA
DEPARTMENT OF
POLITICAL SCIENCE AND SOCIOLOGY

THE
FAMILY AND MARRIAGE

An Analytical Reference Syllabus

BY

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PREFATORY NOTE.

Institutions as a proper field for historical study, notably for academic study, have been recognized only for two or three decades. At first, the old-time scholar did not give the new candidate for scholastic honors too warm a welcome. Rather he was inclined to regard institutional history as a sort of digression—a thing apart—hardly worthy of the stately notice of the narrator of military events, the fate of dynasties, the fortunes of empires, or of the course of revolutions. Gradually, however, it has become clear that institutional history has rare advantages both as a discipline and as a social service. Institutions are the “organic” or enduring part of human achievement. They are the deposit or residuum of social struggle, of social integration. They are the most conspicuous and the most precious part of social structure; and their history in a remarkable way affords an opportunity for logical analysis—for mental discipline. Scarcely any other subject offers such interesting problems in the tracing of causes and effects. Institutional history has the charm which growth, movement, evolution always possesses.

A few years ago we heard much of the “economic interpretation of history.” Scholars began to realize that historians had neglected or slighted a whole great division of human activity and interest that is of the most vital import for understanding the progress of civilization. Even more essential, because more comprehensive, is the increasing accent which is being placed on the sociological interpretation of history. At last, history is indeed becoming a social service. It is gaining a soul.

Now, in the broad field of institutions, the household is the most important; and in school and college it has been most neglected. By “household” is meant, in all its wide relations and implications, the trinity of institutions, marriage, family, and the home; with all the vast complex of interests, internal and external, arising in nature’s triad of personalities, the father, mother, and child. In fact, the terms “family” and “marriage” connote a large group of correlated institutions, customs, folkways, of singular interest and value. Yet, until very recently marriage and the family have been almost wholly ignored by the orthodox historian and by the orthodox edu-

cator. In school, for example, the teacher has devoted more time to nests of birds or to the homes of beavers than to the human house with all its types and its social meaning in the history of tribes and peoples. The college professor has been far more curious about the habits and the breeding of domestic animals than regarding household habits and the breeding of better men and women. In reality, sex-questions are still generally *tabu*, except in a limited but growing number of progressive schools and colleges.

But there are signs of an awakening. An event of first rate scientific importance, for instance, is the rise and organization of social anthropology as a distinct division of sociology. It is giving precision, dignity, and interest to the study of all that concerns or constitutes primitive society. Already this new discipline is influencing the content of the history taught in the schools. This very year my colleague, Dr. Hutton Webster, has provided the teacher with an *Ancient History* in which the culture of ancient peoples is adequately treated by the trained skill of the social anthropologist.

The hardest and noblest task now demanded of the teacher is to create a rational system of education, broad enough and deep enough to embrace every aspect of the family-life in its relations to the larger social life. There must be provided a many-sided training for marriage and parenthood, as well as for the economic, artistic, and administrative factors of home-building. The home must be rescued from the din and throng of the market-place. It must regain something of the group-privacy which it had before the industrial revolution; but it must not do so at the expense of mental isolation. The home will not have less sanctity when through it flows the swift current of the larger social life. Marriage will in truth be holy if it rests on the free trothplight of equals whose love is deep enough to embrace a rational regard for posterity. Before society shall realize the new ideal of race-altruism, the enlightened and devoted teacher must endure much, sacrifice much, and dare much.

In part, the analyses comprised in this Syllabus were made the basis of two courses for advanced students conducted by the writer in the University of Wisconsin during the summer session of 1912; and similar courses are given in the University of Nebraska.

GEORGE ELLIOTT HOWARD.

Lincoln, January 1, 1914.

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THE FAMILY AND MARRIAGE.

SECTION I. PRELIMINARY VIEW OF THE PROBLEM.

I. Plan of the Course.

1. Historical division: chief phases in the development of marriage, divorce, and the family.
2. Sociological division: present questions connected with the family in its relations to the larger society.
3. Literature of the course.
4. Method employed.
5. Assignment of topics for independent research.

II. What is the family?

1. Is the family the original unit of society? Is it the unit of modern society? Is it the legal unit?
2. Inter-relations of marriage, the home, and the family considered as distinct social structures or institutions.
3. The many-sided aspects of the family and its related problems. Is it the fundamental educational agency?
4. Elements of the patriarchal theory.
5. Elements of the theory of the horde and mother-right.
6. The family is essentially a social institution.

REFERENCES.

Read Westermarck, *Human Marriage*, 1-24; Starcke, *Primitive Family*, 1-16, 241 ff.; Todd, *The Family as an Educational Agency*, 1-10; Bosanquet, *The Family*; Dealey, *The Family in its Sociological Aspects*, 1-11; Ellwood, *Sociology and Modern Social Problems*, 52-60; Lichtenberger, *Divorce: A Study in Social Causation*, 11-20; Ward, *Pure Sociology*, 186; *idem*, *Dynamic Sociology*, I, 615-18; Howard, *Matrimonial Institutions*, I, chaps. i-ii, 3-88, and the literature there cited.

SECTION II. THEORY OF THE PATRIARCHAL FAMILY.

A. *Analysis of Sir Henry Maine's Theory.*

- I. The Three Principal Hypotheses regarding the Origin and Evolution of the Human Family.

1. The patriarchal theory.
2. Theory of the horde and mother-right.
3. Theory of the monogamous or pairing family.

II. Characteristics of the Patriarchal Family as exemplified by those of the Roman Family.

1. Composition of the patriarchal family.
 - a. The house-father or *pater familias*, being the oldest valid male parent.
 - b. The house-mother or *mater familias*, being subject to the *pater* (in *manu viri*), and legally in the position of a daughter (in *loco filiae*).
 - c. All agnatic descendants.
2. The *patria potestas*.
 - a. Over the persons of the descendants.
 - b. Over their property.
 - c. The house-father had no authority over adult males with respect to public law or political rights.
 - d. The perpetual tutelage of woman.
3. The system of relationship (Hadley, *Roman Law*, chaps. v, vi).
 - a. Who were agnates; definition of agnation.
 - b. Who were cognates; definition of cognation.
4. Adoption and its ancient uses.
5. Ancestor-worship.
 - a. Extent of the cult.
 - b. As a reason for the extension of the family by adoption.
 - c. The theory of animism.
 - d. Survivals of ancestor-worship among the Greeks, Romans, Slavs, Celts, Japanese, etc.

III. Maine's Theory of the Patriarchal Family.

1. It is the "primordial" unit of ancient society.
 - a. It is thus the "type" of primitive society; from it, as in concentric circles, all the higher organisms were successively evolved (see Freeman, *Comparative Politics*, chap. iii).

- b. It is probably universal among the nations of mankind.
2. The *patria potestas* is the distinguishing feature of the patriarchal family.
- a. It is probably universal; but since it decayed early its former existence is proved by survivals, such as the guardianship of minors, the perpetual tutelage of women, the relation of master and slave, and especially by agnation.
- b. Primitive societies would have been "confounded" by a system of female kinship.

REFERENCES.

I. *General*:—Maine, *Ancient Law*, chap. v; Hadley, *Roman Law*, chaps. v, vi; Starcke, *Primitive Family*, 94 ff.; Parsons, *The Family*, 60 ff., 297-326; Westermarck, *Human Marriage*, 98 ff, *passim*; Letourneau, *Evolution of Marriage*, 334 ff.; Dealey, 23-34; Howard, *Matrimonial Institutions*, I, 3-14, giving full bibliography.

II. *Roman Patria Protestas*:—Poste, *Gaius*, 61 ff.; Sohm, *Institutes*, 120 ff., 356 ff., 385-95; Morey, *Roman Law*, 23 ff.; Maine, *Ancient Law*, 123 ff., 130 ff., 227-228; Hadley, *Roman Law*, 119 ff.; Lange, *Römische Alterthümer*, I, 112 ff.

III. *Roman Agnation*:—Poste, *Gaius*, 113 ff.; Sohm, *Institutes*, 124, 355 ff.; Moyle, *Institutiones*, I, 155-56; Morey, 6, 34; Muirhead, *Private Law of Rome*, 43 ff., 122 ff.; Hadley, 130 ff.; Maine, *Ancient Law*, 56, 141 ff.

IV. *Ancestor-Worship*:—Fustel de Coulanges, *Ancient City*, 9-52; Hearn, *Aryan Household*, 15 ff., 45, 46, 59-60; Tylor, *Primitive Culture*, II ("Animism"); Mayne (J. D.), *Hindu Law and Usage*, 55, 438; Lyall, *Asiatic Studies*, chap. ii; Botsford, *Athenian Constitution*, 24-25; Hozumi, *Ancestor-Worship and Japanese Law* (1901); *idem*, *New Japanese Civil Code* (1904); Munroe Smith, *The Japanese Code and the Family* (1907); Parsons, *The Family*, Index; and the reference in Howard, I, 26, n. 1.

V. *Expansion of the Family into Higher Forms of Social Organism*:—Schrader, *Sprachvergleichung*, 394 (a table); Schömann, *Antiquities*, 317, 364 (Ionic groups); Fustel de Coulanges, *Ancient City*, 141 ff.; Hearn, *Aryan Household*, 63, 112 ff., 296 ff.; Freeman, *Comparative Politics*, chap. iii; Howard, *Local Constitutional History*, 3 ff.

B. *Criticism of the Theory.*

- I. Inadequacy of Maine's Use of his Three Sources of Information (Lubbock, *Origin of Civilization*, 6 ff.; McLennan, *Patriarchal Theory*, 29-30; Spencer, *Principles of Sociology*, I, 713-714; Starcke, *Primitive Family*, 94-95).

II. Spencer's Criticism (*Principles of Sociology*, I, 681 ff., 540-53).

III. McLennan's Criticism (*Patriarchal Theory*).

1. In general he denies the universality of agnation and *patria potestas*.
2. In particular he denies their existence among the Hebrews, where he finds "beena" marriage and kinship through females (Howard, I, 16 n. 3).
3. Does the marriage of Jacob with Laban's daughters prove marriage by service among the Hebrews?

IV. Westermarck's Criticism (*Human Marriage*, 97-104, notes, 224-35).

V. Starcke's View (*Primitive Family*, 26-27, 30, 58 ff., 94-95, 101 ff. Cf. Wake, *Marriage and Kinship*, 267 ff., 362 ff., 382, 396; Howard, I, 18).

VI. Evidence for the Ancient Aryans.

1. Maternal family rejected by Delbrück, Schrader, Max Müller, Leist, and Bernhöft; weakness of the philological arguments.
2. Importance of Dargun's theory of the parent-group; and of his distinction between "power" and "relationship."
3. The patriarchal theory rejected by Leist; his two phases in the development of juridicial conceptions.
 - a. The *rita* stage corresponding to the Greek *cosmos* or *phusis* and the Latin *ratum* or *naturalis ratio*; from which is evolved the conception of *dhama*.
 - b. The *dharma* stage, corresponding to the Greek *themis* and Latin *fas*. In this stage, for the early Hindus, only the elements of agnation and patriarchal power have been discovered.

VII. The Patriarchal Theory not Sustained for the Aryan or Indo-European Peoples after the Separation.

1. The case of the Hellenes.
2. The cases of the Celts, Germans, and Slavs.
3. Maine's theory not sustained even for the Romans.

- a. Declaration of Gaius.
- b. Agnation expired before *patria potestas*.
- c. Evidence for the former existence of exogamy and the system of female kinship.

REFERENCES.

Lubbock, *Origin of Civilization*, 6 ff., 153-54; McLennan, *Patriarchal Theory*, 1-23, *passim*; Spencer, *Principles of Sociology*, I, as above cited; Westermarck, as above cited; Wake, *Marriage and Kinship*, 239-44, 267 ff., 359 ff., 382, 396 ff.; Starcke, as cited; Botsford, *Athenian Constitution*, 10 ff., 21 ff., 25 ff., Leist, *Alt-arisches Jus Gentium*; *idem*, *Graeco-italische Rechtsgeschichte*; Parsons, Index at "Patronymy" and "Patriarchate;" Howard, *History of Matrimonial Institutions*, I, 14-32, and the authorities there cited.

SECTION III. THEORY OF THE HORDE AND MOTHER-RIGHT.

A. Bachofen and his Disciples.

I. Bachofen's Theory.

1. General character of his work.
2. Sources of his evidence.
3. His three phases in the evolution of human sexual relations.
 - a. Aphroditic hetairism.
 - b. Demetrian mother-right or gynocracy; amazonism.
 - c. Apollonistic father-right or patriarchate.

II. Preliminary Criticism of Bachofen's Theory.

1. The question of gynocracy.
 - a. Does the existence of mother-right prove that woman had political or military supremacy?
 - b. Does it imply her supremacy in the sphere of social life or private law?
2. The question of original communism.
 - a. Only a modified promiscuity predicated: the "horde" or group-marriage (Lubbock, *Origin of Civilization*, 86, 98, 103-109).
 - b. Alleged evidence which is not conclusive.
 - 1) Accounts of ancient writers and modern travelers.
 - 2) Remarkable customs: legalized hetairism;

proof-marriages and temporary marriages; wife-lending; temple prostitution; *jus primae noctis*.

c. Evidence presented by Spencer and Gillen (*Native Tribes of Central Australia*, 92-111; Howard, I., 53-54); criticism by Crawley (*Mystic Rose*, 236-66, 294-317, 347 ff., 468-85).

3. Theories as to the stages or phases in the evolution of family.

4. Theories as to the stages or phases in the evolution of marriage.

a. Friedrichs's view as to the stages with respect to the number of persons joining in marriage.

b. Kohler's view, considering the way in which marriages arise.

c. Hildebrand's theory of original monogamic tendency.

d. Kautsky's theory of hetairistic monogamy in the primitive horde (Howard, I, 56-58).

e. Theory of Dargun.

f. Theory of Hellwald and Lippert; their three stages.

1) The horde with "unregulated polygyny."

2) The primitive family, whose stages are the mother-group and the matriarchate.

3) The old family, in which the paternal system and monogamy prevail.

g. Theory of Grosse: the influence of economic forces in the evolution of family types (Howard, I, 60-63).

h. Mucke's fantastic theory (Howard, I, 63-65).

REFERENCES.

Westermarck, chap. iv; Crawley, *Mystic Rose*, as above cited; Spencer and Gillen, as cited; Starcke, *Primitive Family*, 241-51; Lubbock, *Origin of Civilization*, 98 ff.; McLennan, *Studies*, I, 319-25; Todd, *The Primitive Family as an Educational Agency*, 11-54; Ellwood, *op. cit.*, 78-79; Parsons, 277 ff.; Sumner, *Folkways*, 342-94; Chamberlain, *Child and Childhood*, 12 ff.; Howard, I. 33-65, and the authorities there cited.

B. Morgan's Constructive Theory.

- I. General Importance of Morgan's Writings and Theories. His Identification of the gentile organization of Greeks and Romans with that of the American Indians (*Ancient Society*, 49-379; Fiske, *Discovery of America*, I, 24-82). His culture stages (*Ancient Society*, 3-28). His Theory of the Priority of the Gens (*Ancient Society*, 227, 433 ff., 469).
- II. Morgan's Constructive Theory of Social Evolution (*Ancient Society*, 382-508; *Systems of Consanguinity*, 480 ff. Compare Lubbock, *Origin of Civilization*, 162 ff.; McLennan, *Studies*, I, 251-2; Todd, 24-25).
1. Systems of consanguinity.
 - a. Classificatory.
 - 1) Malayan: produced by consanguine marriage and family.
 - 2) Turanian or Ganowanian: produced by the Punaluan marriage and family.
 - b. Descriptive: the system existing among Uralian, Semitic, and Aryan peoples.
 2. Phases of evolution.
 - a. Promiscuity of the horde.
 - b. The five successive forms of the family and marriage.
 - 1) Consanguine (radical).
 - 2) Punaluan (radical); own brothers and sisters excluded; rise of the organization into gentes whose rules are exogamy and mother-right; rise of wife-capture and wife-purchase.
 - 3) Syndiasmian: found among Seneca-Iroquois, etc.
 - 4) Patriarchal.
 - 5) Monogamic (radical).
-
- III. Criticism of Morgan's Theory (Howard, I, 70-76).
1. By Curr (*Australian Race*, I, 106-42).
 2. By McLennan (*Studies*, I, 249-315; Morgan, 509 ff.).
 3. By Starcke (*Primitive Family*, 181, 207, 171-208).
 4. By Westermarck (*Human Marriage*, 82 ff.).
 5. By Cunow (*Australneger*, 25 ff., 161 ff.).

6. By Kohler (*Zur Urgeschichte der Ehe*).
7. By Spencer and Gillen (*Native Tribes of Central Australia*, 56 ff.).

FURTHER REFERENCES.

I. *Australian Class-Systems*:—Tylor, *Early History of Mankind*, 288; Wake, chap. iv; Lubbock, 104 ff.; Fison and Howitt, *Kamilaroi*, 99, 101, 149, 316 ff.; Todd, 28 ff.

II. *Morgan's Theory*:—Beauchamp, in *American Antiquarian*, IX, 343-50; Wake, 15, 19, 112, 266 ff., 297 ff.; Maine, *Early Law and Custom*, 195 ff.; Howard, I, 65-76, and the authorities there cited.

C. McClennan's Constructive Theory.

I. General Importance of McLennan's Writings and Theories.

II. Starting-Point of Social Evolution: Modified Promiscuity; no idea of Consanguinity. From this Condition the first Institution to emerge was Kinship in the Female Line, Paternity being uncertain. Next in the struggle for existence arose the Practice of Female Infanticide. This Disturbance of the Balance of the Sexes gave rise to the following Institutions in the Order named (*McLennan Studies*, I, 83 ff.).

1. The totem-gens (on totemism, see references in Howard, I, 79, note).
2. Polyandry, of which there are two types.
 - a. Nair polyandry.
 - b. Tibetan polyandry; found also among the Todas; held by McLennan to be a universal stage; proved by survivals such as the Levirate and the Niyoga (Howard, I, 84, note 2).
3. Wife-capture.
4. Exogamy.

III. Spencer's Criticism of McLennan (*Principles of Sociology*, I, 641 ff.).

1. Female infanticide not an important factor.
2. Wife-stealing usually accompanies polygyny, not polyandry.
3. Polyandry practiced by peaceful tribes like the Eskimo.

4. Wife-capture and exogamy simultaneously practiced would not relieve scarcity of women.
5. The sequence of exogamy and endogamy not sustained.

IV. Starcke's Criticism (*Primitive Family*, 132).

FURTHER REFERENCES.

I. *McLennan's Theory*:—Morgan, *Ancient Society*, 509-21; Maine, *Early Law and Custom*, 106 ff., 123-24, 150, 192-288; Smith, *Kinship and Marriage in Early Arabia*, 80, 118, 121, 129 ff., 230; Lubbock, 102, 109, 130, 143 ff.; Fison and Howitt, 23 ff., 67, 101 ff., 130 ff.; Schurman, *Ethical Import of Darwinism*, chap. vi; Starcke, 94 ff., 128 ff., 141 ff.; Wake, 14 ff., 58 ff., 134 ff., 253 ff., 297 ff.; Westermarck, *Index*; Howard, I, 77-88.

II. *Niyoga and Kindred Forms*:—Maine, *Early Law and Custom*, chap. iv; Mayne, *Hindu Law*, chap. iv; Starcke, 141-70; Spencer I, 679-81; Wake, 171-78, 436 ff.; Westermarck, 3, 510-14; Howard, I, 84, n. 2.

III. *Female Infanticide*:—See references in Howard, I, 86 n. 2.

SECTION IV. THEORY OF THE MONOGAMIC OR PAIRING FAMILY.

I. Statement of the Theory.

1. Though strongly supported the theory is not yet demonstrated.
2. Probability that the beginnings of marriage and the family must be sought beyond the line separating man from the lower animals (Starcke, 8-9; Westermarck, 9, 39 ff.).
3. Was there ever a uniform primitive state? (Starcke, 7-8).

II. The Problem of Promiscuity: Arguments Against its Existence at any Time as a General State (Westermarck, 51-133; Howard, I, 93-110).

1. The zoological argument: the pairing family among animals.
 - a. Relative powers of hunger and the erotic impulse as genetic social forces.
 - b. The family among birds and the quadrumana.
 - c. Did man originally have a pairing season? (See examples in Powers, *Tribes of California*, 206; Schoolcraft, *Indian Tribes*, IV, 224; Westermarck, 20, 24-38).

- d. Significance of the theories of Hildebrand, Kautsky, Hellwald, and Grosse.
 2. The physiological argument (Maine, *Early Law and Custom*, 204-5; Westermarck, 115-17, 334 ff.).
 3. The psychological argument.
 - a. Evidence for the existence of jealousy among animals.
 - b. Evidence for the existence of jealousy among savages and barbarians.
 4. Summary: the evidence adduced for the existence of promiscuity not trustworthy.
- III. The Problem of Mother-Right (Howard, I, 110-17).
1. Various theories as to the origin of mother-right.
 2. Starcke's theory as to the rise of systems of kinship in the conflict of clans, under economic influence and under that of the local groupings of individuals (*Primitive Family*, 10-16, 25-30, 54, 58 ff., 118 ff.).
 3. Transition from maternal to paternal system not proved by the custom of the couvade. Theories as to the latter (Howard, I, 112-13, *notes*).
 4. Tylor's view as to the connection between beena marriage and mother-right (see references in Howard, I, 115, n. 1.).
 5. Importance of Grosse's and Cunow's view of economic causes.
 6. Summary as to the present state of inquiry.
- IV. The Problem of Exogamy (Howard, I, 117-32).
1. McLennan's theory.
 - a. Criticism by Spencer (*Principles of Sociology*, I, 649-60. Cf. Starcke, 215 ff.; Westermarck, 311 ff.).
 - b. Lubbock's view (*Origin of Civilization*, 86, 98, 103-43. Compare the criticisms by Starcke, 220-21; Westermarck, 316; McLennan, 329-47).
 - c. Tylor's view.
 2. Theories identifying the causes of exogamy with those producing forbidden degrees.

- a. Views as to the origin of the horror of incest and regarding the harmfulness of close intermarriage (Howard, I, 121-23).
- b. Starcke's theory of exogamy (*Primitive Family*, 212, 225, 230); how criticised by Cunow? (Howard, I, 123, 124, n. 2).
- c. Westermarck's theory (*Human Marriage*, 290-382).
 - 1) Horror of incest is universal.
 - 2) Prohibited degrees do not arise in a perception of the injurious effects of close intermarriage; but in instinct, in an innate aversion to union between persons living closely together from childhood.
 - 3) This innate aversion arises in harmony with the biological law of similarity (*Human Marriage*, chaps. xiii, xv, 334 ff. Compare Darwin, *Animals and Plants under Domestication*, II, 78 ff., 92-126; Wallace, *Darwinism*, 152-86).
 - 4) Hence the coexistence of clan-exogamy and tribe-endogamy is explained (compare the criticism of Westermarck by Crawley, *Mystic Rose*, 222-23, 443 ff.; Todd, 26-28).

V. The Problem of Polyandry (Howard, I, 132-41).

1. Statement of McLennan's theory.
2. Criticism of McLennan as to the extent of polyandry.
3. Criticism as to the origin of polyandry; views of Spencer (*Principles of Sociology*, I, 673-75, 678-79); Smith (*Kinship and Marriage*, 125 ff., 128); Wake, (*Marriage and Kinship*, 172, 134-78); and Starcke (*Primitive Family*, 135, 139, 128-70).
4. Westermarck's theory (*Human Marriage*, chap. xxi).
 - a. The numerical disparity between the sexes at maturity and at birth.
 - b. Causes determining the sex of the offspring.
 - 1) Various untenable theories.
 - 2) Düsing's theory: effects of the varying supply of nourishment and of inbreeding.
 - 3) Results of his theory as explaining the origin and extent of polyandry (Howard, I, 139-41).

VI. The Problem of Polygyny.

1. General criticism of existing theories.
2. Limited extent of the custom.
 - a. Not found among Veddahs and other very low races.
 - b. Often restricted to chiefs or to the wealthy.
 - c. Often modified in the direction of monogamy; chief wives and secondary wives; concubines; prevalence of duogamy.
3. Causes of the rise of polygyny (Howard, I, 146-48).
4. Relative effects on the condition of woman of polyandry and polygyny.

VII. Summary: Pairing Always the Type of Human Relations; Difference between the Early "Natural" and the Later "Institutional" Monogamy.

FURTHER REFERENCES.

I. *Polyandry*:—Starcke, 128-40, 77 ff.; Smith, *Kinship and Marriage*, 121 ff., 277-79; Fison and Howitt, 144 ff.; Wake, 134-78; Westermarck, chap. xx-xxii, Index; Mayne, *Hindu Law*, 60 ff.; Spencer, I, 672-81, 641 ff.; Lubbock, 79, 143 ff.; and the reference in Howard, I, 80, n. 2.

II. *Polygamy*:—Darwin, *Descent of Man*, chap. viii, xx. Wake, chap. vi; Spencer, I, 682-97; Starcke, 261 ff.; Westermarck, 431 ff., and Index.

III. In general, on all topics in this section, see the indexes to Letourneau, Wake, Starcke, Westermarck, Maine, *Early Law and Custom*, Mayne, *Hindu Law*, and the references in Howard, I, 89-151. Cf. Parsons, *The Family*, 137-60, 267 ff., 287 ff.; Sumner, *Folkways*, 342 ff., *passim*; Bosanquet, *The Family*; Hartland, *Primitive Paternity*, II; Müller-Lyer, *Die Familie*, 71 ff., *passim*; Todd, *The Primitive Family as an Educational Agency*, 22-54; Ellwood, *Sociology and Modern Social Problems*, 61-77; Ward, *Dynamic Sociology*, I, 211 ff., 618-32; Thomas, "Psychology of Exogamy," in *Sex and Society*, 175-97; *idem*, "Sex and Primitive Morality," in *ibid.*, 149-72. Giddings, *Principles of Sociology*, 61 ff., 73-74, 89, 168, 263 ff., 154 ff.; *idem*, *Descriptive and Historical Sociology*, 450-51, 442.

SECTION V. RISE OF THE MARRIAGE CONTRACT: WIFE-CAPTURE.

I. Statement of the Problem as to the Evolution of Contract.

Definition of "marriage contract" (Howard, I, 156).

II. Extent and Significance of Wife-Capture.

1. McLennan's theory (McLennan, *Studies*, I, chaps. ii-vi, *passim*; *idem*, *Patriarchal Theory*, chap. xiii; Howard, I, 156-57).
2. Extent of actual wife-capture (Howard, I, 158 ff.).

- a. Among American, African, Asiatic, and other non-Aryan peoples.
 - b. Among Germans, Slavs, Greeks, Romans, Hindus, and other Aryans.
 - c. Among Arabs and Hebrews (*Deut.* 21:10-14; McLennan, I, 43-44; *Numb.*, chap. 31).
3. Real meaning of actual capture: it has no relation to marriage. The term "marriage by capture" to be rejected.

III. Extent and Significance of the Symbol of Capture or "Ceremonial" Capture (Howard I, 164-79).

- 1. Examples.
 - a. Among the American aborigines.
 - b. Among the Kalmucks.
 - c. Among the Australians and other non-Aryans.
 - d. Among Hellenes, Romans, Celts, Germans, Slavs, and other Aryans.
- 2. Real meaning of the symbol of capture.
 - a. Its significance exaggerated, although sometimes it may be a survival of actual capture.
 - b. Other sources.

REFERENCES.

McLennan, *Studies*, I, 9-21, 31 ff.; *idem*, *Patriarchal Theory*, chap. xiii; Westermarck, 383-90; Starcke, 209 ff., 262; Lubbock, *Origin of Civilization*, 104-33; Wake, 402-34, 246 ff., 305, 350; Leist, *Alt-arisches Jus Gentium*, 126 ff.; Spencer, *Various Fragments*, 74 ff.; *idem*, *Principles of Sociology*, I, *Index*; Smith, *Kinship and Marriage*, 72-74, *passim*; Howard, I, 156-79, and the references there given.

SECTION VI. RISE OF THE MARRIAGE CONTRACT: WIFE-PURCHASE.

I. Relation of Wife-Purchase to Wife-Capture.

- 1. Is wife-purchase a general stage of evolution more advanced than wife-capture?
- 2. Coexistence of purchase with real or pretended capture (Howard, I, 180 ff.).
 - a. Real capture.
 - b. Abduction.
 - c. Elopement.

II. Forms of Wife-Purchase, with Examples (Howard, I, 184-89).

1. By exchange for a kinswoman.
2. By service.
 - a. As an actual payment for the bride.
 - b. As proof of manly worth.
 - c. Is service a form of purchase higher than that by a bride-price? (Spencer, I, 754-55; Westermarck, 391-92).
3. By exchange for property (including money).
 - a. Price paid at the nuptials; or
 - b. Bride received on credit.

III. Extent of Wife-Purchase (Howard, I, 190-201).

1. North and South America.
2. Africa.
3. Asia: among Chinese and the Turco-Tartaric peoples.
4. Among Hebrews and Arabs.
5. Among Hindus, Hellenes, and Romans.
6. Among Slavs, Celts, and Germans.

REFERENCES.

Westermarck, 390-416; Starcke, 146, 232, 39; Letourneau, *L'Evolution du Marriage*; Spencer, I, 655, 754-55; Bancroft, *Native Races, Index*; Leist, *Alt-arisches Jus Gentium*, 115-16, 122 ff.; Howard, I, 179-201, and references. Much matter may be found in the 9th, 11th, 15th, and the other Reports of the Bureau of Ethology.

SECTION VII. RISE OF THE MARRIAGE CONTRACT: PRIMITIVE SELF-BETROTHAL AND THE DECAY OF THE PURCHASE CONTRACT (Westermarck, chaps. vii-xiii).

I. The Antiquity of Free Marriage (Howard, I, 201-10).

1. Statement of the problem: not probable that capture or purchase are primitive forms.
2. Wooing among animals.
 - a. Right of choice by the female.
 - b. Fighting for mates by the males.

c. Colors, songs, antics, and other so-called "secondary sexual characters." Criticism of Darwin's theory of "sexual selection" (Darwin, *Descent of Man*, chaps. viii, xiii, xvi, xxi; Wallace, *Darwinism*, 268-300; Westermarck, chap. xi).

3. Wooing among primitive men.

a. Fighting or contending for mates by the males.

b. Ornaments and other means of sexual attraction (Westermarck, chap. ix; Howard, I, 206 ff.).

c. Extent of liberty of choice among primitive men: Post's seven groups.

II. Free Marriage Surviving with Purchase (Howard, I, 210-19).

1. Examples.

2. Meaning of wooing gifts or of exchange of presents (Howard I, 217-20).

a. Are these a weakened form of purchase?

b. Are they sometimes capable of other explanations?

III. Decay of the Purchase Contract and the Rise of Dower.

IV. Summary.

REFERENCES ON SEXUAL SELECTION.

Geddes and Thompson, *Evolution of Sex*, 3-30; Poulton, *Colours of Animals*, 284-335; Weismann, *Studies in the Theory of Descent*, I, 161 ff.; also Darwin, Wallace, Westermarck, Howard, as above cited; and Ward, *Dynamic Sociology*, I, 605-15.

SECTION VIII. EARLY HISTORY OF DIVORCE.

I. General Character of Early Jurisprudence.

1. Elaborate systems of unwritten law.

2. Confused mass of custom relating to divorce; yet the law is often surprisingly just.

II. The Right of Divorce; Five Classes of Peoples according to Degree of Liberty of Divorce (Howard, I, 225-40).

1. Marriage dissolved at pleasure of either spouse.

2. Marriage indissoluble.

3. Marriage dissolved by mutual consent.

4. Divorce the sole right of the man.

a. For any cause.

b. For certain specified causes: laws of Chinese, Japanese, and Aztecs.

5. Divorce at pleasure of wife or husband, sometimes on definite grounds.

III. The Form of Divorce (Howard, I, 240-41).

1. Without ceremony.

2. By bill, proclamation, symbolic act, or other ceremony.

IV. The Legal Effects of Divorce (Howard, I, 241-47).

1. As to disposal of the children.

2. As to disposal of property.

3. As to second marriage or remarriage of the parties.

V. Frequency of Divorce (Howard, I, 247-50).

REFERENCES.

Westermarck, chap. xxiii; Letourneau, chap. xiv; Wake, Starcke, Spencer, Index; Legge, *Life and Teachings of Confucius*; Doolittle, *Social Life of the Chinese*; Lichtenberger, *Divorce: A Study in Social Causation*, 21-30; Post, *Familienrechts*, 75-79, 249-65; *idem*, *Afrikanische Jurisprudenz*, I; *idem*, *Grundlagen des Rechts*, 267 ff.; Möllendorff, *Das chin. Familienrecht*; Alabaster, *Chinese Criminal Law*; Todd, *op. cit.*, 23-48; and the literature cited in Howard I, chap v. See also Howard, in Bliss's *Encyclopedia of Social Reform*, 392-93.

SECTION IX. OLD ENGLISH WIFE PURCHASE.

A. *The Bewedding or Betrothal: Being the First Part of the Marriage Transaction.*

I. First Stage: the Bewedding is a "Real Contract" with Two-Sided Fulfillment (Mainly Prehistoric).

1. Question as to existence of wife-capture among our ancestors; significance of the fact that valid marriages were sometimes accomplished by rape.

2. Theory and uses of the "real contract" among the Germans.

II. Second Stage: The Bewedding becomes a "real contract of sale" (Howard, I, 258-66).

1. Essential was one-sided fulfillment through payment of the weotuma or bride-price to the guardian.

2. Theories of the weotuma.

- a. That it was the price of the woman.
- b. That it was the price of the mund or protection of the woman. Evidence of the Anglo-Saxon laws? Ficker's view?
3. Extent of the sale-marriage among the Teutonic peoples.
 - a. Evidence of Tacitus, *Germania*, chap. 18; various interpretations.
 - b. Evidence of the Anglo-Saxon codes (*Aethelberht*, 77, 82, 24, 25; Schmid, 8, 9; Thorpe, *Ancient Laws*, 22, 23, 24, 25; Liebermann, 7, 8).
 - c. Evidence from other German codes.
4. How the amount of the price was fixed.

III. Third Stage: The Real Contract ceases to be a Contract of Sale (6th to 9th centuries).

1. The arrha instead of the weotuma paid to the guardian at the nuptials: its character?
2. Sureties given for payment of the weotuma at the nuptials.
3. The weotuma is in practice often paid to the bride; and so in effect it becomes a provision for the widow. See the evidence of the Anglo-Saxon laws (Howard, I, 266-68).

IV. Fourth Stage: By the 10th Century the Bewedding becomes a "Formal Contract," the Wed or Wette (Howard, I, 268-72).

1. The arrha is merely promised to the guardian.
2. Sureties to pay the weotuma to the bride.
3. Forms of the solemn act.
4. The morning-gift becomes more important than the weotuma. These two are eventually merged and become the dower or *dos ad ostium ecclesiae*.
5. Evidence of the earliest English betrothal ritual (Thorpe, I, 225, 257; Howard, I, 269-71).

B. The Gifta: Being the Second Part of the Marriage Transaction.

- I. It is the Solemn Transfer or Tradition of the Bride at the "Nuptials."

- II. Favorite Wedding Season.
- III. The Parts of the Nuptial Ceremony.
- IV. Procedure at the Gifta.
- V. Relative Importance of the Betrothal and the Gifta.
 - 1. Sohm's theory.
 - 2. Other theories.

REFERENCES.

Young, in *Essays in Anglo-Saxon Law*, 163 ff.; Lingard, *Anglo-Saxon Church*; Pollock and Maitland, *History of English Law*, II, 362 ff.; Ludlow, *Dict. Christ. Antiquities*, I, 143, 203; Glasson, *Hist. du droit et des inst. de l'Angleterre*, I, 104-33; Westermarck, chap. xix, and Index at "Germans" and "England;" Roeder, *Die Familie bei den Angelsachsen*; Sohm, *Das Recht der Eheschliessung*; *idem*, *Trauung und Verlobung*; Habicht, *Altdeutsche Verlobung*; Lehmann, *Verlobung und Hochzeit*; Friedberg, *Das Recht der Eheschliessung*; Weinhold, *Die deutsche Frauen*; the collections of laws by Schmid, Thorpe, and Liebermann. The literature is cited in full by Howard, I, 253 ff.

SECTION X. RISE OF FREE MARRIAGE IN ENGLAND AND GERMANY.

- I. Self-Betrothal (Howard, I, 276-81).
 - 1. Question as to early existence of free betrothal.
 - 2. Power of the guardian under sale marriage.
 - 3. Process of change to free betrothal.
 - a. The woman gains the right of veto.
 - b. Next conditions are reversed and the guardian merely has the veto power, self-betrothal being the right of the woman.
 - c. Position of the widow.
 - 1) In time of Tacitus.
 - 2) Under the folk-laws. The right of appeal to her family.
 - 3) Law of Canute (Thorpe, I, 417); germ of clandestine marriages.
 - 4. Forms of self-betrothal.
 - a. The *wed* with the *handschlag*.
 - b. The arrha (real contract) paid to the bride. Theories of the origin of the "betrothal" and "wedding"

rings. Origin of the kiss at betrothal. Other forms of the arrha in England. Constantine's law. The wed and the arrha are eventually confused and have the same meaning.

II. Self-Gifta (Howard, I, 281-86); the only form after ca. 1200 A. D.

1. Rise of the "chosen" guardian.
2. Rise of the "orator" or "Fürsprecher," an assistant to the natural guardian.
3. Historical connection between the chosen guardian and the priest as officiator at the nuptials. Theories of Sohm and Friedberg. How the orator and the chosen guardian were merged.
4. Gradual omission of the solemn symbols. The chosen guardian gives the bride to the bridegroom and the bridegroom to the bride; significance?
5. After about 1050 A. D. the betrothal (espousals) were repeated at the nuptials; and there arose a confusion of the symbols of the betrothal and the gifta (Howard, I, 284-85).

III. The Primitive and Mediaeval Marriage, already Discussed, is not a true "civil" marriage, but a "lay" and private contract.

REFERENCES.

Consult the works of Sohm, Friedberg, Lehmann, Weinhold, Habicht, Pollock and Maitland, and other literature cited in Section IX above; also Howard I, 276-86, where the additional sources and secondary authorities are exhibited in detail.

SECTION XI. RISE OF THE ECCLESIASTICAL MARRIAGE CELEBRATION.

I. The Church accepts the Lay Contract and Ceremonial (Howard, I, 291-308).

1. The primitive Christian benediction.
 - a. Before the German invasion the Roman law and custom were accepted (or the Jewish, according to Freisen).
 - 1) Character of the Roman betrothal or *concensus sponsalitiuus*.

- 2) Roman marriage begins with the nuptials giving expression to the *consensus nuptialis*.
- b. After the invasion (ca. 400) the German forms of betrothal and gifta were accepted; and from the German betrothal the two betrothals of the canon law are derived.
- c. But from the earliest period, as a religious duty, the Christians required a priestly benediction.
 - 1) Like the Romans, the early Christians had not a fixed marriage ritual or ceremony.
 - 2) The heathen customs of the ring, kiss, veil, pomp, and crowning were approved.
2. The bride-mass (4th to 10th century).
 - a. Celebrated in church after the nuptials.
 - b. Not essential to a valid marriage; not originally allowed in case of a second marriage. Contrary theory of Dieckhoff?
 - c. Evidence of the early English rituals (Howard, I, 298).
3. Celebration at the church door—*ad ostium ecclesiae* (10th to 12th century).
 - a. General proofs (Howard, I, 299-300).
 - b. Proofs from the rituals (Howard, I, 300-308).
- II. The Priest Supersedes the Chosen Guardian; and *Sponsalia per verba de praesenti* are Valid (Howard, I, 308-20).
 1. From about the beginning of the 13th century, on the continent, the priest "joins the persons in wedlock"; but these words of power are not in English rituals before the Reformation.
 2. The church legislates to enforce the religious ritual, thus creating the vicious distinction between legality and validity (Howard, I, 312-14).
 3. Rise of valid clandestine marriages.
 4. Decree of the Council of Trent.
 5. The Case of the Queen *v.* Millis, 1844 (10 Clark and Finnely, 534-907); and Beamish *v.* Beamish, 1861 (9 *House of Lords Cases*, 274-358). Criticism by Pollock (*First Book of Jurisprudence*, 311-17).

REFERENCES.

Pollock and Maitland, *History of English Law*, II, 368 ff.; Elphinstone, in *Law Quarterly Review*, V; Bishop, *Marriage, Divorce, and Separation*, I, secs. 400-401, II, pp. 171-72; Geary, *Marriage and Family Relations*, 534 ff. See Meyrick's article "Marriage," and Ludlow's articles "Betrothal," "Benediction," and "Arrhae," in Smith and Cheetham's *Dictionary of Christian Antiquities*. In general, see Howard, I, 287-320, and the literature there cited.

SECTION XII. THE CANON LAW DOCTRINE OF MARRIAGE.

I. Doctrine of the Sacramental Nature of Marriage.

1. The early "mysteries."
2. The dogma set forth by Lombard, 1164.
3. Two consequences of the dogma.
 - a. Indissolubility of wedlock.
 - b. Exclusive jurisdiction of the church in matrimonial causes. Slow growth of that jurisdiction in England, 7th to 12th centuries (Howard, I, 333-34; Pollock and Maitland, II, 365).
4. The canonical theory favors the formation of marriages.
 - a. Mediaeval doctrine of nuptials, following German custom.
 - b. Doctrine of Hincmar and Gratian (before 1150).
 - 1) *Conjugium initiatum*: dissoluble.
 - 2) *Conjugium ratum*: indissoluble (Pollock and Maitland, II, 366).
 - c. Doctrine of Peter Lombard (before 1200).
 - 1) *Sponsalia per verba de futuro*: doctrine of "presumptive marriage."
 - 2) *Sponsalia per verba de praesenti*: how dissoluble (Pollock and Maitland, II, 366).
 - d. The church upholds the validity of secret or clandestine marriages *de praesenti*; fixed ceremony, parental consent, record, and witnesses not essential.
 - e. The evil effects of the canon law distinction between "legality" and "validity."

II. Clandestine Marriages the Fruit of the Canonical Theory (Howard, I, 340-50).

1. Effect of verbal distinctions: evidence of Luther and Swinburne (Howard, I, 341-43; Pollock and Maitland, II, 367).
 2. Uncertainty of marriages according to the canonical theory: evidence of Luther (Howard, I, 345).
 3. Wide prevalence of clandestine marriages: evidence of Coverdale and Whitforde.
- III. Evils of the Spiritual Jurisdiction (Howard, I, 351-59).
1. Anomalous state of English matrimonial judicature shown by the case of Richard de Anesty, 1143 (Pollock and Maitland, I, 137; Palgrave, *Commonwealth*, pp. xxvii).
 2. Doctrine of impediments to marriage (Pollock and Maitland, II, 383 ff.).
 - a. General impediments.
 - b. Forbidden degrees of kinship and affinity; the rule before and after Innocent III's decree, 1215).
 3. Anomalous relation of the temporal and the spiritual courts in England (Pollock and Maitland, II, 370 ff.; Geary, 1-6; Howard, 354-59).
 - a. Effects on property rights.
 - b. Child-marriage.
- IV. Origin of Banns and Registration.
1. Decree of the Council of Trent.
 2. History of the requirement of banns.
 3. Origin of parish registers in England, 1538 or earlier.

REFERENCES.

Pollock and Maitland and Howard as above cited; Denton, *England in the 15th Century*, 161; Traill, *Social England*, III, 578; Thwing, *The Family*; Lingard, *Anglo-Saxon Church*; Meyrick, in *Dict. of Christ. Ant.*, II, 1092-1103, 1198, 1725-1730; Maitland, in *Law Quarterly Review*, XIII, 136-38, 270-87 (Vacarius); Makower, *Constitutional History of the Eng. Church*, 384-464; *Encyclopaedia Britannica*, XXI, 132, II, 3-60; Esmein, *Le mariage en droit canonique*; Freisen, *Geschichte des canonischen Eherechts*; Zhishman, *Das Eherecht des orientalischen Kirche*; Dealey, *The Family in its Sociological Aspects*,

54-61; Ellwood, *Sociology and Modern Social Problems*, 110-12; Gum-
mere, *Germanic Origins*; Schmidt, *Social Results of Early Christianity*.

SECTION XIII. THE CANON LAW DOCTRINE OF DIVORCE.

I. Evolution of the Christian Teachings.

1. Historical elements (Howard, I, 11-23).
2. Views of the early Fathers (Howard, I, 23-28).
3. Legislation of the Christian emperors (Howard, I, 28-33).
4. The compromise with German custom (Howard, I, 33-46).

II. The Final Settlement of the Christian Doctrine in the Canon Law before the Reformation.

1. Separation from bed and board (*divortium a mensa et thoro*); causes allowed:
 - a. Adultery: how a petition of either the man or woman may be defeated?
 - b. Spiritual adultery (*fornicatio spiritualis*): heresy or apostasy of one of the spouses, perhaps forcing to commit a wrong.
 - c. Cruelty.
2. Complete divorce (*a vinculo*) in theory not allowed.
 - a. First exception: the *privilegium Paulinum* or *casus apostoli*.
 - b. Second exception: the unconsummated marriage may be dissolved by papal dispensation, or *ipso facto* by taking holy orders.
 - c. Third practical, but not so-called, exception: the decree of nullity of an invalid marriage. Why this became in reality a means of absolute divorce? Action of the Council of Trent.

REFERENCES.

Howard, *Matrimonial Institutions*, II, 3-60, especially 47-60, with the literature there cited; particularly Geffcken, *Ehescheidung vor Gratian*; the *Decretum* of Gratian in Richter-Friedberg, *Corpus juris canonici*; the collections of Thorpe, Schmid, Liebermann, Johnson, Haddan and Stubbs; and the various works relating to the Penitentials. Consult the Bibliographical Index, Part II, in Howard, III, 291-339. On the History of Divorce, compare Lichtenberger, *Divorce: A Study in Social Causation*, 31-51. Woolsey, *Divorce and Divorce Legislation*, is helpful.

SECTION XIV. THE PROTESTANT CONCEPTION OF MARRIAGE.

I. As to the Form of Marriage.

1. On the continent: influence of Luther (Howard, I, 346-75).
 - a. Luther rejects the canonical distinction between *sponsalia de praesenti vel futuro*.
 - 1) He retains *sponsalia de futuro* in the sense of "conditional betrothals."
 - 2) His *sponsalia de praesenti* (including the *canonical sponsalia de futuro*) or unconditional betrothals, if publicly made with parental consent, were valid marriages.
 - 3) His doctrine regarding parental consent and secret marriages. In effects clandestine marriages were sanctioned by Luther (Howard, I, 371-72).
 - b. The action to enforce a promise of marriage: case of Dr. Stiel, 1553 (Howard, I, 373, n. 1).
 - c. General results of Luther's teachings.
 - 1) As seen in the church ordinances.
 - 2) In practice, against the protest of Luther, the jurists retained the canon law; and the evils of secret marriages were scarcely lessened by the Reformation; the "bride-children" (Howard, I, 374-75).
 - 3) Case of Caspar Beyer, 1543 (Howard, I, 374 n. 5).
 - d. The new Protestant marriage ritual or ceremony.
 - 1) That of Bugenhagen, 1523.
 - 2) The model devised by Luther, 1529-1534.
 - a) Nuptial ceremony before the church-door.
 - b) Reading the Scriptures and the benediction in the church.
2. In England (Howard, I, 374-86).
 - a. The canon law regarding marriage remained in full force.
 - 1) But appeals to Rome were not allowed; how appeals were carried to the archbishop?
 - 2) Temporary effect of Henry VIII's limitation of validity of precontracts, 1540.

3) Impediments confined to the Levitical degrees (32 H. VIII, c. 38).

b. Evidence of Swinburne.

1) As to use of the term *sponsalia*.

2) As to validity of secret contracts.

c. Character of the old English ceremony of public betrothal (Howard, I, 380-83, notes).

d. Valid betrothals by signs as well as words; Swinburne on marriage ring (Howard, I, 383-85).

II. As to the Nature of Marriage.

1. On the continent: Influence of Luther (Howard, I, 386-92).

a. Doctrine of the marriage-sacrament abandoned; Luther's confusion of thought regarding the sacramental nature of wedlock.

b. Luther's doctrine that wedlock is a "worldly thing."

c. How may his confusion of thought be accounted for?

1) Evils of the ecclesiastical jurisdiction and the need of transferring matrimonial causes to the secular courts.

2) Evils of sacerdotal celibacy; the new conception of the relation of church and state after the Reformation: the "Christian State" and the "Christian Prince."

d. General results.

1) Significance of the "double" marriage of Philip, Landgrave of Hesse.

2) Spiritual affinity abandoned; no uniform practice regarding forbidden degrees of consanguinity and affinity.

3) Rules as to *disparitas cultus* or diverse faiths and sects.

2. In England (Howard, I, 392-99).

a. As in Germany the law and judicature of the church were made to rest on the sanction of the state.

b. Technically the dogma of the sacrament was rejected; but the English Reformers were less bold than the German.

- 1) Teachings of Fulke, Tyndale, and others.
- 2) Celibacy of the clergy abandoned: Elizabeth's policy.
- 3) Asceticism of some of the Reformation clergy.

III. Child Marriages in the Age of Elizabeth (Furnivall, in *Early English Text Society*, vol. 108; Howard, I, 399-403).

IV. The Family Régime Before and After the Reformation Compared.

REFERENCES.

Howard, *Matrimonial Institutions*, I, chap. ix, 364-403, and the literature there cited. In particular, consult Luther, *Tischreden*; Strampff, *Dr. Martin Luther: Ueber die Ehe*, containing a collection of Luther's discussions of marriage and divorce gathered from his many writings; Richter's *Lehrbuch*; and his collection of *Kirchenordnungen*, which is of primary importance. The works of the Reformation fathers and of other contemporary writers are discussed by Howard, I, 364-70. Read Dealey's chapter in *op. cit.*, 62-72.

SECTION XV. THE PROTESTANT CONCEPTION OF DIVORCE.

I. In Germany (Howard, II, 60-71).

1. Grounds of absolute divorce allowed by Luther and the more conservative reformers.

a. Adultery.

b. Malicious desertion: how this cause was made to include other causes?

2. Grounds allowed by Erasmus, Zwingli, Bullinger, Bucer, and other liberal reformers.

3. Remarriage after divorce.

a. Always allowed the innocent party.

b. Divergent views as to the treatment of the guilty party: death for adultery favored by the theologians, but not sanctioned by law (except in Saxony).

4. Rise of divorce courts (Howard, II, 68-71).

a. The original Protestant doctrine of self-divorce.

b. Gradual rise of the modern view of the function of the courts in granting divorce.

II. In England (Howard, II, 71-85).

1. As to the causes and remarriage, the more conservative

practically agree with Luther and his followers. Hooper and the equal rights of women. Testimony of Bullinger and Smith. Tyndale's definition of desertion.

2. The early reformers reject separation from bed and board.
3. The radical doctrines of Bucer.
4. The *Reformatio Legum Ecclesiasticarum* of Edward VI, 1552.
 - a. Expresses the prevalent Protestant view.
 - b. Not adopted as law, but its principles observed in practice, until 1602. Doubtful whether the courts dissolved marriages. Evidence of the Northampton case; of the Foljambe case, 1602. Other evidence, to 1637.

III. The Views of Milton.

1. General state of the English law, 1603-1857.
 - a. It was even more rigid than the canon law of the middle ages: why?
 - b. The Puritan Revolution produced no divorce law.
2. Milton's very liberal doctrines as to divorce and wedlock.
 - a. Divorce is a "law of moral equity" ("Doctrine and Discipline," *Prose Works*, III, 241-42).
 - b. It is lawful for Christians for many other causes equal to adultery ("Colasterion," *Prose Works*, III, 423-33. Cf. *ibid.*, 185, 251-58).
 - c. High ideal of wedlock (*Prose Works*, III, 185, 195, 210, 211. Cf. *ibid.*, 181, 182, 267).
 - d. But Milton has a low ideal of womanhood, and of the liberty of the wife (*Prose Works*, III, 181 209, 247). His idea of divorce-procedure (*Prose Works*, III, 263-73). The wife is the "equal inferior" of the husband.

IV. Void and Voidable Contracts:

1. Effect of divorce on the widow's dower (Pollock and Maitland, II, 372-93).
 - a. From Edward III, divorce *a vinculi* (annulment of marriage) deprived her of dower.

- b. From Edward III, divorce *a mensa* did not deprive her of dower.
 - c. Earlier than Edward III, divorce *a mensa* for her misconduct deprived her of dower.
2. The evil effects of the absurd distinction between *void* and *voidable* marriages (Pollock and Maitland, II, 273 ff.; Howard, II, 93-102).
- a. A marriage illegal on account of a diriment impediment, if properly solemnized, was not *ipso facto* void, but only voidable by decree of a church court.
 - b. The children of such a union, if in good faith, were legitimate, if born before the decree (until James I).
 - c. The persons separated by such decree might again marry; but the validity of the first marriage might be established by new evidence; and then the second marriage must be decreed void.
 - d. After James I, the children were legitimate, if the parents while both were living were never divorced; but, in that case, the surviving consort was liable to punishment for the sin of marrying within the forbidden degrees.
 - e. Lord Lyndhurst's Act, 1835.
 - 1) All marriages within the forbidden degrees of consanguinity or affinity are *ipso facto* void.
 - 2) Marriage with a deceased wife's sister before and after the act (Lecky, *Democracy and Liberty*, II, 214-23; Howard, II, 96-102; Huth, *Marriage of Near Kin*, 124-26, 393-449 (bibliography)).

V. Parliamentary Divorce (Macqueen, *Practical Treatise*, 463-68; Howard, II, 102-109).

- 1. The first cases.
- 2. Evils resulting from the practice.
 - a. The triple procedure.
 - b. Injustice to the wife.
 - c. Practically but one ground for divorce admitted.

- d. Discrimination in favor of the rich.
- e. Harsh rules of evidence in church courts.

VI. The Present English law, 1835-1914.

1. A civil divorce court created in 1835; this superseded by another in 1873.
2. The three forms of separation allowed by the act of 1857, as supplemented by later acts.

a. Absolute divorce.

- 1) To the man for wife's adultery.
- 2) To the woman for husband's adultery, if aggravated by other offenses, such as cruelty or desertion for two years. How "cruelty" and "desertion" are defined.
- 3) Remarriage permitted; but with a concession to established clergy.
- 4) The decree *nisi* introduced, 1860; with intervention of the Queen's Proctor or any member of the public.

b. Judicial separation, equal to the old divorce *a mensa*.

- 1) Causes: in favor of either spouse for the adultery, cruelty, or two years' desertion of the other.
- 2) Effects of the separation as to property. The old *crim. con.* action superseded by the suit for damage.

c. Magisterial separation.

- 1) The "protection order" of 1857: gives a deserted wife control of her future earnings or acquired property. Defects of the act? Of little use since the Married Women's Property Acts of 1870 and 1882.
- 2) The "maintenance order" of 1886.
 - a) For desertion of husband the wife is entitled to support from his property.
 - b) This order not equal to a judicial separation; hence terminable at the husband's will.
- 3) The "separation order" of 1878.
 - a) Wife may live apart from her husband, with alimony.

- b) It is equal to a judicial separation for cruelty.
- c) Like the two preceding orders it does not preclude the wife from petitioning for judicial separation or full divorce.

REFERENCES.

For the Reformation doctrines as to Divorce, consult Howard, *Matrimonial Institutions*, II, chap. xi, 5-11, 60-117, where the primary and secondary authorities on marriage and divorce are cited in full detail. Among these, the numerous writings of the Reformation and post-Reformation fathers are of primary importance, especially those of Luther, Melancthon, Erasmus, Brenz, Bugenhagen, Chemnitz, Calvin, Beza, Bucer, Zwingli, Coverdale, Hooper, Tyndale, and Milton, with the jurists Kling, Beust, Schneidewin, and Monner. Richter's *Kirschenordnungen*, his monograph entitled *Beiträge zur Geschichte des Eheschließungsrechts*, and his *Kirchenrecht* are of greatest value. Read Lichtenberger, *Divorce: A Study in Social Causation*, 52-53.

The history of divorce in England since Milton, is discussed, with detailed citation of the literature, by Howard, II, 92-117. Void and voidable contracts are best treated by Pollock and Maitland, as above cited. The standard work on parliamentary divorce is Macqueen, *Practical Treatise* (London, 1842). For technical treatment, see the works of Bishop, Geary, Hammick, Shelford, Wharton, Morgan, and Scribner. Lecky, *Democracy and Liberty*, II, 168-212, has a very interesting discussion of English divorce law in connection with the laws of other nations. Read Hirschfield, "The Law of Divorce in England and Germany," in *Law Quarterly Review*, XIII, and Montmorency, "The Changing Status of a Married Woman," in *Law Quarterly Review*, XIII.

The enlightened majority *Report* of the Royal Commission on Divorce and Matrimonial Causes, submitted in 1912, seems likely to work a reform in the very unmodern divorce laws of Great Britain.

SECTION XVI. RISE OF CIVIL MARRIAGE.

- I. The First Civil Marriage Law adopted by Two Provinces of the Netherlands, April 1, 1580; and adopted for the United Provinces, 1656. Evidence of Breton.
- II. The Preliminary Struggle for Civil Marriage in England (Howard, I, 409-17).
 - 1. As to the ceremony; controversy between Cartwright and Whitgift.
 - 2. As to the abuses of the ecclesiastical courts (Milton, *Works*, III, 1-41; Hallam, *Const. Hist.*, I, 115, 454; Prothero, 415).
 - 3. Powers of the High Commission extended (Prothero, *Statues*, 431-3).

4. Evidence of the "Millenary Petition," 1603 (Prothero, 414-15).
5. The act of 1606 directed against the Catholics (Prothero, 262-68).
6. Bishop Wren's Orders, 1636.
7. The form of marriage contract prescribed by the Directory of Public Worship (substituted for the Book of Common Prayer), 1644-5.

III. Cromwell's Ordinance, 1653 (see Cook, in *Atlantic*, LXI, 255-57).

1. Banns and certificate of banns from the parish register (Howard, I, 425).
2. Ceremony before a justice of the peace.
 - a. Proof of parental consent; examination of witnesses on oath.
 - b. Form of contract.
 - c. In practice the religious ceremony was sometimes performed before or after the civil; and from 1656 the religious ceremony alone was legal.
3. The parish register elected for three years.
 - a. "Sworn and approved" by a justice of the peace.
 - b. Keeps a record in a book of marriages, births, and burials.
 - c. Gives a certificate of banns and subscribes the entry of every marriage.
 - d. Evidence that the records were well kept; error in Graunt's statement (Howard, I, 426-28). Compare C. H. Hull's Introduction to *Works of Petty*.
4. The marriage certificate (Howard, I, 429-31).
5. Jurisdiction of justices of the peace.
 - a. In marriage contracts and controversies.
 - b. In cases of minors married through fraud or forcible abduction (Inderwick, *Interregnum*, 40-45, 183-4; *Reports of Historical Manuscripts Commission*, III, 55, 59, 61; Jeaffreson, *Middlesex County Records*, III, 233-34, 264).
 - c. Breach of promise (Howard, I, 424).

6. Contemporary sentiment as to the Ordinance of 1653.
 - a. Ridiculed by conservatives (see Butler's *Hudibras* and Flecknoe's *Diarium*).
 - b. Its principles sustained by Milton (*Works*, III, 21, 22, 341-46).

IV. Fleet Marriages and the Hardwicke Act, 1753 (Howard, I, 435-60).

1. The legislation of William III.
 - a. Graduated tax imposed on marriages.
 - b. Keeping of registers required.
 - c. Temporal penalties imposed on secret marriages.
 - d. The acts of 1694 and 1695 in effect encouraged the traffic in secret marriages.
2. Fleet marriages.
 - a. Imprisonment for debt within the "rules of liberties" of the Fleet.
 - b. The Fleet parson and his trade as a marriage broker; Peter Symson and John Gainham.
 - c. Inducements to contract Fleet marriages.
 - d. Persons of quality married in the Fleet.
 - e. Abuses connected with Fleet marriages.
 - 1) Fraudulent and forced contracts.
 - 2) Deceptions practiced by "touts" and "plyers."
 - 3) False registers kept; their contents (Howard, I, 445).
3. Secret marriages in Tyburn, the Tower, and the King's Bench prison; in a chapel in Mayfair by Rev. Alexander Keith; evidence of Keith's *Observations* (1753).
4. The case of Cochrane *alias* Kennedy *v.* Campbell (1753).
5. The Hardwicke Act, 1753.
 - a. Origin.
 - b. The debate.
 - c. Its provisions.
 - d. Its defects in *form* and *substance*; intolerance; case of the Unitarians.

6. The act of 4 Geo. IV, c. 76, relating to marriages within the Church of England.

V. The Present English Law (The two acts of 1836 and that of 4 Geo. IV, c. 76).

1. Religious marriage within the Church of England.
 - a. Registration: banns or license; or certificate in place of banns.
 - b. Solemnization.
2. Civil marriage.
 - a. Registration.
 - b. Solemnization.
3. Marriage among the religious sects.
4. The civil ceremony.

REFERENCES.

Horace Walpole, *Letters*, II, 334-39; Ashton, *Social Life in the Reign of Queen Anne*, I, 29 ff.; *passim*; Horace Walpole, *Memoirs of George II*, I, 336 ff.; Lecky, *England*, I, 531-40; *idem*, *Democracy and Liberty*, II, 174-77; Spencer Walpole, *History of England*, IV, 69-72; Howard, I, 404-73, where the curious literature of Fleet marriages, the parish registers for the Cromwell period, and many other authorities are used.

SECTION XVII. OBLIGATORY CIVIL MARRIAGE AND THE RISE OF THE OPTIONAL LAY OR ECCLESIASTICAL CELEBRATION IN THE NEW ENGLAND COLONIES.

I. The Magistrate Supersedes the Priest at the Nuptials (Howard, II, 121-43).

1. Continuity and innovation in New England law and custom: significance? Why was there a tendency to secularize institutions?
2. Origin of the lay contract.
 - a. Evidence of Governor Winthrop, 1647 (*History of New England*, II, 382 (313)).
 - b. Evidence of Governor Hutchinson (*Hist. of Mass.*, I, 392).
 - c. Evidence of Governor Bradford (*Hist. of Plymouth*, 101). Real influence of Dutch institutions (See Campbell, *Puritan*, I, 485 ff., II, 44 ff.).

- d. In reality the rise of civil marriage was the logical result of the Reformation.
 - e. The case of Edward Winslow, 1634 (Bradford, 327-30; Goodwin, *Pilgrim Republic*, 386; Palfrey, *New England*, I, 543).
3. The first statutes requiring a civil ceremony.
 - a. Massachusetts, 1646; earlier the lay contract required by custom (see Winthrop, II, 313-14; Cook, in *Atlantic Monthly*, LXI, 351).
 - 1) Ceremony before a justice or other magistrate.
 - 2) Ceremony before commissioners especially appointed (Howard, II, 133-34 and notes).
 - b. Plymouth, 1671: earlier by custom. Celebrated as in Massachusetts.
 - c. New Hampshire, Rhode Island, and Connecticut.
 - d. Peculiar rule in New Haven jurisdiction (*New Haven Col. Records*, II, 599-600).
 4. Rise of religious marriage under Andros, 1686-1689.
 - a. First regular church marriage at Boston, May 18 (28), 1686. The earlier celebrations by Rev. Lawrence Vanderbosck, 1685.
 - b. The Andros marriage bonds (Howard, II, 136-37; 3 *Mass. Hist. Coll.*, VII, 170; *New Hampshire Provincial Papers*, II, 18).
 5. Gradual establishment of the lay or ecclesiastical celebration by statute.
 - a. Careful regulation of the districts of the justices and ministers.
 - b. Careful provisions regarding "settled" and "ordained" ministers.
 - c. No prescribed ritual (Gilman, *Story of Boston*, 177-78).
 6. Various marriage customs: "bedding," "bride-stealing," "smock-marriages," wedding presents and festivities; evidence of Sewall (Sewall, *Dairy*, in 5 *Mass. Hist. Coll.*, VI, 403, VII 253. See also Earle, *Fashions and Customs of Old New England*, 36-81, 163-83; Bliss, *Side Glimpses from the Colonial*

Meeting-House, 12-28; Prime, *Along New England Roads*; Weeden, *Economic and Social History*, I, 113, 217 ff., 295, II, 538; Lodge, *Short History*, 462-63; Cook, in *Atlantic*, LXI, 350 ff. See the full citation of the sources and the general literature in Howard, II, 121 ff.).

II. Local Civil Administration of Matrimonial Law.

1. For minors consent of parent or magistrate required.
2. Banns or posting.
 - a. The general rule: dual system.
 - b. Peculiar law of Massachusetts regarding notice on lecture day or in town-meeting.
 - c. Interesting procedure in Rhode Island.
 - d. Triple procedure by notice, contract (betrothal), and covenant in Connecticut.
3. Registration by town-clerk.

III. Courtship, Proposals, and Government of Single Persons (Howard; II, 152 ff.).

1. General influence of the Mosaic law in early New England; death penalty for disobedience to parents.
2. Legal restraints on bachelors.
 - a. Character of the regulations.
 - b. Reasons for the restraints.
 - c. Evidence that the laws were carried out.
3. Restraints on "ancient maids."
4. Restraints on married persons living "apart."
5. Legal contract of courtship and proposals.
 - a. Character of the laws.
 - b. Evidence that the laws were enforced.
 - c. Sewall provides his daughters with suitors (Howard, II, 167-69).

IV. Pre-contracts, Bundling, and Sexual Immorality (Howard, II, 169-200).

1. Punishment for adultery.
 - a. Originally death-penalty in all the New England Colonies, except Rhode Island and Plymouth.

b. The "scarlet letter."

- 1) For adultery in all these colonies, except Rhode Island.
- 2) For incest.

2. Pre-contract, contraction, or betrothal.

- a. In legal theory and practice the engaged persons were treated as "half married."
- b. Effect on social morals.
- c. This effect, how aggravated by the custom of bundling?
- d. Significance of the church confessions of prenuptial sins.
- e. Pre-contract influenced by the Jewish code.

V. Breach of Marriage and Marriage Portions.

1. The general evidence.
2. Sewall's experiences.

VI. Self-gifta, Clandestine Contracts, and Forbidden Degrees.

VII. Slave Marriages.

1. Slavery and puritanism.
2. Slavery and baptism.
3. Sewall's liberal views.
4. A safe ritual for slave marriages.

REFERENCES.

The analysis follows Howard, II, 121-226, where the manuscript and other sources, as well as the secondary writings, are cited in full. See especially the works of Earle, Goodwin, Weeden, Bradford, Winthrop, Hutchinson, Arnold, *History of Rhode Island*; Cook, in *Atlantic*, LXI; Trumbull, *Blue Laws*; Whitmore, *Colonial Laws of Massachusetts*; all the *Colonial Records*; Samuel Sewall, *Diary*, in *Massachusetts Hist. Coll.*, 5th series, V, VI, VII; *idem*, *Letter-Book*, in *Massachusetts Hist. Coll.*, 6th series, I, II.

SECTION XVIII. ECCLESIASTICAL CELEBRATION AND THE RISE OF CIVIL MARRIAGE IN THE SOUTHERN COLONIES.

I. The Religious Ceremony and Lay Administration in Virginia (Howard, II, 228-39; Hening, *Statutes of Virginia*).

1. General character of the marriage law; elements of civil law (civil administration) from 1632.

2. Importance of the act of 1632 (Hening, I, 156-58, 183).
3. The act of 1661-2; marriages contrary to it are void (Hening, II, 49-51); repealed by act of 1696 (Hening, III, 149-51).
4. Relaxation of the monopoly of the clergy of the Church of England.
 - a. In favor of celebration by clergy of other churches, 1780, 1784.
 - b. In favor of lay celebrants, 1783, 1794 (Howard, II, 231-32, 408-13).
 - c. But during the colonial period in Virginia, dissenters actually married according to their own rites (O'Callaghan, *Doc. rel. to Col. Hist. of N. Y.*, III, 253).
5. Registration and license.
6. Forbidden degrees.
7. Marriages of indented servants.
8. A "marriage agreement," 1714 (Howard, II, 237-39; *Virginia Magazine of Hist. and Biog.*, IV, 64-66).

II. Optional Civil Marriage and the Rise of Obligatory Religious Marriage in Maryland.

1. Marriages by banns or license with bond, 1638, 1640, 1662, 1676.
2. Optional civil or religious marriage, for *all*, until 1692, when some restriction was laid on civil marriages of members of established church (*Archives of Md., Proceedings of Ass.*, 1684-1692, pp. 450-51).
3. Civil marriages of members of established church restricted, 1702, 1717.
4. Civil marriage entirely abrogated, for *all persons*, 1777.
5. "Articles of Courtship," 1657 (*Archives of Md., Judicial and Testamentary Business*, 1649-1657, pp. 531-33; Howard, II, 245-47).

III. The Struggle for Civil Marriage and Free Religious Celebration in North Carolina.

1. General composition of the population; provisions of the "Fundamental Constitutions," 1669.

2. Full toleration as to form of marriage (civil or religious), 1669-1715.
 - a. First legislation by the "Assembly of Albemarle," 1669.
 - b. Quaker marriages tolerated during the entire colonial era; their simple rites (Howard, II, 250; *N. C. Col. Rec.*, I, 688).
 3. Civil marriages are abrogated and the fees for celebration become the monopoly of the established clergy, 1715, but where no minister or priest resides, magistrates may perform the ceremony. License fees were the governor's perquisite.
 4. Substance of the Act of 1741.
 5. The Act of 1766.
 - a. Motives for its passage: increase of the amount of fees.
 - b. Presbyterians gain some relief.
 - c. Marriages without license *void*.
 - d. In all cases the marriage fees belong to the established clergy.
 - e. Itinerants, missionaries, and all dissenters (except Quakers) excluded from benefits of the act.
 6. Protests of the Presbyterians and the marriage act of 1770.
 - a. Reasons for the liberality to the Presbyterians.
 - b. The act vetoed by George III; and so the act of 1766 remained in force till 1778.
- IV. Episcopal Rites by Law and Free Civil or Religious Celebration by Custom in Georgia and South Carolina (Howard, II, 260-63).

REFERENCES.

For the colonies in general, see Cook, in *Atlantic Monthly* LXI; and for North Carolina, Weeks, in *Johns Hopkins Studies*, XI. Consult the bibliography and discussion in Howard, II, 227-63.

SECTION XIX. OPTIONAL CIVIL OR ECCLESIASTICAL MARRIAGE
IN THE MIDDLE COLONIES.

I. New York (Howard, II, 264-308).

1. Law and custom in New Netherland.

a. General character of the matrimonial history of the middle colonies as compared with that of early New England.

b. Origin and character of the old Dutch law, especially that of Guelderland, from which the law of New Netherland was mainly derived.

c. To what extent was civil marriage originally established in New Netherland?

1) Religious ceremony, banns, and parental consent probably required.

2) The first ordinance (1655): Peter Stuyvesant's letter.

3) The second ordinance (1658-9): causes of it were precontract and bundling. For New York, see the case of *Seger v. Slingerland*, 1804 (Caine, *Reports*, II, 219-20); and for Pennsylvania, the case of *Hollis v. Wells*, 1845 (*Pa. Law Journal*, III, 29-33).

d. Illustrations of matrimonial administration.

1) Banns in church or in the court house.

2) Case of *Maria Verleth and Johannis van Beeck*, 1654-5-6 (Howard, II, 274-77).

3) Case of *Laers*, 1662.

4) Cases of *Fabricius and Doxy*, 1674-5.

e. Punishment of sexual crimes.

f. Breach of promise suits.

g. Widows: wills and contracts relating to their remarriage.

2. Law and custom under the Duke of York.

a. Optional civil and ecclesiastical celebration established; license or banns; sometimes civil notice instead of banns; oath; punishment for perjury; consent of parent, master, or dame.

- b. Significance of the nullifying clause in the law of 1665?
 - c. Parental consent, registration, and miscellaneous provisions.
 - d. The case of the Quakers (Howard, II, 291-93).
 - e. The Dongan act of 1684: are marriages contrary to it invalid?
3. Law and custom in the Royal Province.
- a. The Dongan act of 1684: was it repealed in 1691?
 - b. Celebration after license or banns: which more popular? License fees.
 - e. Wedding customs: evidence given by Hannah Thompson (1786) and by Anne Grant.
 - d. Common law marriage and the Lauderdale Peerage Case (Howard, II, 300-308).
- II. New Jersey, Pennsylvania, and Delaware.
- 1. Law and custom in New Jersey.
 - 2. Law and custom in Pennsylvania and Delaware: Quaker marriage laws and wedding customs.

REFERENCES.

See especially *Duke of Yorke's Book of Laws*; Munsell, *Collections, and Annals of Albany*; Cook, in *Atlantic*, LXI; Hannah Thompson, *Pa. Mag. of Hist. and Biog.* XIV, 35; Earle, *Colonial Days in Old New York*; *idem*, "Among Friends," in *New England Magazine*, XIX; Watson, *Annals of Philadelphia, Index*; Hallowell, *Quaker Invasion* (Quaker marriages); especially Applegarth, "Quakers in Pennsylvania," in *J. H. U. Studies*, X; Howard, II, 264-327, with the literature there cited.

SECTION XX. DIVORCE IN THE AMERICAN COLONIES.

A. *New England Colonies.*

- I. Massachusetts Bay Colony.
- 1. Character of the original records (Howard, II, 328-29).
 - 2. The New England policy represents the Puritan Protestant doctrines.
 - a. Divorce pertains, not to criminal, but to civil jurisdiction.

- b. Canonical decree *a mensa* nearly abandoned in New England; earliest case discovered for Massachusetts, 1750 (Compare Hutchinson, *Hist. of Mass.*, I, 383).
- 3. The statute of 1660 vests jurisdiction in Court of Assistants.
 - a. Question of an earlier law in code of 1649; question as to jurisdiction of Quarter Courts of 1639.
 - b. The extant cases show that the General Court (being a legislative and judicial body) tried divorce cases in the first instance, as well as on appeal from the Assistants (Howard, II, 337).
 - c. When did the lower (county) courts have jurisdiction?
- 4. Observations on the cases in Table I (Howard, II, 333).
 - a. What causes admitted: was male adultery a cause? Evidence of the Halsall case, 1655-9.
 - b. No clear example of separation *a mensa*; evidence of the case of Hugh and Mary Drury, 1673-7?
 - c. When annulment was granted?
- 5. Divorce under the second charter, 1692-1775, and later to 1786.
 - a. Jurisdiction vested in governor and council by act of 1692; legislature ceased to interfere.
 - b. Alimony to the wife by act 1696.
 - c. Causes not enumerated by statute; effect of long absence.
 - d. Observations on the 107 cases in Tables II and III.
 - 1) Divorce *a mensa* allowed.
 - 2) Cruelty alone not sufficient cause for full divorce.
 - 3) After 1776 male adultery admitted as cause.

II. New Hampshire, Plymouth, and New Haven Colonies.

- 1. Causes recognized.
- 2. Jurisdiction: legislative divorce.
- 3. Character of the cases.

III. Connecticut.

1. Character of the laws: their early maturity.
2. Jurisdiction.
 - a. Regularly in the courts; but
 - b. Many cases of legislative divorce, 1655-1849 (Howard, II, 355-60).
3. Causes, 1667-1843 (Howard, II, 354-55).
4. The errors of Trumbull, 1788 (Howard, II, 358, n. 4).

IV. Rhode Island.

1. Prevalence of legislative divorce 1656-1851; cases analyzed (Howard, II, 361 ff.).
2. The statutes.
 - a. Causes recognized.
 - b. For a time, divorce could be granted by a town magistrate (law of 1655).
 - c. Jurisdiction vested in superior court, 1747; but the legislature continued to act.

B. The Southern Colonies.

- I. The English Divorce Laws were in Abeyance because Courts with Divorce Jurisdiction were not Established (Bishop, *Mar., Div., and Sep.*, I, secs. 115-37; Howard, II, 366-67).
 1. In the South, before the Revolution, neither separation *a mensa* nor divorce *a vinculo* was granted by the courts.
 2. There is no example of legislative divorce before the Revolution.
 3. There are examples of parol separation, as, for instance, by mutual consent. In these cases separate alimony or maintenance was granted, contrary to the English practice.
- II. Observations on the Cases (Howard, II, 368-76).

C. Arbitration and Divorce in the Middle Colonies.

I. In New Netherland.

1. Civil courts had jurisdiction in both kinds of divorce.
2. Arbitration was employed, even after the English rule began.
3. Observations on the cases (Howard, II, 376-82).

II. In New York under English Rule.

1. No courts with divorce jurisdiction; meaning of the Duke's law?
2. Possible survival of Dutch law and custom for a time.
3. No example of legislative divorce after 1683 discovered.
4. Governors said to have granted divorces before 1689 (according to Colden).

III. In New Jersey (Howard, II, 385).

IV. In Pennsylvania (Howard, II, 385-87).

1. Provision of the Great Law of 1682 retained in later acts. Separation *a mensa* actually allowed only for bigamy.
2. Legislative divorces were granted (see the References in Howard, II, 328-29; and the foot notes, 330-87).

SECTION XXI. SOCIAL CONTROL OF THE DOMESTIC RELATIONS.

I. The Decay of the Old Household Constitution and the Corresponding Rise of New Forms of Social Control.

1. Definitions of "household" and "constitution" as here used.
2. Progress of the dual process of decay and substitution.
 - a. In the world.
 - b. In the United States.
3. For guidance, do we need a "Household Program?"

II. Why the Mediaeval Household Constitution is being Dissolved.

1. Social liberation of wife and child in the family.
2. The family society is becoming a psychic fact.
3. The decline of patriarchal authority has inured to the benefit of the state. At the Reformation arose the idea of the "Christian State."

III. The Repudiation of Sacramental Marriage and the Decline of Patriarchal Authority cleared the Way for the Social Control of the Domestic Relations.

1. In effect Luther's dictum recognizes marriage and the family as social institutions.

2. Yet mob-mind, fatalism, is still powerful in the field of domestic relations. Sterility of the literature which appeals to ancient authority.

IV. Growth of Social Control: The State becomes Over-Parent.

1. Society assumes full responsibility for the marriage contract.
 - a. Civil marriage.
 - b. Civil divorce.
2. Compulsory Education.
 - a. To what extent has the teacher supplanted the parent?
 - b. Shall there be compulsory medical and sanitary inspection?
 - c. Shall the state supply bread for the hungry child?
3. Forms of child-saving caused by the industrial revolution.
 - a. Child-labor laws.
 - b. Laws against cruelty.
 - c. Other forms of protection.
4. The delinquent child and the juvenile court.
5. The neglected child: is there need of further state intervention to check infant mortality and child-neglect or child-exploitation?
6. Social protection of mothers.
 - a. Insurance?
 - b. Endowment?
7. Improvement of the human breed.
 - a. Positive eugenics: selection.
 - b. Negative eugenics: prevention.
8. Social hygiene; what shall be done to check the "great black plague?"
9. Urgent need of further social control of the marriage relation.
 - a. The call for a new marriage code.
 - b. The call for a check to the union of the unfit.

- 1) Sterilization of criminals: is the remedy safe or effective?
- 2) Certification of fitness for wedlock.

10. Other forms of state control of the domestic relations.

V. Do we need a "College of the Domestic Relations" as much as a College of Medicine or Law?

REFERENCES.

Of course, the literature of the various social services or movements mentioned provides the proof of the evolution under discussion. Some of the topics are considered more in detail in the later sections of the syllabus.

Read Howard, "Social Control and the Function of the Family," in *Congress of Arts and Science*, VII, 699-708; *idem*, "Social Control of the Domestic Relations," in *Publications of the American Sociological Society*, V (1910), 212-24; or the same in *American Journal of Sociology*, XVI (May, 1911), 805-17.

SECTION XXII. DIVORCE LAWS AND DIVORCES IN THE UNITED STATES.

A. *Analysis of the Existing Laws.*

I. General Principles.

1. Historical.

a. The foundation laid in the New England laws of the colonial period.

b. Legislative divorce: long existed in the South and West.

1) In Delaware till constitution of 1897.

2) Apparently still sanctioned in Connecticut (1904).

3) Elsewhere superseded by judicial divorce.

c. Number of statutory causes increased: rise of those indicating social trend (narcotics, drunkenness, etc.)

d. Introduction of decree *nisi*: Massachusetts (1867); Maine (1883); Rhode Island (1902); New York (1902); Oklahoma (1893); California (1903); Nebraska (1909).

2. Jurisdiction and legislation belong to the state, except for the districts and territories.
3. Right of the state to allow divorce and to determine the conditions established.

II. Kinds of Divorce.

1. Divorce *a vinculo* or complete divorce in all states, except South Carolina.
2. Separation from bed and board in 23 states; in 7 states separate maintenance is practically equivalent to separation from bed and board.

III. Statutory Causes.

1. Number varies from one in New York, North Carolina, and District of Columbia to fourteen in New Hampshire.
2. Adultery is a cause in all; desertion, in all except New York and District of Columbia; cruelty, in all but eight.
3. Other causes.

IV. Remarriage of the Divorced Persons.

1. Do the restrictions apply to the remarriage of the persons with each other?
2. In 19 states no restraint (1904).
3. In the other states are restraints on one or both of the parties:
 - a. As to penalty; or
 - b. To allow time for proceedings in error or on appeal.
4. Variety of the restrictions.
5. These restrictions may be evaded.
 - a. For Massachusetts, see case of Putnam *v.* Putnam (1829), 8 *Pickering*, 433-35.
 - b. For New York, see Van Vorhis *v.* Brintnall, (1881), 86 *N. Y.*, 18.
 - c. For Washington, see Wiley *v.* Willey (1900), 22 *Wash.*, 115-21.
 - d. For California, see Estate of Wood (1902), 137 *Cal.*, 129.

V. Residence.

1. Analysis of provisions: term varies from six months to five years.
2. Stringent laws in District of Columbia (1901) and Massachusetts.
3. Laws to prevent clandestine divorce, by evasion of the residence requirement, in Delaware, Maine, Massachusetts, and Tennessee.

VI. Notice.

1. By publication: abuse of publication in the newspapers.
2. Rise of more rigorous laws as to notice to defendant when personal service cannot be had.

B. *The Reform of American Divorce Laws.*

I. The Question of Uniformity.

1. Is there need of uniformity? Would uniformity cause an unjust restriction on liberal legislation?
2. If there should be uniformity, how may it be attained?
 - a. By a Federal law under a constitutional amendment? What objections? What advantages?
 - b. By cooperation of the state legislatures? Work of the state commissions on uniform legislation. Character of the model law of divorce procedure recommended by the Divorce Congress, 1906?
3. Work of Rev. S. W. Dike and the National League for the Protection of the Family.

II. The Limits of Reform through Legislation.

1. The fundamental causes of divorce are beyond the reach of the statute maker; but law can create a favorable environment for reform. There may be "good" divorce laws (*Contra*, Bryce, *Studies* 853. Cf. Howard, III, 203-04).
2. How may clandestine divorce be checked?
 - a. The evil has been exaggerated (Dike, in *Pol. Science Quarterly*, IV, 608-12; Willcox, in *ibid.*, VIII, 90-92; Wright, in *Arena*, V, 142 ff.; Howard, III, 205-07).
 - b. The evil has been slightly checked by more careful

- laws regarding notice and residence; also by court decisions (Howard, III, 202, n. 2).
3. Is the number of divorces directly influenced by legislation?
 - a. Theory of Bertillon (1883).
 - b. Wright's conclusions (*Report*, 150 ff.).
 - c. Willcox's conclusion (*Study in Vital Statistics*, 85-90; *idem*, *Divorce Problem*, 41-61).
 - d. Criticism of Willcox; there seems to be a margin within which the law-maker can exercise a good influence in checking hasty divorce (Howard, III, 219-22).
 4. Would restrictions upon re-marriage lower the divorce rate? (Howard, III, 218-19. See next section).
 5. Should we have special divorce courts?
 6. Should the state's attorney resist undefended petitions?
 7. Value of the decree *nisi*?

C. Frequency of Divorce.

- I. The two Government Reports.
 1. That of Commissioner Wright for the period, 1867-1886.
 2. That of Director North for the period, 1887-1906.
- II. Lessons from the Reports.
 1. The total number as compared with marriages celebrated in each period.
 2. The relative number according to population.
 3. Variations in the rate among the states.
 4. The divorce rate and the absolute number of divorces in the United States as compared with other countries.
 5. Divorce rates and marriage rates in country and city.
 6. The divorce rate and the marriage rate fall in hard times and rise on the return of prosperity.
 7. For sociological interpretation of the divorce statistics, see the next section.

REFERENCES.

Of primary importance are the two great Government Reports. With these should be used the *Proceedings of the National Congress on Uniform Divorce Laws* (1906); and the *Reports of Secretary S. W. Dike for the National League for the Protection of the Family*.

For discussion, consult Wright, in *Arena*, V, 142 ff.; Dike, in *Political Science Quarterly*, IV; Willcox, *Divorce Problem*, in *Columbia University Studies*, I; Bryce, *Studies in History and Jurisprudence*; Jameson, in *North American Review*, Vol. 136; Farr, *Vital Statistics*, 68-75; News-holme, *Vital Statistics*, 45-46; Dike, in *Princeton Review*, March, 1884; *idem*, "Uniform Divorce Laws," in *Arena*, II, 399-408; Bennett, in *Forum*, II, 429-38; Stewart, in *Popular Sc. Monthly*, XXIII, 232 ff.; Snyder, *Geography of Marriage*, 182 ff.; Mayo-Smith, *Statistics and Sociology*, 101 ff., *passim*; Whitney, *Marriage and Divorce*, 108-56; Willcox, in *Political Science Quarterly*, VIII; Howard, III, 203-23.

For a fuller expression of the views presented in this outline, see Howard, *Matrimonial Institutions*, III, chap. xvii-xviii. For more condensed discussions, see his articles on "Divorce" in *Bliss' New Encyclopaedia of Social Reform* and in Schaaf-Herzog, *Encyclopaedia of Religious Knowledge*; the article on "Marriage and Divorce" in the *Encyclopaedia Americana*, vol. x; and another on "The Problem of Uniform Divorce Law in the United States," in the *American Lawyer*, XIV, Jan., 1906, pp. 15-17.

SECTION XXIII. IS THE FREER GRANTING OF DIVORCE AN EVIL? A NEW THEORY.

I. America's Divorce Record Unique.

1. Salient facts from the Report of Director North.
 - a. For the whole country.
 - b. For particular states.
 - c. Compared with Japan; and with European states.
2. How shall the facts be interpreted?
 - a. The Reformation doctrine.
 - b. Theory of the function of the modern state.

II. Imaginary Causes of Divorce.

1. Imperfect legislation and faulty judicial procedure are not a principal cause of the divorce movement.
 - a. While the laws have become much better, divorce has increased threefold since 1870.
 - b. Only 15.4 per cent of the decrees granted, 1887-1906, were contested. Does this mean a tendency to dissolve wedlock by mutual consent?

- c. Interstate migration for easy divorce has not noticeably raised the divorce rate.
- d. Liberal divorce laws do not perceptibly raise the rate; they do not invite divorce.
- e. Divorced persons do not remarry much faster than do widows or widowers.
- f. America's divorce record does not indicate low domestic morality.

2. Value of good divorce laws.

III. Bad Social Conditions which may be Remedied are the True Causes of the Divorce Movement.

1. The sociological law: "The modern divorce movement is an incident of a transition process in social evolution and hence it is due primarily to social misselection and the clash of ideals."
 - a. The accelerated divorce movement is an incident in the process of spiritual liberation which is radically changing the relative positions of man and woman in the family and in society.
 - b. This process is not yet complete; we are in the stage of transition from old to new ideals of liberty.
 - c. In consequence of the new ideal of rights and duties, the husband and wife, and the wife more often than the husband, are sensitive and there is frequent clash.
2. Liberty of divorce has a special interest for woman; because by it she is relieved of the pressure of bad social conditions.
 - a. Sixty-six per cent of all decrees are granted on the wife's petition. Why more decrees for adultery on the husband's petition?
 - b. Social meaning of the new statutory grounds of divorce? The scriptural offence is not the only way of betraying wife and child.
 - c. Meaning of the vast number of divorces for cruelty, neglect to provide, and for drunkenness?
 - d. The problem of desertion.

IV. The Remedies.

1. Improve social conditions such as those just mentioned.
2. Develop a system of education dealing with sex, parenthood, and the family life.
3. Do away with bad marriage laws and bad marriages as being the most dangerous of the conditions causing divorce (see later sections).

REFERENCES.

Read especially Lichtenberger, *Divorce: A Study in Social Causation*, in *Columbia University Studies*, vol. xxxv (1909); Howard, "Is the Freer Granting of Divorce and Evil?" in *Publications of the American Sociological Society*, III (1908), 150-80; or the same in *American Journal of Sociology* (May, 1909); *idem*, "Divorce and Public Welfare," in *McClure's Magazine*, XXXIV (Dec., 1909), 232-42; *idem*, "How to Check Increasing Divorce: What Better Marriage Laws Would Do," in *The Ladies' Home Journal* (Oct. 1, 1910), 21-22. Cf. *Matrimonial Institutions*, III, chap. xviii, and the literature there cited.

SECTION XXIV. BAD MARRIAGE LAWS AND BAD MARRIAGES.

I. General Character of the Matrimonial Legislation of the States.

1. General analysis of the marriage laws of the states, 1776-1913 (Howard, *Matrimonial Institutions*, II, 388-497: to 1904).
2. This legislation defective in almost every part as compared with that of the more progressive European states (Howard, *Matrimonial Institutions*, III, chap. xviii, 161-203, 253-59).

II. Principal Changes Needed in the Marriage Codes of the States.

1. The "Common law" contract should be abolished in all the states by statute (Howard, III, 170-85).
 - a. By 1909, nineteen states and territories had repudiated the informal contract, seven by statute.
 - b. In reality, the common law marriage is a survival of the canon law contract, with its principal evils.
2. The "age of consent" to carnal knowledge ought to be raised to 18 or 21 years, the age of majority for the sexes.

- a. Dangers of the low age standard.
- b. The fight for reform, 1885-1904 (Howard, III, 195-203).
- 3. The laws regarding the forbidden degrees should be unified and modernized.
- 4. The marriage age requirement is often too low.
 - a. Present age of consent by the parties: males, 14-21; females, 12-18.
 - b. Present age for parental consent: males, 16-21; females, 16-21.
 - c. The age of consent to marriage should be that of legal majority (18-21).
 - 1) Why should the parent have the right to permit immature wedlock?
 - 2) The law in European states?
- 5. We need a modern system of license and civil banns.
 - a. The administrative provisions regarding license, return, identification, proof, and record should be thoroughly revised.
 - b. Notice of intention to marry should be published at least 20 days before license is issued. Value of the special 5 day provisions in Wisconsin, Rhode Island, Maine, New Jersey, and formerly in New Hampshire? Of the Porto Rico 10 day provision?
 - c. Ought there to be a residence requirement for persons wishing to marry? The home of the bride?
 - d. The lesson from European experience.
- 6. The American plan of optional civil or ecclesiastical celebration should be abandoned.
 - a. Civil celebration should be obligatory.
 - b. Should we have trained civil marriage celebrants?
 - c. Evils of the present system. Do the Fleet parson and the venal magistrate exist on American soil?
- 7. The supreme need of a modern system of registration and publication.

III. Cure Marriage, Cure Divorce.

1. Why bad marriage laws are more harmful than bad

divorce laws. The Gretna Green or marriage resort is more fruitful of divorces than is the divorce colony.

2. Bad marriages as the breeders of divorces.
 - a. Frivolous and immature unions.
 - b. Mentally, physically, and morally unfit marriages.
 - c. Impulsive marriages; abuse of the notion of "romantic love."
3. Restrictions on the marriage of the unfit.
 - a. Recent state enactments.
 - b. Dean Walter T. Sumner's declaration (see G. R. Taylor, in *The Survey*, May 18, 1912, pp. 291-92). How carried out in recent state laws?
4. Japan's lesson for us.

IV. Education as the Remedy for Ills of Marriage, Divorce, and the Family (see later sections in this outline).

REFERENCES.

The writer's views are summarized in *The Ladies' Home Journal* (Oct. 1, 1910); in "Divorce and Public Welfare," in *McClure's Magazine* (December, 1909); "Is the Freer Granting of Divorce an Evil?" in *Publications of the American Sociological Society*, III, 150-80, or the same in *American Journal of Sociology* (May, 1909); "Social Control of the Domestic Relations," in *Publications of the American Sociological Society*, V, 221-24; or the same in *American Journal of Sociology* (May, 1911); *Matrimonial Institutions*, II, chap. xvi. III, xviii. Cf. Lichtenberger, *Divorce: A Study in Social Causation*, 98 ff., 106-107, 149-50, 160; and Ellen Key, "Free Divorce," in *Love and Marriage*, 287-358. Consult the Select Bibliography, II.

SECTION XXV. MODERN INDUSTRIAL CONDITIONS AS AFFECTING THE FAMILY.

- I. Industrial and Economic Factors in the Development of Marriage and the Family.
 1. Economic forces in primitive society.
 2. Woman and the primitive industrial arts.
 3. Woman and the modern industrial vocations (see next section).
- II. Characteristics of the Domestic or Household Manufacturing System (Taylor, *Modern Factory System*, 1891).
 1. Favored individual skill and independence.
 2. Favored solidarity of the family group.

III. Characteristics of the Modern Machine Factory System (Nicholson, *Effects of Machinery on Wages*).

1. Through the minute division of labor, it lessens the individuality, the craftsmanship, and the independence of the worker.
2. Concentrates population in urban centres, with vast social consequences.
3. Makes employment unsteady, work less mobile, and toil more monotonous. Social meaning of fatigue?
4. Decreases the length of the "working life"; causes mental and physical degeneration of the industrial class.

IV. The Homes of the Industrial Population.

1. Insanitary and unattractive dwellings.
2. Immoral environment.
3. Invasion of the home by the factory—"sweating system." Role of the middleman? Evasion of inspection laws; competition of hand and foot with machinery.

V. The Modern City is Mainly the Creature of Modern Industry: What is its Influence on the Family? (Henderson, in *Publications of the American Sociological Society*, III, 93-105).

1. Physical effects of congestion.
 - a. The death rate.
 - b. The birth rate.
2. The moral effects: "communistic urban habits;" industrial diseases; venereal diseases; divorce; desertion.
3. May urban conditions be socially controlled?
4. Need of compulsory industrial insurance.

VI. The Standard of Living in the Industrial Population.

1. Wages in the United States (See Scott Nearing's book).
2. The evidence from the wage earners's budgets (consult the books of Chapin, More, Ryan, Streightoff, and the other literature below cited).

VII. General Result of the Influence of Industrial Conditions on the Solidarity of the Family.

1. Destruction or weakening of home associations.
2. Relations of husband and wife; survival of the patriarchal régime.
3. Relations of parent and child.
 - a. Parental neglect and tyranny.
 - b. Ignorance of parental duties.
 - c. Exploitation of children for support of parents in old age; child labor.
4. Instability of the family; desertion and failure to "provide."
5. Low standard of social life.
 - a. Recreations; the saloon as a social center.
 - b. Immorality.
 - c. Wasteful expenditure.

REFERENCES.

I. *Bibliographies*:—Bibliographical note in Howard, *Matrimonial Institutions*, III, 228; *Municipal Affairs*, V, 99-107; De Forest and Veiller, *Tenement House Problem*, I, 116, II, 90; consult the Select Bibliography, V.

II. *Reports*:—*Thirteenth Annual Report of the Department of Labor*; *Report of the Tenement House Commission of 1900*, in appendix I of the *Tenement House Problem* by De Forest and Veiller; *Slum Report*, in *Report of the United States Commissioner of Labor for 1893*; *Reports of the Consumers League*; *Report on the Investigation of the Sweating System*, in report of the House Committee especially appointed by the 52nd Congress, 2d Session; *Report of Committee on Sweating System*, in *First Report of the Select Committee of the House of Lords of Great Britain*, Session 1888, 5 vol.; *Federal Report on Wages in the Bethlehem Steel Works*; *Eighteenth Report of the Commissioner of Labor*, 1903 (cost of living); *Report of the British Board of Trade on Cost of Living in American Towns*; Kober, "Industrial Hygiene," in *Bureau of Labor, Bulletin* 75.

III. *Standard of Living*:—Chapin, *Standard of Living Among Workingmen's Families in New York City*; More, *Wage Earners's Budgets*; Streightoff, *Standard of Living*; Nearing, *Wages in U. S.*; Ryan, *Living Wage*; Chapin, "Influence of Income on Standards of Life," in *Publications of Am. Sociological Society*, III 63-72; Byington, "The Family in a Typical Mill Town," in *ibid.*, 73-84; Devine, "Results of the Pittsburg Survey," in *ibid.*, 85-92; especially the *Eighteenth Report of the Commissioner of Labor*, and the *British Report*, above mentioned; Bosworth, "The Living Wage of Women Workers," in *Annals*, XXXVII, Supplement.

IV. *General References, Books*:—Roberts, *The Anthracite Coal Industry*; Nicholson, *Effects of Machinery on Wages*; Göhre, *Drei Monate Fabrikarbeiter*; Rade, *Die sittlichreligiöse Gedankenwelt unserer Industriearbeiter*; Stewart, *Disintegration of the Families of the Workingmen*; Henderson, *Social Elements*, 73; Ely, *Studies in the Evolution of Industrial Society*; Spahr, *America's Working People*; Molesworth, *History of England*; Webb, *Problems of Industry*; Taylor, *Modern Factory System*; Kelley, *Some Ethical Gains Through Legislation*; De Forest and Veiller, *The Tenement House Problem*; Addams, *Democracy and Social Ethics*; Hunter, *Socialists at Work*, 194 ff.

V. *General References, Articles*:—Henderson, "Are Modern Industry and City Life Unfavorable to the Family?" in *Publications of the American Sociological Society*, III, 93-105; Butterfield, "Rural Life and the Family," in *ibid.*, 106-14; Crowell, "Pittsburg's Housing Problem," in *Char. and Commons* (Mar. 7, 1908); Schloss, "What is the Sweating System?" in *Charity Organization Review* (Feb. 1889); MacLean, "The Sweat Shop in Summer," *Am. Jour. Soc.*, IX, 289-309; Lefvasseur, "The American Workman," *Yale Rev.* (May, 1898); Hunter, "Housing in American Cities," in *Munic. Aff.*, VI, 333-46; Knorr, "The Housing of Working Women," in *Arena*, XXX, 420-26; "The Problem of Industry and Overcrowding," in an editorial, *Outlook* (Mar. 21, 1908); Thompson, "Effects of Industrialism upon Political and Social Ideas," in *Annals*, XXXV, 134-42; Kelley, "The Invasion of the Family by Industry," in *Annals*, XXXIV, 90-96.

SECTION XXVI. THE FAMILY AS AFFECTED BY THE CHANGING SOCIAL CONDITION OF WOMAN: HER ADVANCE TOWARD ECONOMIC, INTELLECTUAL, AND VOCATIONAL FREEDOM.

I. The Economic Emancipation of Woman (Zueblin, in *American Sociological Society, Publication*, III, 30-38; or the same in *Am. Journal of Sociology*, XIV, 606-14; Gilman, *Women and Economics*, 5, 12 ff., 37 ff., 48, 122-45, *passim*; *idem*, in *American Sociological Society, Publications*, III, 16-29; or the same in *Am. Journal of Sociology*, XIV, 592-605; Howard, *Matrimonial Institutions*, III, 246-50).

1. Origin of the social subjection of wives (Westermarck, *Moral Ideas*, I, 629-69).

- a. Sex-subjection.
- b. Economic subjection.
- c. Political subjection.

2. Origin of subjection of children (Westermarck, *Moral Ideas*, I, 597-628).

3. Woman's sex-function as an economic function.
 - a. The female the original chooser in sex-selection; has this function passed to the human male? Modern husband-purchase.
 - b. Spiritual results of the forced employment of woman's sex-capital as a means of economic satisfaction.
 - 1) Modern sale-marriage; marriage as a means of "support."
 - 2) "Sex-parasitism" (Olive Schreiner, in *Cosmopolitan*, XXVIII, 183 ff.; Zueblin, *op. cit.*, 35-37).
 - 3) Legalized prostitution within the marriage bond.
 - 4) Hypocrisy and "indirection" in domestic and social life; lack of connubial companionship.
4. Survival of the "ownership" of women in American and English law (see especially the articles by William Hard in *The Delineator*, 1911-12).
5. The socialists's criticism of the modern monogamic family (Howard, III, 229-35. Cf. Wells, *New Worlds for Old*, 297 ff., *passim*; Spargo, *Socialism*, 292-93; Hunter, *Socialists at Work*, 194 ff.).
6. The entrance of woman into the industrial vocations.
 - a. Have the new industrial conditions forced women into the factory and other economic vocations?
 - b. Increasing number of women in "gainful" callings.
 - c. Women in particular callings.
 - d. Moral effects of domestic service and factory service compared (see Tarbell in *American Magazine*, June, 1912).
7. Social results of the gradual economic emancipation of women.
 - a. Alleged harmful results (Cf. Rubinow, In *Publications of the Am. Soc. Society*, III, 42-43).
 - b. Alleged beneficial results (Cf. Schreiner, *Woman and Labor*; Abbott, *Women in Industry*).
 - c. The need of education for home economics.

II. The Intellectual Emancipation of Woman.

1. Origin and progress of the movement.
 - a. Higher education of women. She has had increasing privilege since ca. 1875; but she is still restricted.
 - b. Co-education; its social value (Howard, *Matrimonial Institutions*, III, 245-47).
2. Social meaning of the intellectual emancipation of women.

III. Some Problems Arising in the Changing Status of Woman.

1. Is the liberation movement weakening the family bond? Causing divorce? (Compare Section XIV above; and consult the literature in Howard, III, 225-29, notes).
2. Are educated women shunning marriage and maternity?
 - a. Good and bad sides of a rising marriage age.
 - b. Good and bad sides of a falling birth-rate.
 - c. Fecundity of college and non-college women.
3. Are modern social conditions calling for equal education of women?
 - a. To enable them to do their share of the world's work?
 - b. To enable the mother to give her children the proper training now demanded for the family life?
 - c. For the highest development of woman herself as a spiritual being?

REFERENCES.

I. *Women in Industry*.—Important sources are the government report on *Woman and Child Wage-Earners in the United States*; the *Eleventh Annual Report of the Bureau of Labor on Work and Wages of Men, Women, and Children*; Industrial Commission, VII; and the government report of 1893 on the *Sweating System*.

The most helpful books are Abbott, *Women in Industry*; Adams and Sumner, *Labor Problems*; Butler, *Women in the Trades*; *idem*, *Saleswomen in Mercantile Stores*; Cadbury, Matheson, and Shann, *Women's Work and Wages*; Collet, *Educated Working Women*; Eaves, *California Labor Legislation*; Kelley, *Some Ethical Gains through Leg-*

isolation; *Labor Laws and their Enforcement*, edited by Kingsbury; MacLean, *Wage-Earning Women*; Mitchell, *Organized Labor*; Perkins, *Vocations for Trained Women*, Richardson; *Girl Who Earns her Own Living*; Salmon, *Domestic Service*; Schreiner, *Woman and Labor*; Gilman (Stetson), *Women and Economics*; Van Vorst, *Woman who Toils*; Willet, *Women in the Clothing Trade*; Van Kleeck, *Women in the Book-binding Trade*.

The periodical literature is large. Among the best articles are Gilman, "Reaction of Home Conditions on the Family," in *Publications of the American Sociological Society*, III, 16-29; Zueblin, "Women and Economic Dependence," in *ibid.*, 30-38; Weatherly, "Access of Women to Industrial Occupations," in *ibid.*, 124-36; Commander, "The Self-Supporting Woman and the Family," in *ibid.*, 136-41; Kelley, "Women in Trade Unions," *Outlook*, LXXXIV, 926-31; Thomas, "Woman and the Occupations," in *American Magazine*, LXVIII, 463-70; Filene, Richardson and Stokes, *Annals*, XXVII, 613 ff.; Olive Schreiner, "The Woman's Movement of Our Day," in *Harper's Bazar*, XXXVI, 3-8, 103-107, 222-27; *idem*, "Woman Question," in *Cosmopolitan*, XXVIII, 45-54, 182-92; Hard and Dorr, "Woman's Invasion," in *Everybody's*, XIX, 579-91, 798-810, XX, 73-85, 236-48, 372-85, 521-32; Abbott and Breckinridge, "Employment of Women in Industries, Twelfth Census Statistics," in *Journal of Political Economy*, XIV, 14-40; Hutchins, "Woman's Industrial Career," in *Sociological Review*, II, 338-48; Bosworth, "The Living Wage of Women Workers," in *Annals*, XXXVII, Supplement.

II. *Woman and Educational Equality*:—Smith, "Coeducation in the Schools and Colleges of the United States," in Commissioner of Education, *Report* (1903), I, 1047-78; Thomas, "The Education of Women," in Butler, *Education in the United States*, I, 319-58; Talbot, *The Education of Women*; *idem*, in *Publications of Am. Soc. Society*, III, 43-45; Smith, "Statistics of College and Non-College Women," in *Pub. of the Am. Stat. Ass.*, VII, 1-26; Sidgwick, *Health Statistics of Women Students of Cambridge and Oxford and their Sisters*; Shinn, "The Marriage Rate of College Women," in *Century*, L, 946-48; Wells, "Higher Education of Women," in *Publications of the Am. Soc. Society*, III, 115-23; Parsons, "Higher Education of Women," in *ibid.*, 142-47; Hall and Smith, "Marriage and Fecundity of College Men and Women," in *Pedagogical Seminar*, X, 301-305; Howes, *Health Statistics of Women College Graduates*; Abbott, "Generation of College Women," in *Forum*, XX, 378 ff.; Loubet, *La femme devant la science contemporaine*.

III. *General References*:—Bailey, *Modern Social Conditions*, 152-62, on marriage in relation to industry in Europe; Wright, *Problems of Modern Industry*, 101 ff.; Ross, "Western Civilization and the Birth-Rate," in *Publications of the Am. Soc. Society*, I, 29-54 (with discussion by various specialists); Corin, *Mating, Marriage, and the Status of Women*.

On the alleged disintegration of the family through the tendency to individualism, see Howard, *Matrimonial Institutions*, III, 225-27, and the references on 225, note 1. Compare Commons, "The Family," in his "Sociological View of Sovereignty," in *Am. Journal of Sociology*, V, 683 ff.; Pearson, "The Decline of the Family," in his *National Life*

and Character, 227 ff.; and the reply of Muirhead, "Is the Family Declining?" in *International Jour. of Ethics*, VII, 33-55.

Mason, *Woman's Share in Primitive Culture*, finds a needed complement in Spencer, *Woman's Share in Social Culture*. Read also Gilman, *The Man-made World*; Tarbell, *The Business of Being a Woman*; and the excellent book of Coolidge, *Why Women are So*. For a more extended list, see the "Select Bibliography," III.

SECTION XXVII. POLITICAL CONDITION OF WOMAN: HER ADVANCE TOWARD EQUAL SUFFRAGE.

A. Historical: Rise of The Movement for Equal Suffrage.

I. Origin of the Subjection of Women (Westermarck, *Moral Ideas*, I, 629-69).

1. The rule of force; woman the original worker and the original inventor.
2. Woman the property of man: sale-marriage (Howard, *Matrimonial Institutions*, I, chaps. iv. and vi, 179-223, 253-86).
3. Later consequences of the original subjection of woman (Delos Wilcox, *Government by All the People*, 122-24).

II. The Vagaries of Mediaeval Theology regarding Woman (Pollock and Maitland, *History of English Law*, II, 383; Esmein, *Le mariage en droit canonique*, I, 63-92; Gage, *Woman, Church and State*, 56, *passim*; Eckenstein, *Woman under Monasticism*; Howard, I, 324-36).

1. That woman was the cause of "original sin" was a well established notion by the time of St. Augustine A. D. 354-430.
2. Does woman possess a soul? This was debated at the council of Macon, A. D. 585 (Gage, *Woman, Church, and State*, 56; Howard, I, 331, note 2).
3. The related dispute as to whether woman belongs to human kind (Howard, I, 331, note 2).
 - a. The book of Valens Acidalius, 1595: *Disputatio nova contra mulieres, qua probatur eas homines non esse*.

- b. Simon Gediccus's reply to Acidalius, 1595, 2d ed., 1644: *Defensio sexus muliebris*.
- c. J. D. Feyerabend's *De privilegiis mulierum*, Jena, 1667. He starts with the question: "*An mulieres sint homines?*"

III. The Beginnings of Rational Discussion (Howard, III, 235-50, and the literature there cited).

1. A notable book: *De l'egalité des deux sexes* (Paris, 1673).
2. The pioneer work of Mary Astell.
 - a. *Serious Proposal to the Ladies* (London, 1694).
 - b. *Defence of the Female Sex* (London, 1696; 3d ed., 1697).
 - c. *Some Reflections upon Marriage* (London, 1700; 3d ed., 1706; 4th ed., 1730).
3. Daniel Defoe, *Essay upon Projects* (London, 1697): advocates an "academy for women."
4. A clear and incisive exposure of the *Hardships of the English Laws in Relation to Wives* (London, 1735). The author, apparently a woman, says her adversaries for want of argument resort to "points of wit, smart jests, and all confounding laughter."
5. "Sophia," *Vindication of the Natural Right of the Fair-Sex to a Perfect Equality of Power, Dignity, and Esteem with the Men* (London, 1739): Appealing to "rectified reason" she asserts:
 - a. Difference in sex relates to the "propagation of human nature;"
 - b. Whereas in "soul there is no sex;" hence diversity is due to education and environment.
6. A German pioneer, Dorothea Christine Erxleben:
 - a. *Gründliche Untersuchung* (Berlin, 1742).
 - b. *Vernünftige Gedanken vom Studiren des schönen Geschlechts* (Frankfort and Leipzig, 1749).
7. A French radical, Condorcet, *Lettres d'un Bourgeois*, etc. (Paris, 1787).
8. Mary Wollstonecraft, the founder of sociological discussion of the woman-question:

- a. *Thoughts on the Education of Daughters* (London, 1787).
 - b. *Vindication of the Rights of Woman* (London, 1792).
 - 9. T. G. von Hippel, a worthy contemporary of Wollstonecraft and Condorcet:
 - a. *Die bürgerliche Verbesserung der Weiber* (Berlin, 1792).
 - b. *Ueber die Ehe* (3d ed., 1792).
 - 10. Mary Anne Radcliffe, *The Female Advocate, or an Attempt to recover the Rights of Women from Male Usurpation* (London, 1799).
- IV. The Organized Movement of the Nineteenth Century; Change in Tone (Howard, III, 236-39, notes).
- 1. In England (Stanton, *The Woman Question in Europe*, 273, *passim*).
 - a. Writings of William Thompson and Mrs. Wheeler (1825); Lady Sydney Morgan (1840); Mrs. Ellis (1840).
 - b. The great essays of the two Mills:
 - 1) Mrs. J. S. Mill, "Enfranchisement of Women," in *Westminster Review*, LV (1851), 289-311. Also in J. S. Mill, *Dissertations and Discussions*, III.
 - 2) Mr. J. S. Mill, *The Subjection of Women* (London, 1869; first written, 1861).
 - c. Later writings and activities.
 - 2. In America.
 - a. Services of the women of the Revolutionary period, 1775-1789 (see Tarbell, in *American Magazine*, LXIX (1909), 1-17).
 - b. Women in literature; the early movement for higher education of women (Tarbell, in *American Magazine*, LXIX, 206-20).
 - c. Women in the anti-slavery movement (Tarbell, *op. cit.*, 363-77).
 - d. Pioneers in the "women's rights" movement (Tarbell, *op. cit.*, 468-81; Stanton, Anthony, and Gage, *Hist. of Woman Suffrage*, I, 70 ff.; Ostrogorski, *Rights of Women*, 54 ff.; Johnson, *Woman and the Republic*, 39 ff.).

- 1) The first convention, Seneca Falls, N. Y., 1848; leaders, Mrs. Mott and Mrs. Stanton; the statement of grievances and of the proposed remedies.
- 2) Rise of Susan B. Anthony; as a teacher; as a temperance advocate; as a woman's rights advocate, 1854-1906 (Tarbell, 471 ff.; Ida Husted Harper, *Life and Work of Susan B. Anthony*).
- e. The later movement for equal rights (Tarbell, in *American Magazine*, LXX (1910), 60-73).

B. *The Present Phase of the Equal Suffrage Movement.*

I. It is a Manysided Practical Question; the Debate as to Abstract Rights is Done.

1. Hence the rapid progress of equal suffrage.
 - a. In the United States.
 - b. In other lands.
2. It is clearly recognized as a social problem.
 - a. For which woman has a special preparation.
 - b. As shown by the social content of modern legislation.
3. It is becoming especially a labor-problem.
 - a. Effect of the passing of the age of domestic industry and the rise of machine industry.
 - b. Women have followed their industries into the factory; and have claimed their share in new industries.
 - c. Have women "invaded" men's callings? The facts disclosed by Edith Abbott's researches (*Women in Industry*, 22, 32, 33, 61, 319 ff., *passim*).
 - d. Educated women and the "professions."
 - e. The "new alignment" (Scott Nearing, *Woman and Social Progress*, 225-39).
 - f. The "new leisure" (Scott Nearing, 49-55).

II. The Fallacies of Mob-Mind.

1. As to sex-distinctions.
 - a. That woman is superior to man in power of "intuition;" whereas her swift conclusions called "intuitions" are merely the result of practice and ex-

perience in fields where men are ignorant but may learn.

- b. That woman is inferior to man in mental capacity; this superstition is nearly dead (Lourbet, *La femme devant la science contemporaine*, 157, 161; Spencer, *Justice*, 186, *passim*; Ward, *Dynamic Sociology*, I, 131, 640-64, especially 662, II, 616; *idem*, *Pure Sociology*, chap. xiv, 290-416; Thomas, *Sex and Society*, especially 251 ff., 291 ff.; Caird, *Morality of Marriage*, 13, 144, 175; Mill, *Subjection of Women*, 38-52, 91 ff., 111-46; Howard, *Matrimonial Institutions*, III, 239 ff.; Bebel, *Die Frau und der Sozialismus*, 233 ff.).
- 1) First sub-species of this superstition: woman rules sexually, hence as a compensation we must uphold the legal superiority of man (Hartmann, *The Sexes Compared*, 3, 6 ff.).
 - 2) Second sub-species: that women are merely "big children all their lives" (Schopenhauer, "On Women," in Dierck's *Essays of Schopenhauer*, 65; or his *Sämmtliche Werke*, III, 649 ff.).
 - 3) Third sub-species: that woman is a "side-issue" (perhaps literally); even that she has no existence (so asserted by Otto Weininger, *Sex and Character*, 286. Cf. Murby, *Common Sense of the Woman Question*, 1 ff.).
2. That woman will lose her place in the home if she votes.
 3. That she will no longer be treated with chivalry by men.
 4. That she ought not to have the ballot until all, or a majority, of women demand it.
 5. That she would not make much use of it, had she the ballot; for only the less respectable and those of the half-world would vote.
 6. That she has not improved social conditions where she votes: "look at Colorado!"
- a. Refuted by the facts in Colorado (Scott Nearing, 263); Ben Lindsey and the juvenile court (read

especially Helen L. Sumner, *Equal Suffrage*, N. Y., 1909).

- b. Refuted by the facts in other states; the recall in Seattle.
 - c. Refuted by the facts in other suffrage countries.
7. That she would be soiled by engaging in politics.
- a. How about the present influence of the kitchen? (Dorr, *What Eight Million Women Want*, 195-98, 250).
 - b. How about the injurious effects of patriarchal subjection? (Caird, *Morality of Marriage*, 13, 174-75).
 - c. How about the effects of economic subjection (Gilman, *Women and Economics*).
 - d. The facts show a refining influence of women in politics.
8. That she would even get herself elected to office.
- a. Why not?
 - b. What offices should be in woman's hands?

III. Basic Reasons for Woman's Enfranchisement.

1. Her right to self-development for the good of the race (compare Sumner, *Equal Suffrage*, 258 ff.).
2. Meaning of the socialization of one-half of the race.
 - a. The *right* solution of social problems: blunders of a man-made world; for example war and economic competition.
 - b. Man's way and woman's way contrasted (Dorr, *What Eight Million Women Want*, 6, 9).
 - c. How women are organizing.
 - d. Women are efficient in social service (Dorr, 168); how she is making over the factory (Dorr, 155, 168, 181).
3. The new demands of home education on the mother.
4. The ideal home of equality and freedom.

REFERENCES.

I. *General Literature*:—Mary Wollstonecraft, *Vindication of the Rights of Woman* (London, 1792; new ed., 1890); Mrs. J. S. Mill, "The Enfranchisement of Women," in *Westminster Review*, LV (1851), 289-311; J. S. Mill, *The Subjection of Women* (London, 1869); Lester F. Ward, *Pure Sociology*, and *Dynamic Sociology*, as above cited; W. I. Thomas, *Sex and Society* (Chicago, 1907); K. Heinzen, *The Rights of Women and the Sexual Relations* (Chicago, 1898); M. Ostrogorski, *The Rights of Women* (London and N. Y., 1893); Stanton, Anthony, and Gage, *History of Woman Suffrage* (4 vols., N. Y., 1884-87); T. Stanton, *The Woman Question in Europe* (1884); Mona Caird, *Morality of Marriage* (London, 1897); C. P. Gilman (Stetson), *Women and Economics* (3d ed., Boston, 1900); *idem*, *The Man-Made World* (N. Y., 1911); Scott Nearing, *Woman and Social Progress* (N. Y., 1912); Rheta Childe Dorr, *What Eight Million Women Want* (N. Y., 1910); E. R. Hecker, *Short History of Woman's Rights* (N. Y., 1910); Kaethe Schirmacher, *Modern Woman's Rights Movement* (N. Y., 1912); Bertha Mason, *The Story of the Woman's Suffrage Movement* (London, 1912); E. Sylvia Pankhurst, *The Suffragette: The History of the Woman Militant Suffrage Movement* (N. Y., 1911); Evelyn Sharp, *Rebel Women* (N. Y., 1910); W. I. Thomas, "Votes for Women," in *American Magazine*, LXVIII (1909), 292-311; Mary Putnam-Jacobi, *Common Sense Applied to Woman Suffrage* (N. Y., 1894); A. H. Mathews, *Woman Suffrage* (London and Edinburgh, 1907): like the preceding, ably supporting; Milicent Murby, *The Common Sense of the Woman Question* (N. Y. and London, 1908): strongly favoring; Joseph King, *Electoral Reform* (London, 1908), 72-78; Olive Schreiner, "The Woman Question," in *Cosmopolitan*, XXVIII (1900), 45 ff., 182 ff.; William Hard and Rheta Childe Dorr, "Woman's Invasion," in *Everybody's*, XIX (1908), 579-91, 798-810, XX (1909), 73-85, 236-48, 372-85, 521-32; Lawrence, *Women's Fight for the Vote*; Turner, "The Women's Suffrage Movement in England," *American Political Science Review*, VII, 588-609; Howard, *Matrimonial Institutions*, III, 235-59, and the literature there cited.

Read especially Helen L. Sumner, *Equal Suffrage* (N. Y., 1909): an able investigation made for Colorado.

The following are ill-informed, hostile, and partisan: A. V. Dicey, *Letters to a Friend on Votes for Women* (London, 1909); J. M. Buckley, *The Wrong and the Peril of Woman Suffrage* (N. Y., 1909); Molly Elliot Seawell, *The Ladies' Battle* (N. Y., 1911); Grace D. Goodwin, *Anti-Suffrage* (N. Y., 1912).

On related subjects, read Edith Abbott, *Women in Industry* (N. Y., 1909); Florence Kelley, *Some Ethical Gains through Legislation* (1905); W. H. Allen, *Woman's Part in Government Whether She Votes or Not* (1912); Bertha Rembaugh, *Political Status of Women in the United States: A Digest of the Laws Concerning Women* (1912); Mary Roberts Coolidge, *Why Women are So* (1912); O. T. Mason, *Woman's Share in Primitive Culture* (1894); Anna Garlin Spencer, *Woman's Share in Social Culture* (1913); Ida M. Tarbell, *The Business of Being a Woman* (1912); *The Book of Woman's Power* (1913); Jane E. Harrison, *Homo Sum* (1913).

II. *Some Recent Magazine Articles*:—A. B. W. Chapman, "The Right to Vote," in *Westminster Review*, CLXXIV (1910), 629-36; Teresa Billington-Greig, "The Government and Women's Suffrage," in *Fortnightly Review*, XCIV (1910), 890-902; M. Eastman, "Is Woman's Suffrage important?" in *N. A. Review*, CXCIII (1911), 60-71; Gwendolen Overton, "Woman Suffrage," in *ibid.*, CXCIV, 271-81; A. Henderson, "Votes for Women in England," in *Forum*, XLIV (1910), 569-83; H. B. Matthews, "The Enfranchisement of Women," in *Westminster Review*, CLXXIV (1910), 383-85; Mona Caird, "The Lot of Women," in *ibid.*, 52-59; Earl of Selborne, "The Case for Woman's Suffrage," in *National Review*, April, 1911; Lord Ebury, "Commentary on 'The Case for Woman's Suffrage,'" in *National Review*, May, 1911; Countess of Selborne, "Women Who Want to Vote," in *National Review*, June, 1911; C. Dawborn, "The French Women and the Vote," in *Fortnightly Review*, XC (1911), 328-35; Mabel Atkinson, "The Feminist Movement and Eugenics," in *Sociological Review*, III, 51-56; Wallace Irwin and Inez Milholland, "Two Million Women Vote," in *McClure's Magazine*, XL, 241-51; Elizabeth R. Pennell, "A Century of Women's Rights," in *Fortnightly Review*, XLVIII, 408-17.

Consult the Select Bibliography, IV.

SECTION XXVIII. MOTHER WELFARE AND INFANT WELFARE.

I. Survival of Primitive Beliefs Regarding Motherhood.

1. The parturient woman is tabu among peoples of low culture.
2. Example of belief in uncleanness among the Jews (Leviticus, chap. xii).
3. The modern "churching" of women.
4. Survival of old superstitions very tenacious in the field of marriage and sex-relations.

II. Modern Conditions Creating a Demand for State Intervention for the Protection of Motherhood and Infancy.

1. General causes.
 - a. The rising economic and social position of woman.
 - b. The pressure of industrial conditions.
2. Special causes.
 - a. The declining birth rate or so-called "race suicide."
 - b. Infant mortality.
 - c. Employment of mothers under bad urban and other unfavorable conditions.
 - d. The influence of eugenics.
 - e. Increasing alcoholism; other conditions.

III. Measures Already Adopted by the State or by Society as Over-Parent.

1. The juvenile court; the "reform school."
2. Medical inspection of school children; feeding poor school children.
3. Medical inspection of factories and workshops.
4. Orthopedic hospitals and similar special schools.
5. Tenement and factory laws to prevent over-crowding.
6. Laws regulating the hours and conditions of woman's work in factories.
7. Hospitals and maternity homes.
8. Maternity insurance and mutual help societies.
9. Milk depots and dispensaries.
10. Education and special training of mothers.
11. Creches and baby camps.
12. Other measures and safeguards.

IV. Measures Adopted in Foreign Countries (Henderson, in *A. J. S.*, XVII, 1911-12).

1. Italy (Henderson, in *A. J. S.*, XVII, 289-302).
 - a. Infant mortality; Dr. Pezzetti's researches.
 - b. Casa de Maternita, 1898; other institutions and means of prevention or protection.
2. France (Henderson, in *A. J. S.*, XVII, 458-77).
3. Germany (Henderson, in *A. J. S.*, XVII, 669-84, 783-803).
 - a. Infant death rate.
 - b. Maternity insurance.
 - c. Midwives.
 - d. Guardianship.
 - e. Medical supervision.
 - f. Milk supply.
 - g. Day nurseries.
 - h. Pediatric instruction; literature.
 - i. Protective work in various German cities.
 - j. The "Bund für Mutterschutz;" Work of Helena Stöcker.

4. England.

- a. Creches and maternity hospitals.
- b. Private charities; clubs; benefit societies.
- c. "Huddersfield Plan" (Heath, *The Infant, the Parent, and the State*, 135 ff.).
- d. Lloyd George's new national insurance act provides fund for mothers at confinement.

V. United States.

1. Private charities.
2. Creches; settlement work for the education of mothers.
3. Rapid progress in American State legislation providing insurance or other aid for mothers.

VI. What Further Social Intervention is Demanded.

1. Legalization of joint guardianship of children.
2. Pensioning of widows and deserted mothers (Mary S. Garrett's recommendation at National Congress of Mothers, 1911).
3. Should the state "endow" mothers? Is parentage a "public service?" (Cf. Wells, *New Worlds for Old*, 27 ff., 42 ff., 122-25, 297-99; *idem*, *Socialism and the Family*, 60-63).
4. Recognition of the equality of the sexes economically and politically as a social safeguard.

VII. Work of the American Association for the Study and Prevention of Infant Mortality; the International Congress for Children's Welfare; and the Child Conference for Research and Welfare.

REFERENCES.

The government *Report on Infant Milk Depots* and the *Report of the British Interdepartmental Committee on Physical Deterioration* are of special interest; and the recent legislation of the states regarding maternal insurance or mother's pensions should be studied. Consult also Heath, *The Infant, the Parent, and the State*; Newman, *Infant Mortality*; Chittenden, *The Nutrition of Man*; Gorst, *The Children of the Nation*; Spargo, *The Bitter Cry of the Children*; Oliver, *Diseases of Industry*; Wells, *New Worlds for Old*, 52-53, 298-99; *idem*, *Socialism and the Family*, especially 33 ff.; *idem*, *First and Last Things*, 162 ff.; Saleeby, *Parenthood and Race Culture*; Barnesby, *The Mother and the Child*;

Engel, *Elements of Child Protection*; Fisher, *Report on National Vitality*; Metchnikoff, *Prolongation of Life*; Van Vorst, *The Cry of the Children*; Key, *Love and Marriage*, chaps. v, vi, vii.

The best discussion for European countries is Henderson, "Infant Welfare," in *American Journal of Sociology*, XVII (1911-12), 289-302, 458-77, 669-84, 783-803. Consult also Fischer, "Mutterschaftsversicherung im Deutschland und Oesterreich," in *Zeitschrift für Volkswirthschaft, Socialpolitik, und Verwaltung*, 1910, Hefte, 1. 2.; Epstein, "Ueber Kinderschutz und Volksvermehrung," in *ibid.*, Hefte 1. 2.; Hard, "At Last—A Programme," in *Delineator*, March, 1912; Stead, "Two Moulders of Modern British Policy," in *Am. Review of Reviews*, Jan., 1912; American Medical Association, *Journal*, October, 1910, and November, 1911.

For further study see Devine, "The Waste of Infant Life," in *Survey*, XXIII, 314-20; *idem*, "Pensions for Mothers," in *Survey*, XXX, 457-60; Draper, "Conserving Childhood," in *Annals*, March, 1909; Fisher, "Public Responsibility for Health of Infants and Children," in *Pedagogical Seminar*, XVI, 395-402; Gastambide, *L'enfant devant la famille et l'état*; Gould, "The Valley of the Shadow of Death," in *Survey*, XXIV, 723-28; Hard, "The Moral Necessity of State Funds for Mothers," in *Survey*, XXIX, 769-73; "Infant Mortality and its Relation to the Employment of Mothers," in *Woman and Child Wage-Earners*, XIII; Key, "Motherhood," in *Atlantic*, Oct., 1912; Lane-Clayton, "Waste of Infant Life," in *Nineteenth Century*, LXV; Lindsey, "Mother's Compensation Law in Colorado," in *Survey*, XXIX, 714-16; McCracken, "Infant Mortality," in *Economic Review*, XVII, 177-88; Phelps, "A Statistical View of Infant Mortality," in *American Statistical Association*, XI, No. 83; Richmond, "Motherhood and Pensions," in *Survey*, XXIX, 774-80; "Widows Pensions in Massachusetts," in *Survey*, XXX, 132-33; White, "A Life-Saving Quest on the Sea of Infant Mortality," *Survey*, XXIII, 877-84.

SECTION XXIX. CHILD WELFARE.

I. Rights of the Child Sometimes Neglected by the Parent and by the State.

1. The ancient command that children honor their parents is not more imperative than the obligation arising in the quickened social conscience that parents should honor their children.
 - a. This means a sacrifice for race-welfare in the nurture of children.
 - b. It does not mean the careless indulgence which is fostering social precocity in boys and girls.
2. The "right of the child to be well born" (Ellen Key, *The Century of the Child*, chap. i, "The Right of the Child to Choose his Parents," chap. ii, "The Unborn

Race and Woman's Work." Compare Dawson, *The Right of the Child to be Well Born*).

- a. Involving eugenic marriage.
 - b. Meaning prenatal protection against the "great black plague."
 - c. Implying the participation of the state in the conservation of mother, infant, and child.
3. The right to healthy mental and physical growth.
 - a. Meaning proper nourishment for mind and body.
 - b. Value of the movement for pure food and pure medicine.
 - c. Meaning opportunity for play: social significance of the organized playgrounds movement; the function of play.
 - d. The importance of education in home economics and child-conservation.
 4. The right to bread: compulsory education is wasted on a hungry child (Spargo, *Bitter Cry of the Children*).
 - a. Backward school children and hunger.
 - b. Relation of malnutrition to disease and crime.
 - c. Shall the state give bread to the hungry child? School luncheons.
 5. The right to personality (see especially Gilman, *Concerning Children*; and Key, *The Century of the Child*. On the growth of personality, read Cooley, *Human Nature and the Social Order*; and Baldwin, *Social and Ethical Interpretations*, chaps. i, ii).
 - a. The psychology of obedience; "effect of ordering on the mind" (Gilman, *op. cit.*, 25-45).
 - b. Is there a better way than "ordering" and "minding?" How shall initiative and independence in conduct be developed? (Gilman, *op. cit.*, 46-69; Key, *The Century of the Child*," 106-90).
 - c. Is physical punishment an offense against the child's personality? (Gilman, *op. cit.*, 70-95).
 - d. Should children be "heard" as well as "seen"? Is companionship between parent and child the mark of the ideal family life? (Gilman, *op. cit.*, 169-99).

- e. What provision should the home provide for the individual life of the child? (Gilman, *op. cit.*, 118-38).
- f. Must the state as overparent aid in conserving the child's personality? Has it already done so? Is there "soul murder in the schools"? (Key, *op. cit.*, 203-32); what shall be the "school of the future?" (Key, 233-83).
- g. The suppression of the child's personality in colonial and ancient days.

II. The Modern Herod: Infant and Child Mortality (Newman, *Infant Mortality*).

- 1. History of child mortality; progress in lowering the rate.
- 2. How the average span of human life is broadening (see Irving Fisher, *Report on National Vitality*).
- 3. The real race-suicide is not a falling birth-rate; but a death-rate needlessly high; for society is responsible for what may be remedied.
- 4. Proper regard for pure water, pure air, pure milk—the blessed trinity of health—would add eight years to the average length of human life in the United States (Irving Fisher's estimate).
- 5. The conservation of children is a more precious asset than the saving of mines, forests, or streams.

III. The Exploitation of Human Life through Child Labor.

- 1. Shaftesbury and the struggle for child-welfare in England (Hodder, *Life of Shaftesbury*, I, 137-39, 413-51, II, 356, III, 386-87, *passim*).
 - a. Relief of mine-workers.
 - b. Relief of factory workers.
 - c. Relief of chimney sweeps and other child workers.
- 2. Child labor in the United States; character of existing laws.
 - a. In the great manufacturing states of the North: Massachusetts, New York, and Pennsylvania; the new law of Massachusetts.
 - b. In the South: progress in the work of child-saving.

- c. Estimated total number of child workers: *ca.* 1,750,000 (see Bogardus, *Introduction to Social Science*, 71).
 - d. In the West: the agricultural western states should anticipate the establishment of factories by enacting stringent laws for the prevention of child labor.
3. Destruction of children in the street-trades and in the sweat-shop.
 4. The social cost of child labor: it consumes the physical, mental, and moral capital of the race.
 - a. Effect on the body.
 - b. Effect on the mind.
 - c. Effect on the moral nature.
 - d. Effect on the family life.

REFERENCES.

The "constituent parts of the family"—the man, woman, and child—are discussed by Bosanquet, *The Family*, 260-314. The liberal view of the child's rights and personality is presented by Key, *The Century of the Child*; and in the very able book of Gilman, *Concerning Children*. Standard works are Chittenden, *The Nutrition of Man*; Newman, *Infant Mortality*; Metchnikoff, *Prolongation of Life*; and Fisher, *Report on National Vitality*. Other helpful books are Bonjean *Enfants révoltés et parents coupables*; Breckinridge and Abbott, *The Delinquent Child and the Home*; Butterfield, *Parental Rights and Economic Wrongs*; Cooper, *The Twentieth Century Child*; Dawson, *The Right of the Child to be Well Born*; Hoar, *A Boy Sixty Years Ago*; Engel, *The Elements of Child Protection*; Epstein, *Ueber Kinderschutz*; Forbush, *The Coming Generation*; Holmes, *The Conservation of the Child*; Hunter, "The Social Significance of Underfed Children," in *International Quarterly*, XII, 330-49; Spargo, *The Bitter Cry of the Children*; Kropotkin, *The Conquest of Bread*; McCracken, *The American Child*; Mangold, *Child Problems*; Oppenheim, *The Development of the Child*; Riis, *The Children of the Poor*; Swift, *Youth and the Race*; Cooley, *Human Nature and the Social Order*; Van Vorst, *The Cry of the Children*; Wood, *Children's Play and its Place in Education*; Adams, "Patent Medicines under the Pure Food Law," in *Collier's*, XXXIX, 11-12.

From the rapidly growing literature on child labor, may be accented the great United States report on *Woman and Child Wage-Earners*; *The Annual Reports* and the *Bulletins* of the Bureau of Labor; the *Proceedings of the National Conferences of Charities and Corrections*; and the symposiums in *Annals*, constituting the papers read at the annual meetings of the National Child Labor Committee.

The output of books and articles already is large. Consult Adams, "Children in American Street Trades," *Annals*, XXXV, 437-58; Adams and Sumner, *Labor Problems*; Addams, "Child Labor and Pauperism," in National Conference of Charities and Corrections, *Proceedings*, 1903; *idem*, *The Spirit of Youth and the City Streets*; Anderson, "Child Labor Legislation in the South," in *Annals*, XXV, 491-507; Bruere, "Physiological Age and Child Labor," in N. E. A., 1903; Clopper, *Child Labor in City Streets*; French, "Child Labor, Compulsory Education, and Race-Suicide," in *Arena*, XXXVI, 35-37; Hoffman, "The Social and Medical Aspects of Child Labor," in National Conference of Charities and Corrections, *Proceedings*, 1903; Kelley, "The Invasion of the Family by Industry," in *Annals*, XXXIV, 90-96; Brewer, "Child Labor in the Department Stores," in *Annals*, XX, 167-77; Lovejoy, "Child Labor and Philanthropy," in N. C. C. C., 1907; *idem*, "The Child in Industry," in N. E. A., 1909; *idem*, *Uniform Child Labor Law*; McKelway, "Child Labor a Menace to Industry, Education, and Good Citizenship," in *Annals*, XXVII; *idem*, "Child Labor in the Southern Cotton Mills," in *Annals*, XXVII, 266; Ogburn, *Progress and Uniformity of Child Labor Legislation*; Otey, "The Beginnings of Child Labor," in *Woman and Child Wage-Earners*, VI; Rochester, "The Battle Lines of Child Labor," in *Survey*, XXX, 86-88; Scott, *Child Labor: Summary of Laws in Force*; Nearing, *Social Adjustment*, 243-65; Eaves, *California Labor Legislation*, 287-310.

For a more extended list of references, consult the Select Bibliography, V.

SECTION XXX. EUTHENICS AND THE FAMILY.

I. Origin and Definition of Euthenics.

1. "The science of the controllable environment"; the "betterment of living conditions, through conscious effort for the purpose of securing efficient human beings" (Richards, *Euthenics*, p. vii).
2. "Eugenics deals with race improvement through heredity. Euthenics deals with race improvement through environment" (Richards, *op. cit.*, p. viii).
3. The scope of euthenics; how is the science to be developed (see Richards, *Euthenics*, p. ix, and her analytical chart at the end of the volume).

II. The Task of Euthenics.

1. Meaning of "environment"?
 - a. Natural: define *mesology*.
 - b. Natural, modified by human effort.
 - c. Artificial; varieties (Ward, *Applied Sociology*, 146-47; *idem*, *Pure Sociology*, 20, 58, 248-55, *passim*).

2. What eugenics has done: some selected proofs.

- a. Vital conservation; Irving Fisher's conclusions as to the doubling of the average length of human life since 1558; and his other disclosures (*Report on National Vitality*, 1 ff., 102 ff. Compare the standard work of Metchnikoff, *Prolongation of Life*).
- b. The conquest of disease through state or social action: Small pox, yellow fever, and diphtheria, nearly vanquished; typhoid and tuberculosis on the run.
- c. Many other achievements in all kinds of environment.

3. What eugenics in the future may do: some selected evidence.

- a. By appeal to the blessed trinity of hygiene: pure air, pure water, and pure milk (Fisher's dictum).
- b. The possibilities of right housing conditions; of pure food; of school hygiene; of feeding backward children; through city-planning, etc., etc.
- c. Through reform in personal living: what diseases are on the increase? (see Richards, 3, for examples).

4. Various illustrations of the task of eugenics (Richards, *Eugenics*, 3-11, 15-35, *passim*; Fisher, *Report on National Vitality*, especially chap. i and the "summary" of the chapters; Newman, *Infant Mortality*; Metchnikoff, *Prolongation of Life*).

III. The Doctrine of Potential Race Equality (Read the Writings of Thomas, Boas, Commons, Ward, and Others below cited).

IV. The Doctrine of Potential Genius or Ability as Opposed to Galton's Doctrine of Hereditary Irrepressible Genius (Read the Writings of Ward, Odin, Cooley, Robertson, and Others below cited).

V. The Debate between the Eugenists and the Euthenists as to Relative Importance of their Sciences (see, for example, Davenport, *Heredity in Relation to Eugenics*, 252-66; *idem*,

"Euthenics and Eugenics," *Pop. Sc. Monthly*, LXVIII, 16-20; Kellicott, *Social Direction of Human Evolution*, 197-207; Whetham, *Introduction to Eugenics*, 55-56; Richards, *Euthenics*, chaps. i, ii, *passim*; Ward, *Applied Sociology*, 84-110, 122 ff., 130 ff., *passim*; *idem*, *Pure Sociology*, 511 ff., *passim*.

REFERENCES.

I. *Select General References*:—Richards, *Euthenics: The Science of Controllable Environment*; Ward, *Applied Sociology: A Treatise on the Conscious Improvement of Society by Society*; *idem*, *Pure Sociology*, 20 ff., 58, 511 ff.; *idem*, *Dynamic Sociology*; Fisher, *Report on National Vitality, its Waste and Conservation*; Fisher and Robbins, *Memorial Relating to the Conservation of Human Life*; Metchnikoff, *Prolongation of Life*; Newman, *Infant Mortality*; Allen, *Civics and Health*; Spargo, *The Bitter Cry of the Children*; Dawson, *The Control of Life through Environment*; Kelsey, "Influence of Heredity and Environment upon Race Improvement," in *Annals*, XXXIV, 3-5; Wallace, *Social Environment and Moral Progress*.

II. *Potential Race Equality*:—Thomas, "The Mind of Woman and the Lower Races," in *Sex and Society*, 251-314; also in *American Journal of Sociology*, XII, 435-70; *idem*, "The Psychology of Race Prejudice," in *American Journal of Sociology*, IX, 593-611; Finot, *Race Prejudice*; Commons, *Races and Immigrants in America*, chap. ix, 210 ff.; Gulick, *Evolution of the Japanese*; Boas, *The Mind of Primitive Man*; Ward, *Applied Sociology*, 95-110, 156 f.

III. *Potential Genius or Ability*:—Odin, *Genese des Grands Hommes*; Ward, *Applied Sociology*, chaps. vii to x, 129-281, analyzing and extending Odin's researches; *idem*, "Broadening the Way to Success," in *Forum*, II, 340-50; Cooley, "Genius, Fame, and the Comparison of Races," in *Annals*, IX, 317-58; Robertson, "The Economics of Genius," in *Forum*, xxv, 178-90.

Consult the bibliography of "opportunity," in Ward, *Applied Sociology*, 135-45, 341-66. Fisher, *Report on National Vitality*, in the footnotes, gives very full references to the entire literature of mortality, hygiene, disease, and similar topics connected with the control of environment as affecting human life.

SECTION XXXI. HEREDITY, EUGENICS, AND THE FAMILY.

I. Heredity as a Factor in Social Progress.

1. Definition of heredity; of inheritance.
2. The Mendelian laws.

a. Life and work of Gregor Mendel, 1822-1884 (see Whetham, *Introduction to Eugenics*, 10-14; Kellicott, 83 ff.).

- b. Experiments with dwarf and tall varieties of garden peas (Whetham, *op. cit.*, 11-14).
- c. Mendelian laws as to heritable characters.
 - 1) Unit characters.
 - 2) Dominant and recessive determiners.
 - 3) Complex characters; probably conform to Mendelian laws.
- d. Applications of Mendelian laws.

3. Francis Galton's researches, 1822-1911.

- a. His life and works (see Whetham, *op. cit.*, 1-9).
- b. His doctrine of hereditary irrepressible genius.
- c. Founder of the science of Eugenics, 1904; and of the *Eugenics Review*.

II. The Science of Eugenics.

- 1. Origin and definition of the term "eugenics" (Kellcott, 3 ff.).
- 2. The aim and the methods of eugenics; the laboratories.
- 3. Kellcott's program for the development of eugenics (Kellcott, *The Social Direction of Human Evolution*, 190-240).

III. Practical Eugenics.

- 1. Means for the dissemination of eugenic knowledge.
- 2. Positive eugenics.
 - a. Ways and means of promoting wiser selection in marriage; examples of inheritance of family traits (Davenport, 26-180).
 - b. Function of education.
 - c. Function of legislation.
- 3. Negative eugenics or prevention.
 - a. Sterilization of criminals and dangerous defectives; arguments for and against.
 - b. Segregation of defectives.
 - c. Restrictions on the marriages of the unfit: the new state laws for eugenic marriages.
 - d. Municipal control of vice; of saloons.
 - e. Child labor laws; limit of woman's hours and kinds of work.

- f. Protection of motherhood and infancy (see preceding section).
- g. Extermination of commercialized prostitution, white slavery, and venereal diseases.
- h. Other forms (see Saleeby, Whetham, Davenport, Thomas, and others).

IV. Organized Eugenics.

- 1. The London eugenics laboratory.
- 2. The eugenics laboratory at Cold Spring Harbor.
- 3. *The Eugenics Review*.

REFERENCES.

Of primary importance are the numerous writings of the founder of the science of eugenics, Francis Galton. Among his books are *Hereditary Genius*, *Natural Inheritance*, and *Inquiries into Human Faculty*. Excellent guides to the study of the subject are Kellicott, *The Social Direction of Human Evolution*; Davenport, *Heredity in Relation to Eugenics*; Whetham, *Introduction to Eugenics*; *idem*, *The Family and the Nation*; *idem*, *Heredity and Society*; McKim, *Heredity and Human Progress*; Rentoul, *Sterilization*; *idem*, *Race Culture and Race Suicide*; Saleeby, *Parenthood and Race Culture*; Scott, *Heredity and Morals*; Woods, *Mental and Moral Heredity in Royalty*; Walker, *Hereditary Characters and their Modes of Transmission*; Walter, *Genetics: An Introduction to the Study of Heredity*; Hart, *Phases of Evolution and Heredity*; Bateson, *Biological Fact and the Structure of Society*.

From the large periodical literature may be selected, Davenport, "Euthenics and Eugenics," in *Popular Science Monthly*, LXXVIII, 16-20; Galton, "Possible Improvement of the Human Breed," in *Report of Smithsonian Institution* (1901), 523-38; *idem*, "Eugenics," in *American Journal of Sociology*, X (1904), 11-25; *idem*, "Probability the Foundation of Eugenics," in *Pop. Sc. Monthly*, LXXI, 165-78; Goddard, "Heredity and Feeble-mindedness," in *American Breeders' Magazine* (1910), I; Hunt, "Eugenics: A Nobler Breed of Men," in *Twentieth Century Magazine*, I, 134-37; Keller, "Eugenics: The Science of Rearing Human Thoroughbreds," in *Yale Review*, XVII, 127 ff.; Nock, "A New Science and Its Findings," in *American Magazine*, March, 1912; Pearson, "The Scope and the Importance to the State of the Science of National Eugenics," in *Pop. Sc. Monthly*, LXXVI, 385-412; Saleeby, "The Methods of Eugenics," in *Sociological Review*, Oct., 1910; Thomas, "Eugenics: The Science of Breeding Men," in *American Magazine*, LXVIII, 190-97; Taylor, "The Social Application of Eugenics," in *Westminster Review*, CLXX, 416 ff.; Davenport, "Influence of Heredity on Human Society," in *Annals*, XXXIV, 16-21; Kelsey, "Influence of Heredity upon Race Improvement," in *Annals*, XXXIV, 3-5; Watkins, "Marriage," in *Pop. Sc. Monthly*, LXXI, 69 ff.; Whetham, "Eminence and Heredity," in *Nineteenth Century*, May, 1911; Hutchinson, "Evidence of Race De-

generation," in *Annals*, XXXIV, 43 ff.; Johnson, "Race Improvement by Control of Defectives," in *Annals*, XXXIV, 22 ff.

Bibliography:—Davenport, *Heredity in Relation to Eugenics*, 273-87; Ward, *Applied Sociology*, 341-66, select literature of hereditary and potential genius. See the Select Bibliography, VI, for additional references.

SECTION XXXII. SOCIAL DISEASE, SEX-HYGIENE, EDUCATION FOR PARENTHOOD AND THE FAMILY LIFE.

I. The Meaning and Scope of the Rising New Education.

1. Historical division: courses on the development of the family, including marriage, the home, and related institutions.
 - a. Forms of the family.
 - b. Forms of marriage; and the law and custom relating to divorce.
 - c. Evolution of the home life, involving the relations of the domestic trinity of the father, mother, and child.
 - d. The history of the house or human habitation in its various forms and types.
2. Economic and administrative division: significance of the swift growth of education in household science or home economics (see the writer's article, "What Courses in Sociology, Pure or Applied, should be Included in College Departments of Household Science," in *Journal of Home Economics*, III (1910).
3. Aesthetic division: rise of the domestic arts and the home-beautiful.
4. Division of social or sex hygiene.

II. The Task of the New Education in Sex-Hygiene.

1. Why has the quickening of the social consciousness and the social conscience as to the need of such education been so tardy? (read especially Herter, *Biological Aspects of Human Problems*, 1911; Saleeby, *Parenthood and Race Culture*; and Wile, *A Programme for Sex Instruction*).
 - a. Valid reasons for conservatism?
 - b. Invalid reasons for delay or indifference: "The four

sex-lies" (Circular No. 2 of Social Hygiene Society of Portland, October, 1911); and the five social mistakes calling for immediate action (Leaflet of American Society of Sanitary and Moral Prophylaxis).

2. A glimpse of the evil to be overcome.
 - a. Extent of commercialized vice (see the vice reports and the literature of the "white slave" traffic).
 - b. Extent of the ravages of the "great black plague" (read especially Prince Morrow, in *American Health*, I, Jan., 1909, pp. 70-72; *idem*, *Social Disease*; and his other writings; also *The Gospel of the Kingdom*, January, 1911).
3. Causes of the sudden awakening.
 - a. New light: influence of eugenics; of the disclosed facts regarding disease.
 - b. Woman's reluctance to marry and the declining birth rate.
 - c. Race altruism.

III. Rise and Progress of the Movement for Sex Instruction (See Edna D. Bullock's excellent thesis below cited, pp. 14 ff.).

1. In Germany, 1905-1912.
 - a. Dr. Helena Stöcker's journal, *Die Mutterschutz*, founded, 1905.
 - b. The Mannheim Congress on sex hygiene, 1907.
 - c. The Prussian Cultus minister calls for information, 1907.
 - d. Actual instruction given in various states and cities of Germany.
2. Rapid progress in Austria.
3. A beginning made in France and England; influence of Galton and the *Eugenics Review*.
4. In the United States: work of cities, states, clubs, associations.
 - a. Social hygiene societies, local.
 - 1) The remarkable manysided work of the Spokane society.

2) Similar activities of the Portland society; its meetings, circulars, reports and reading lists.

3) Like organizations in Chicago and various other places.

b. American Federation for sex-hygiene.

c. American Vigilance Association.

d. American School Hygiene Association.

e. School Patrons Department, N. E. A.

f. General Federation of Women's Clubs.

g. Y. M. C. A. Associations.

h. State Boards of Health.

i. State conferences of charities and corrections.

j. National Congress of Mothers.

k. Society of Sanitary and Moral Phophylaxis.

1) Educational Pamphlets.

2) Proceedings.

3) Circulars.

l. International Purity Congress.

m. Vice commissions and social service clubs.

IV. What the Schools are Doing (See especially the preliminary Report, for the N. E. A. and the Federation of Women's Clubs, by Mrs. M. W. Barry; and the symposium on "The Problem of Sex Instruction," being the *Journal of Education*, entire number for March 21, 1912).

1. Public schools.

a. Grades.

b. High Schools.

2. Normal schools: the excellent courses in the Bellingham State Normal, Washington, and in the Ipsilanti State Normal, Michigan.

3. Colleges and universities.

V. How Should Sex-Hygiene Be Taught?

1. Is there danger of over-accenting the biological and physiological sides?

2. Should the ethical and social sides receive the greater attention?

3. Must the work be divided between the parent and the teacher?
4. Is the church doing its share of the work?
5. To what extent may social clubs share in the work?
6. Does eugenics offer a proper way of approach for school instruction?

VI. Commercialized Vice: Extermination the Only Remedy.

1. Fundamental cause: the double standard of ethics for the sexes. Why not pay more attention to male prostitutes?
2. Failure of the "segregation" policy. Why is it favorable to "white slavery" and the vice-merchant? Why does it promote police-graft? Why is it liked by the corrupt politician?
3. The sinister influence of the organized American saloon: the lessons taught by the recent "vice reports."

REFERENCES.

As a guide to instruction in Sex questions, the best work is Henderson, *Education with Reference to Sex*; and on the ravages of venereal diseases, Morrow, *Social Disease and Marriage*. The unpublished thesis of Bullock, *Progress in Education for Parenthood and the Family*, is a helpful discussion. Consult also Fiaux, *Enseignement populaire de la moralité sexuelle*; Hall, "Pedagogy of Sex," in his *Educational Problems*, I, chap. vii; Chapman, *The Moral Problem of the Children*; Ellis, *Sex in Relation to Society*; Herter, *Biological Aspects of Social Problems*; Key, *The Century of the Child*, chaps. i, ii; Lyttleton, *Training the Young in Laws of Sex*; McKeever, *Instructing the Young in Regard to Sex*; Morley, *The Renewal of Life*; *idem*, *Story of Life and Love*; Thomas, *Sex and Society*; Vickers, *Education of Sex*; Wile, *A Programme for Sex Instruction*; *idem*, *Sex Education*; Wilson, *The American Boy and the Social Evil*; Putnam, *Sex Instruction in Schools*; Zenner, *Education in Sexual Physiology and Hygiene*; Abbott, *On the Training of Parents*; Adler, *Moral Education of Children*; Bailey, *Sexual Hygiene*; Blackwell, *The Moral Education of the Young in Relation to Sex*; Burbank, *Training the Human Plant*; Dock, *Hygiene and Morality*; Ellis, *The Task of Social Hygiene*; Galbraith, *The Four Epochs of Woman's Life*; Howard, *Plain Facts on Sex Hygiene*; Moll, *The Sexual Life of the Child*; Smith, *The Three Gifts of Life*.

Proceedings, pamphlets, or other papers are published by the American School Hygiene Association; The Society of Sanitary and Moral Prophylaxis; the Health Education League, Boston; the Massachusetts, Oregon, and Rhode Island Boards of Health; National Education As-

sociation; National Congress of Mothers; the Social Hygiene Societies of Portland, Spokane, Chicago, and other places.

From the growing mass of articles on the subject, may be accented, Bennett, "Work for Better Homes," in *Good Housekeeping*, LII, 179-81; Collier, "A Square Deal for the Baby," in *ibid.*, LI, 712-18; Eliot, "Plan to teach Sex Hygiene," in *Survey*, XXV; Ellis, "Dangers of Sexual Hygiene," in *Good Housekeeping*, LIII, 456-59; Greene, "Sex Hygiene," in *N. E. A. Proceedings*, 1911, 917-25; Hall, "The Needs and Methods of Educating Young People in the Hygiene of Sex," in *Ped. Sem.*, XV, 82-91; Harlan, "Sexual Science—Who should teach it?" *Monthly Bulletin of the Ohio State Board of Health*, I, 331-34; Heidingsfeld, "Should Sexual Science be taught in the Public Schools?" *ibid.*, I, 327-31; Hutchinson, "What not to teach our Children upon Race Hygiene," *Good Housekeeping*, LIV, 529-33; Kirkbridge, "Right to be Well Born," in *Survey*, XXVII, 1838-39; McComb, "Who Should Marry?" in *Good Housekeeping*, LIV, 344-48; Macomber, "What will Your Child Inherit?" in *Delineator*, LXXIX, 273; McKeever, "Instructing Adolescents in regard to Sex," in *Good Housekeeping*, LIII, 599-62; Morrow, "Teaching of Sex Hygiene," in *Good Housekeeping*, LIV, 404-407; Parkinson, "Sex and Education," in *Edu. Review*, XLI, 42-49; Putnam, "Biology and the Teaching of Hygiene," in *Education*, Nov. 1, 1907; Robinson, "The Sex Problem," in *Internat. Jr. of Ethics*, XXI, 326; Saleeby, "Price of Prudery," in *Forum*, XLV, 311-19; Sheffield, "The Written Law and the Unwritten Double Standard," in *Internat. Jr. of Ethics*, XXI, 475; Vale, "Mills of the Gods," in *Forum*, XLVII, 289-302; Schmitt, "The Teaching of Facts of Sex in the Public Schools," in *Ped. Sem.*, XVII, 229-41; *The Gospel of the Kingdom*, number for Jan., 1911; Johnston, "The Eugenic Point of View," in *Vigilance*, July, 1911, 11-15.

On social disease, white slavery, and prostitution, consult Addams, *A New Conscience and an Ancient Evil*; *idem.*, "A Challenge to the Contemporary Church," in *Survey*, XXVIII, 195-98; Morrow, *Social Disease and Marriage*; Howard, *Plain Facts on Sex Hygiene*; Johnson, *The Social Evil*; Seligman, *The Social Evil*, being the second edition of the *Report of Fifteen*; Spencer, "Social Nemesis and Social Salvation," in *Forum*, L, 432-44; Roe, *The Prodigal Daughter*; Bingham, *The Girl that Disappears*; Turner, "The Daughters of the Poor;" Lydston, *The Disease of Society*; Forel, *Die sexuelle Frage*; Janney, *White Slavery*; Myers, "White Slavery in America," *International Soc. Review*, XI, 274 ff.; and the vice commissions of Chicago and Minneapolis.

Periodicals in this field are *Social Diseases*, published by the Society of Sanitary and Moral Prophylaxis, New York; and *Vigilance*, published by the American Vigilance Association, New York.

For additional references, consult the Select Bibliography, VII.

SELECT BIBLIOGRAPHY.

With few exceptions in this "Select Bibliography" titles are entered but once. Each work is listed in the division where it has been of most service; and it is not repeated in other divisions although it may have important matter for such divisions.

For the history and the problems of the family, marriage, and divorce the "Bibliographical Index" at the end of the writer's *Matrimonial Institutions*, III, 263-411, is the only extended bibliography which has yet been published. Only the more important works mentioned therein are here listed, together with some of the more significant writings published since 1904 when the *Matrimonial Institutions* appeared. However useful lists of authorities are appended to the works of various writers, notably Lubbock's *Origin of Civilization*; Starcke's *Primitive Family*; Chamberlain's *Child and Childhood*; Todd's *Primitive Family as an Educational Agency*; Hartland's *Primitive Paternity*; Parson's *The Family*; Westermarck's *Human Marriage*; and Malinowski's *Family Among the Australian Aborigines*.

I. DEVELOPMENT OF FAMILY INSTITUTIONS.

1. The Early History.

- Abercromby, John. "Marriage Customs of the Mordvins." *Folk-Lore*, I, 417-62. London, 1890.
- Amram, D. W. *The Jewish Law of Divorce*. Philadelphia, 1896. London, 1899.
- "Divorces on Condition [Hebrew]." *Green Bag*, III, 381-83. Boston, 1891.
- "Chapters from the Ancient Jewish Law: Divorce." *Ibid.*, IV, 36 ff., 493 ff. Boston, 1892.
- Araki, Toratoro. *Japanisches Eheschliessungsrecht: eine historisch kritische Studie*. Inaugural Dissertation. Göttingen, 1893.
- Atkinson, J. J. *Primal Law*. London, New York, and Bombay, 1903.
- Avery, J. "Polyandry in India and Thibet." *American Antiquarian and Oriental Journal*, IV, 48-53.

- Bachofen, J. J. *Das Mutterrecht: eine Untersuchung über die Gynäiokratie der alten Welt nach ihrer religiösen und rechtlichen Natur.* Stuttgart, 1861.
- *Die Sage von Tonaquil.* Heidelberg, 1870.
- *Antiquarische Briefe.* Strassburg, 1886.
- Bastian, A. "Ueber die Eheverhältnisse." *Z. F. E.*, VI.
- "Matriarchat und Patriarchat." *Ibid.*, Verhandlungen, 331-41. Berlin, 1886.
- Baway, Ahamad. "The Marriage Customs of the Moors of Ceylon." *Journal of the Royal Asiatic Society, Ceylon Branch*, X, 219-33. Colombo, 1888.
- Bengel, J. *Die Eheverhältnisse der alten Juden im Vergleiche mit den griechischen und römischen.* Leipzig, 1881.
- Bernhöft, F. "Zur Geschichte des europäischen Familienrechts." *Z. V. R.*, VIII. Stuttgart, 1888.
- "Die Principien des europäischen Familienrechts." *Ibid.*, IX. Stuttgart, 1891.
- "Altindische Familienorganisation." *Ibid.*, IX. Stuttgart, 1891.
- For his other writings on the subject, see "Bibliographical Index," in George Elliott Howard, *Matrimonial Institutions*, III, 266.
- Boaz, Franz. *The Mind of Primitive Man.* New York, 1911.
- Botsford, G. W. "The Athenian Constitution." *Cornell University Studies in Classical Philology*, IV. Boston, 1893.
- Brouardel, P. *L'infanticide.* Paris, 1897.
- Chamberlain, Alexander Francis. *The Child and Childhood in Folk-Thought.* New York, 1896.
- Crawley, Ernest. *The Mystic Rose: A Study of Primitive Marriage.* New York, 1902.
- "Sexual Taboo: A Study of the Relations of the Sexes." *Journal of Anthropological Institute*, XXIV, 116-25, 219-35, 430-46. London, 1895.
- Curr, E. C. *The Australian Race.* 4 vols. Melbourne, 1886.
- Cushing, F. H. "Primitive Motherhood." *The Work and Words of the First National Congress of Mothers*, 21-47. Washington, 1897.
- Daigoro, Goh. "The Family Relations in Japan." *Transactions of the Japan Society*, II.
- Dargun, L. *Mutterrecht und Vaterrecht.* Leipzig, 1892.
- "Mutterrecht und Raubehe und ihre Reste im germanischen Recht und Leben." Gierke, *Untersuchungen*, XVI. Breslau, 1883.
- Dawson, James. *Australian Aborigines: The Language and Customs*

- of Several Tribes of Aborigines in the Western District of Victoria.* Mellbourne, Sydney, and Adelaide, 1881.
- Dill, Samuel. *Roman Society in the Last Century of the Western Empire.* London, 1898.
- *Roman Society from Nero to Marcus Aurelius.* London, and New York, 1905.
- Dobrizhoffer, Martin. "Of the Weddings," and "Of the Marriages of the Abipones," in his *Account of the Abipones, an Equestrian People of Paraguay*, II, 207-15. 3 vols. Translated from the original Latin. London, 1822.
- Doolittle, J. *Social Life of the Chinese.* 2 vols. New York, 1867.
- Düringsfeld, Ida von, and Reinsberg-Düringsfeld, Otto Freiherr von. *Hochzeitsbuch: Brauch und Glaube der Hochzeit bei den christlichen Völkern Europas.* Leipzig, 1871.
- Duschak, M. *Das mosaisch-talmudische Eherecht.* Vienna, 1864.
- Ellis, A. B. "Survivals from Marriage by Capture." *Popular Science Monthly*, XXXIX, 207-22. New York, 1891.
- "On Polyandry." *Ibid.*, 801-809. New York, 1891.
- "Marriage and Kinship among the Ancient Israelites." *Ibid.*, XLII, 325-37. New York, 1892-93.
- Engels, Friedrich. *Der Ursprung der Familie, des Privateigentums, und des Staats.* 5th ed. Stuttgart, 1892.
- Espinas, Alfred. *Des sociétés animales.* 2d ed. Paris, 1878.
- "Family, The." James Hastings, *Encyclopaedia of Religion and Ethics*, V, 716-54. By sixteen specialists. New York and Edinburgh, 1912.
- Farnsworth, W. O. *Uncle and Nephew in the Old French Chansons de Geste: A Study in the Survival of Matriarchy.* New York, 1913.
- Fischer, C. J. *Ueber die Probenächte der teutschen Bauernmädchen.* Wortgetreues Abdruck der Original-Ausgabe, Berlin and Leipzig, 1780. London, 1898.
- Fison, Lorimer, and Howitt, A. W. *Kamilaroi and Kurnai.* Melbourne, 1880.
- Flittner, C. G. *Die Feyer der Liebe, oder Beschreibung der Verlobungs- und Hochzeits-Ceremonien aller Nationen.* Berlin, 1795.
- Fowler, W. W. *Social Life at Rome.* New York, 1909.
- Frazer, J. G. *The Golden Bough. A Study in Magic and Religion.* 3d ed. 10 vols. London, 1911-13.
- *Totemism and Exogamy.* 4 vols. London, 1910.
- Friedrichs, Karl. "Ueber den Ursprung des Matriarchats." *Z. V. R.*, VIII. Stuttgart, 1888.
- "Familienstufen und Eheformen." *Ibid.*, X. Stuttgart, 1892.

————— For his other writings on the subject, see the list in Howard, *Matrimonial Institutions*, III, 271.

Gaya, Louis de. *Cérémonies nuptiales de toutes les nations*. Original edition, Paris, 1680; later edition, Paris, 1852.

Giddings, Franklin H. *The Principles of Sociology*. New York and London, 1896.

Giraud-Teulon, A. *La mère chez certains peuples de l'antiquité: études sur les sociétés anciennes*. Paris and Leipzig, 1867.

————— *Les origines du mariage et de la famille*. Geneva and Paris, 1884.

Glötz, G. *La solidarité de la famille dans le droit criminel en Grèce*. Paris, 1904.

Gomme, G. L. "On the Evidence for Mr. McLennan's Theory of the Primitive Human Horde." *Journal of the Anthropological Institute*, XVII, 118-33. London, 1888.

Gooroodass, Banerjee. "The Hindu Law of Marriage and Stridahn." *Tagore Law Lectures*, 1878. Calcutta, 1879.

Gray, John Henry. *China: A History of the Laws, Manners, and Customs of the People*. Ed. by William Gow Gregor. 2 vols. London, 1878.

Grinnell, G. B. "Marriage among the Pawnees." *American Anthropologist*, IV, 275-81. Washington, 1891.

Haas, E. "Die Heirathsgebräuche der alten Inder nach den Grihyasûtra." Weber, *Indische Studien*, V, 267-412. Berlin, 1862.

Halbert, H. C. "Courtship and Marriage among the Choctaws of Mississippi." *American Naturalist*, XVI, 222, 223. Philadelphia, 1882.

Hartland, Edwin S. *Primitive Paternity. The Myth of Supernatural Birth in Relation to the History of the Family*. 2 vols. London, 1910.

————— "Marriage Ceremonies among the Aborigines of Bengal." *Imperial and Asiatic Quarterly Review*, new series, V, 183-211. Moking [1893].

Herman, Emanuel. "Die Familie vom Standpunkte der Gesamtwirtschaft." *Volkswirtschaftliche Zeitfragen*, Jahrgang 10, Heft 8. Berlin, 1889.

Hobhouse, L. T. *Morals in Evolution*. 2 vols. London, 1906-8.

Hölder, E. *Die römische Ehe*. Zurich, 1874.

Howard, George Elliott. *A History of Matrimonial Institutions*. Part I. Chicago and London, 1904.

Howitt, A. W., and Fison, Lorimer. "From Mother-Right to Father-Right." *Journal of Anthropological Institute*, XII, 30-44. London, 1882.

- Hozumi, N. *Ancestor-Worship and Japanese Law*. Tokio, 1902.
- Hutchinson, Henry Neville. *Marriage Customs in Many Lands*. London, 1897.
- Jörs, Paul. *Die Ehegesetze des Augustus*. Marburg, 1894.
- Jubainville, H. d'Arbois de. *La famille celtique*. Paris, 1905.
- Karlowa, O. *Die Formen der römischen Ehe und Manus*. Bonn, 1868.
- Kautsky, Carl. "Die Entstehung der Ehe and Familie." *Kosmos*, XII Stuttgart, 1882.
- Kohler, J. "Rechtshistorische und rechtsvergleichende Forschungen." (Part III on "Indisches Ehe-und Familienrecht"). *Z. V. R.*, III. Stuttgart, 1882.
- "Studien über Frauengemeinschaft, Frauenraub, und Frauenkauf." *Ibid.*, V. Stuttgart, 1884.
- For his many other articles, see the list in Howard. *Matrimonial Institutions*, III, 275-76.
- Kovalevsky, Maxime. *Tableau des origines et de l'evolution de la famille et de la propriété*. Stockholm, 1890.
- *Gesetz und Gewohnheit im Kaukass*. (Russian text.) Moscow, 1890.
- "Matrimonial Customs and Usages of the Russian People, and the Light They Throw on the Evolution of Marriage." His *Modern Customs and Ancient Laws of Russia*. London, 1891.
- Krauss, Friedrich S. *Sitte und Brauch der Südslaven*. Vienna, 1885.
- Kropotkin, Prince. *Mutual Aid a Factor in Evolution*. New York, 1902.
- Kulischer, M. "Intercommunale Ehe durch Raub und Kauf." *Z. F. E.*, X.
- "Die communale 'Zeitehe' und ihre Ueberreste." *Archiv für Anthropologie*, XI, 215-29. Braunschweig, 1879.
- Lang, Andrew. "Early History of the Family." His *Custom and Myth*. London, 1884.
- *Social Origins*. With Atkinson, J. J., *Primal Law*. London, New York, and Bombay, 1903.
- *The Secret of the Totem*. London, 1905.
- Lawlace, W. M. *The Japanese Wedding*. New York, 1889.
- Letourneau, Charles. "The Evolution of Marriage and of the Family" *Contemporary Science Series*. New York, n. d.
- Lichtschein, L. *Die Ehe nach mosaïsch-talmudischer Auffassung und das mosaïsch-talmudische Eherecht*. Leipzig, 1879.
- Lippert, Julius. *Die Geschichte der Familie*. Stuttgart, 1884.
- *Kulturgeschichte der Menschheit in ihrer organischen Aufbau*. 2 vols. Stuttgart, 1886-87.

- Lubbock, Sir John. *The Origin of Civilization and the Primitive Condition of Man*. 5th ed. New York, 1889.
- *Marriage, Totemism, and Religion*. London, 1911.
- Lushington, J. S. "On the Marriage Rites and Usages of the Jâts of Bharatpur." *Journal of Asiatic Society of Bengal*, II, 273-97. Calcutta, 1833.
- Mackenzie, Collin. "An Account of the Marriage Ceremonies of the Hindus and Mohommedans, as Practised in the Southern Peninsula of India." *Transactions of the Royal Asiatic Society*, III. London, 1835.
- McLennan, J. F. *Studies in Ancient History, Comprising a Reprint of Primitive Marriage*. New ed. London, 1886.
- *Studies*, 2d series. Ed. by Eleanora A. McLennan and Arthur Platt. London, 1896.
- and McLennan, Donald. *The Patriarchal Theory*. London, 1885.
- Maine, Henry S. *Ancient Law*. London, 1861; 5th ed., 1873.
- *Dissertations on Early Law and Custom*. New York, 1883.
- Malinowski, B. *The Family among the Australian Aborigines*. London, 1913.
- Marshall, W. E. *A Phrenologist amongst the Todas or the Study of a Primitive Tribe in South India: History, Character, Customs, Religion, Infanticide, Polyandry, Language*. London, 1873.
- Mayne, J. D. *A Treatise on Hindu Law and Usage*. 4th ed. Madras and London, 1888.
- Medhurst, W. H. "Marriage, Affinity, and Inheritance in China." *Transactions of Royal Asiatic Society, China Branch*, IV, 1-49. Hongkong, 1855.
- Michaelis, Johann David. *Abhandlung von den Ehegesetzen Mosis, welche die Heyrathen in die nahe Freundschaft untersagen*. Göttingen, 1768.
- Mielziner, M. *The Jewish Law of Marriage and Divorce*. Cincinnati, 1884.
- Miln, Louise Jordan. *Wooings and Weddings*. Chicago, 1900.
- Möllendorf, P. G. von. *Das chinesisches Familienrecht*. Shanghai, 1895.
- Morgan, Lewis H. *Ancient Society*. New York, 1878.
- "Systems of Consanguinity and Affinity of the Human Family." *Smithsonian Contributions to Knowledge*, XVII. Washington, 1871.
- "Houses and House-Life of the American Aborigines." *Contributions to North American Ethnology*, IV. Washington, 1881.

- Müller-Lyer, F. *Formen der Ehe*. Munich, 1911.
- *Die Familie*. Munich, 1912.
- Nadaillac, J. F. A. du P. *L'évolution du Mariage*. Paris, 1893.
- Parker, E. H. "Comparative Chinese Family Law." *China Review*, VIII, 67-107. Hongkong, 1879-80.
- Parsons, Elsie Clews. *The Family*. New York, 1906.
- Peet, S. D. "Village Life and Clan Residence among the Emblematic Mounds." *American Antiquarian*, IX, 10-34. Chicago, 1887.
- "Houses and House-life among the Prehistoric Races." *Ibid.*, X, 333-57. Chicago, 1888.
- "The Earliest Abodes of Man." *Ibid.*, XV, 1-14. Chicago, 1893.
- Ploss, H. *Das Kind in Brauch und Sitte der Völker*. 2 vols. New ed. Leipzig, 1884.
- *Das Weib*. 2 vols. 4th ed. Leipzig, 1895.
- Redslob, Gustav Moritz. *Die Levirats-Ehe bei den Hebräern*. Leipzig, 1836.
- Rivers, W. H. R. *The Todas*. London, 1906.
- Roszbach, August. *Untersuchungen über die römische Ehe*. Stuttgart, 1853.
- *Römische Hochzeits und Ehedenkmäler*. Leipzig, 1871.
- Roth, Henry Ling. "On the Significance of the Couvade." *Journal of Anthropological Institute*, XXII, 204-44. London. 1893.
- Sarasin, Paul and Fritz. *Die Weddas von Ceylon und die umgebenden Völkerschaften: ein Versuch, die in der Phylogenie des Menschen ruhenden Räthsel der Lösung näher zu bringen*. I, Text; II, Atlas. 2 vols. Wiesbaden, 1892-93.
- Savage, C. A. *The Athenian Family*. Baltimore, 1907.
- Savigny, F. R. von. "Ueber die erste Ehescheidung in Rom." *Abhandlungen der königlichen Akademie der Wissenschaften in Berlin*, 1814-16. Berlin, 1818.
- Schurman, J. G. *The Ethical Import of Darwinism*. New York, 1888.
- Schurtz, H. *Altersklassen und Männerbunde*, 1902.
- Selden, J. *Uxor ebraica, seu de nuptiis et divortiis ex jure civile, id est, divino et talmudico, veterum Hebraeorum, libri tres*. Editio nova, 4to. Francofurte ad Oderam, 1673. Or the same in *Opera omnia*, II (III, as bound).
- Seligmann, C. G. and Brenda. *Veddahs*. Cambridge, 1911.
- Smith, Arthur H. *Chinese Characteristics*. London, 1899.
- *Village Life in China: A Study in Sociology*. New York, Chicago, and Toronto [1899].
- Smith, W. R. *Kinship and Marriage in Early Arabia*. Cambridge, 1885.

- Smyth, Brough R. *The Aborigines of Victoria*. Melbourne and London, 1878.
- Spencer, Herbert. *Principles of Sociology*. 2 vols. New York, 1879-86. 3 vols., 1906.
- Starcke, C. N. *The Primitive Family*. New York, 1889.
- *La famille dans les différentes sociétés*.
- Steinmetz, S. R. *Ethnologische Studien zur ersten Entwicklung der Strafe*. 2 vols. Leyden, 1894.
- "Das Verhältniss zwischen Eltern und Kindern bei den Naturvölkern." *Zeitschrift für Socialwissenschaft*, I. 1898.
- "Die neueren Forschungen zur Geschichte der Familie." *Ibid.*, II, 685-95. 1899.
- Sutherland, Alex. *The Origin and Growth of the Moral Instinct*. London, 1898.
- Tscheng-ki-Tong. *The Chinese Painted by Themselves*. Trans. from the French by James Millington. London, [1885?].
- Tegg, W. *The Knot Tied: Marriage Ceremonies of All Nations*. London, 1877.
- Thomas, William I. *Sex and Society*. Chicago, 1907.
- Todd, Arthur James. *The Primitive Family as an Educational Agency*. New York and London, 1913.
- Toy, Crawford H. *Introduction to the History of Religions*. Boston, 1913.
- Tylor, E. B. *Researches into the Early History of Mankind*. New York, 1878.
- "On a Method of Investigating the Development of Institutions; Applied to Laws of Marriage and Descent." *Journal of Anthropological Institute*, XVIII 245-72. London, 1889.
- "The Matriarchal Family System." *Nineteenth Century*, XL. 81-96. London, 1896.
- Veblen, Thorstein. *Theory of the Leisure Class*. New York, 1899.
- "The Barbarian Status of Woman." *American Journal of Sociology*, IV, 503-14. Chicago, 1898-9.
- Vidyasagar, E. C. *Widow Marriage among Hindus*. Calcutta, 1855.
- Wächter, K. *Ueber die Ehescheidung bei den Römern*. Stuttgart, 1822.
- Wake, C. Staniland. *The Development of Marriage and Kinship*. London, 1889.
- Wallis, Louis. *Sociological Study of the Bible*. Chicago, 1912. Discusses the development of the Hebraic family.
- Weber, A. F. "Vedische Hochzeitssprüche." *Indische Studien*, V, 177-266. Berlin, 1862.

Webster, Hutton. *Primitive Secret Societies*. New York, 1908. Very important for the relations of the sexes in the primitive family and household.

Westermarck, Edward. *The History of Human Marriage*. London and New York, 1891, 1894, 1901.

————— *Origin and Development of Moral Ideas*. 2 vols. London, 1906-8.

————— *Marriage Ceremonies in Morocco*. New York and London, 1913.

Wilken, G. A. *Das Matriarchat (das Mutterrecht) bei den alten Arabern*. Leipzig, 1884.

Winternitz, M. "On a Comparative Study of Indo-European Customs with Special Reference to the Marriage Customs." *Transactions of International Folk-Lore Congress*. London, 1891.

————— "Das altindische Hochzeitsrituell nach dem Apastâmbya-Grihyasûtra, und einigen anderen verwandten Werken." *Denkschriften der kaiserlichen Akademie der Wissenschaften, philologisch-historische Classe*, XL, 1-113. Vienna, 1892.

Z. F. E.—*Zeitschreft für Ethnologie*. Berlin, 1869-.

2. *The Later History with Special Reference to Germany, England, and the United States.*

Abbot, Archbishop George. *The Case of Impotency as debated in England in that remarkable tryal, An. 1613, between Robert, Earl of Essex, and the Lady Frances Howard*. 2 vols. (bound in one). London, 1715. (Vol. II is a collection of similar cases by the editor.)

Adams, Charles Francis. *Some Phases of Sexual Morality and Church Discipline in Colonial New England*. Reprinted from *Proceedings of Massachusetts Historical Society*, June, 1891. Cambridge, 1891.

Alethaeus, Theophilus (Johann Lyser). *Discursus politicus de polygamia*. 2d ed. Freiburg, 1676.

————— *Polygamia triumphatrix, id est discursus politicus de polygamia*. Cum notis Athanasii Vincenti (Johann Lyser). Londini Scanorum, 1682.

Allen, T. Paynter (compiler). *Opinions of the Hebrew and Greek Professors of the European Universities on the Spiritual Aspect of the Question Regarding the Legalization of Marriage with a Deceased Wife's Sister*. London, 1882.

Applegarth, A. C. "Quakers in Pennsylvania." *Johns Hopkins University Studies*, X. Baltimore, 1892.

Arcuarius, Daphnaeus (Laurentius Beger). *Kurtze . . . Betrachtung des in der Natur-und göttlichen Recht begründeten heiligen Ehestandes*. [Heidelberg?], 1679.

Asgill, John. *A Question upon Divorce*. London, 1717.

- Ashton, J. *Social Life in the Reign of Queen Anne*. 2 vols. London, 1882.
- *The Fleet: Its River, Prison, and Marriages*. London, 1889.
- Ashworth, Philip. *Das Witthum (Dower) im englischen Recht*. Frankfurt a. M., 1899.
- Ayrer, Georg Heinrich. *De jure connubiorum apud veteres Germanos*. 2 parts. Göttingen, 1738.
- Beauchet, Ludovic. *Etude historique sur les formes de la célébration du mariage dans l'ancien droit français*. Paris, 1883.
- *Formation et dissolution du mariage dans le droit islandais du moyen-âge*. Paris, 1887.
- "Etude historique sur le forme du mariage." *Nouvelle Revue Historique*, 1882, 351-93, 631-83. Paris, 1882.
- Behrend, J. Fr. *Lex salica*. Berlin, 1874.
- Bertin, Ernest. *Les mariages dans l'ancienne société française*. Paris, 1879.
- Beust, Joachim. *Tractatus de sponsalibus et matrimoniis ad praxim forensem accommodatus*. Wittenberg, 1586.
- Beza, Theodore. *Tractatio de polygamia*. Geneva, 1568.
- *Tractatio de repudiis et divortiis*. Geneva, 1569.
- Biener, F. A. "Beiträge zu der Geschichte der Civilehe." *Zeitschrift für deutsches Recht und Rechtswissenschaft*, XX, 119-47. Tübingen, 1861.
- Bierling, E. R. "Kleine Beiträge zur Lehre über Eheschliessung und Trauung." *Zeitschrift für Kirchenrecht*, XVI, 288-316. Freiburg und Tübingen, 1881.
- Binder, Matthäus Joseph. *Practisches Handbuch des katholischen Eherechts*. 4th enlarged ed. by Joseph Scheicher. Freiburg, 1891.
- Bingham, J. Foote. *The Christian Marriage Ceremony: Its History, Significance, and Curiosities*. New York, 1871.
- Bishop, J. P. *New Commentaries on Marriage, Divorce, and Separation*. 2 vols. Chicago, 1891.
- Blumstengel, K. G. *Die Trauung in evangelischem Deutschland nach Recht und Ritus*. Weimar, 1879.
- Böhmer, G. W. *Ueber die Ehegesetze im Zeitalter Karl des Grossen und seiner nächsten Regierungsnachfolger*. Göttingen, 1826; Register, Göttingen, 1827.
- Brand, J. *Popular Antiquities*. Ed. by Ellis. New ed. 3 vols. London, 1873-77.
- Brenz, Johann. *Wie yn Ehesachen . . . zu handeln* (1530). In Sarcerius's collections.
- Brissonius, Barnabe. *De ritu nuptiarum*. Paris, 1564.

- *De jure connubiorum.* Paris, 1564. (Published and bound with the preceding).
- Brougham, H. "Speech on the Scotch Marriage and Divorce Bill, Sept. 3, 1835." *Speeches*, III, 457-71. London, 1838.
- "Discourse on the Law of Marriage, Divorce, and Legitimacy (1835)." *Ibid.*, III, 429-56. London, 1838.
- Brouwer, Henry. *De jure connubiorum apud Batavos recepto, Libri duo. In quibus jura naturae, divinum, civile, canonicum, prout de nuptiis, referuntur, expendantur, explicantur.* Amsterdam, 1665.
- Browne, G. F. *The Marriage of Divorced Persons in Church.* London, 1896.
- Browning, W. E. *The Practice and Procedure of the Court for Divorce and Matrimonial Causes.* London, 1862.
- Bucer, Martin. *De regno Christi servatoris libri II: Ad Eduardum VI, Angliae regem scripti.* Basel, 1557.
- *Argumenti Buceri pro et contra.* Original-Manuscript Bucers "die Gründe für und gegen die Doppelehe des Landgrafen Philipp des Grossmüthigen de anno 1539," veröffentlicht durch v. L. Cassel, 1878.
- Bugenhagen, Johann. *De conjugio episcoporum et diaconorum ad venerandum doctorem Wolfgangum Reissenbusch.* Wittenberg, 1525.
- *Von Ehebruch und Weglaufen (1539).* In Sarcerius's collections.
- [Bullinger, Heinrich]. *The Christen State of matrimonye.* The orygenall of holy wedlok: whan, where, how, and of whom it was instituted and ordeyned: what it is: how it ought to proceade: what be the occasions, frute and commodities thereof. Contrary wise, how shamefull & hor ribble a thinge whordome & aduoutry is: How one oughte also to chose hym a mete and conue nient spouse to kepe and increase the mutuall loue, trouth and dewtie of wedloke: and how married folkes shulde bring up their children in the feare of god Translated by Myles Couerdale [1541]. There were a 12mo edition and also an 8vo edition in 1543.
- *Der christlich Ehestand.* Zurich, 1579.
- Bunny, Edmund. *Of Divorce for Adulterie and Marrying again: that there is no sufficient warrant so to do.* Oxford, 1610.
- Burn, J. S. *History of the Fleet Marriages.* 2d ed. London, 1834.
- *Registrum ecclesiae parochialis. The History of Parish Registers in England.* 2d ed. London, 1862.
- Burnet, Gilbert. *History of the Divorce of Henry VIII. and Katherine of Aragon.* 1690.
- Butler, Charles. *On the Marriage of Cousin Germans.* Oxford, 1619.
- Carlier, Auguste. *Le mariage aux Etats-Unis.* Paris, 1860.

- *Marriage in the United States.* Trans. by B. Joy Jeffries. Boston, 1867.
- Cetty, H. *Die altelsässische Familie.* From the French. Freiburg, 1891.
- Cigoi, Aloys. *Die Unauflösbarkeit der christlichen Ehe und die Ehescheidung nach Schrift und Tradition.* Paderborn, 1895.
- Colonial Records of Connecticut, Massachusetts, New Haven, North Carolina, Plymouth, Rhode Island, and Archives of Maryland.*
- Cook, F. G. *The Marriage Celebration.* Four articles in *Atlantic Monthly*, LXI, February-May, 1888. Boston, 1888.
- Cooke, Parsons. *The Marriage Question: or the lawfulness of marrying the sister of a deceased wife, considered.* Boston, 1842.
- Cookson, James. *Thoughts on Polygamy . . . with . . . Examination of 26 Geo. II., ch. 33, commonly called the Marriage Act.* Including remarks on Thelyphthora and its Scheme. Winchester, 1782.
- [Courtin, A. de]. *A Treatise on jealousy, or Means to preserve Peace in Marriage.* From the French. London, 1684. (The original appeared in Paris, 1674).
- Coverdale, Miles. (See Bullinger.)
- Crowley, Charles. *Browne's Divorce and its Consequences.* 13th ed. Lowell, 1877.
- *Famous Divorces of All Ages.* Lowell, 1878.
- *Our Divorce Courts: Their Origin and History; Why they are needed; How they are abused; and How they may be reformed.* 2d ed. Lowell, 1880.
- "Divorces and Divorce Laws of the Fathers of New England." *Albany Law Journal*, XX, 110-13, 131-33. Albany, 1879.
- Davis, Andrew McFarland. *The Law of Adultery and Ignominious Punishments.* Worcester, 1895.
- "Certain Additional Notes . . . on . . . Ignominious Punishments and the Massachusetts Currency." *Proceedings of American Antiquarian Society*, April 26, 1899. Worcester, 1899.
- [Defoe, Daniel]. *A Treatise concerning the Use and Abuse of the Marriage Bed.* London, 1727.
- *Religious Courtship: being historical discourses on the necessity of marrying religious wives only.* London, 1729.
- [Delany, Patrick]. *Reflections upon Polygamy and the Encouragement given to that Practice in the Scriptures of the Old Testament.* By Phileleutherus Dubliniensis. London, 1737.
- Denton, W. *England in the Fifteenth Century.* London, 1888.
- Dieckhoff, A. W. *Die kirchliche Trauung, ihre Geschichte im Zusammenhange mit der Entwicklung des Eheschließungsrechts und ihr Verhältniss zur Civilehe.* Rostock, 1878.

- *Civiliehe und kirchliche Trauung. Das Gegensatzverhältniss zwischen beiden dargelegt.* Rostock, 1880.
- Dietrick, Hans C. *Evangelisches Ehescheidungsrecht nach den Bestimmungen der deutschen Kirchenordnungen des 16. Jahrhunderts.* Erlangen, 1892.
- Divorce. *Treatise concerning Adultery and Divorce.* London, 1700.
- *Essay upon Divorcement writ for the good of both sexes.* London, 1715.
- Dodson, John. *A report of the judgment . . . of Sir William Scott . . . in the cause of Dalrymple the wife, against Dalrymple the husband. With an Appendix containing papers, etc.* London, 1811.
- [Dugard, Samuel]. *The Marriage of Cousin Germans, vindicated from the censures of Unlawfulness, and Inexpediency.* Oxford, 1673.
- Durfee, Thomas. *Gleanings from the Judicial History of Rhode Island.* Providence, 1883.
- Dwight, Sereno Edwards. *The Hebrew Wife: or, The law of marriage, examined in relation to the lawfulness of polygamy, and to the extent of the law of incest. With Introductory recommendation by Ralph Wardlaw.* Glasgow, 1837.
- Earle, Alice Morse. *Customs and Fashions in Old New England.* New York, 1894.
- *Colonial Days in Old New York.* New York, 1896.
- "Old-Time Marriage Customs in New England." *Journal of American Folk-Lore*, VI, 97-102. Boston, 1893.
- "Among Friends." *New England Magaine*, XIX, 18-23. Boston, 1898.
- Edgar, A. "Marriage in Olden Times." *His Old Church Life in Scotland*, 134-203. 2d series. London, 1886.
- Eggleston, Edward. "Courtship and Marriage in the Colonies." *Stedman and Hutchinson's Library of American Literature*, IX, 523-27. New York, 1889.
- Elphinstone, Howard W. "Notes on the English Law of Marriage." *Law Quarterly Review*, V. London, 1889.
- Erasmus, Desiderius. *De matrimonio christiano.* Lugduni Batavorum, 1650.
- "Christiani matrimonii institutio." *Opera Omnia*, V, 615-723. Folio. Lugduni Batavorum, 1704. (First separate edition, Basel, 1526.)
- Ernst, W. *A Treatise on Marriage and Divorce.* London, 1879.
- Esmein, A. *Le mariage en droit canonique.* 2 vols. Paris, 1891.
- Essays in Anglo-Saxon Law.* Boston, 1876.

- Ewald, A. C. "The Fleet Marriages." *His Papers and Parchment*, 227-48. London, 1890.
- Ewen, W. *Proclamation of Banns in Scotland; its origin, history, and present position*. Edinburgh, 1877.
- Fernow, B. (editor). *The Records of New Amsterdam*. 7 vols. New York, 1897.
- Ficker, Julius. *Untersuchungen zur Rechtsgeschichte*. 4 vols. Innsbruck, 1891-99.
- Fleiner, Fritz. *Obligatorische Civilehe und katholische Kirche. Eine kirchenrechtliche Abhandlung*. Leipzig, 1890.
- *Die tridentinische Ehevorschrift*. Leipzig, 1892.
- Forster, V. G. *De nuptiis*. Wittenberg, 1617.
- Fraenkel, Arnold. *Das Familienrecht des bürgerlichen Gesetzbuchs für das deutsche Reich*. Hanover, 1898.
- Freisen, Joseph. *Geschichte des canonischen Eherechts bis zum Verfall der Glossenliteratur*. Tübingen, 1888; 2d ed., Paderborn, 1893.
- Friedberg, Emil. *Das Recht der Eheschliessung*. Leipzig, 1865.
- For a list of his writings on the subject, see Howard, *Matrimonial Institutions*, III, 304-305.
- Froböse, J. C. W.. *Dr. Martin Luther's ernste, kräftige Worte über Ehe und eheliche Verhältnisse*. Hanover, 1829.
- Froude, James. *The Divorce of Catherine of Aragon*. New York, 1891.
- Fry, John. *Some considerations on the act to prevent clandestine marriages in a letter from a gentleman of the Temple to the Lord B-p of L-*. London, 1754.
- *The Case of marriages between near kindred*. London, 1756; 2 ed., 1773.
- Furnivall, F. J. *Child-Marriages, Divorces, and Ratifications, etc., in the Diocese of Chester, A. D., 1561-66. Also Entries in the Mayors' Books, Chester, 1558-1600*. Edited from the Ms. written in court while the witnesses made their depositions, and from the Mayors' Books. Being vol. CVIII, original series, *Early English Text Society Publications*. London, 1897.
- Gally, Henry. *Some Considerations upon Clandestine Marriages*. London, 1730; 2d ed., 1750.
- Gautier, Léon. *La chevalerie*. Paris, 1884.
- Geary, N. *The Law of Marriage and the Family Relations*. London, 1892.
- Geffcken, Heinrich. *Zur Geschichte der Ehescheidung vor Gratian*. Leipzig, 1894.
- "Zur ältesten Geschichte und ehegerichtlichen Praxis des Leipziger Konsistoriums." *Z K R.*, 3 Folge, IV, 7-67. Freiburg and Leipzig, 1894.

- Giles, W. *A Treatise on Marriage*. London, 1771.
- Gladstone, W. E. "The Bill for Divorce (1857)." *His Gleanings of Past Years*, II, 47-106. London, 1879.
- Glasson, E. *Le mariage civil et le divorce dans l'antiquité et dans les principales législations modernes de l'Europe*. 2d ed. Paris, 1880.
- Goodwin, J. A. *The Pilgrim Republic*. Boston, 1888.
- Göschel, O. "Ehe." Herzog's *Encyclopaedie*, III, 666-707. Stuttgart and Hamburg, 1855.
- Graunt, John. *Natural and Political Observations Mentioned in the following Index, and made upon the Bills of Mortality*. Reprint of 3d ed. Oxford, 1665.
- Grimm, Jacob. *Deutsche Rechtsalterthümer*. 2d ed. Göttingen, 1854.
- Gruppen, Christian Ulrich. *De virgine prae vidua ducenda. Oder: Dass es besser sey, ein jung Mägdgen zu heirathen, als eine junge Wittwe*. 3d ed. Lemgoviae, 1740.
- *De uxore theotisca, von der teutschen Frau. Insbesondere de virginum praegustatoribus, jure deflorationis, jure primae noctis, Maiden-Rents, Marcheta, etc., etc.* Göttingen, 1748.
- Habicht, H. *Die altdeutsche Verlobung in ihrem Verhältniss zu dem Mundium und der Eheschliessung*. Jena, 1879.
- Haddan and Stubbs. *Councils and Ecclesiastical Documents*. Ed. after Spelman and Wilkins. 3 vols. Clarendon Press, 1869-78.
- Hammick, J. T. *The Marriage Law of England*. 2d ed. London, 1887.
- Harpsfield, Nicholas. *Treatise on the Pretended Divorce between Henry VIII and Catherine of Aragon*. Ed. by Pocock. Camden Society, new series, 1878.
- Hening, William Waller (editor). *The Statutes at Large: Being a Collection of all the Laws of Virginia from the First Session of the Legislature in the Year 1619*. 13 vols. Richmond, 1809-23.
- Hildebrand, K. *Untersuchungen über die germanischen Poenentialbücher*. Würzburg, 1851.
- Hochzeitsgebräuche aller Nationen der Welt*. From the French. Schwabach, 1781, 1783.
- Hodgetts, J. F. *Older England, illustrated by the Anglo-Saxon Antiquities in the British Museum*. London, 1884.
- Hofmann, Johann Andreas. *Handbuch des teutschen Eherechts, nach den allgemeinen Grundsätzen des teutschen Rechts sowohl, als der besondern Landes-Stadt-und Orts-Rechte*. Jena, 1789.
- Howard, George Elliott. *A History of Matrimonial Institutions*. Part II. Chicago and London, 1904.
- Howlett, E. "Marriage Customs." Andrews's (William) *Curious Church Customs*, 99-125. 2d ed. London, 1898.

- Hutchinson, Peter Orlando. *Chronicles of Gretna Green*. 2 vols. London, 1844.
- Huth, A. H. *The Marriage of Near Kin*. 2d ed. London, 1887.
- "Index to Books and Papers on Marriage between Near Kin." *Report of the First Annual Meeting of the Index Society*, 25-47. London, 1879.
- Inderwick, F. A. *The Interregnum*. London, 1891.
- Jeaffreson, John Cordy. *Brides and Bridals*. 2 vols. London, 1872.
- (editor). *Middlesex County Records*. 3 vols. Published by the Middlesex County Record Society. London, n. d.
- Jenks, E. *Constitutional Experiments of the Commonwealth*. Cambridge, 1890.
- Jones, W. *Finger-Ring Lore, Historical, Legendary, Anecdotal*. 2d ed. London, 1890.
- Kawerau, W. "Die Reformation und die Ehe." *Schriften des Vereins für Reformationsgeschichte*, X. Halle, 1892.
- Kling, Melchior. *Tractatus matrimonialium causarum*. 3d ed., Frankfurt, 1577; 1st ed., 1553.
- Kunstmann, Friedrich. *Die lateinischen Poenitentialbücher der Angelsachsen*. Mayence, 1844.
- Lauderdale Peerage Case. Webster, Sidney. *Opinion on the Law of Marriage Prevailing in the Colony of New York in 1772*. Given May 26, 1885. New York, 1885.
- Fowler, Robert Ludlow. *Letter and Opinion*, May 11, 1885, New York, 1885.
- Seward, Clarence A. *Answers to the Interrogatories Propounded by Messrs. John C. Brodie and Sons, of Edinburgh*. New York, June, 1885.
- Law Reports. Appeal Cases before the House of Lords and the Judicial Committee of the Privy Council, also Peerage Cases*, X. Containing the Lauderdale Peerage Case. London, 1885.
- Lea, Henry C. *A History of Sacerdotal Celibacy*. 2d ed. Boston, 1884.
- Lecky, W. E. H. *History of European Morals from Augustus to Charlemagne*. 3d ed. 2 vols. New York, 1881.
- Lehman, K. *Verlobung und Hochzeit nach den nordgermanischen Rechten des früheren Mittelalters*. Munich, 1882.
- Leinz, A. *Der Ehevorschrift des Concils von Trient Ausdehnung und heutige Geltung. Eine canonistische Studie*. Freiburg im Breisgau, 1888.
- Liebermann, F. *Die Gestze der Angelsachsen*. Halle, 1898.
- Lingard, John. *The History and Antiquities of the Anglo-Saxon Church*. 2 vols. London, 1845. (There is a recent 2d ed., n. p., n. d.).

- Lobethan, F. G. A. *Einleitung zur theoretischen Ehe-Rechts-Gelahrtheit*. Zwote verbesserte Auflage. Halle, 1785.
- Loersch, Hugo. "Ein eherechtliches Urtheil von 1448. *Z. K. R.*, XV, 407-10. Freiburg and Tübingen, 1880.
- Lombard, Peter. *Textus sententiarum*. N. p., 1488.
- Ludlow, J. M. Articles "Arrhae," "Betrothal," "Bigamy," "Bridal-Ring," "Consent to Marriage," and "Contract of Marriage." Smith and Cheetham's *Dictionary of Christian Antiquities*, I.
- Luther, Martin. *Bücher und Schriften des theuren seligen Mans Gottes Doct. Mart. Lutheri*. 8 vols., folio. Jena, 1555-80.
- *Colloquia oder Tischreden*. Folio. Frankfurt, 1571.
- For his other writings, see Howard, *Matrimonial Institutions*, III, 316.
- McAnnally, D. R. "About the Wedding-Ring." *Popular Science Monthly*, XXXII, 71-76. New York, 1887.
- Macqueen, John. *A Practical Treatise on the Appellate Jurisdiction of the House of Lords and Privy Council; together with the Practice on Parliamentary Divorce*. London, 1842.
- Madan, M. *Thelyphthora; or a Treatise on Female Ruin, in its Causes, Effects, Consequences, Prevention, and Remedy; considered on the basis of divine Law*. 2d ed. London, 1781; 1st ed. London, 1780.
- Makower, F. *The Constitutional History and Constitution of the Church of England*. London, 1895.
- "Marriage Agreement, A." *Virginia Magazine of History and Biography*, IV, No. 1. Richmond, 1896.
- Marriage Law Defence Union. *Addresses delivered at a Public Meeting*. Edinburgh, 1884.
- *Tracts issued by the*. 2 vols. London, 1889.
- Marriage of Priests. *Underricht auss Göttlichen und Gaystlichen Rechten Auch auss den flayschlichen Bepischen unrechten ob ain Priester ain Eweyß oder Concubin das ist ain beyschlaff haben möge*. Von aynem Ainsidel, etc. N. p., 1526.
- Marriage Ordinance. *Herzogthums Wirtemberg erneuerte Ehe-und Ehe-Gerichts-Ordnung*. Stuttgart, 1687.
- Martene, E. *De antiquis ecclesiae ritibus*. 4 vols. Folio. Antwerpiae, 1763-64.
- Maskell, W. *The Ancient Liturgy of the Church of England*. 3d ed. Oxford, 1882.
- *Monumenta ritualia ecclesiae anglicanae*. 3 vols. 2d ed. Oxford, 1882.
- Mejer, Otto. "Anfänge des Wittenberger Consistoriums." *Z. K. R.*, XIII. Tübingen, 1876.

- "Zur Geschichte des ältesten protestantischen Eherechts."
Ibid., XVI, 35-106. Freiburg and Tübingen, 1881.
- Melanchthon, Philip. "De Conjugio (1551)." *Opera Omnia*, I. Pars Post. Erlangen, 1828.
- "De arbore consanguinitatis et affinitatis, sive de gradibus."
Sarcerius's *Collections*.
- Merrick, M. M. *Marriage a Divine Institution*. London, 1754.
- Meurer, C. "Die rechtliche Natur des tridentiner Matrimonial-Decrets."
Z. K. R., XXII, 97-126. Freiburg, 1889.
- Meyrick, F. "Marriage." *Dictionary of Christian Antiquities*, II.
- Milton, John. *Prose Works*. Bohn ed. 5 vols. London, 1889-90.
- Moore, George H. *Notes on the History of Slavery in Massachusetts*.
New York, 1866.
- "Slave Marriages in Massachusetts." *Dawson's Historical Magazine and Notes and Queries*, 2d series, V.
- Moore, T. *How to be Married in all Ways and Everywhere*. London, 1890.
- Morgan, Hector Davies. *The Doctrine and Law of Marriage, Adultery, and Divorce*. 2 vols. Oxford, 1826.
- Moy, E. von. *Das Eherecht der Christen in der morgenländischen und abendländischen Kirche bis zur Zeit Karls des Grossen nach den Quellen dargestellt*. Regensburg, 1833.
- Muirhead, James. *Notes on the Marriage Laws of England, Scotland, and Ireland, with Suggestions for their Amendment and Assimilation*. Edinburgh and London, 1862.
- Müller, P. *De annulo pronubo, vulgo vom Jaworts-oder Trauring, de modo computationis graduum, de osculo sancto*. Jena, 1734.
- Names of Persons for whom Marriage Licenses were issued by the Secretary of the Province of New York previous to 1784*. Printed by order of Gideon J. Tucker, Sec. of State, with introduction by E. B. O'Callaghan. Albany, 1860.
- Nevizano, Joanne. *Sylvae nuptialis libri sex*. Lugduni, 1556; 1st ed., Parrhisiis, 1521.
- New York. *Calendar of Historical Manuscripts*. Ed. by O'Callaghan. Part I, "Dutch Manuscripts, 1630-64;" Albany, 1865. Part II, "English Manuscripts, 1664-1776;" Albany, 1866.
- Nicolai, J. G. *De repudiis et divortis, ex jure divino, canonico, civili, etc.* 2 parts. Dresden, 1685.
- Niess, Ernst. *Ehestands-Buch. Eine Sammlung von Bibelstellen, Lieder-versen und Aussprüchen Dr. Martin Luthers, etc.* Eisleben and Leipsiz, 1858.
- Ochino, Bernardino. *A Dialogue of Polygamy*. Trans. from the Italian by John Garfeild. London, 1657. First published, Zurich, 1563.

- Oppenheim, O. G. "Die Verhandlungen des englischen Parlaments über die Einführung der Civil-Ehe." *Z K R.*, I. Berlin, 1861.
- Palmer, W. *Origines liturgicæ, or Antiquities of the English Ritual, and a Dissertation on Primitive Liturgies*. 2 vols. 3d ed., Oxford, 1839; 4th ed., 2 vols., London, 1845.
- Parker Society, *Publications of the*. Cambridge, 1841-55.
- Peronne, J. *De matrimonio christiano*. 3 vols. Leodii, 1861.
- Plea for an Alteration of the Divorce Laws*. London, 1831.
- Pocock, Nicholas. *Records of the Reformation: The Divorce, 1527-1533*. 2 vols. Oxford, 1870.
- Pollock, Sir F., and Matiland, F. W. *The History of English Law*. 2 vols. Cambridge, 1895.
- Pompen, J. *Tractatus de dispensationibus et de revalidatione matrimonii*. 2d ed. Amsterdam, 1897.
- Pothier, R. J. *Traité du contrat de mariage*. 2 vols. Paris, 1772.
- Rady, J. B. *Die Reformatoren in ihrer Beziehung zur Doppelehe des Landgrafen Philipp*. Frankfurt and Luzern, 1890.
- Report of the Cases of Regina v. Millis et Regina v. Carroll, in the Queen's Bench in Ireland, in Easter and Trinity terms, 1842*. Dublin, 1842.
- Richard, Ap. *Marriage and Divorce*. London, 1888.
- Richter, Aemilius Ludwig. *Die evangelischen Kirchenordnungen des sechszehnten. Jahrhunderts. Urkunden und Regesten zur Geschichte des Rechts und der Verfassung der evangelischen Kirche in Deutschland*. 2 vols. Weimar, 1846.
- *Beiträge zur Geschichte des Ehescheidungsrechts in der evangelischen Kirche*. Berlin, 1858.
- *Lehrbuch des katholischen und evangelischen Kirchenrechts* . . . In achter Auflage bearbeitet von Dr. Richard Dove and Dr. Wilhelm Kahl. Leipzig, 1886.
- and Friedberg, Emil (editors). *Corpus juris canonici*. 2d ed. Leipzig, 1881-.
- Riedler, Franz Jos. *Bedingte Eheschliessung. Eine kanonistische Untersuchung*. Kempten, 1892.
- Roeder, Fritz. *Die Familie bei den Angelsachsen. Eine kultur- und litterarhistorische Studie auf Grund gleichzeitiger Quellen. Erster Hauptteil: Mann und Frau*. Halle, 1899.
- Sakellarios, Ph. *Die Sitten und Gebräuche der Hochzeit bei den Neugriechen verglichen mit denen der alten Griechen*. Halle, 1880.
- Salis, L. R. von. *Die Publikation des tridentinischen Rechts der Eheschliessung*. Basel, 1888.
- [Salmon, Thomas]. *A critical Essay concerning Marriage*. London, 1724.

- Sanchez, A. *Disputationum de Sto. matrimonii sacramento*. 2 vols. Folio. Venice, 1625.
- Sarcerius, Erasmus. *Ein Buch vom heiligen Ehestande, und von Ehesachen, mit allen vmbstendigkeiten, zu diesen Dingen gehörig, darinnen zugleich natürlich Göttlich, Keiserlich, und Bepstlich Recht angezogen wird, zum Teil aus vieler gelehrter Theologen Bücher gezogen, zum Teil vom zusammenzieher selbst geschrieben*. Item, werden in diesem Buch auch viel felle in Ehesachen gesetzt, sampt gelehrter Theologen rathschlege darüber. [Leipzig], 1553.
- *Corpus juris matrimonialis. Vom Ursprung, Anfang und herkhomen des heyligen Ehestandts*. Frankfurt, 1569.
- Saxsen, Michael. *Arcana annuli pronubi, Das ist Geheimnis und Bedeutung des Ehelichen Traw-Ringes*. Leipzig, 1594.
- Sayer, Joseph. *A Vindication of the Power of Society to annul the Marriages of Minors, entered into without Consent of Parents or Guardians*. London, 1755.
- Scheurl, Adolf von. *Die Entwicklung des kirchlichen Eheschliessungsrechts*. Erlangen, 1877.
- *Das gemeine deutsche Eherecht und seine Umbildung durch das Reichsgesetz vom 6. Februar, 1875*. Erlangen, 1882.
- "Consensus facit nuptiis." *Z K R.*, XXII. Freiburg, 1889.
- Schleusner, G. "Zu den Anfängen protestantischen Eherechts im 16. Jahrhundert." *Z K G.*, VI, XII, XIII. Gotha, 1884-92.
- Schmid, Reinhold. *Die Gesetze der Angelsachsen*. Leipzig, 1858.
- Schmitz, H. J. *Die Bussbücher und die Bussdisciplin der Kirche*. Mayence, 1883.
- Schneidewin, Johann. *De nuptiis*. Jena, 1585.
- Schoepsius, C. G. *De serto virginum, Vom Jungfer-Crantz*. Praes., J. H. Mejer. Presented, 1693; published, Halle, 1746.
- Schouler, James. *A Treatise on Domestic Relations*. 5th ed. Boston, 1895.
- Schubert, H. von. *Die evangelische Trauung, ihre geschichtliche Entwicklung und gegenwärtige Bedeutung*. Berlin, 1890.
- Schulenburg, Emil. *Die Spuren des Brautraubes, Brautkaufes und ähnlicher Verhältnisse in den französischen Epen des Mittelalters*. Rostock, 1894.
- Schulte, J. F. von. *Handbuch des katholischen Eherechts*. Giessen, 1855.
- *Die Geschichte der Quellen und Litteratur des canonischen Rechts von Gratian bis auf die Gegenwart*. 3 vols., bound in 4. Stuttgart, 1875-80.
- Scobell, H. A. *A Collection of Acts and Ordinances of general Use made in Parliament, 1640-1656, formerly published, etc. Being a con-*

- tinuation of that work, from the end of Mr. Pulton's Collection.* Folio. London, 1658.
- Scribner, C. H. *A Treatise on the Law of Dower.* 2d ed. 2 vols. Philadelphia, 1883.
- Sehling, E. *Die Wirkungen der Geschlechtsgemeinschaft auf die Ehe. Eine kirchenrechtliche Abhandlung.* Leipzig, 1885.
- *Unterscheidung der Verlöbniße in kanonischem Recht.* Leipzig, 1887.
- "Die Ehescheidung Napoleons I." *Z K R.*, XX. Freiburg, 1885.
- Shelford, Leonard. *A Practical Treatise of the Law of Marriage and Divorce, as altered by the Recent Statutes.* London, 1841.
- Shirley, J. M. "The Early Jurisprudence of New Hampshire." *Proceedings of the New Hampshire Historical Society, 1876-84.* Concord, 1885.
- Siegel, H. *Das deutsche Erbrecht.* Heidelberg, 1853.
- Smith, Valentin. "De la famille chez les Burgondes." *Memoires lus à la Sorbonne.* 1864.
- Sohm, Rudolph. *Das Recht der Eheschliessung.* Weimar, 1875.
- *Trauung und Verlobung.* Weimar, 1876.
- *Zur Trauungsfrage.* Heilbronn, 1879.
- *Die obligatorische Civilehe und ihre Aufhebung.* Weimar, 1880.
- Stäudlin, C. F. *Gechichte der Vorstellungen und Lehren von der Ehe.* Göttingen, 1826.
- Stebbing, Henry. *A dissertation on the power of States to deny civil protection to the marriages of minors, made without the consent of their parents or guardians.* London, 1755.
- Stiles, Henry R. *Bundling: Its Origin, Progress, and Decline.* Albany, 1871.
- Stone, Emily Baily. "Marrying in the Fifteenth Century." *Lippincott's Magazine*, LIX, 107-12. Philadelphia, 1897.
- Strampff, H. L. von. *Dr. Martin Luther: Ueber die Ehe. Aus Dr. Martin Luthers Schriften zusammengetragen, geordnet und mit Bemerkungen versehen.* Berlin, 1857.
- Surtees Society. *Publications*, LXIII: *Manuale et processionale ad usum insignis ecclesiae Eboracensis.* Edited by William George Henderson. London, 1875.
- Swinburne, Henry. *A Treatise of Spousals, or Matrimonial Contracts.* London, 1686.
- Tancred. *Summa de matrimonio.* Ed. by Agathon Wunderlich. Göttingen, 1841.

- Theiner, T. A. and A. *Die Einführung der erzwungenen Ehelosigkeit bei den christlichen Geistlichen und ihre Folge.* 3d ed., 3 vols. Bar-men [1891-98].
- Thorpe, B. *Ancient Laws and Institutions of England.* Record Commis-sion. Folio. London, 1840.
- Thrupp, John. *The Anglo-Saxon Home: A History of the Domestic Institutions and Customs of England from the Fifth to the Eleventh Century.* London, 1862.
- Thwing, C. F., and C. F. B. *The Family: An Historical and Social Study.* Boston, 1887. New ed., 1913.
- Trumbull, B. *Appeal to the Public, especially to the learned, with re-spect to the unlawfulness of divorces . . . pleaded before the Consociation of . . . New Haven . . . 1785.* New Haven, 1788.
- *Appeal to the Public relative to the Lawfulness of Marry-ing a Wife's Sister.* N. p., 1810.
- Tunstall, J. A. *Vindication of the Power of States to prohibit Clandes-tine Marriages . . . in answer to . . . Dr. Stebbing's Dis-sertation.* 1755.
- Unitarian Marriage Bill, A Letter to the . . . Earl of Liverpool, on the; in which is considered the expediency, as well as the justice, of redressing the grievance complained of by dissenters.* London, 1827.
- Vacarius, Magister. "Summa de matrimonio." Ed. by F. W. Maitland. *Law Quarterly Review*, XIII. London, 1897.
- Vaux, J. E. "Marriage Customs." *His Church Folklore*, 90-118. Lon-don, 1894.
- Vorthusianus, Leonhardus Jacobus. *Von Vneinigkeit der Concilien der Priester Ehe, etc.* Leipzig, 1546.
- Wagner, T. *Siebenfältiger Ehehalten = Teufel, Das ist: Ein Ernsthafte Sermon, von vberhandnehmender Bossheit der Ehehalten vnd Dienstbotten jetziger Zeit.* Ulm, 1651.
- Waitz, Georg. "Über die Bedeutung des Mundium im deutschen Recht." *Sitzungsberichte der königlichen preussischen Akademie der Wissenschaften*, No. XIX. Berlin, 1886.
- Walpole, Horace. *Memoirs of the Reign of George the Second.* 3 vols. Ed. by the late Lord Holland. London, 1847.
- *Letters.* Ed. by Cunningham. 9 vols. London, 1880.
- Walton, Frederick P. *Scotch Marriages, Regular and Irregular.* Edin-burgh, 1893.
- *A Handbook of Husband and Wife According to the Law of Scotland.* Edinburgh, 1893.
- Wasserschleben, F. W. H. *Die Bussordnungen der abendländischen Kirche, nebst einer rechtsgeschichtlicher Einleitung.* Halle, 1851.

- Waterworth, J. *The Canons and Decrees of the Sacred OEcumenical Council of Trent*. New York, 1848.
- Watkins, O. D. *Holy Matrimony: A Treatise on the Divine Laws of Marriage*. London, 1895.
- Weeks, Stephen B. "Church and State in North Carolina." *Johns Hopkins University Studies*, XI. Baltimore, 1893.
- Weinhold, Karl. *Altnordisches Leben*. Berlin, 1856.
- *Die deutschen Frauen in dem Mittelalter*. 2d ed. 2 vols. Vienna, 1882.
- Whitmore, W. H. *The Colonial Laws of Massachusetts*. Reprinted from the ed. of 1672, with the supplements through 1686. Boston, 1887.
- *The Colonial Laws of Massachusetts*. Reprinted from the ed. of 1660, with the supplements to 1672. Boston, 1889.
- Wilda, W. E. *Das Strafrecht der Germanen*. Halle, 1842.
- Wilks, S. C. *Present Law of Banns a Railroad to Marriage*. London, 1864.
- Wing, John. *The Crowne Conjugal, or the Spouse Royall, a discovery of the True Honour and Happiness of Christian Matrimony, published for their consolation who are married, and their encouragement who are not, intending the benefit of both*. Middleburgh, 1620.
- Wolff, Martin. "Zur Geschichte der Witwenhe im altdeutschen Recht." *Mittheilungen des Instituts für österreichische Geschichte*, 369-88.
- Young, Ernest. "The Anglo-Saxon Family Law." *Essays in Anglo-Saxon Law*. Boston, 1876.
- Z K G.*=*Zeitschrift für Kirchengeschichte*, 1876-98. 18 vols. Gotha, 1877-98.
- Z K R.*=*Zeitschrift für Kirchenrecht*. 29 vols. Berlin, Tübingen, and Freiburg, 1861-97.
- Zhishman, J. *Das Eherecht der orientalischen Kirche*. Vienna, 1864.

II. PROBLEMS OF MARRIAGE, DIVORCE, AND THE FAMILY.

- Adler, Felix. *Marriage and Divorce*. New York, 1905.
- "The Ethics of Divorce." *Ethical Record*, II, 200-209, III, 1-7. Philadelphia, 1889-90.
- Ager, H. C. "Divorce and the Rights of Society." *American Journal of Politics*, III, 93-97. New York, 1893.
- Allen, Nathan. "Divorces in New England." *North American Review*, CXXX, 547-64. New York, 1880.
- "The New England Family." *New Englander*, XLI, 137-59. New Haven, 1882.

- Almy, C., and Fuller, H. W. *The Law of Married Women in Massachusetts*. Boston, 1878.
- American Sociological Society. *The Family. Publications*, III, whole volume. Chicago and New York, 1909.
- Arms, H. P. *Intermarriage of the Deaf*. Philadelphia, 1887.
- Arner, G. B. L. *Consanguine Marriages in the American Population*. New York, 1908.
- Arnold, Sir Edwin. "Love and Marriage in Japan." *Cosmopolitan*, XII, 387-98. New York, 1892.
- Art of Governing a Wife, with Rules for Batchelors, to which is added an Essay against Unequal Marriages*. London, 1747.
- Assirelli, G. P. *La famiglia e la società*. Milan, 1887.
- Atherton, Gertrude. "Divorce in the United States." *Contemporary Review*, LXII, 410-16. London, 1897.
- Balzac, Honoré. "Physiologie du mariage, ou méditations de philosophie éclectique sur le bonheur et le malheur conjugal." *OEuvres complètes*. Paris, 1882.
- Barnes, Mary Clark. "The Science of Home Management." *North American Review*, CLXVIII, 633-38. New York, 1898.
- Baudrillart, Henri. *La famille et l'éducation en France dans leurs rapports avec l'état de la société*. Paris, 1874.
- Bean, James. *The Christian Minister's Affectionate Advice to a New Married Couple*. 4th ed. London, 1809.
- Bennett, Edmund H. "Marriage Laws." *Forum*, III, 219-29. New York, 1887.
- "Uniformity in Marriage and Divorce Laws." *American Law Register*, new series, XXXV, 221-31. Philadelphia, 1896.
- Berlin. *Statistik der Ehescheidungen in der Stadt-Berlin in den Jahren 1885 bis 1894*. Berlin, n. d.
- Bertillon, Jacques. *Etude démographique du divorce*. Paris, 1883.
- "Note pour l'étude statistique du divorce." *Extrait des Annales de démographie internationale*, IV, 457-80. Paris, [1880].
- "Du sort des divorcés." *Journal de la société de statistique de Paris*, XXIV. Paris, 1884.
- "The Fate of the Divorced." *Journal of the Statistical Society*, XLVII, 519-26. London, 1884. (Trans. of the preceding).
- Besant, Anne. *Marriage: As it was, as it is, and as it should be*. N. p., n. d.
- Betham-Edwards. "The Family Council in France." *National Review*, XXVIII, 47-58. London, 1896.
- Blackburn, John. *Marriage as Taught by the Socialists*. A lecture delivered at Eagle-Street Chapel, London, January 22, 1840, with additions. London, n. d.

- Bliss, W. D. P. *New Encyclopedia of Social Reform*. New York and London, 1908.
- Bosanquet, Helen. *The Family*. London, 1906.
- Bottet, Julien. *La famille dans le passé et dans le présent*. Amiens, 1892.
- Bradwell, J. B. *Validity of Slave Marriages*. Chicago, 1866. (Being the opinion in the case *Smith v. Rosenthal* in the County Court of Cook County, Ill., September, 1866).
- Brindley, John. *The Marriage System of Socialism Freed from the Misrepresentations of Its Enemies; Being a Faithful Digest of Robert Owen's Lectures on the Marriage System of the New Moral World*. Chester, 1840.
- Brown, Hugh Byron. *Marriage and Divorce. A Criticism on M. Comte's Teachings on the Relation of the Sexes*. New York, 1878.
- Bruere, Martha B., and Robert W. *Increasing Home Efficiency*. New York, 1912.
- Brun, Samuel J. "Divorce Made Easy." *North American Review*, CLVII, 11-17. New York, 1893.
- Bryce, James. "Marriage and Divorce under Roman and English Law." *Studies in History and Jurisprudence*. New York and London, 1901.
- Buchanan, Robert. "Is the Marriage Contract Eternal?" *The Coming Terror*, 259-85. 2d ed. London, 1891.
- Bushnell, Horace. "The Organic Unity of the Family." *Christian Nurture*, 90-122. New York, 1861.
- Butte, Wilhelm. *Die Biotomie des Menschen; oder die Wissenschaft der Natur-Eintheilungen des Lebens, als Mensch, als Mann und als Weib*. Bonn, 1829.
- Byington, Margaret F. *Homestead: The Households of a Mill Town*. New York, 1910.
- Cadet, Ernest. *Le mariage en France*. Paris, 1870.
- Caird, Mona. *The Morality of Marriage and Other Essays on the Status and Destiny of Women*. London, 1897.
- "Ideal Marriage." *Westminster Review*, CXXX, 617-36. London, 1888.
- "The Emancipation of the Family." *North American Review*, CL, 692-705, CLI, 22-37. New York, 1890.
- Campbell, Helen. "Is American Domesticity Decreasing, and if so, Why?" *Arena*, XIX, 86 ff. Boston, 1898.
- Caspari, Otto. *Das Problem über die Ehe. Vom philosophischen, geschichtlichen und socialen Gesichtspunkte*. Frankfort, 1899.
- Chapman, Cecil. *Marriage and Divorce*. London, 1911.

- Chapman, Elizabeth R. *Marriage Questions in Modern Fiction, and Other Essays on Kindred Subjects*. London, 1897.
- "Marriage Rejection and Marriage Reform." *Westminster Review*, CXXX, 358-77. London, 1888.
- "The Decline of Divorce." *Ibid.*, CXXXIII, 417-34. London, 1890.
- Collins, Vere. "The Marriage Contract in its Relation to Social Progress." *Fortnightly Review*, LXXXIII, 479-85. London, 1905.
- Commons, John R. "The Family." Chap. X of "A Sociological View of Sovereignty." *American Journal of Sociology*, V, 683-89. Chicago, 1900.
- Contrat Conjugal, ou loix du mariage, de la répudiation et du divorce*. N. p., 1781; Neuchatel, [1883].
- Convers, D. *Marriage and Divorce in the United States*. Philadelphia, 1889.
- Cook, Lady (née Claffin, Tennessee). "Short History of Marriage." *Westminster Review*, CXLI, 380-95. London, 1894.
- Cookson, Montague. "The Morality of Married Life." *Fortnightly Review*, XVIII, 397-412. London, 1872.
- Coudert, F. R. *Divorce: Reply to M. Dumas*. New York, 1880.
- *Marriage and Divorce Laws of Europe*. New York, 1893.
- Creighton, Louise. *The Economics of the Household*. London, 1907.
- Cri d'une Honnête femme qui réclame le divorce, conformément aux loix de la primitive Eglise, à l'usage actuel du royaume catholique de Pologne, etc.* London, 1770.
- Crum, F. S. "The Marriage Rate in Massachusetts." *Publications of the American Statistical Association*, IV, 322-39. Boston, 1895.
- "The Birth Rate in Massachusetts." *Quarterly Journal of Economics*, XI, 248-65. Boston, 1897.
- Daalen, H. B., van. *Die Ehe und die geschlechtliche Stellung der Frau*. Berlin, 1896.
- Darwin, George. "Beneficial Restrictions to Liberty of Marriage." *Contemporary Review*, XXII, 412-26. London, 1873.
- Dealey, James Quayle. *The Family in its Sociological Aspects*. Boston, New York, and Chicago, 1912.
- Dendy, H. *Marriage in East London*. Ed. by Bosanquet. London, 1895.
- "Marriage in East London." *Contemporary Review*, LXV, 427-32. London, 1894.
- Devas, C. S. *Studies of Family Life*. London and New York, 1886.
- Devine, E. T. *Family and Social Work*. New York, 1912.
- Dike, Samuel W. *The Theory of the Marriage Tie*. Boston, 1893.

- "Facts as to Divorce in New England." *Christ and Modern Thought*. Boston Monday Lectures, 1880-81. Boston, 1881.
- "The Effect of Lax Divorce Legislation upon the Stability of American Institutions." *Journal of Social Science*, XIV, 152-63. Boston and New York, 1881.
- "Some Aspects of the Divorce Question." *Princeton Review*, new series, XIII, 169-90. New York, 1884.
- "The Religious Problem of a Country Town." *Andover Review*, II, 121-32; III, 38-46, 540-53; IV, 193-208. Boston, 1884-85.
- "On Divorce." *Publications of the American Statistical Association*, I, 206-14. Boston, 1889.
- "Statistics of Marriage and Divorce." *Political Science Quarterly*, IV, 592-614. New York, 1889.
- "The Condition and Needs of Statistics of Marriage and Divorce." *Publications of the American Statistical Association*, III, 513-18. Boston, 1893.
- Secretary. *Reports of the National Divorce Reform League and of the National League for the Protection of the Family, 1886-1913*. Montpelier and Boston, 1888-.
- For his many other writings, see the list in Howard, *Matrimonial Institutions*, III, 365.
- Divorce. *An Essay on Marriage; or, The Lawfulness of Divorce in Certain Cases Considered*. Philadelphia, 1788.
- Domestic Relations Court. "Toasts to a One Year Court." *Survey* XXVIII, 264-66. New York, 1912.
- Divorce and Matrimonial Causes, *Report of the British Royal Commission on*. London, 1912.
- Divorce Commission, The Minority Report of*. London, 1912.
- Dumas, Alexandre, the Younger. *La question du divorce*. Paris, 1879; 5th ed., 1880.
- Dwinell, I. E. "Easy Divorce: Its Causes and Evils." *New Englander*, XLIII, 48-66. New Haven, 1884.
- Eaton, Amasa M. *Proposed Reforms in Marriage and Divorce Laws*. Reprinted from *Columbia Law Review*, April, 1904.
- Edson, Cyrus. "The Evils of Early Marriages." *North American Review*, CLVIII, 230-34. New York, 1894.
- Eeles, F. C. "Contract Forms in Marriage Service." *Contemporary Review*, No. 575, 673-80. London, 1913.
- Ehelicher Vertrag, oder Gesetze des Ehestands, der Verstossung und Ehescheidung*. N. p., 1784.
- Ellwood, Charles A. *Sociology and Modern Social Problems*. New York, Cincinnati, and Chicago, 1910. Chaps. iv-vii deal with the family.

- Emery, W. S. *The Divorce Question in New Hampshire*. Concord, 1905.
- Ewart, Felice. *Die Emancipation in der Ehe. Briefe an einen Arzt*. Hamburg and Leipzig, 1895.
- "Family Deserter brought to Book." *Survey*, XXX, 57-58. New York, 1913.
- Farr, William. *Vital Statistics*. Ed. by Noel A. Humphreys. London, 1885.
- "Influence of Marriage on the Mortality of the French People." *Transactions of the National Association for the Promotion of Social Science*, 1858, LVIII, 504-13. London, 1859.
- Fay, Edward Allen. *Marriages of the Deaf in America*. Washington, 1898.
- Femme-Homme, la. *Mariage-adultère-divorce. Réponse d'une femme à M. Alexandre Dumas Fils*. 3d ed. Paris, 1872.
- Fiaux, Louis. *La femme, le mariage et le divorce. Etude de physiologie et de sociologie*. Paris, 1880.
- Freund, E. "A Proposed Uniform Marriage Law." *Harvard Law Review*, XXIV, 548. Cambridge, 1911.
- Giles, Alfred E. *Marriage and Divorce*. Boston, 1883.
- Giles, W. *A Treatise on Marriage*. London, 1771.
- Gilman, Charlotte Perkins. *The Home: its Work and its Influence*. New York, 1903.
- "How Home Conditions react on the Family." *American Sociological Society, Publications*, III, 16-29. Or the same in *American Journal of Sociology*, XIV, 592-605. Chicago and New York, 1909.
- Girardin, E. de. *L'homme et la femme. Lettre à Dumas*. 13th ed. Paris, 1872.
- Glock, W. *Die christliche Ehe und ihre modernen Gegner*. Karlsruhe and Leipzig, 1881.
- Grimthorpe, Lord. "Marriage of Innocent Divorcees." *Nineteenth Century*, XXXVII, 325-36. London, 1895.
- Guthrie, C. J. "History of Divorce in Scotland." *Scottish Historical Review*, VIII, 39-. Oct., 1910.
- Hagar, Frank M. *The American Family*. New York, 1905.
- Hamilton, Augusta. *Marriage Rites, Customs, and Ceremonies of the Nations of the Universe*. London, 1822.
- Hanson, J. F. *A Study of Divorce*. Fremont, Nebr., 1906.
- [Hardy, E. J.]. *How to Be Happy Though Married; a Handbook to Marriage*. New York, 1886, 1892.
- Hatoyama, Kazuo. "Japanese Personal Relations." *Fifty Years of New Japan*, chap. x. Tokyo, 1907-8.

- Hayden, William B. *Ten Chapters on Marriage: Its Nature, Uses, Duties, and Final Issues*. 2d ed. Boston, 1863.
- Henry, Josephine K. *Marriage and Divorce*. Lexington, 1905.
- Herzfeld, Eliza. *Family Monographs*. New York, 1905.
- Heydenreich, K. H. *Mann und Weib. Ein Beytrag zur Philosophie über die Geschlechter*. Leipzig, 1798.
- Hirschfeld, J. "The Law of Divorce in England and in Germany." *Law Quarterly Review*, XIII. London, 1897.
- Howard, George Elliott. *A History of Matrimonial Institutions*. 3 vols. Chicago and London, 1904.
- "Marriage and Divorce." *Encyclopedia Americana*, X. New York, 1904.
- "The Problem of Uniform Divorce Law in the United States." *American Lawyer*, XIV. New York, 1906.
- "Social Control and the Function of the Family." *Congress of Arts and Science*, VII, 699-708. Boston and New York, 1906.
- "Divorce." Bliss, *New Encyclopedia of Social Reform*, 392-400. New York and London, 1908.
- "Divorce." Schaff-Herzog, *Encyclopaedia of Religious Knowledge*. New ed. 1908.
- "Is the Freer Granting of Divorce an Evil?" American Sociological Society, *Publications*, III (1908), 150-80, including the discussions by Samuel W. Dike, Rabbi Krauskopf, J. P. Lichtenberger, Walter George Smith, and E. A. Ross. Or the same in *American Journal of Sociology*, XIV, 766-96. Chicago and New York, 1909.
- "Divorce and Public Welfare." *McClure's Magazine*, XXXIV, 232-42. New York, 1909.
- "How to check Increasing Divorce: What Better Marriage Laws would do." *Ladies' Home Journal*, Oct. 1, 1910.
- "Social Control of the Domestic Relations." American Sociological Society, *Publications*, V, 221-24. Or the same in *American Journal of Sociology*, XVI, 805-17. Chicago and New York, 1911.
- "What Courses in Sociology, Pure or Applied, Should be included in College Departments of Household Sciences?" *Journal of Home Economics*, III, 33-43. Baltimore, 1911.
- "What to do on the Divorce Evil." *Gospel of the Kingdom*, IV, 125-28. New York, 1912.
- "Social Meaning of the British Divorce Report." *New York Times Magazine*, Sunday, Dec. 15, 1912.
- Hume, David. "Of Polygamy and Divorces." *Essays, Moral, Political, and Literary*, I, 231-39. London, 1875.

- James, Henry. "Is Marriage Holy?" *Atlantic Monthly*, XXV, 360-68. Boston, 1870.
- Janes, E. "Divorce, Sociologically Considered." *New Englander and Yale Review*, LIV, 395-402. New Haven, 1891.
- Janet, P. *La famille: leçons de philosophie morale*. 2d ed., Paris, 1877; 4th ed., 1890.
- Jay, William. *An Essay on Marriage, or, the Duty of Christians to Marry Religiously*. 2d ed. Bath, 1807.
- Jeffrey, J. "Madam Necker on Divorce." *Edinburgh Review*, I, 486-95. Edinburgh, 1803.
- Johnstoun, James. *A juridicial dissertation concerning the Scripture doctrine of marriage contracts, and the marriages of Cousin-Germans*. London, 1734.
- Jolly, J. *Les seconds mariages*. Paris, 1896.
- Kellogg, Paul V. "Social Work for the Family." *American Journal of Sociology*, XIV, 725—. Chicago and New York, 1909.
- Kelly, Edmond. *The French Law of Marriage, Marriage Contracts, and Divorce*. 2d ed., revised by O. E. Bodington. London and New York, 1895.
- Key, Ellen. *Love and Marriage*. New York, 1911.
- Kitchin, S. B. *A History of Divorce*. London, 1912.
- Klebs, Georg. *Ueber das Verhältniss des männlichen und weiblichen Geschlechts in der Natur*. Jena, 1894.
- Lacombe, Paul. *Le mariage libre*. Paris, 1867.
- Lee, Joseph. "The Integrity of the Family a Vital Issue." *Survey*, XXIII, 305-13. New York, 1909.
- Legrand, E. *Le mariage et les mœurs en France*. Paris, 1879.
- Lehr, Ernest. *Le mariage, le divorce et la separation de corps dans les principaux pays civilisés*. Paris, 1899.
- Lewes, George Henry. "Marriage and Divorce." *Fortnightly Review*, XLIII, 640-53. London, 1885.
- Lichtenberger, James P. *Divorce: A Study in Social Causation*. New York, 1909.
- "Instability of the Family." *Annals*, XXXIV, 97-105. Philadelphia, 1909.
- Linton, E. L. "The Revolt against Marriage." *Forum*, X, 585-95. New York, 1891.
- Livermore, Mary A.; Barr, Amelia E.; Cooke, Rose Terry; Phelps, Elizabeth Stuart; and June, Jennie. "Women's Views of Divorce." *North American Review*, CL, 110-35. New York, 1890.
- Lockett, Jeannie. "Divorce Considered from a Woman's Point of View." *Westminster Review*, CXXXIII, 479-88. London, 1890.

- Lofthouse, W. F. *Ethics and the Family*. London, 1912.
- Mackenzie, W. L. "The Family and the City." *Sociological Review*, I, 118-38. London, 1908.
- Malcome, Howard. *The Christian Rule of Marriage*. Philadelphia, 1870.
- Malmesbury, Susan H. "The Future of Marriage." *Fortnightly Review*, LI, 272-82. London, 1892.
- Marriage. *An Essay on Marriage, in a Cautionary Epistle to a Young Gentleman*. London, 1750.
- *Conjugal Love and Duty: A Discourse upon Hebrews, xiii*, 4. 4th ed. London, 1758.
- *The Advantages and Disadvantages of the Married State, Represented under the Similitude of a Dream*. 5th ed. London, 1760.
- *Reflexions on Celibacy and Marriage, in Four Letters*. London, 1771.
- Marriage System of Socialism, Freed from the Misrepresentation of its Enemies*. Chester, 1840.
- Mathews, Shailer. "Christian Sociology: The Family." *American Journal of Sociology*, I, 457-72. Chicago, 1896.
- Meriwether, Lee. "Is Divorce a Remedy?" *Westminster Review*, CXXXI, 676-85. London, 1889.
- Morrison, Frances. *The Influence of the Present Marriage System upon the Character and Interests of Females Contrasted with that Proposed by Robert Owen*. Manchester, 1838.
- Muirhead, J. H. "Is the Family Declining?" *International Journal of Ethics*, VII, 33-35. Philadelphia, 1896.
- Mulford, E. "The Nation and the Family." His *The Nation*. New York, 1871.
- Mullick, B. *Essays on the Hindu Family in Bengal*. Calcutta, 1882.
- Naquet, Alfred. *Le divorce*. Paris, 1877. 2d ed. 1881.
- National Congress on Uniform Divorce Laws, 1906. *Proceedings*. 2 vols. Harrisburg, 1906-7.
- National Divorce Reform League. See Dike.
- National League for the Protection of the Family. See Dike.
- Naumann, Friedrich. *Christenthum und Familie*. Berlin, 1892.
- Necker, Albertine Adrienne. *Reflections sur le divorce*. Paris, [1792?]; also Lausanne, 1794.
- Nisbet, J. F. *Marriage and Heredity*. 2d ed. London, 1890.
- Noble, Lucy Gray. "Free Marriage." *Scribner's Monthly*, VI, 658-64. New York, 1873.
- Oettingen, Alexander von. *Die Moralstatistik in ihrer Bedeutung für eine christliche Socialethik*. 2d ed. Erlangen, 1874.

- *Obligatorische und facultative Civilehe.* Leipzig, 1881.
- *Zur Theorie und Praxis des Heirathens.* Leipzig, n. d.
- Ogle, William. "On Marriage-Rates and Marriage-Ages, with Special Reference to the Growth of Population." *Journal of the Royal Statistical Society*, LIII, 253-80. London, 1890.
- Olson, Harry. "The Chicago Court of Domestic Relations." *Survey*, XXVI, 739-42. New York, 1911.
- Owen, Robert. *Letters on the Marriages of the Priesthood of the Old Immoral World, delivered in the year 1835, before the passing of the new marriage act.* 4th ed. Leeds, 1840.
- Owen, Robert Dale. "Marriage and Placement [in Hayti]." *Free Enquirer*, May 28, 1831. New York, 1831.
- Palmer, A. J. *Divorce Abolished.* Minneapolis, 1888.
- Parsons, Elsie Clews. *The Family.* New York, 1906.
- Patten, Simon N. "The Crisis in the American Home." *Independent*, LXVIII, 345. New York, 1910.
- Peabody, F. G. "The Teaching of Jesus Concerning the Family." *Jesus Christ and the Social Question*, chap. iii. New York and London, 1900.
- Pearson, Charles Henry. "The Decline of the Family." *National Life and Character: A Forecast*, chap. v. London, 1893.
- Pearson, Karl. *The Ethic of Free Thought.* London, 1888.
- Pelletan, Eugene. *La famille: le mere.* 5th ed. Paris, n. d.
- Planta, P. C. von. *Die Reconstruction der Familie und das Erbrecht.* Chur, 1886.
- Post, Louis F. *Ethical Principles of Marriage and Divorce.* Chicago, 1905.
- Potter, H. C. "The Message of Christ to the Family." *Message of Christ to Manhood.* Noble Lectures, 1898. Boston, 1899.
- Proffatt, John. *Woman before the Law.* New York, 1874.
- Quilter, Harry (editor). *Is Marriage a Failure?* Chicago and New York, 1889.
- Realf, James, Jr. "The Sioux Falls Divorce Colony and Some Noted Colonists." *Arena*, IV, 696-703. Boston, 1891.
- Ribbe, Charles de. *Les familles et la société en France avant le Revolution.* 4th ed. 2 vols. Tours, 1879.
- Richberg, J. C. "Incongruity of the Divorce Laws of the United States, a Legal Tangle." Michigan Political Science Association, *Publications*, I, No. 4. Ann Arbor, 1895.
- Riehl, W. H. *Die Familie.* Stuttgart, 1855; 11th ed., 1897.
- Robinson, W. C. "The Diagnostics of Divorce." *Journal of Social Science* (American Association), XIV, 136-51. Boston and New York, 1881.

- Ross, Edward Alsworth. "The Significance of Increasing Divorce." *Changing America*, 46-63. New York, 1912.
- Rubin, M., and Westergaard, H. *Statistik der Ehen auf Grund der socialen Gliederung der Bevölkerung . . . in Dänemark*. Jena, 1890.
- Salmonson, M. *From the Marriage License Window*. Chicago, 1887.
- Salter, William M. "The Future of the Family." *Religio-Philosophical Journal*. Chicago, 1885.
- Savage, Minot J. "Matrimony and the State." *Forum*, X, 115-23. New York, 1890.
- Schooling, J. H. "The English Marriage Rate." *Fortnightly Review*, LXXV, 959-68. London, 1901.
- Sears, C. E. *Shakers. A Short Treatise on Marriage*. Rochester, 1867.
- Serrell, George. "The High-Church Doctrine as to Marriage and Divorce." *Contemporary Review*, LXVIII, 21-41. London, 1895.
- Sidgwick, Mrs. Alfred. *Home Life in Germany*. London, 1908.
- Smith, Walter George. *Uniform Marriage and Divorce Laws*. Columbus, 1909.
- Snider, Denton J. "The Family." *Social Institutions in their Origin, Growth, and Interconnection Psychologically Considered*. St. Louis, 1901.
- Snyder, William L. *The Geography of Marriage; or Legal Perplexities of Marriage in the United States*. New York, 1889.
- Stanley, Hiram M. "Our Civilization and the Marriage Problem." *Arena*, II, 94-100. Boston, 1890.
- "Artificial Selection and the Marriage Problem." *Monist*, II, 51-55. Chicago, 1891.
- Stanton, Elizabeth Cady. "Divorce versus Domestic Welfare." *Arena*, I, 560-69. Boston, 1890.
- "Are Homogeneous Divorce Laws in All the States Desirable?" *North American Review*, CLXX, 405-409. New York, 1900.
- Statistik der Ehescheidungen in der Stadt Berlin in den Jahren 1885 bis 1894*. Berlin, [1898?].
- Stephen, Alfred. "The Law of Divorce. A Reply to Mr. Gladstone." *Contemporary Review*, LIX, 803-13. London, 1891.
- Stevens, E. R. *Divorce in America*. Reprinted from *Outlook*, June 1 and 8, 1907.
- Stewart, Ethelbert. *The Disintegration of the Families of the Workmen*. Address, World's Fair Labor Congress. Chicago, 1893.
- Swedenborg, Emanuel. *Conjugal Love and Its Chaste Delights; also, Adulterous Love and Its Sinful Pleasures*. New ed. Trans. of the Amsterdam ed., 1768. London, 1862.

- Swinnerton, Frank. *The Happy Family*. New York, 1913.
- Talbot, Marion, and Breckinridge, Sophonisba P. *The Modern Household*. Boston, 1912.
- Talmage, Thomas DeWitt. *The Marriage Ring*. A series of discourses in Brooklyn Tabernacle. New York, 1886.
- Tao, P. L. K. "The Family System in China." *Sociological Review*, VI, 47-54. London, 1913.
- Thwing, Charles F., and Carrie F. *The Family*. New ed. New York, 1913.
- Tissot, J. *Le mariage, la separation et le divorce*. Paris, 1868.
- Trevelyan, E. J. *Hindu Family Law*. London, 1908.
- United States. Bureau of Labor. Commissioner Carrol D. Wright. *Report on Marriage and Divorce in the United States, 1867-1886*. Washington, 1889.
- Bureau of the Census. Director S. N. D. North. *Marriage and Divorce, 1867-1906*. 2 vols. Washington, 1908-9.
- Waddilove, A. "Shall Marriage Be Made Compulsorily a Civil Contract in the First Instance?" National Association for the Promotion of Social Science, *Sessional Papers*, 1886.
- Wallace, Alfred R. "Human Selection." *Fortnightly Review*, XLVIII, 325-37. London, 1890.
- Warbasse, J. P. "The Education of Girls in Domestic Sociology." *Journal of Home Economics*, III, 52-60. Baltimore, 1911.
- Watkins, G. P. "Forms of Selection with Reference to Man." *Popular Science Monthly*, LXXI, 69-83. New York, 1907.
- Wells, H. G. *Socialism and the Family*. London, 1907.
- Wells, Kate Gannett. "Why More Girls Do Not Marry." *North American Review*, CLII, 175-81. New York, 1891.
- Westbrook, R. B. *Marriage and Divorce*. Philadelphia, 1883.
- *The Clerical Combination to Influence Civil Legislation on Marriage and Divorce*. Philadelphia, 1887.
- Whitney, Henry C. *Marriage and Divorce—The Effects of Each on Personal Status and Property Rights*. Philadelphia, 1894.
- Wilcox, Delos F. *Ethical Marriage. A Discussion of the Relations of Sex to the Standpoint of Social Duty*. Ann Arbor, 1900.
- Willcox, Walter F. *Statistics of Marriage and Divorce in the United States*. International Statistical Institute. Paris, 1909.
- "The Divorce Problem: A Study in Statistics." *Columbia College Studies*, I, No. 1. New York, 1891; 2d ed., 1897.
- "A Study in Vital Statistics." *Political Science Quarterly*, VIII, 69-96. New York, Boston, and Chicago, 1893.
- "The Marriage Rate in Michigan, 1870-1890." *American Statistical Association, Publications*, IV, 1-11. Boston, 1895.

Wood, Thomas D. *Some Controlling Ideals of the Family Life of the Future*. Reprinted from the *Proceedings of Fourth Lake Placid Conference on Home Economics*. [New York, 1902].

Woolsey, Theodore D. *Divorce and Divorce Legislation*. 2d ed. New York, 1882.

Working Women and Divorce. An account of evidence given on behalf of the Women's Co-operative Guild before the Royal Commission on Divorce. London, 1911.

Wright, Carroll D. Divorce Report. See "United States, Bureau of Labor."

"Marriage and Divorce." *Christian Register*, LXX, 655-58. Boston, 1891; same in *Lend a Hand*, VII, Boston, 1891. Also extracts in *Arena*, V, 136-44. Boston, 1891.

"Census of Sex, Marriage, and Divorce." *Forum*, XVII, 484-96. New York, 1894.

"On Divorce." Crafts, *Practical Christian Sociology*. New York, London, and Toronto, 1895.

III. SOCIAL CONDITION OF WOMAN: HER ADVANCE TOWARD ECONOMIC, INTELLECTUAL, AND VOCATIONAL FREEDOM.

1. Bibliographies.

Abbott, Edith. "Trial Bibliography of Books and Articles relating to the Industrial Employment of Women in England and America." *Women in Industry*, 392-99.

Bullock, Edna. *Selected Articles on the Employment of Women*, pp. vii-xviii. Minneapolis, 1911.

MacLean, Annie M. *Wage-Earning Women*, 191-98.

2. Periodicals.

Englishwoman's Social and Industrial Review. London.

Women's Industrial News. Published by the Women's Industrial Council. London.

Women's Trade Union Review. Published by the Women's Trade Union League, London.

3. Books, Pamphlets, and Articles.

Abbott, Edith. *Women in Industry*. New York, 1909.

"English Working-Women and the Franchise." *Atlantic Monthly*, CII, 343-46. Boston, 1908.

"Harriet Martineau and the Employment of Women in 1836." *Journal of Political Economy*, XIV, 614-26. Chicago, 1906.

- "Are Women Business Failures?" *Harper's Weekly*, XLIX, 496. New York, 1905.
- and Breckinridge, Sophonisba P. "Employment of Women in Industries." Twelfth Census Statistics. *Journal of Political Economy*, XIV, 14-40. Chicago, 1906.
- Abbott, Frances M. "A Generation of College Women." *Forum*, XX, 377-84. New York, 1895.
- "College Women and Matrimony." *Century*, LI, 796-98. New York, 1896.
- Abbott, Lyman. *The Home Builder*. New York, 1909.
- Adams, Elmer C., and Foster, W. D. *Heroines of Progress*. New York, 1913.
- Aftalion, Albert. *La femme mariée, ses droits et ses intérêts pecuniaires* Paris, 1899.
- Ames, Azel. *Sex in Industry. A Plea for the Working Girl*. Boston, 1875.
- Andrews, John B., and Bliss, W. D. P. "History of Women in Trade Unions." *Woman and Child Wage Earners*, X. Washington, 1911.
- Angstman, Charlotte Smith. "College Women and the New Science." *Popular Science Monthly*, LIII, 674-90. New York, 1898.
- Arndt, F. *Der Frauen Anteil an die moderne Weltgeschichte*. Leipzig, 1877.
- Äubry. *Le travail des femmes dans les ateliers, manufactures et magasins*. Nancy, 1875.
- Audlaw, Franz Freiherr von. *Die Frauen in der Geschichte*. 2 vols. Mayence, 1861.
- Augspurg, Anita. *Die ethische Seite der Frauenfrage*. Minden and Leipzig, [1893].
- Backer, Louis de. *Le droit de la femme dans l'antiquité: son devoir au moyen âge*. A. Claudin, editor. Paris, 1880.
- Ball, B. W. "The Rights of Women in Ancient Athens." *Atlantic Monthly*, XXVII, 273-86. Boston, 1871.
- Barnes, Earl. *Women in Modern Society*. New York, 1912.
- Barrett-Lennard, Thomas. *The Position in Law of Woman . . . at Common Law as modified by . . . Equity and by Recent Legislation* [in England]. London, 1883.
- Bernhöft, F. *Frauenleben in der Vorzeit*. Wismar, 1893.
- Billings, John S. "The Diminishing Birth-Rate in the United States." *Forum*, XV, 467-77. New York, 1893.
- Billington, Mary Frances. *Women in India*. London, 1895.
- Blackburn, Helen. "Relation of Women to the State in Past Time." *National Review*, VIII, 392-99. London, 1886.

- Blackwell, Emily. "The Industrial Position of Women." *Popular Science Monthly*, XXIII, 388-99. New York, 1883.
- Blaikie, W. G. "Women's Battle in Great Britain." *North American Review*, CLXIII, 282-95. New York, 1896.
- Blanc, Madame (Th. Bentzon). *The Condition of Woman in the United States*. Translated by Abby Langdon Alger. Boston, 1895.
- Bosworth, L. M. "The Living Wage of Women Workers." *Annals*, XXXVII, Supplement. Philadelphia, 1911.
- Boucherett, Jesse, and Blackburn, Helen. *The Condition of Working Women and the Factory Acts*. London, 1896.
- Bousset, Alice. *Zwei Vorkämpferinnen für Frauenbildung: Luise Büchner, Marie Calm*. Hamburg, 1893.
- Brackett, Anna Collender (editor). *Woman and the Higher Education*. New York, 1893.
- "Sex in Education." *Education of American Girls*, 368-91. New York, 1874.
- Breckinridge, Sophonisba P. *Neglected Widowhood in the Juvenile Court*." Reprinted from the *American Journal of Sociology*, XVI, July, 1910.
- "Legislative Control of Women's Work." *Journal of Political Economy*, XIV, 107-109. Chicago, 1906.
- See Abbott, Edith.
- Bremner, C. S. "The Financial Dependence of Women." *North American Review*, CLVIII, 382-84. New York, 1894.
- Bridel, Louis. *Le droit des femmes et le mariage. Etudes critiques de législation comparée*. Paris, 1893.
- Brinkmann, Wilhelm. *Bedeutung der Frau für die sittlichen Aufgaben der Familie*. Berlin, 1892.
- Brooks, W. K. "The Condition of Woman Zoölogically." *Popular Science Monthly*, XV, 145-55, 347-56. New York, 1879.
- "Woman from the Standpoint of a Naturalist." *Forum*, XXII, 286-96. New York, 1896.
- Brown, W. K. *Gunethics: or, the Ethical Status of Woman*. New York, [1887].
- Bruce, H. A. *Woman in the Making of America*. Boston, 1912.
- Buckstaff, Florence G. "Married Women's Property in Anglo-Saxon and Anglo-Norman Law." *Annals*, IV. Philadelphia, 1893.
- Butler, Elizabeth B. *Women in the Trades*. New York, 1909.
- *Saleswomen in Mercantile Stores*. Baltimore, 1909.
- Cadbury, E.; Matheson, M. C.; and Shann, George. *Women's Work and Wages*. London, 1906.

- Campbell, Helen. *Prisoners of Poverty*. Boston, 1889.
- *Prisoners of Poverty Abroad*. Boston, 1890.
- *Women Wage Earners*. Boston, 1893.
- Candee, Helen C. *How Women May Earn a Living*. New York, 1900.
- Carpenter, Edward. *Das Weib und seine Stellung in der freien Gesellschaft*. Trans. by H. B. Fischer. Leipzig, [1895?].
- Carpenter, Elizabeth. "More Truth about Women in Industry." *North American Review*, CLXXIX, 215-25. New York, 1904.
- Carr, Lucien. "The Social and Political Position of Women among the Huron-Iroquois Tribes." From the XVI Report of the Peabody Museum. Cambridge, 1883.
- Case, Thomas. "Against Oxford Degrees for Women." *Fortnightly Review*, LXIV, 89-100, 324. London, 1895.
- Chaplin, J. "The Position of Women among the Ancient Romans." *Baptist Review*, III, 466-.
- Chauvin, Jeanne. *Les professions accessibles aux femmes*. Paris, 1892.
- Chester, Eliza. *The Unmarried Woman*. New York, 1892.
- Clarke, Edward H. *Sex in Education; or, A Fair Chance for the Girls*. Boston, 1873.
- Clement, Ernest W. "The New Woman in Japan." *American Journal of Sociology*, VIII, 693-. Chicago, 1903.
- Cleveland, Arthur R. *Woman under the English Law: From the Landing of the Saxons to the Present Time*. London, 1896.
- Co-Education. *Majority and Minority Reports of the Special Committee on Co-Education of the Sexes*. School Document, No. 19. Boston, 1890.
- Cohn, Gustav. *Die deutsche Frauenbewegung*. Berlin, 1896.
- Collet, Clara E. *Educated Working Women*. London, 1902.
- "Official Statistics Bearing on the . . . Employment of Women." *Journal of the Statistical Society*, LXI, 219-60. London, 1898.
- "The Expenditures of Middle Class Working Women." *Economic Journal* (Br.), VIII, 543-53. London, 1898.
- "Women's Work." Booth, *Life and Labour in London*, IV. London and New York, 1902.
- Commander, Lydia K. "The Self-Supporting Woman and the Family." *American Journal of Sociology*, XIV, 752-57. Chicago and New York, 1909.
- Conyngton, Mary. *Relation between Occupations and Criminality of Women*. *Woman and Child Wage Earners*. XV. Washington, 1911.
- Coolidge, Mary Roberts. *Why Women are So*. New York, 1911.

- Coomaraswamy, A. K. "Sati: A Defence of the Indian Woman." *Sociological Review*, VI, 117-35. London, 1913.
- Corin, James. *Mating, Marriage, and the Status of Women*. 1911.
- Couch, John Andrew. "Woman in Early Roman Law." *Harvard Law Review*, VIII, 39-50. Cambridge, 1895.
- Crepaz, Adele. *Die Gefahren der Frauen-Emancipation*. Leipzig, 1892.
- Curtis, George William. *The Higher Education of Women*. An address, June 12, 1890. Reprinted in *Orations and Addresses*, I, 401-25. New York, 1894.
- Dahn, Felix. "Das Weib im altgermanischen Recht und Leben." *Sammlung gemeinnütziger Vorträge*, No. 7. Prague, n. d.
- Decken, E. von der. *Die gebildete Frau und die neue Zeit*. Göttingen, 1897.
- Defoe, Daniel. *An Essay upon Projects*. London, 1697. Advocates an "Academy for women."
- Dell, Floyd. *Women as World Builders*. New York, 1913.
- Devereaux, R. *The Ascent of Woman*. Boston, 1896.
- Devine, E. T. "Economic Function of Woman." *Annals*, V, 361-76. Philadelphia, 1895.
- Dike, Samuel W. "Sociology in the Higher Education of Woman." *Atlantic Monthly*, LXX, 668-76. Boston, 1892.
- Dilke, Emilia F. S. "The Industrial Position of Women." *Fortnightly Review*, LIV, 499-508. London, 1893.
- Dodge, Harriet Hazen. *Survey of Occupations open to the Girl of Fourteen to Sixteen Years*. Boston, 1912.
- Donaldson, James. *Woman: Her Position and Influence in Ancient Greece and Rome and among the Early Christians*. London, 1907.
- Dumas, Alexander, the Younger. *Man-Woman; or, The Temple, the Hearth, the Street*. Trans. and ed. by George Vandenhoff. Philadelphia, 1873.
- *L'homme-femme; réponse à Henri d'Ideville*. 30th ed., Paris, 1872.
- Eaves, Lucile. *A History of California Labor Legislation*. Berkeley, 1910.
- Eckenstein, Lina. *Woman under Monasticism*. Cambridge, 1896.
- Edson, Cyrus. "American Life and Physical Deterioration [of Women]." *North American Review*, CLVII, 440-51. New York, 1893.
- Ellis, Havelock. "The Awakening of Women in Germany." *Fortnightly Review*, LXXXVI, 123-34. London, 1906.
- Engelmann, G. J. "Education not the Cause of Race Suicide." *Popular Science Monthly*, LXIII, 172-84. New York, 1903.
- Faber, E. *The Status of Woman in China*. Shanghai, 1889.

- Farquharson, S. "The Women's Industrial Council." *Economic Review*, VII, 394-95. London, 1897.
- Fernald, James C. *The New Womanhood*. New York, 1894.
- Ferrero, G. *The Women of the Caesars*. New York, 1911.
- "The Problem of Woman from the Bio-Sociological Point of View." *Monist*, IV, 261-74. Chicago, 1893-94.
- Floessel, Ernst. *Die Schwiegermutter*. Dresden, 1890.
- Franklin, F. "The Marriage of Women College Graduates." *Nation*, L, 330, 331. New York, 1890.
- Freybe, Albert. *Altdeutsches Frauenlob, Züge deutscher Sitte und Gesinnung aus dem Frauenleben*. Leipzig, 1873.
- Gaertner, A. *Im eignen Hause. Betrachtung über Frauenthätigkeit auf dem socialen Gebiete*. Berlin, 1891.
- Gardner, G. E. "College Women and Matrimony." *Education*, January, 1900. Boston, 1900.
- Geddes, Patrick. *Evolution of Sex and Sex in Education*. Four lectures before the Twentieth Century Club, Education Department, 1899-1900.
- Gibson, W. W. *Womenkind*. New York, 1913.
- Gide, P. *Etude sur la condition de la femme dans le droit ancien et moderne, et en particulier sur le senatus-consulte velléien*. 2d ed., by A. Esmein. Paris, 1885.
- Gilman (Stetson), Charlotte Perkins. *Women and Economics. A Study of the Economic Relation between Men and Women as a Factor in Social Evolution*. 3d ed. Boston, 1900.
- *The Home. Its Work and Its Influence*. New York, 1903.
- Gnauck-Kühne, Elizabeth. *Die deutsche Frau und die Jahrhundertwende*. 2d ed. Berlin, 1907.
- Godwin, William. *Of Population, an enquiry concerning the power of increase in the numbers of mankind, being an answer to Mr. Malthus' essay on that subject*. London, 1820.
- Goldmark, Josephine C. "Working Women and the Laws: a Record of Neglect." *Annals*, XXVIII, 261-76. Philadelphia, 1906.
- "Necessary Sequel of Child-Labor Laws." *American Journal of Sociology*, XI, 312-25. Chicago, 1905.
- *Fatigue and Efficiency*. New York.
- Goncourt, Edmond and Jules de. *La femme au dix huitième siècle*. New ed. Paris, 1898.
- Gonnard, R. *La femme dans l'industrie*. Paris, 1906.
- Graffenried, Clara de. "The Condition of Wage-Earning Women." *Forum*, XV, 68-82. New York, 1893.
- Gregory, E. C. "National Union of Women Workers." *Economic Review*, VI, 531-33. London, 1896.

- Günther, Carl. *Das Recht der Frau auf Arbeit, eine sociologische Betrachtung.* Berlin, 1899.
- Hahn, Alban von. *Frauen-Berufe. Die Bühnenkünstlerin.* 2d ed. Leipzig, 1899.
- Hall, G. S., and Smith, T. L. "Marriage and Fecundity of College Men and Women." *Pedagogical Seminar*, X, 275-314. Worcester, 1903.
- Hamilton, Cicely. *Marriage as a Trade.* New York, 1909.
- Hammond, M. B. "Women's Wages in Manual Work." *Political Science Quarterly*, XV, 508-35. New York, 1900.
- Hart, Gordon. *Woman and the Race.* Westwood, 1907.
- Heather-Bigg, A. "The Wife's Contribution to Family Income." *Economic Journal (Br.)*, IV, 51-58. London, 1894.
- Henne am Rhyn, Otto. *Die Frau in der Kulturgeschichte.* Berlin, 1892.
- Henry, Josephine K. *Woman and the Bible.* Lexington, 1905.
- Hertzberg, Nils. *Der Beruf der Frau und ihre Stellung in der modernen Gesellschaft.* Ed. by Werner. Leipzig, 1892.
- Hill, Georgiana. *Women in English Life from Mediaeval to Modern Times.* 2 vols. London, 1896.
- Hobhouse, Emily. "Women Workers: How They Live and How They Wish to Live." *Nineteenth Century*, XLVII, 471-84. London, 1900.
- Hobson, John A. "Industrial Condition of Women Workers." *Problem of Poverty*, chap. viii. London, 1906.
- Howe, Julia Ward. *Sex and Education. A Reply to . . . Clarke's Sex in Education.* Boston, 1874.
- Howes, Annie G. "Health Statistics of Female College Graduates." Mass. Bureau of Statistics of Labor, *Report*, 1885, 471-532. Boston, 1885.
- Hurtel, Alice. *La femme. Sa condition sociale depuis l'antiquité jusqu'à nos jours.* Paris, 1887.
- Hutchins, B. L. "Woman's Industrial Career." *Sociological Review*, II, 338-48. London, 1909.
- and Harrison, A. *A History of Factory Legislation.* London, 1903.
- Ideville, Henri d'. *L'homme qui tue et l'homme qui pardonne, précède d'une lettre à M. Alexandre Dumas.* Paris, 1872.
- Iseman, M. S. *Race Suicide.* New York, 1912.
- Ives, Alice E. "The Domestic Purse Strings." *Forum*, X, 106-14. New York, 1890.
- Jacobi, Mary Putnam. "Women in Medicine." Meyer, *Women's Work in America*, 139-205. 1891.
- Jenks, Jeremiah W. *Governmental Activities for Social Welfare.* New York, 1912.

- Jessup, Henry H. *The Women of the Arabs*. With a chapter for children. Ed. by Robinson and Riley. New York, [1873].
- Keidel, George C. (editor). *The Evangile aux femmes. An Old French Satire on Women*. Baltimore, 1895.
- Kelley, Florence. "Women in Trade Unions." *Outlook*, LXXXIV, 926-31. New York, 1906.
- Knorr, R. H. "A Neglected Phase of the Housing Problem." *Arena*, XXX, 420-26. New York, 1903.
- Kolatschet, Adolf. *Die Stellung der Frauen in Amerika*. Vienna, 1864.
- Krabbes, Theodor. *Die Frau im altfranzösischen Karlsepos*. Marburg, 1884.
- Kuczynski, Robert René. "The Fecundity of Native and Foreign Born Population of Massachusetts." *Quarterly Journal of Economics*, XVI, 1-36. Boston, 1902.
- Laboulaye, E. *Recherches sur la condition civile et politique des femmes*. Paris, 1843.
- Lallier, R. *De la condition de la femme dans la famille athenienne au v. et au iv. siecle*. Paris, 1875.
- Lane, Annie E. "The Extravagant Economy of Women." *Fortnightly Review*, LXXXIV, 129-35. London, 1905.
- Laselle, Mary A., and Wiley, Katherine E. *Vocations for Girls*. Boston, New York, and Chicago, 1913.
- Laughlin, Clara E. *The Work-A-Day Girl*. New York, 1913.
- Lee, Vernon. "The Economic Dependence of Women." *North American Review*. CLXXV, 71-90. New York, 1902.
- Legouvé, Ernest. *Histoire morale des femmes*. 8th ed. Paris, n. d.
- Levitus, A. S. "Working Women in Vienna." *Economic Journal*, VII, 101-109. London, 1897.
- Lewthwaite, Elizabeth. "Woman's Work in Western Canada." *Fortnightly Review*, LXXVI, 709-19. London, 1901.
- Lilly, W. S. "St. Thomas Aquinas and the Unreasonableness of Woman." *Fortnightly Review*, LXXV, 761-62. London, 1901.
- Linton, E. Lynn. "The Revolt against Marriage." *Forum*, X, 585-95. New York, 1891.
- "The Wild Women as Politicians; the Wild Women as Social Insurgents; and the Partisans of the Wild Women." *Nineteenth Century*, XXX, 79-88, 596-605; XXXI, 455-64. London, 1891-92.
- "Womanhood in Old Greece." *Fortnightly Review*, XLVII, 105-23, 715-31. London, 1887.
- "The Roman Matron and the Roman Lady." *Ibid.*, XLVIII, 237-58. London, 1887.

- Lippmann, Frau. *Die Frau im Kommunaldienst*. Göttingen, 1896.
- Loeb, Isidor. *The Legal Property Relations of Married Parties. A Study in Comparative Legislation*. New York and London, 1900.
- Lourbet, J. *Probleme des sexes*. Paris, 1900.
- McCracken, Elizabeth. *The Women of America*. New York, 1903.
- McIntosh, Maria J. *Woman in America. Her Work and Her Reward*. New York, 1850.
- MacLean, Annie M. *Wage-Earning Women*. New York, 1910.
- McMahon, T. S. *Women and Economic Evolution*. Madison, 1912.
- Marshall, Florence M. *Industrial Training for Women*. National Society for the Promotion of Industrial Education.
- Marshall, Mary P. "Conference of Women Workers." *Economic Journal* (Br.), VI, 107-109. London, 1896.
- Martin, Anna. "The Married Working Woman." *Nineteenth Century*, LXVIII, 1102-18, LXIX, 108-22. London, 1910-11.
- Martin, L. A. *Histoire de la femme: sa condition politique, civile, morale et religieuse*. 2 vols. Paris, 1862-63.
- Mason, O. T. *Woman's Share in Primitive Culture*. New York, 1894.
- Maudsley, Henry. *Sex in Mind and Education*. New York, 1884.
- Maulde La Claviere, R. de. *Les femmes de la Renaissance*. Paris, 1898.
- Meyer, J., and Silbermann, J. "Die Frau im Handel und Gewerbe." Gustav Dahm's *Existenzkampf der Frau*, Heft 7. Berlin, 1895.
- Michelet, Jules. *Woman*. Trans. from the last Paris edition by J. W. Palmer. New York, 1860.
- *Love*. Trans. from the 4th Paris edition by J. W. Palmer. New York, 1870.
- *Le prêtre, la femme et la famille*. Paris, 1890.
- Middleton, M. W. "International Congress of Women." *Economic Review*, X, 94-95. London, 1900.
- Milde, Natalie von. *Goethe und Schiller und die Frauenfrage*. Weimar, [1896].
- *Ist die Frauenbewegung natürlich?* Hamburg, 1896.
- Monlezun, V. F. O. *Essai sur la condition civile de la femme mariée à Rome et en France*. Paris, 1878.
- Mont, Emerich du. *Das Weib. Philosophische Briefe über dessen Wesen und Verhältniss zum Manne*. 2d ed. Leipzig, 1880.
- Montmorency, J. E. G. de. "The Changing Status of a Married Woman." *Law Quarterly*, XIII. London, 1897.
- Moore, Eva R. *The Law of Husband and Wife*. Buffalo.
- Morrelli, Salvatore. *La donna e la scienza, o la soluzione del problema sociale*. Naples, 1869.

- Mülinen, Helene von. *Die Stellung der Frau zur socialen Aufgabe*, Bern, 1897.
- Münter, Friedrich. *Die Christin im heidnischen Hause, von den Zeiten Constantins des Grossen*. Copenhagen, 1828.
- Mussey, H. R. (editor). "The Economic Position of Women." *Academy of Political Science*. New York, 1910.
- Nathan, Maud. "Women Who Work and Women Who Spend." *Annals*, XXVII, 646-50. Philadelphia, 1906.
- Old Maids. *A Philosophical, Historical, and Moral Essay on Old Maids*. By a Friend to the Sisterhood. 3 vols. London, 1785.
- Opet, O. "Die erbrechtliche Stellung der Weiber in der Zeit der Volksrechte." Gierke's *Untersuchungen zur deutschen Staats- und Rechtsgeschichte*, XXV. Breslau, 1888.
- Orton, James. *The Liberal Education of Women*. New York and Chicago, 1873.
- Parkes, Bessie Rayner. *Essays on Woman's Work*. London, 1865.
- Parloa, Marie. *Home Economics*. New and revised ed. New York, 1910.
- Parsons, Benjamin. *The Mental and Moral Dignity of Woman*. 3d ed. London, 1846.
- Parsons, Elsie Clews. *The Oldfashioned Women*. New York, 1913.
- "Higher Education of Women and the Family." *American Journal of Sociology*, XIV, 758-63. Chicago and New York, 1909.
- Paston, George. "A Censor of Modern Womanhood." *Fortnightly Review*, LXXVI, 505-19. London, 1901.
- Pearson, Karl. "The Woman Question." *Ethic of Free Thought*, 370-95. London, 1888.
- "Woman and Labor." *Chances of Death*, 226-55. London and New York, 1897.
- "Woman and Labor." *Fortnightly Review*, LXI, 561-77. London, 1894.
- Peritz, Ismar J. "Woman in the Ancient Hebrew Cult." *Journal of Biblical Literature*, XVII, Part II. [Boston, 1898].
- Perkins, Agnes F. (editor). *Vocations for the Trained Woman*. Boston, 1910.
- Persons, Charles E., Parton, Mabel, Moses, Mabelle, and Three "Fellows." *Labor Laws and their Enforcement with Special Reference to Massachusetts*. Edited by Susan M. Kingsbury. Being *Studies in Economic Relations of Women*, II. New York, 1911.
- Phelps-Stokes, Rose H. "The Condition of Working Women, from the Working Woman's Viewpoint." *Annals*, XXVII, 627-37. Philadelphia, 1906.

- Phillipps, Evelyn March. "The Working Lady in London." *Fortnightly Review*, LII, 192-203. London, 1892.
- Ploss, H. *Das Weib*. 4th ed. 2 vols. Leipzig, 1895.
- Poubelle, E. R. *Discours sur la condition privée de la femme*. Toulouse, 1868.
- Rebiere, A. *Les femmes dans le science*. Paris, 1894.
- Reinsch, Gustav. *Stellung und Leben der deutschen Frau im Mittelalter*. Berlin, 1882.
- Reynolds, J. P. *The Limiting of Childbearing among the Married*. Philadelphia, 1890.
- Richardson, Anna S. *The Girl who Earns her own Living*. New York, 1909.
- Richardson, Dorothy. *The Long Day*. New York, 1905.
- Robertson, C. G. "Women's Work." *Economic Review*, V, 167-90. London, 1895.
- Robertson, John. *Report on Industrial Employment of Married Women and Infant Mortality*. Birmingham, 1910.
- Rockwood, Laura Clarke. "A Woman's Handicap in Efficiency." *American Journal of Sociology*, XIX, 229-35. Chicago, 1913.
- Ross, E. A. "Unbinding the Women of China." *The Changing Chinese*, 174-215. New York, 1911.
- "The Falling Birth-Rate;" "Women in Industry." *Changing America*, 32-48, 64-82. New York, 1912.
- Reute, Emily. *Memoires d'une princesse arabe*. Paris, 1905.
- Rullkoetter, William. *The Legal Protection of Women among the Ancient Germans*. Chicago, 1900.
- Russell, Alys. "Social Democracy and the Woman Question in Germany." Bertrand Russell, *German Social Democracy*, 173-95. London, New York, and Bombay, 1896.
- Saleeby, C. W. *Woman and Womanhood*. New York, 1911.
- Salmon, Lucy M. *Domestic Service*. 2d ed. New York, 1901.
- *Progress in the Household*. Boston and New York, 1906.
- "Democracy in the Household." *American Journal of Sociology*, XVII, 437-57. Chicago and New York, 1912.
- Saravasti, Pundita Ramabai. *The High-Caste Hindu Woman*. Introduction by Rachel L. Bodley. 3d ed. Philadelphia, 1888.
- Sargent, D. A. "Physical Development of Women." *Scribner's Magazine*, V, 172-85. New York, 1889.
- Scherr, J. *Geschichte der deutschen Frauenwelt*. 3d ed. 2 vols. Leipzig, 1873. (First ed. was entitled *Geschichte der deutschen Frauen*. Leipzig, 1860).
- Scheube, H. *Die Frauen des achtzehnten Jahrhunderts*. Berlin, 1876.

- Schlagintweit, E. "Die Hindu-Wittwe in Indien." *Globus*, XLIII, 246-48. Braunschweig, 1883.
- Schmitt, Georg. *Die Schlüsselgewalt der Ehefrau nach deutschem Recht*. Munich, 1893.
- Schopenhauer, Arthur. "On Woman." *Essays*. Trans. by Mrs. Rudolf Dircks. London, 1897.
- Schreiner, Olive. *Woman and Labor*. New York, 1911.
- Schultz, Alwin. *Alltagsleben einer deutschen Frau zu Anfang des achtzehnten Jahrhunderts*. Leipzig, 1890.
- Schuster, E. J. *The wife in Ancient and Modern Times*. London, 1912.
- Schütze, Gottfried. *Lobschrift auf die Weiber der alten deutschen und nordischen Völker*. New ed. Hamburg, 1776.
- Scott, Sir J. G. "The Position of Women in Burma." *Sociological Review*, VI, 139-46. London, 1913.
- Selden, C. P. "The Rule of the Mother." *North American Review*, CLXI, 637-40. New York, 1895.
- Selden, J. *Uxor ebraica, seu de nuptiis et divortiis ex jure civile, id est, divino et talmudico, veterum Hebraeorum, libri tres*. Editio nova, 4to. Francofurte ad Oderam, 1673. Or the same in *Opera omnia*, II (III as bound).
- Shackelton, D. J. (editor). *Woman in Industry from Seven Points of View*. London, 1908.
- Sheavyn, Phoebe. "Professional Women." *The Position of Woman*. London.
- Shinn, Millicent Washburn. "The Marriage Rate of College Women." *Century Magazine*, L, 946-48. New York, 1895.
- Sidgwick, Mrs. Henry. *Health Statistics of Women Students of Cambridge and Oxford and of their Sisters*. Cambridge, 1890.
- Simon, J. and G. *La femme du vingtieme siecle*. 21st ed. Paris, 1892.
- Smith, Anna Tolman. "Coeducation in the Schools and Colleges of the United States." Commissioner of Education. Report (1903), I, 1047-78. Washington, 1905. With bibliography of coeducation.
- Smith, Mary Roberts. "Education for Domestic Life." *Popular Science Monthly*, LIII, 521-25. New York, 1898.
- . "Statistics of College and Non-College Women." *American Statistical Association, Publications*, VII, 1-26. Boston, 1901.
- Somerset, Lady Isabel. "The Welcome Child." *Arena*, XII, 42-49. Boston, 1895.
- Spencer, Anna Garlin. *Woman's Share in Social Culture*. New York, 1913.
- Stammler, C. *Ueber die Stellung der Frauen im alten deutschen Recht*. Berlin, 1877.

- Stegeren, D. *De conditione civile feminarum atheniensium*. Zwollae, 1839.
- Strack, K. *Aus dem deutschen Frauenleben*. 2 vols. Leipzig, 1873-74.
- Strauss, Joseph. "Woman's Position in Ancient and Modern Jewry." *Westminster Review*, CLXXIV, 620-28. London, 1910.
- Stricker, Wilhelm. *Die Amazonen in Sage und Geschichte*. Berlin, 1868.
- "Ethnologische Untersuchungen über die kriegerischen Weiber (Amazonen) der alten und neuen Welt." *Archiv für Anthropologie*, V, 220-25. Braunschweig, 1872.
- Sullivan, Sir Edward. *Woman the Predominant Partner*. London, 1894.
- Sulzer, Johann Georg. *Anweisung zu Erziehung seiner Töchter*. Zurich, 1781.
- Sumner, Helen L. "History of Women in Industry in the United States." *Woman and Child Wage-Earners*, IX. Washington, 1910.
- Swanwick, Mrs. H. M. "Eastern Ideals of Women: A Note on Dr. Coomaraswamy's Paper." *Sociological Review*, VI, 136-38. London, 1913.
- Switzerland. *Bericht über die Verhandlungen des schweizerischen Kongresses für die Interessen der Frau* abgehalten in Genf, im September, 1896. Bern, 1897.
- Sybel, Heinrich von. *Ueber die Emancipation der Frauen*. Bonn, 1870.
- Talbot, Marion. *The Education of Women*. Chicago, 1910.
- Tanner, J. R. "Degrees for Women at Cambridge." *Fortnightly Review*, LXVII, 716-27. London, 1897.
- Tarbell, Ida M. *The Business of Being a Woman*. New York, 1912.
- Taylor, J. L. *The Nature of Woman*. London, 1913.
- Thomas, M. Carey. "Education of Women." N. M. Butler, *Education in United States*, I, 319-58. Albany, 1900.
- Thomas, William I. "Woman and the Occupations." *American Magazine*, LXVIII, 463-70. New York, 1909.
- Thompson, Flora M. "The Truth about Woman in Industry." *North American Review*, CLXXVIII, 751-60. New York, 1904.
- Thompson, William, [and Mrs. Wheeler]. *Appeal of one-half of the Human Race, Women, against the Pretensions of the other half, Men, to retain them in political, and thence in civil and domestic slavery: in reply to a paragraph of Mr. [James] Mill's celebrated article on Government*. London, 1825.
- Thwing, Charles F. "What Becomes of College Women?" *North American Review*, CLXI, 546-53. New York, 1895.
- Twining, Louisa. "Women as Public Servants." *Nineteenth Century*, XXVIII, 950-58. London, 1890.

- United States. Bureau of Labor. *Working Women in Large Cities*. Fourth Annual Report. Washington, 1889.
- Bureau of Labor. *Work and Wages of Men, Women, and Children*. Eleventh Annual Report. Washington, 1897.
- Bureau of Labor. *Laws relating to the Employment of Women and Children*. Bulletin No. 73. Washington, 1907.
- Department of Commerce and Labor. *Woman and Child Wage Earners in the United States*. 19 vols. Washington, 1910-13.
- Bureau of the Census. Twelfth Census. *Occupations*. Washington, 1900, 1904.
- Bureau of the Census. *Statistics of Women at Work*. Washington, 1907.
- Van Kleeck, Mary. *Women in the Bookbinding Trade*. New York, 1913.
- "Working Conditions in New York Department Stores." *Survey*, XXXI, 50-51. New York, 1913.
- Van Vorst, Bessie, and Van Vorst, Marie. *Woman Who Toils*. New York, 1903.
- Varigny, C. de. *The Women of the United States*. New York, 1895.
- Veblen, T. "The Economic Theory of Woman's Dress." *Popular Science Monthly*, XLVI, 198-205. New York, 1894.
- "Barbarian Status of Woman." *American Journal of Sociology*, IV, 503-14. Chicago, 1898-99.
- Vives, J. L. *A very fruteful and pleasant booke called the Instruction of a Christen Woman, made first in latyne, by the right famous clerke mayster Lewes Viues, and tourned out of latyne into Englische by Rycharde Hyrde*. London, 1557.
- "Die Erziehung der Christin. Seiner allergnädigsten Her- rin, Katharina von Spanien, Königin von England, u. s. w., gewid- met." *Ausgewählte pädagogische Schriften*. Leipzig, n. d.
- Wade, John. *Woman, Past and Present*. London, 1859.
- Ward, Lester F. "Our Better Halves." *Forum*, VI, 266-75. New York, 1888.
- "Wage-Earning Women in Stores and Factories." *Woman and Child Wage-Earners*, V. Washington, 1910.
- Warfield, E. D. "The Moral Influence of Women in American Society." *Annals*, XXXIV, 106-14. Philadelphia, 1909.
- Weatherly, U. G. "How does the Access of Women to Industrial Oc- cupations react on the Family?" *American Journal of Sociology*, XIV, 740-52. Chicago and New York, 1909.
- Webster, Thomas. *Woman Man's Equal*. Introduction by Bishop Simp- son. Cincinnati and New York, 1873.

- Wells, D. G. "Higher Education of Women." *American Sociological Society, Publications*, III, 115-23. Chicago, and New York, 1909.
- Westermarck, E. "The Position of Women in Early Civilization." *American Journal of Sociology*, X, 408-21. Chicago and New York, 1904-5.
- Wharton, J. J. S. *An Exposition of the Laws Relating to the Women of England*. London, 1853.
- White, Frances Emily. "Woman's Place in Nature." *Popular Science Monthly*, VI, 292-301. New York, 1875.
- Willet, Mabel H. *Women in the Clothing Trade*. New York, 1902.
- Wilson, Mona. "The Conference of Women Workers." *Economic Journal*, VIII, 133-35. London, 1898.
- Wollstonecraft, Mary. *Thoughts on the Education of Daughters*. London, 1787.
- Woman, *An Essay on the Learning, Genius and Abilities of the Fair Sex, Proving Them Not Inferior to Man*. 1774.
- "Woman in the Home" and "Woman in Industry." *Gospel of the Kingdom*, IV, Nos. 4 and 5. New York, 1912.
- Woman's Influence. *De l'influence des femmes dans l'ordre civil et politique*. Eleuthéropolis, 1789.
- Women. *The Position of Women: Actual and Ideal*. London, 1911.
- Woodhull, Victoria C. *The Principles of Social Freedom*. New York, 1874.
- Woods, Alice. *Co-education*. London, New York, and Bombay, 1903.
- Woods, Robert A., and Kennedy, Albert J. *Young Working Girls*. Boston and New York, 1913.
- Wright, M. J. *Social Evolution of Woman*. New York, 1912.
- Zmigrodski, Michael von. *La question de la femme c'est la question de la mere*. Paris, 1890.
- Zueblin, Charles. "The Effect on Woman of Economic Dependence." *American Journal of Sociology*, XIV, 606-14. Or the same in *American Sociological Society, Publications*, III, 30-38. Chicago and New York, 1909.
- Yudelson, S. "Educational and Professional Activities of Women." *Annals*, XXV, 117-23. Philadelphia, 1905.

IV. POLITICAL CONDITION OF WOMAN: HER ADVANCE TOWARD EQUAL SUFFRAGE.

1. *Bibliographies.*

- Franklin, Margaret Ladd. *The Case for Woman Suffrage. A Bibliography.* New York, 1913.
- Howard, George Elliott. *A History of Matrimonial Institutions*, III, 235-50, foot-notes; and many titles in the "Bibliographical Index," especially part II, 201-39, part IV, 355-96.
- Phelps, Edith M. *Selected Articles on Woman Suffrage*, pp. xvii-xxxvii. Minneapolis, 1912.
- University of Wisconsin. *Woman Suffrage Bulletin*, Serial No. 214, General Series, No. 22. Madison.
- Verzeichniss der auf dem Gebiete der Frauenfrage während der Jahre 1851 bis 1901 erschienenen Schriften.* New ed. for 1902-4. Hannover, 1904.

2. *Serial Publications.*

- The Common Cause. The Organ of the Women's Movement for Reform.* Weekly. Manchester.
- The Englishwoman.* Edited by Lady Frances Balfour, J. M. Strachey, Mary Lowndes, Cicely Hamilton. Monthly. London.
- The Englishwoman's Review of Social and Industrial Questions.* Quarterly. London.
- The Forerunner.* By Charlotte Perkins Gilman, author and publisher. Monthly. New York.
- The Freewoman: A Weekly Humanist Review.* Edited by Dora Marsden and Mary Gunthorpe. London.
- The Suffragette.* Organ of the Women's Social and Political Union. London.
- Anti-Suffrage Review.* Organ of the National League for Opposing Women's Suffrage. London.
- The Una; A Paper devoted to the Elevation of Woman.* Edited by Paulina Wright Davis and Caroline Healy Dall. Washington, 1853-55.
- The Vote: The Organ of the Woman's Freedom League.* Edited by C. Despard. London.
- Votes for Women.* Edited by Frederick and Emmeline Pethick Lawrence. Weekly. London.
- The Western Woman Voter.* Monthly. Seattle.
- The Woman's Journal.* 39 vols. Boston, 1870-1909.

The Woman Voter and the Newsletter. Organ of the Woman Suffrage Party and the New York State Woman Suffrage Association. Edited by Florence E. Woolston. Monthly. New York.

3. Books, Pamphlets, and Articles.

Abbott, Edith. *Women in Industry.* New York, 1909.

————— "Woman Suffrage Militant." *Independent*, LXI, 1276-78. New York, 1906.

————— "The English Working-Woman and the Franchise." *Atlantic Monthly*, CII, 193-206. Boston, 1908.

————— and Breckinridge, S. P. *The Wage-Earning Woman and the State.* Boston, 1912.

Aberdeen, Isabel, Countess of. *Women in Politics.* International Congress of Women, V. London, 1900.

————— "The International Council of Women in Congress." *Nineteenth Century*, XLVI, 18-25. London, 1899.

Acidalius, Valens. *Disputatio nova contra mulieres, qua probatur eas homines non esse.* 1595. See Gediccus.

Addams, Jane. "Votes for Women and Other Votes." *Survey*, XXVIII, 367-68. New York, 1912.

————— *Why Women Should Vote.* New York, 1912.

————— *The Modern City and the Municipal Franchise for Women.* New York, 1912.

Agrippa von Nettesheim, Heinrich Cornelius. *De nobilitate et praeclarentia foeminei sexus, libellus, cum orationibus epistolis, etc.* Coloniae, 1567. First ed., Coloniae, 1532. English translation by Henry Care. London, 1670.

Allan, James M. *The Intellectual Severance of Men and Women.* London, 1860.

Allen, Grant. "Plain Words on the Woman Question." *Fortnightly Review*, LII, 448-58. London, 1889.

————— "Woman's Place in Nature." *Forum*, VII, 258-63. New York, 1889.

Allen, W. H. *Woman's Part in Government Whether She Votes or Not.* New York, 1912.

Anthony, Susan B. "The Status of Woman, Past, Present, and Future." *Arena*, XVII, 901-908. Boston, 1897.

Anti-Suffrage Handbook. London, 1912.

Appeal to the Men of Great Britain in Behalf of Women. London, 1798.

Astell, Mary. *Serious Proposal to the Ladies.* London, 1694.

————— *Defence of the Female Sex.* London, 1696; 3d ed., 1697.

————— *Some Reflections upon Marriage.* London, 1700; 3d ed., 1706; 4th ed., 1730.

- Atkinson, Mabel. "The Feminist Movement and Eugenics." *Sociological Review*, III, 51-56. London, 1910.
- Avery, Martha M. *Woman: her Quality, her Environment, her Possibility*. Boston, 1901.
- Balfour, Arthur J. *Speech in Support of the Parliamentary Franchise Extension to Women Bill*. April 27, 1892. London, 1892.
- Balfour, Frances. "Woman Suffrage." *Westminster Review*, CLXVI, 623-25. London, 1906.
- Barrow, F. H. "The Political Responsibility of Women." *Westminster Review*, CLXX, 264-67. London, 1908.
- Bax, E. B. "Creature of Privilege." *Fortnightly Review*, XCVI, 919-33. London, 1911.
- Bayles, George J. *Woman and the Law*. New York, 1901.
- Bebel, August. *Die Frau und der Sozialismus*. 50th ed. Berlin, 1910.
- Becker, Lydia E. *Liberty, Equality, and Fraternity*. A reply to Mr. Fitzjames Stephen's Strictures on Mr. J. S. Mill's *Subjection of Women*. Manchester, 1874.
- Beecher, Catherine E. *The True Remedy for the Wrongs of Woman*. Boston, 1851.
- *Woman's Profession as Mother and Educator, with Views in Opposition to Woman Suffrage*. Philadelphia, 1872.
- Beecher, Henry Ward. *Woman's Duty to Vote*. Speech delivered, 1866. Reprinted in *Speeches of George William Curtis and Henry Ward Beecher*. New York, 1898.
- Beveridge, W. H. *John and Irene*. London, 1912.
- Billington-Greig, Teresa. "The Conservatism of Woman." *Albany Review*, I, 163-69. London, 1907.
- "Suffragist Tactics: Past and Present." *Fortnightly Review*, LXXXVIII, 65-76. London, 1907.
- "The Rebellion of Women." *Contemporary Review*, XCIV, 1-10. London, 1908.
- "The Sex-Disability and Adult Suffrage." *Fortnightly Review*, XC, 358-71. London, 1908.
- "The Government and Women's Suffrage." *Fortnightly Review*, XCIV, 890-902. London, 1910.
- "Feminism and Politics." *Contemporary Review*, C, 693-703. London, 1911.
- Blackburn, Helen. *Women's Suffrage: A Record of the Women's Suffrage Movement in the British Isles*. London, 1902.
- "Relation of Women to the State in Past Time." *National Review*, VIII, 392-99. London, 1886.

- Blake, Lillie Devereaux. *Woman's Place To-Day. Four Lectures, in Reply to the Lenten Lectures on "Woman" by the Rev. Morgan Dix.* New York, 1883.
- and Others. "Dr. Hammond's Estimate of Women." *North American Review*, CXXXVII, 495-519. New York, 1883.
- Blake, Matilda M. "Our Grandmothers and their Grandmothers." *Westminster Review*, CXXXVII, 608-17. London, 1892.
- Book of Woman's Power.* Introduction by Ida M. Tarbell. New York, 1913.
- Bowne, B. P. "Woman and Democracy." *North American Review*, CXCI, 527-36. New York, 1910.
- Branagan, Thomas. *The Excellency of the Female Character Vindicated.* New York, 1807.
- Braun, Lily. *Die Frauenfrage: Ihre geschichtliche Entwicklung und wirtschaftliche Seite.* Leipzig, 1901.
- Brownlow, J. M. E. *Women's Work in Local Government.* London, 1912.
- Bücher, Carl. *Die Frauenfrage im Mittelalter.* Tübingen, 1882.
- Buckley, J. M. *The Wrong and the Peril of Woman Suffrage.* New York, 1909.
- Butler, Josephine E. (editor). *Woman's Work and Woman's Culture.* London, 1869.
- Caird, Mona. *The Morality of Marriage.* London, 1897.
- "A Defence of the So-Called 'Wild Women'." *Nineteenth Century*, XXXI, 811-29. London, 1892.
- "Phases of Human Development." *Westminster Review*, CXLI, 162-79. London, 1894.
- "The Duel of the Sexes: A Comment." *Fortnightly Review*, LXXXIV, 109-22. London, 1905.
- "Militant Tactics and Women's Suffrage." *Westminster Review*, CLXX, 525-30. London, 1908.
- "The Lot of Women." *Westminster Review*, CLXXIV, 52-59. London, 1910.
- Cairnes, J. E. "Woman's Suffrage: A Reply [to Mr. Goldwin Smith]." *Macmillan's Magazine*, XXX, 377-88. New York, 1874.
- Carpenter, Elizabeth. "More Truth About Woman in Industry." *North American Review*, CLXXIX, 215-25. New York, 1904.
- Castberg, J. "Legal Position of Women in Norway." *Nineteenth Century*, LXXI, 372-77. London, 1912.
- Catt, Carrie C. *The Ballot and the Bullet.* New York, 1897.
- Chapman, A. B. W. "The Right to Vote." *Westminster Review*, CLXXIV, 629-36. London, 1910.

- Childs, W. M. "Woman Suffrage: A Review and a Conclusion." *Hibbert Journal*, VIII, 721-28. London and Boston, 1910.
- Christie, James J. *The Advance of Woman from the Earliest Times to the Present*. Philadelphia, 1912.
- Claffin, Tennie C. *Constitutional Equality a Right of Woman*. New York, 1871.
- Cobbe, Frances P. *Our Policy: An Address to Women Concerning the Suffrage*. New York, 1912.
- Cohn, Gustav. *Die deutsche Frauenbewegung*. Berlin, 1896.
- Colquhoun, Ethel. "Modern Feminism and Sex-Antagonism." *Quarterly Review*, July, 1913.
- Condorcet, M. J. A. N. Caritat Marquis de. *Lettres d'un bourgeois*, etc. Paris, 1787.
- "Sur l'admission des femmes au droit de cité." *Oeuvres*, X, 121-30. Paris, 1849.
- Congressional reports. See Franklin's *Bibliography*, 159-69.
- Cooke, G. W. "Social Idealism and Suffrage for Women." *Chautauquan*, LVIII, 166-83. Chautauqua, 1910.
- Cooke, Rose T. "The Real Rights of Women." *North American Review*, CXLIX, 347-54. New York, 1889.
- Coolidge, Mary Roberts. *Why Women are So*. New York, 1912.
- Cooley, Winifred Harper. *The New Womanhood*. New York, 1904.
- Creel, George, and Lindsey, Ben B. "Measuring up Equal Suffrage." *Delineator*, LXXVII, 85-86, 151-52. New York, 1911.
- Cridge, Annie D. *Man's Rights; or, How Would You Like It?* Boston, 1870.
- Crocker, Hannah. *Observations on the Real Rights of Women, with their appropriate Duties, agreeable to Scripture, Reason, and Common Sense*. Boston, 1818.
- Curtis, George William. *The Right of Suffrage*. A speech, July 19, 1867. Reprinted in *Orations and Addresses*, I, 181-213. New York, 1894.
- *Fair Play for Women*. An address, May 12, 1870. Reprinted in *Orations and Addresses*, I, 217-38. New York, 1894.
- Dall, Caroline H. *Woman's Rights under the Law*. Boston, 1861.
- Davies, Emily. *Thoughts on Some Subjects Relating to Women, 1860-1908*. New York, 1910.
- Davis, J. L. "Christianity and the Equality of the Sexes." *Contemporary Review*, XLVI, 224-34. London, 1884.
- Dawborn, C. "The French Women and the Vote." *Fortnightly Review*, XC, 328-35. London, 1911.
- Densmore, Emmet. *Sex Equality: A Solution of the Woman Problem*. London, 1907.

- Dacey, A. V. *Letters to a Friend on Votes for Women*. London, 1909.
- Dorr, Rheta Childe. *What Eight Million Women Want*. New York, 1910.
- "Breaking into the Human Race." *Hampton's Magazine*, XXVII, 317-29. New York, 1911.
- "The Women Did it in Colorado." *Hampton's Magazine*, XXVI, 426-38. New York, 1911.
- Dumoret, Marcel. "Le vote des femmes en Nouvelle-Zelande." *La Nouvelle Revue*, XXIII, 75-82. Paris, 1903.
- Dumas, Alexandre, fils. *Le femmes qui tuent et les femmes qui volent*. Paris, 1880.
- Dunbar, Olivia H. "The City's Housekeepers." *Harper's Bazar*, XIII, 594-96. New York, 1909.
- Eastman, Max. *Woman's Suffrage and Sentiment*. New York, 1909.
- "Is Woman's Suffrage Important?" *North American Review*, CXCI, 60-71. New York, 1911.
- Ebury, Lord. "Commentary on 'The Case for Woman's Suffrage.'" *National Review*, LVII, 431-35. London, 1911.
- Edson, Mrs. Charles F. "The Actual Operation of Woman's Suffrage in the Pacific Coast Cities." *National Municipal Review*, I, 620-29. Philadelphia, 1912.
- Ellis, Sarah S. *The Women of England, Their Social Duties, and Domestic Habits*. New York and London, 1839.
- Equal Sex-Privilege. *De l'égalité des deux sexes*. Paris, 1673.
- *The Excellency of Men against the Equality of the Sexes*. Paris, 1675. By the writer of the preceding.
- Erxleben, Dorothea Christine. *Gründliche Untersuchung der Ursachen, die das weibliche Geschlecht vom Studium abhalten*. Berlin, 1742.
- *Vernünfftige Gedanken vom Studiren des schönen Geschlechts*. Frankfort and Leipzig, 1749.
- Fabre, A. *Le féminisme: ses origines et son avenir*. Nimes, 1897.
- Farnham, Eliza W. *Woman and her Era*. New York, 1864.
- Fawcett, Millicent G. *Electoral Disabilities of Women*. Tavistock, 1871. Reprinted in Henry Fawcett, *Essays*. London, 1872.
- *Home and Politics*. London, n. d.
- *Woman's Suffrage: A Short History of the Great Movement*. London, 1912.
- "The Electoral Disability of Women." *Fortnightly Review*, XIII, 622-32. London, 1870.
- "Women and Representative Government." *Nineteenth Century*, XIV, 285-91. London, 1883.
- "The Women's Suffrage Bill." *Fortnightly Review*, LI, 555-67. London, 1889.

- "New Zealand under Female Franchise." *Contemporary Review*, LXV, 433-37. London, 1894.
- L. H. Courtney, and Sarah M. Sheldon Amos. "The Women's Suffrage Question." *Contemporary Review*, LXI, 761-78. London, 1892.
- Feeler, Felix. *Female Philosophy, Fished out and Fried*. Callowell, Ohio, 1895.
- Feyerabend, J. D. *De privilegiis mulierum*. Jena, 1667.
- Feyjoo Montenegro, B. G. *A Defence or Vindication of the Women*. First ed., 1726; translated, London, 1778.
- Frank, Louis. *Essai sur la condition politique de la femme*. Paris, 1892.
- Franklin, Christine Ladd. "Intuition and Reason." *The Monist*, III, 211-19. Chicago, 1893.
- Gage, Matilda E. J. *Woman as Inventor*. New York, 1879.
- *Woman, Church and State*. Chicago, 1893.
- Gamble, Eliza B. *The Evolution of Woman. An Inquiry into the Dogma of her Inferiority to Man*. New York and London, 1894.
- Gediccus, Simon. *Defensio sexus muliebris*. First ed., 1595; 2d ed., Hagae-Comitis, 1644.
- George, W. L. *Woman and Tomorrow*. New York, 1913.
- Gilliland, Mary S. "Women in the Community and in the Family." *International Journal of Ethics*, V, 28-43. Philadelphia, 1894.
- Gilman, Charlotte Perkins. *Women and Economics*. 3d ed. Boston, 1900.
- *In this our World*. Boston, 1898.
- *Human Work*. New York, 1904.
- *The Man-Made World; or, Our Androcentric Culture*. New York, 1911.
- Goodwin, Grace D. *Anti-Suffrage*. New York, 1912.
- Gore-Booth, Eva. "Women and Politics." *Nineteenth Century*, LXI, 472-76. London, 1907.
- "Women and Suffrage: A Reply to Lady Lovat and Mrs. Humphry Ward." *Nineteenth Century*, LXIV, 495-506. London, 1908.
- Grimke, Sarah M. *Letters on the Equality of the Sexes*. Boston, 1838.
- Grove, Lady Agnes. *The Human Woman*. London, 1908.
- "The Threatened Re-subjection of Woman." *Fortnightly Review*, LXXXIV, 123-28. London, 1905. Reply to Lucas Malet.
- Grossman, Edith S. "Women of New Zealand." *Empire Review*, XIV, 138-48.

- "The Woman Movement in New Zealand." *Westminster Review*, CLXX, 43-53. London, 1908.
- Hamilton, Cicely. *Marriage as a Trade*. New York, 1909.
- *A Pageant of Great Women*. New York, 1910.
- Hamilton, Gail (Mary Abigail Dodge). *New Atmosphere*. Boston, 1868.
- *Woman's Worth and Worthlessness*. New York, 1872.
- Hard, William. *The Woman of To-morrow*. New York, 1911.
- and Dorr, Rheta Childe. "Woman's Invasion." *Everybody's* XIX, 579-91, 798-810, XX, 73-85, 236-48, 372-85, 521-32. New York, 1908-9.
- Hardships of the English Laws in relation to Wives*. London, 1735.
- Harper, Ida Husted. *The Life and Work of Susan B. Anthony. A Story of the Evolution of the Status of Woman*. 3 vols. Indianapolis, 1899-1908.
- *Woman Suffrage Throughout the World*. Reprinted from the *North American Review*. New York, 1907.
- *History of the Movement for Woman Suffrage in the United States*. New York, 1907.
- "Evolution of the Woman Suffrage Movement." *World To-Day*, XIX, 1017-21. Chicago, 1910.
- "World Movement for Woman Suffrage." *Review of Reviews*, XLIV, 725-29. New York, 1911.
- Harrison, A. "Advancement of Women toward Equality with Men." *English Review*, X, 486-96. London, 1912.
- Harrison, Frederick. "The Emancipation of Women." *Fortnightly Review*, LVI, 437-52. London, 1891.
- Harrison, Jane Ellen. "Homo Sum." *Being a Letter to an Anti-Suffragist from an Anthropologist*. Reprint. New York, 1913.
- Hartmann, Edward von. *The Sexes Compared*. Trans. by A. Kenner. London and New York, 1895.
- Heape, Walter. *Sex-Antagonism*. London, 1913.
- Hecker, E. R. *Short History of Woman's Rights*. New York, 1910.
- Heinzen, K. *The Rights of Women and the Sexual Relations*. Chicago, 1898.
- Henderson, A. "Votes for Women in England." *Forum*, XLIV, 569-83. New York, 1910.
- Henry, Alice. "The Australian Woman and the Ballot." *North American Review*, CLXXXIII, 1272-79. New York, 1906.
- Heywood, Ezra H. *Uncivil Liberty: an Essay to show the Injustice and Impolicy of ruling Woman without her Consent*. Princeton, 1872.
- Higginson, Thomas W. *Woman and her Wishes*. Boston, 1853; London, 1854.

- *Common Sense about Women.* Boston, 1892.
- *Women and the Alphabet.* New York, 1900.
- Hippel, T. G. von. *Die bürgerliche Verbesserung der Weiber.* Berlin, 1792.
- *Ueber die Ehe.* 3d ed. 1792.
- Hoar, George F. *Woman's Right and the Public Welfare.* Boston, 1869.
- Houghton, B. "From Chattel to Suffragette." *Westminster Review*, CLXXIII, 400-12. London, 1910.
- Housman, Laurence. *The "Physical Force" Fallacy.* London, 1910.
- "Petticoat Government." *Contemporary Review*, No. 575, 663-72. London, 1913.
- Howard, George Elliott. *A History of Matrimonial Institutions.* 3 vols. Chicago and London, 1904.
- Howe, Frederick C. "Why I Want Woman Suffrage." *Public*, XV, 302-303. Chicago, 1912.
- Hughes, James L. "The Last Protest against Woman's Enfranchisement." *Arena*, X, 201-13. Boston, 1894. Reply to Goldwin Smith.
- Husband, Mary G. "Women as Citizens." *International Journal of Ethics*, XIX, 466-76. Philadelphia, 1909.
- Huxley, Thomas H. *Emancipation—Black and White.* London, 1870. Reprinted in *Lay Sermons, Addresses, and Reviews*, 17-23. New York, 1903.
- Ichenhaeuser, Eliza. *Die politische Gleichberechtigung der Frau.* Berlin, 1898.
- Irwin, Wallace, and Milholland, Inez. "Two Million Women Vote." *McClure's Magazine*, XL, 241-51. New York, 1913.
- Jacobi, Mary P. *Common Sense applied to Woman Suffrage.* New York, 1894.
- Johnson, Helen. *Woman and the Republic.* New York, 1897.
- Johnston, Mary. "Woman's War." *Atlantic Monthly*, CV, 559-70. Boston, 1910.
- Kelley, Florence. *Some Ethical Gains through Legislation.* New York, 1905.
- "The Invasion of the Family by Industry." *Annals*, XXXIV, 90-96. Philadelphia, 1909.
- Kenny, R. "The English Militant Movement." *English Review*, XIII, 98-108. London, 1912.
- Kenton, Edna. "The Militant Women and Women." *Century*, LXXXVII, 13-20. New York, 1913.
- Key, Ellen. *The Woman Movement.* New York, 1912.

- Kingsley, Charles. "Women and Politics." *Macmillan's Magazine*, XX, 552-61. London, 1869.
- Lacour, L. *Humanism intégral: le duel des sexes*. Paris, 1897.
- Lawes Resolutions of Women's Rights: or, The Lawes Provision for Woemen*. London, 1632.
- Lawrence, F. W. Pethick. *Women's Fight for the Vote*. London, 1911.
- Le Rossignol, J. E. "Woman's Suffrage and Municipal Politics in Colorado." *Annals*, XVIII, 162-65. Philadelphia, 1901.
- Livermore, Mary A. *What Shall We do With Our Daughters?* Boston, 1883.
- "Woman Suffrage." *North American Review*, CXLIII, 371-81. New York, 1886.
- "Cooperative Womanhood in the State." *North American Review*, CLIII, 283-95. New York, 1891.
- Lourbet, J. *Le femme devant le science contemporaine*. Paris, 1896.
- Lusk, Hugh. "Remarkable Success of Woman's Enfranchisement in New Zealand." *Forum*, XXIII, 173-83. New York, 1897.
- McCabe, Joseph. *Woman in Political Evolution*. London, 1909.
- McCarthy, Justin. *The Political Enfranchisement of Women*. London, 1890.
- "Women in English Politics." *North American Review*, CLIII, 568-79. New York, 1891.
- McIlquham, Harriet. "Mary Astell: A Seventeenth Century Advocate for Women." *Westminster Review*, CXLIX, 444-49. London, 1898.
- "Sophia: A Person of Quality. The Eighteenth Century Champion of Women's Rights." *Westminster Review*, CL, 533-47. London, 1898.
- "Some Further Eighteenth Century Advocates of Justice for Women." *Westminster Review*, CLIX, 167-79. London, 1903.
- "Woman's Suffrage in the Early Nineteenth Century." *Westminster Review*, CLX, 539-51. London, 1903.
- Malet, Lucas. "The Threatened Re-Subjection of Woman." *Fortnightly Review*, LXXXIII, 806-19. London, 1905.
- Man Superior to Woman: or, A Vindication of Man's Natural Right of Sovereign Authority over the Woman*. London, 1739. A reply to Sophia.
- Mansfield, E. D. *The Legal Rights, Liabilities, and Duties of Women*. Salem, 1845.
- Marinella, Lucretia. *La Nobilità, et l'Excellenza delle Donne, co' Difetti, e Mancamenti de gli Huomini. In due Parte Divisio*. Venetia, 1621.
- Martin, E. S. *The Unrest of Women*. New York, 1913.

- Mason, Bertha. *The Story of the Woman's Suffrage Movement*. London, 1912.
- Matthew, Arnold Harris. *Woman Suffrage*. London, 1907.
- Matthews, H. B. "The Enfranchisement of Women." *Westminster Review*, CLXXIV, 383-85. London, 1910.
- Matters, Charles H. "Woman Suffrage." *Westminster Review*, CXLIII, 534-37. Relates to Australia.
- May, Samuel J. *The Rights and Condition of Women*. Syracuse, 1853.
- Mayreder, Rosa. *A Survey of the Woman Problem*. Trans. by H. Schef-fauer. London, 1912.
- Mazzini, Guiseppe. "Duties toward the Family," in "The Duties of Man." *Life and Writings*, IV, 281-90. London, 1867. First Published, 1858.
- Mead, Lucia Ames. *What Women Might do With the Ballot: The Abolition of the War System*. New York, 1912.
- Meakin, Annette M. B. *Woman in Transition*. London, 1907.
- Mill, Mrs. John Stuart. "The Enfranchisement of Women." *Westminster Review*, LV, 289-311. London, 1851.
- Mill, John Stuart. *Representative Government*, chap. viii. New York, 1862. First published, 1860.
- *The Subjection of Women*. London, 1869.
- Morgan, Lady Sydney. *Woman and Her Master*. 2 vols. London, 1840.
- Morley, John. "Condorcet's Plea for the Citizenship of Women." *Fortnightly Review*, XIII, 719-24. London, 1870.
- Mott, Lucretia. *Discourse on Women*, Dec. 17, 1849. Philadelphia, 1850.
- Mullins, G. W. "Woman Suffrage: a New Synthesis." *Hibbert Journal*, IX, 275-95. London, 1911.
- Murby, Milicent. *The Common Sense of the Woman Question*. New York and London, 1908.
- National-American Woman Suffrage Association. *Catalogue and Price List of Suffrage Literature*. 505 Fifth Avenue, New York.
- Neal, J. A. *An Essay on the Education and Genius of the Female Sex*. Philadelphia, 1795.
- Nearing, Scott. *Woman and Social Progress*. New York, 1912.
- Norman, C. H. "Economic Criticism of Woman Suffrage." *Westminster Review*, CLXXV, 91-103. London, 1911.
- Norris, James. *Haec et Hic; or, The Feminine Gender more Worthy than the Masculine. Being a Vindication of that Ingenious and Innocent Sex from the Biting Sarcasms, Bitter Satyrs, and Opprobrious Calumnies wherewith they are daily tho undeservedly Aspersed by the Virulent Tongues and Pens of Malevolent Men*. London, 1683.

- Objections to Woman Suffrage answered by College Women.* New York, 1900.
- "On Being a Woman." *Spectator*, LXVII, 269-70. London, 1896.
- Ossoli, Margaret Fuller. *Woman in the Nineteenth Century, and Kindred Papers relating to the Sphere, Condition, and Duties of Woman.* Boston, 1874.
- Ostrogorski, M. *The Rights of Women.* London and New York, 1893.
- Overton, Gwendolen. "Woman Suffrage." *North American Review*, CXCIV, 271-81. New York, 1911.
- Pankhurst, Emmeline Sylvia. *The Suffragette. The History of the Woman's Militant Suffrage Movement, 1905-1910.* New York, 1911.
- Parker, Theodore. *The Public Function of Woman.* Boston, 1853.
- Pennell, Elizabeth R. "A Century of Women's Rights." *Fortnightly Review*, XLVIII, 408-17. London, 1890.
- Phillips, Wendell. "Woman's Rights." *Speeches, Lectures, and Letters*, I, 11-34. Boston, 1894. First published, 1851.
- "Suffrage for Women." *Speeches, Lectures, and Letters*, II, 110-27. Boston, 1894. First published, 1861.
- "Woman's Rights and Woman's Duties." *Speeches, Lectures, and Letters*, II, 128-38. Boston, 1894. Speech delivered, 1866.
- Pimenoff, Lydia L. "Science and the Woman's Question." *North American Review*, CLVI, 248-51.
- Pierstorff, Julius. *Frauenfrage und Frauenbewegung.* Göttingen, 1879.
- Plays, Equal Suffrage. See list in Franklin's *Bibliography*, 179-83.
- Potter, Frances S. *Women, Economics, and the Ballot.* New York.
- Putnam, Emily James. *The Lady: Studies of Certain Significant Phases of her History.* New York, 1910.
- Radcliffe, Mary Anne. *The Female Advocate, or an Attempt to recover the Rights of Women from Male Usurpation.* London, 1799.
- Rappaport, Philip. *Looking Forward: A Treatise on the Status of Woman and the Origin and Growth of the Family and the State.* Chicago, 1908.
- Rauschenbusch-Clough, Emma. *A Study of Mary Wollstonecraft and the Rights of Woman.* London, New York, and Bombay, 1898.
- Re-Bartlett, Lucy. *Sex and Sanctity.* London, 1912.
- *Towards Liberty.* New York.
- Reeves, Edward. "Why New Zealand Women get the Franchise." *Westminster Review*, CXLIII, 35-47. London, 1895.
- Reid, Mrs. Hugo. *A Plea for Woman.* Edinburgh, London, and Dublin, 1843.

- Rembaugh, Bertha. *Political Status of Women in the United States: A Digest of the Laws Concerning Women*. New York, 1912.
- Report of the Equal Suffrage Hearing before the Judiciary Committee of the House of Representatives, April, 1910.
- Repplier, Agnes. "The Eternal Feminine." *Varia*, 1-29. Boston, 1897.
- "The Spinster." *Compromises*, 170-84. Boston and New York, 1904.
- Ribera, Peter Paul. *The Immortal Triumphs and Heroic Enterprises of Eight Hundred and Forty-five Women*. Venice, 1609.
- Ritchie, David G. *Darwinism and Politics*, 62-75, 80-82. London, 1891.
- Richter, Helene. *Marie Wollstonecraft*. Vienna, 1897.
- Robins, Elizabeth. *Way Stations*. New York, 1913..
- "Woman's War: A Defense of Militant Suffrage." *McClure's Magazine*, XL, 41-52. New York, 1913.
- Robinson, Harriet J. *Massachusetts in the Woman Suffrage Movement*. Boston, 1881.
- Rowe, L. S., and Others. "Significance of the Suffrage Movement." *Annals*, XXXV, Supplement. Philadelphia, 1910.
- Russell, Theresa S. "Australian Women in Politics." *Public*, XV, 663-65. Chicago, 1912.
- Salter, William M. "What is the Real Emancipation of Woman?" *Atlantic Monthly*, LXXXIX, 28-35. Boston, 1902.
- Sayers, Joseph. *Women's Rights; or, A Treatise on the Inalienable Rights of Women*, etc. Cincinnati, 1855.
- Schirmacher, Kaethe. *Modern Woman's Rights Movement*. New York, 1912.
- Schreiner, Olive. *Woman and Labor*. New York, 1911.
- "The Woman Question." *Cosmopolitan*, XVIII, 45-54, 182-92. Irvington-upon-the-Hudson, 1900.
- Scott, A. M. *The Physical Force Argument against Woman Suffrage*. London, 1912.
- Seawell, Molly E. *The Ladies' Battle*. New York, 1911.
- Ségur, J. A. *Women: Their Condition and Influence in Society*. 3 vols. London, 1803.
- Selborne, Countess of. "Women who want to Vote." *National Review*, LVII, 608-13. London, 1911.
- Earl of. "The Case for Woman's Suffrage." *National Review*, LVII, 251-57. London, 1911.
- Sellers, E. "Where Women sit in Parliament" (Finland). *Nineteenth Century*, LXXII, 167-81. London, 1912.
- Sharp, Evelyn. *Rebel Women*. New York, 1910.

- Shaw, Anna. "Woman's Right to Suffrage." *American Journal of Politics*, I, 309-19. 1892.
- Shaw, G. Bernard. "The Womanly Women." *The Quintessence of Ibsenism*, 32-47. Boston, 1891.
- Smedley, Constance. "The Hedda Gabler of To-day." *Fortnightly Review*, LXXXVIII, 77-90. London, 1907.
- Smith, Goldwin. *The Place of Woman in the State*. New York, 1890.
- Smith, Sidney. *The Enfranchisement of Women and the Law of the Land*. Manchester and London, 1879.
- Smith, W. Sidney. *Outlines of the Women's Franchise Movement in New Zealand*. Wellington, Melbourne, and London, 1905.
- Snowden, Mrs. Phillip. "The Woman Suffrage Movement in Great Britain." *Chautauquan*, LVIII, 97-108. Meadville, 1910.
- Social and Political Dependence of Women*. London, 1867.
- Somerset, Lady Henry. "The Renaissance of Women." *North American Review*, CLIX, 490-97.
- Sophia. *Woman not inferior to Man: or, A short and modest Vindication of the Natural Right of the Fair-Sex to a Perfect Equality of Power, Dignity, and Esteem, with the Men*. London, 1739; 2d ed., 1740.
- *Woman's Superior Excellency over Man: or, A Reply to "Man Superior to Woman."* London, 1740.
- *Beauty's Triumph: or, the Superiority of the Fair-Sex invincibly proved.* Wherein the arguments for the natural right of man to a sovereign authority over the woman are fairly urged, and undeniably refuted; and the undoubted title of the ladies, even to a superiority over the men, both in head and heart, is clearly evinced; shewing their mind to be as much more beautiful than the men's as their bodies; and that, if they had the same advantages of education, they would excel their tyrants as much in sense as they do in virtue. In three parts. The whole interspersed with a delightful variety of characters, which some of the most celebrated *Heroes* and *Heroines* of the present time have had the goodness to sit for. London, 1751.
- "St. Paul and the Woman Movement." *Westminster Review*, CXXXI, 153-47. London, 1889.
- Spencer, Anna Garlin. "The Logical Basis for Woman Suffrage." *Annals*, XXXV, Supplement, 10-15. Philadelphia, 1910.
- "The Primitive Working Woman." *Forum*, XLVI, 546-58. New York, 1911.
- "The Drama of the Woman of Genius." *Forum*, XLVII, 34-54. New York, 1912.
- "Woman and the State." *Forum*, XLVIII, 394-408. New York, 1912.

- _____ *Woman's Share in Social Culture*. New York, 1913.
- Stanton, Elizabeth Cady. "The Worst Enemy of Woman is Woman." *Open Court*, I, 348-50. Chicago, 1887.
- Stanton, Elizabeth Cady, Anthony, Susan B., and Gage, Matilda E. J. *History of Woman Suffrage*. 4 vols. New York, 1884-87.
- Stanton, T. *The Woman Question in Europe*. New York, 1884.
- Stawell, F. Melian. "Women and Democracy." *International Journal of Ethics*, XVII, 329-36. Philadelphia, 1907.
- Stopes, Charlotte C. *British Freewomen; their Historical Privilege*. London, 1894.
- Sumner, Helen L. *Equal Suffrage. The Results of an Investigation in Colorado made for the Collegiate Equal Suffrage League of New York State*. New York, 1909.
- Tarbell, Ida M. "The American Woman." *American Magazine*, LXIX-LXX. New York, 1909.
- _____ *The Business of being a Woman*. New York, 1912.
- Teichmüller, G. *Ueber die Frauenemancipation*. Dorpat, 1877.
- Thomas, M. Carey. *A New-Fashioned Argument for Woman Suffrage*. New York, 1911.
- Thomas, W. I. *Sex and Society*. Chicago, 1907.
- _____ "The Mind of Woman and the Lower Races." *American Journal of Sociology*, XII, 435-69. Chicago, 1907.
- _____ "The Mind of Woman." *American Magazine*, LXVII, 146-52. New York, 1908.
- _____ "The Adventitious Character of Woman." *American Magazine*, LXVI, 529-30. New York, 1908.
- _____ "The Psychology of Woman's Dress." *American Magazine*, LXVII, 66-72. New York, 1908.
- _____ "Votes for Women." *American Magazine*, LXVIII, 292-311. New York, 1909.
- _____ "Woman and the Occupations." *American Magazine*, LXVIII, 463-70. New York, 1909.
- Thompson, Helen. *The Mental Traits of Sex*. Chicago, 1903.
- Tilton, Theodore. *The Rights of Women*. New York, 1871.
- Todd, John. *Woman's Rights*. Boston, 1867.
- Turnbull, H. G. "The Girl and the Vote." *Westminster Review*, CLXXII, 263-66. London, 1909.
- Turner, Edward R. "The Women's Suffrage Movement in England." *American Political Science Review*, VII, 588-609. Baltimore, 1913.
- Twycross, Nora. "Woman and War." *Westminster Review*, CLIV, 30-32. London, 1900.

- Van Slyke, Lucile B. *Eve's Other Children*. New York, 1913.
- Villiers, Brougham (editor). *The Case for Women's Suffrage*. Many contributions. London, 1907.
- "Votes for Women and Votes to table the Hartford Vice Report." *Survey*, XXXI, 73-74. New York, 1913.
- Walsh, W. *A Dialogue Concerning Women, Being a Defence of the Sex*. London, 1691.
- Winsor, Mary. "The Practical Workings of Woman Suffrage in Colorado Municipalities." Conference for Good City Government, 1910, *Proceedings*, 317-27.
- Wollstonecraft, Mary. *Thoughts on the Education of Daughters*. London, 1787.
- . *Vindication of the Rights of Women*. London, 1792; new ed., 1890.
- Woman. *An Essay on the Learning, Genius, and Abilities of the Fair Sex, proving them not Inferior to Men*. 1774.
- Women's Influence. *De l'influence des femmes dans l'ordre civil et politique*. Eleutheropolis, 1789.
- Woman's Rights Almanac for 1858*. Worcester, 1857.
- Women's Rights as Preached by Women Past and Present*. London, 1881.
- Woman Question*. Papers reprinted from the *Examiner*. London, 1872.
- Woman with Empty Hands*. By a Prominent Suffragette. New York, 1913.
- Woodward, Emma H. *Men, Women, and Progress*. London, 1885.
- Zangvill, Israel. "The Militant Woman." *Metropolitan*, November, 1913.
- Zimmern, Alice. *Women's Suffrage in Many Lands*.

V. MOTHER AND INFANT WELFARE, CHILD WELFARE, AND THE FAMILY AS INFLUENCED BY INDUSTRY.

1. Bibliographies.

- "Books on Child Care and Training." *The Child in the City*, 75-81. Chicago, 1911.
- Bullock, Edna D. *Selected Articles on Child Labor*, pp. vii-xx. Minneapolis, 1911.
- Child Welfare. A List of Books and References to Periodicals in the Chicago Public Library*. Chicago, 1911.
- Harvard University. *A Guide to Readings in Social Ethics and Allied Subjects*. Cambridge, 1910.
- Library of Congress. *List of Books (with References to Periodicals) relating to Child Labor*. Washington, 1906.
- Mangold, George B. *Child Problems*, 364-74. New York, 1910.

Wood, Thomas D., and Reesor, Mary. *A Bibliography on Educational Hygiene and Physical Education*. New York, 1911.

2. Books, Pamphlets, and Articles.

Adams, Myron E. "Children in American Steel Trades." *Annals*, XXV, 437-58. Philadelphia, 1905.

Adams, Samuel H. "Patent Medicines under the Pure Food Law." *Collier's*, XXXIX, 11-12. New York, 1907.

Adams, T. S., and Sumner, Helen L. *Labor Problems. A Text Book*. New York and London, 1905.

Addams, Jane. *Democracy and Social Ethics*. New York, 1902.

————— *Newer Ideals of Peace*. New York, 1907.

————— *The Spirit of Youth and the City Streets*. New York, 1909.

————— "Child Labor and Pauperism." National Conference of Charities and Corrections, *Proceedings*, 1903.

————— "The Modern Lear." *Survey*, XXIX, 131-37. New York, 1912.

Allen, W. H. *Civics and Health*. Boston, 1909.

"Analysis of Pension Laws [for Widows]." *Survey*, XXX, 450-51. New York, 1913.

Anderson, Neal L. "Child Labor Legislation in the South." *Annals*, XXV, 491-507. Philadelphia, 1905.

Bailey, William B. *Modern Social Conditions*. New York, 1906.

Barnesby, Norman. *The Mother and the Child*. New York, 1913.

Barnett, Mary G. *Young Delinquents*. New York, 1913.

Beauvallet. *Etudes historique sur la patri a potestas, considerée dans ses effets sur la personne et les biens de l'enfant*. Paris, 1908.

Beveridge, Albert J. "Child Labor and the Constitution." National Conference of Charities and Corrections, *Proceedings*, 1907.

Bogardus, Emory Stephen. *An Introduction to Social Science. A Text-book Outline*. University of Southern California. Los Angeles, 1913.

Bonjean, Georges. *Enfants révoltés et parents coupables*. Paris, 1895.

Bray, Reginald. *The Town Child*. London, 1907.

Breckinridge, Sophonisba P. (editor). *The Child in the City*. Papers read at the Child Welfare Exhibit, 1911. Chicago, 1912.

————— and Abbott, Edith. *The Delinquent Child and the Home*. New York, 1912.

Brewer, Franklin N. "Child Labor in the Department Store." *Annals*, XX, 167-77. Philadelphia, 1902.

Bridgwater, T. R. "The Child Criminal." *Sociological Review*, I, 178-82. London, 1908.

- Brownell, J. L. "The Significance of a Decreasing Birth-Rate." *Annals*, V, 48-89. Philadelphia, 1895.
- Bruere, R. W. "Physiological Age and Child Labor." *N. E. A.*, 1903.
- Butterfield, K. L. "Rural Life and the Family." American Sociological Society, *Publications*, III, 106-14. Chicago and New York, 1909.
- Butterfield, Virginia M. *Parental Rights and Economic Wrongs*. Chicago, 1907.
- Byington, M. F. "The Family in a Typical Mill Town." American Sociological Society, *Publications*, III, 73-84. Chicago and New York, 1909.
- Carlton, F. T. *The History and Problems of Organized Labor*. Boston, 1911.
- Carstens, C. C. "Public Pensions to Widows with Children." *Survey*, XXIX, 459-66. New York, 1913.
- Carns, P. *Our Children*. 1906.
- Chamberlain, Alexander F. *The Child and Childhood in Folk-Thought*. New York, 1896.
- Chapin, R. C. *Standard of Living among Workingmen's Families in New York City*. New York, 1909.
- "Influence of Income on Standards of Living." American Sociological Society, *Publications*, III, 63-72. Chicago and New York, 1909.
- Chevillet. *Les enfants assistés à travers l'histoire*. Paris, 1903.
- Child Conference for Research and Welfare. *Proceedings*, 1909, 1910.
- Child in the City, The. *Handbook of the Child Welfare Exhibit*. Chicago, 1911.
- Child Labor. "Addresses at the Annual Meeting of the National Child Labor Committee," and the "Proceedings" of the same meeting. *Annals*, XXV, No. 3. Philadelphia, 1905.
- National Conference of Charities and Corrections. *Proceedings* of the Annual Meetings. Many papers on child-saving.
- United States Bureau of Labor. *Bulletins*, Nos. 4, 52, 59, 62, 73, 80, 89, 93, 96; *Annual Reports*.
- Symposiums in *Annals*, XX (1902), XXV (1905), XXVII (1906), XXIX (1907), XXXII (1908), XXXIII (1909), XXXV (1909).
- Chittenden, Russel H. *The Nutrition of Man*. New York, 1907.
- Chollet. *Des limitations de la puissance paternelle sur la personne de l'enfant*. Paris, 1897.
- Clark, Victor S. "Woman and Child Wage-Earners in Great Britain." U. S. Bureau of Labor, *Bulletin*, No. 80. Washington, 1909.
- Clopper, Edward H. *Child Labor in City Streets*. New York, 1912.

- Commons, John R. *Trade Unionism and Labor Problems*. Boston, 1905.
- *Races and Immigrants in America*. New York and London, 1907.
- "Conditions under which Children leave School to go to Work." *Woman and Child Wage-Earners*, VII. Washington, 1910.
- Cooley, Charles H. *Human Nature and the Social Order*. New York, 1902. Discusses growth of child's personality.
- *Social Organization*. New York, 1909.
- Cooper, E. H. *The Twentieth Century Child*. London and New York, 1905.
- Corre, A. *La mere et l'enfant dans les races humaine*. Paris, 1882.
- Crackanthorpe, M. *Population and Progress*. London, 1907.
- Davies, C. R. "Alcohol and Parentage." *Survey*, XXX, 737-38. New York, 1913.
- Dawson, George E. *The Right of the Child to be Well Born*. New York and London, 1912.
- De Forest, R. W., and Veiller, L. (editors). *Tenement House Problem*. 2 vols. New York, 1903.
- Devine, Edward T. "The Waste of Infant Life." *Survey*, XXIII, 314-20. New York, 1909.
- "Results of the Pittsburg Survey." *American Sociological Society, Publications*, III, 89-92. Chicago and New York, 1909.
- "Pensions for Mothers." *Survey*, XXX, 457-60. New York, 1913.
- "Pensions for Mothers." *American Labor Legislation Review*, III, June, 1913.
- Draper, Andrew S. *Conserving Childhood*. Reprinted from 5th Annual Conference on Child Labor, in *Annals*, March, 1909.
- Duprat, G. L. *La criminalité dans l'adolescence*.
- Eastman, C. E. *Indian Boyhood*. New York, 1902.
- Ely, Richard T. *Studies in the Evolution of Industrial Society*. New York, 1903.
- Engel, Sigmund. *Elements of Child Protection*. New York, 1912.
- Epstein, A. "Ueber Kinderschutz und Volksvermehrung." *Zeitschrift für Volkswirtschaft, Socialpolitik, und Verwaltung*, 1910, Hefte, 1. 2.
- Evans, W. A. *The Health of the Child the Joint Concern of the Parent and Teacher*. Reprinted from the *Proceedings* of the N. E. A., 1911.
- Falconer, Martha P. "Causes of Delinquency among Girls." *Annals*, XXXVI, 77-79. Philadelphia, 1910.
- Fischer, A. "Mutterschaftsversicherung in Deutschland and Oester-

reich." *Zeitschrift für Volkswirtschaft, Socialpolitik, und Verwaltung*, 1910, Hefte 1. 2.

Fisher, Irving. *Report on National Vitality*. Washington, 1909.

——— "Public Responsibility for Health of Infants and Children." *Pedagogical Seminar*, XVI, 395-402. 1909.

Fiske, John. *The Meaning of Infancy*. Boston and New York, 1909.

Flexner, Bernard. "The Juvenile Court—Its Legal History." *Annals*, XXXVI, 49-59. Philadelphia, 1910.

Forbush, William B. *Boy Problem*. Boston, 1901-2.

——— *The Coming Generation*. New York and London, 1912.

Frankel, L. K., and Dawson, M. M. *Workingmen's Insurance in Europe*. New York, 1910.

French, Willard. "Child Labor, Compulsory Education, and Race-Suicide." *Arena*, XXXVI, 35-37. Boston, 1906.

Gastambide, M. *L'enfant devant la famille et l'état*. Paris, 1902.

George, W. R. *The Junior Republic*. New York, 1910.

——— and Stowe, L. B. *Citizens Made and Remade*. Boston and New York, 1912.

Gibb, Spencer. *The Boy and His Work*. London, 1912.

——— *The Problem of Boy Work*. London, 1906.

Gilman, Charlotte P. *Concerning Children*. Boston, 1900.

Göhre, Paul. *Drei Monate Fabrikarbeiter*. Leipzig, 1891.

Goldmark, Josephine. "Child Labor Legislation." *Handbook*, 1908. Supplement to *Annals*, May, 1908.

——— "Labor Laws for Women." *Survey*, XXIX, 552-55. New York, 1913.

Gorst, Sir John E. *The Children of the Nation*. 2d ed. London, 1907.

Gould, George M. "The Valley of the Shadow of Death. The Significance of Mortality Statistics." *Survey*, XXIV, 723-28. New York, 1910.

Graffenried, Clare de. "Child Labor." American Economic Association, *Publications*, V, 195-271. 1890.

Great Britain. Board of Trade. *Report on Cost of Living in American Towns*. London, 1911.

Gunckel, John. *Boyville*. Toledo, 1909.

Haacke, H. "Die Ehelosen, eine bevölkerungs und socialistische Betrachtung." *Jahrbücher für Nationalökonomie und Statistik*, July, 1911.

Hall, G. Stanley. *Adolescence*. 2 vols. New York, 1904.

Hammond, J. L. and Barbara. *The Village Laborer, 1760-1832*. New York and London, 1912.

Hard, William. "The Moral Necessity of State Funds for Mothers." *Survey*, XXIX, 769-73. New York, 1913.

- Hart, H. H. "Distinguishing Features of the Juvenile Court." *Annals*, XXXVI, 57-60. Philadelphia, 1910.
- *Preventive Treatment of Neglected Children.*
- Heath, Llewellyn. *The Infant, the Parent, and the State.* London, 1907.
- Henderson, Charles R. *Preventive Agencies and Methods.*
- "Social Cost of Accident, Ignorance, and Exhaustion." *Annals*, XXXII, Supplement. Philadelphia, 1908.
- "Are Modern Industry and City Life unfavorable to the Family?" *American Sociological Society, Publications*, III, 93-105; or the same in *American Journal of Sociology*, XIV, 668-80. Chicago and New York, 1909.
- "Infant Welfare." *American Journal of Sociology*, XVII, 289-302, 458-77. Chicago and New York, 1911-12.
- Hoar, George F. *A Boy Sixty Years Ago.* Boston, 1898.
- Hobson, J. A. *Evolution of Modern Capitalism.* London, 1904.
- Hoffman, F. L. "The Social and Medical Aspects of Child Labor." National Conference of Charities and Corrections, *Proceedings*, 1903.
- Holmes, Arthur. *The Conservation of the Child.* Philadelphia, 1913.
- Holmes, George K. "How far Should Family Wealth be encouraged and Conserved?" *American Journal of Sociology*, XIV, 823-36. Chicago and New York, 1909.
- Hunter, Robert. *Poverty.* New York, 1904.
- *Socialists at Work.* New York, 1908.
- "The Social Significance of Underfed Children." *International Quarterly*, XII, 330-49. New York, 1906.
- Hutchinson, W. "Overworked Children." *Fifth Annual Conference on Child Labor*, 1909, 120-.
- "Infant Mortality." A Symposium. *Annals*, XXXI. Philadelphia, 1908.
- "Infant Mortality and its Relation to the Employment of Mothers." *Woman and Child Wage-Earners*, XIII. Washington, 1912.
- International Congress for the Welfare and Protection of Children. *Legislation in Regard to Children.* Westminster, 1906.
- Isaacson, Edward. *The Malthusian Limit.* London, 1912.
- Juvenile Court. A Symposium by Bernard Flexner, Julian W. Mack, Harvey H. Baker, Ben B. Lindsey, Henry W. Thurston, Homer Folks, and Victor von Barosini. *Survey*, XXIII, 607-78. New York, 1910.
- Juvenile Court of Denver. *Report on the Problem of the Children and How the State of Colorado Cares for Them.* Denver, 1904.
- "Juvenile Delinquency and its Relation to Employment." *Woman and Child Wage-Earners*, VIII. Washington, 1911.

- Kelley, Florence. *Some Ethical Gains through Legislation*. New York, 1905.
- and Others. "Child Labor." A symposium. *Annals*, XX, 151-220. Philadelphia, 1902.
- "Child Labor Laws." National Conference of Charities and Corrections, 1904.
- "Moral Dangers of Premature Employment." *Ibid.*, 1906.
- "The Invasion of the Family by Industry." *Annals*, XXXIV, 90-96. Philadelphia, 1909.
- Key, Ellen. *The Century of the Child*. New York, 1909.
- "Motherliness." *Atlantic Monthly*, CX, 562-70. Boston, 1912.
- Kidd, Dudley. *Savage Childhood*. London, 1906.
- Kingsley, S. C., and Others. "Public Pensions for Mothers." *N. C. C.*, 1912, 468-98.
- Kittridge, Mabel H. "Housekeeping Centers in Settlements and Schools." *Survey*, XXX, 188-92. New York, 1913.
- Kober, G. M. "Industrial Hygiene." Bureau of Labor. *Bulletin*, No. 75. Washington, 1908.
- Kropotkin, Prince Peter. *The Conquest of Bread*. New York, 1907.
- Lane-Clayton, J. E. "Waste of Infant Life." *Nineteenth Century*, LXV, 48-64. London, 1909.
- Leake, Albert H. *Industrial Education*. Boston, 1913.
- Leupp, Constance D. "Campaigning for Babies' Lives." *McClure's Magazine*, XXXIX, 361-73. New York, 1912.
- Levasseur, P. E. *The American Workman*. Baltimore, 1900.
- Lindsay, S. M. "Child Labor." *Woman's Home Companion*, February, 1907.
- "Committee Report on Child Labor." National Conference of Charities and Corrections, 1906.
- Lindsey, Ben B. "The Mother's Compensation Law in Colorado." *Survey*, XXIX, 714-16. New York, 1913.
- Lovejoy, Owen R. "Child Labor and Philanthropy." National Conference of Charities and Corrections, 1907.
- "The Child in Industry." Reprinted from *Proceedings of N. E. A.*, 1909.
- "Uniform Child Labor Law." Draft act proposed by the U. S. Commissioners on Uniform Laws, 1911. New York, 1911.
- McCormick, William. *The Boy and his Clubs*. New York, 1912.
- McCracken, Elizabeth. *The American Child*. Boston and New York, 1913.
- McCracken, L. A. "Infant Mortality." *Economic Review (Br.)*, XVII, 177-88. London, 1907.

- McCulloch, Catherine W. *Mr. Lex, or the Legal Status of Mother and Child*. Published by the National-American Woman Suffrage Association. New York.
- McKeever, William A. *Training the Boy*. New York, 1913.
- McKelway, A. J. "Child Labor in Southern Industry." *Annals*, XXV, 430-36. Philadelphia, 1905.
- _____ "The Cotton Mill: the Herod among Industries." Seventh Annual Conference on Child Labor, *Proceedings*, in *Annals*, July, 1911.
- _____ "Child Labor in Southern Cotton Mills." *Annals*, XXVII, 259-69. Philadelphia, 1906.
- _____ and Others. "Child Labor." A Symposium. *Annals*, XXVII, 259-399. Philadelphia, 1906.
- Mangold, George B. *Child Problems*. New York, 1910.
- _____ "The Waste of Children." *Popular Science Monthly*, LXX, 549-56. New York, 1907.
- Markham, Edwin. "The Hoe-man in the Making." *Cosmopolitan*, XLI, 480-87, 567-74. New York, 1906.
- Merrill, Lilburn. *Winning the Boy*. New York, 1908.
- Metchnikoff, Elie. *Prolongation of Life*. New York and London, 1908.
- Milhaud, Léon. *De la protection des enfants sans famille*. Paris, 1896.
- Miner, Maude E. "Probation Work for Women." *Annals*, XXXVI, 27-36. Philadelphia, 1910.
- Mitchell, John. *Organized Labor*. 1903.
- More, L. B. *Wage Earners' Budgets*. New York, 1907.
- Morillot, Léon. *De la condition des enfants nés hors mariage en Europe et spécialement en France, dans l'antiquité, au moyen age et de nos jours*. Paris, 1865.
- Morrison, Douglas. *Juvenile Offenders*. London.
- Mosby, Thomas S. "The Problem of Child Idleness." *North American Review*, CLXXXV, 515-17. New York, 1907.
- Murphy, E. G. *Problems of the Present South*. New York, 1904.
- National Child Labor Committee. "Addresses at Annual Meeting, 1905." Many papers by experts. *Annals*, XXV, 417-584. Philadelphia, 1905.
- _____ *Child Labor, A Menace to Industry, Education, and Good Citizenship*. 1906.
- _____ *Child Labor and the Republic*. 1907.
- _____ "Child Labor and Social Progress." A Symposium by many writers. *Proceedings of Annual Meeting, 1908*. *Annals*, XXXII, Supplement. Philadelphia, 1908.
- _____ "The Child Workers of the Nation." A Symposium by

many experts. *Proceedings of Fifth Annual Meeting. Annals, XXXIII, Supplement. Philadelphia, 1909.*

————— "Child Employing Industries." A Symposium by many experts. *Proceedings of Sixth Annual Meeting. Annals, XXXV, Supplement. Philadelphia, 1910.*

National Conference of Charities and Corrections. *Proceedings. Boston, 1877-1913.* These volumes, notably the last twenty, have much matter on child labor, needy families, juvenile court, delinquents, and like topics.

National Congress of Mothers. *Proceedings.*

Nearing, Scott. *Wages in the United States. New York, 1911.*

Newman, George. *Infant Mortality. New York, 1906.*

Nicholson, J. S. *Effects of Machinery on Wages. London, 1892.*

Noblat, A. de Metz. "Le problème de la population." *La reforme sociale, June 1, 1913.*

Ogburn, W. F. *Progress and Uniformity in Child Labor Legislation. Columbia University. New York, 1912.*

Oliver, Thomas. *Diseases of Industry. 1908.*

Oppenheim, Nathan. *The Development of the Child. New York, 1902.*

Otey, Elizabeth. "The Beginnings of Child Labor Legislation." *Woman and Child Wage-Earners, VI. Washington, 1910.*

Paterfamilias. "Race Suicide and Common Sense." *North American Review, CLXXVI, 894-900. New York, 1903.*

Phelps, E. B. "A Statistical View of Infant Mortality." *American Statistical Association, XI, No. 83, Sept., 1908.*

Potthoff, H. "Mutterschutz und Hinterbliebenenversicherung." *Neue Generation, IV, 132. 1911.*

Pratt, E. E. "Child Labor: A Practical Statement." *Arena, XXXVII, 613-19. Boston, 1907.*

Puffer, J. A. *The Boy and his Gang. Boston and New York, 1912.*

Rade. *Die sittlichreligiöse Gedankenwelt unserer Industriearbeiter.*

Randall, C. D., and Ellison, T. E. "Child-Saving under State Supervision." *National Conference of Charities and Corrections, 1901, 224-33.*

Report of Interdepartmental Committee on Physical Deterioration. London, 1904.

Reports of State Bureaus of Factory Inspection and of Commissioners of Labor, especially for Pennsylvania and New York.

Richmond, Mary E. "Motherhood and Pension." *Survey, XXIX, 774-80. New York, 1913.*

Riis, Jacob A. *The Children of the Poor. New York, 1892.*

————— *The Peril and the Preservation of the Home. Philadelphia, 1903.*

- Roberts, Peter. *Anthracite Coal Industry*. New York and London, 1901.
- . *Anthracite Coal Communities*. New York, 1904.
- Rochester, Anna. "The Battle Lines of Child Labor Legislation." *Survey*, XXX, 86-88. New York, 1913.
- Roosevelt, Theodore. "The Conservation of Childhood." *Annals*, XXXVII, July, 1911, Supplement, 8-13. Philadelphia, 1911.
- Ross, E. A. "Western Civilization and the Birth Rate." *American Sociological Society, Publications*, I, 29-54; or the same in *American Journal of Sociology*, XII, 607-32. Chicago and New York, 1907.
- Rossiter, W. S. "The Significance of the Decreasing Proportion of Children." *Annals*, XXXIV, 71-80. Philadelphia, 1909.
- Rowntree, B. S. *A Study of Town Life*. London, 1901.
- Ryan, J. A. *A Living Wage*. New York and London, 1906.
- Scott, Laura. *Child Labor. Summary of Laws in Force, 1910*. New York, 1910.
- Sewall, Hannah R. "Child Labor in the United States." *Bureau of Labor Bulletin*, No. 9, 485-637. Washington, 1904.
- Smith, Constance. *The Care for Wage Boards*. 1908.
- Smith, Hoke. "Child Labor and Illiteracy." *N. C. C. C.*, 1903.
- Spahr, C. B. *American Working People*. New York, 1900.
- Spargo, John. *The Bitter Cry of the Children*. New York, 1906.
- . *The Common Sense of the Milk Question*. New York, 1908.
- Sprigge, S. S. "Mating and Medicine." *Contemporary Review*, XCVI, 578-87. London, 1909.
- Stead, W. T. "Two Moulders of Modern British Policy." *American Review of Reviews*, Jan., 1912.
- Stelzle, Charles. *The Boy of the Street*. New York, 1904.
- Stewart. *Disintegration of the Families of the Workingmen*. 1893.
- Stewart, A. H. *American Bad Boys in the Making*. New York, 1912.
- St. John, Captain. "The Community and its Children: their Cooperation in their Own Training." *Sociological Review*, V, 125-51 (with discussion). London, 1912.
- Streightoff, F. H. *Standard of Living*. Boston, 1911.
- Sweating System. *Report of the Committee on:* in First Report of the Select Committee of the House of Lords, Session of 1888. 5 vols. London, 1888.
- . *Report on the Investigation of:* in the Report of the House Committee especially appointed by the 52d Congress, 2d Session.
- Swift, E. J. *Youth and the Race*. New York, 1912.
- Tenement House Commission, 1900. *Report:* in De Forest and Veiller, *Tenement House Problem*, Appendix I.

- Thompson, H. T. "Effects of Industrialism upon Political and Social Ideas." *Annals*, XXXV, 134-42. Philadelphia, 1910.
- Todd, Helen M. "Why Children Work. The Children's Answer." *McClure's Magazine*, XL, 68-79. New York, 1913.
- Tourgee, A. W. "The Reversal of Malthus." *American Journal of Sociology*, II, 13-24. Chicago, 1896-7.
- United States. Bureau of Labor. *The Slums of Baltimore, Chicago, New York, and Philadelphia*. Washington, 1894.
- Bureau of Labor. *Cost of Living and Retail Prices of Food*. Eighteenth Annual Report. Washington, 1904.
- Bureau of Labor. "Child Labor in the United States." *Bulletin*, No. 52. Washington, 1904.
- Ussher, R. *Neo-Malthusianism. An Enquiry into that System with Regard to its Economy and Morality*. London, 1898.
- Van Kleec, Mary. "Child Labor in New York City Tenements." *Charities and the Commons*, XIX, 1405-20. New York, 1908.
- "Working Conditions in New York Department Stores." *Survey*, XXXI, 50-51. New York, 1913.
- Van Vorst, Bessie. *The Cry of the Children; a Study of Child Labor*. 1908.
- Veblen, Thorstein. *The Theory of the Leisure Class*. New York and London, 1899.
- Voron, E. "Les tribunaux pour enfants." *Revue catholique des institutions et du droit*, June, 1913.
- Wayne, K. H. *Building Your Boy, How to do it, How not to do it*. 1910.
- *Building the Young Man*. Chicago, 1912.
- Webb, Sidney, and Webb, Beatrice. *Problems of Industry*. London, 1898, 1902.
- Wells, H. G. *Mankind in the Making*. 1904.
- *New Worlds for Old*. New York, 1908.
- *Socialism and the Family*. New York, 1906.
- *First and Last Things*. New York, 1908.
- Widows Pension. "The Massachusetts Report on the Relief for Widows." *Survey*, XXX, 134-36. New York, 1913.
- "Widows Pensions in Massachusetts." *Survey*, XXX, 132-33. New York, 1913.
- Wilkin, Robert J. "The Responsibility of Parenthood." *Annals*, XXXVI, 64-70. Philadelphia, 1910.
- Willcox, Walter F. "Change in the Proportion of Children in the United

- States and in the Birth Rate in France." American Statistical Association, No. 93, pp. 490-.
- Willcox, W. R. "Women in the New York Department Stores." Reply to Van Kleeck. *Survey*, XXXI, 181-83. New York, 1913.
- Willoughby, W. F. "Child Labor." American Economic Association, *Publications*, V, 129-271. Baltimore, 1890.
- Wood, Walter. *Children's Play and its Place in Education*. London, 1913.
- Woods, Robert A., and Kennedy, Albert J. *Young Working Girls*. Boston, 1913.
- Woodward, S. W. "A Business Man's View of Child Labor." *Annals*, XXVII, 361-63. Philadelphia, 1906.
- Woolley, Helen T. "Charting Childhood in Cincinnati." *Survey*, XXX, 601-606. New York, 1913.
- Worcester, W. F., and D. W. "Family Budgets of Typical Cotton-Mill Workers." *Woman and Child Wage-Earners*, XVI. Washington, 1911.
- Wright, Carroll D. *The Battles of Labor*. Philadelphia, 1906.

VI. EUTHENICS, EUGENICS, AND HEREDITY.

1. Bibliographies.

- Davenport, C. B. *Heredity in Relation to Eugenics*, 273-87.
- Ward, Lester F. *Applied Sociology*, 341-66. Select literature of heredity and potential genius.

2. Periodicals.

- Eugenics Review*. London.
- Sociological Review*. London.

3. Books, Pamphlets, and Articles.

- Allen, Grant. "Genesis of Genius." *Atlantic*, XLVII, 371-81. Boston, 1881.
- Baker, La Reine Helen. *Race Improvement or Eugenics*. New York, 1912.
- Bateson, William. *The Methods and the Scope of Genetics*. New York, 1908.
- *Biological Fact and the Structure of Society*. Oxford, 1912.
- *Problems of Genetics*. New Haven, 1913.
- Boas, Franz. *The Mind of Primitive Man*. New York, 1911.
- "Einfluss von Erblichkeit und Umwelt auf das Wachstum." *Zeitschrift für Ethnologie*, XLV, Heft 3, 1913.
- Bobbitt, J. F. "Practical Eugenics." *Pedagogical Seminar*, XVI, 385-94. Worcester, 1909.

- Clarke-Nuttall, G. "Mendel and his Theory of Heredity." *Fortnightly Review*, LXXXIX, 528-38. London, 1908.
- Cole, L. J. "Relation of Eugenics to Euthenics." *Popular Science Monthly*, LXXXI, 475-82. New York, 1912.
- Cooley, Charles H. "Genius, Fame, and the Comparison of Races." *Annals*, IX, 317-58. Philadelphia, 1897.
- Coulter, J. M.; Castle, W. E.; Tower, W. L.; and Davenport, C. B. *Heredity and Eugenics*. Chicago, 1912.
- Crackanthorpe, M. "Friends and Foes of Eugenics." *Fortnightly Review*, XCVIII, 740-48. London, 1912.
- Darbishire, A. D. *Breeding and the Mendelian Discovery*. London, 1911.
- Davenport, C. B. *Eugenics*. New York, 1910.
- *Heredity in its Relation to Eugenics*. New York, 1911.
- "Influence of Heredity on Human Society." *Annals*, XXXIV, 16-21. Philadelphia, 1909.
- "Euthenics and Eugenics." *Popular Science Monthly*, LXXVIII, 16-20. New York, 1911.
- Dawson, George E. *The Control of Life through Environment*. London, 1911.
- Doncaster, L. *Heredity in the Light of Recent Research*. London, 1911.
- Dugdale, Robert L. *The Jukes. A Study in Crime, Pauperism, Disease, and Heredity*. 4th ed. New York and London, 1910.
- Eaton, Amey B. "The Eugenics Movement." *Survey*, XXIX, 242-44. New York, 1912.
- Ellis, Havelock. *A Study of British Genius*. London, 1904.
- "New Social Hygiene." *Yale Review*, n. s., I, 364-75. New Haven, 1912.
- "Eugenics and Genius." *Contemporary Review*, CIV, 519-27. London, 1913.
- Escott, T. H. S. "Heredity as a Social Force." *Fortnightly Review*, LXX, 115-26. London, 1898.
- "Eugenics supported by the Church." *Current Literature*, LII, 564-66. New York, 1912.
- Ewart, C. T. "Religion and Eugenics." *Westminster Review*, CLXXVIII, 381-89. London, 1912.
- Férét, Charles. *La famille névropathique; théorie tératologique de l'hérédité et de la prédisposition morbide, et de la dégénérescence*. 2d ed. Paris, 1898.
- Finot, J. *Race Prejudice*. New York, 1907.
- Fiske, John. "Sociology and Hero-Worship." *Atlantic*, XLVII, 75-84. Boston, 1881.

- Frost, Walter A. "A Race of Human Thoroughbreds. An Authorized Interview with Alexander Graham Bell." *World's Work*, XXVII, 176-82. New York, 1913.
- Galton, Francis. *Inquiry into Human Faculty and its Development*. London, 1883.
- *Hereditary Genius*. London, 1869, 1892.
- *Natural Inheritance*. London, 1889.
- "Probability the Foundation of Eugenics." *Popular Science Monthly*, LXXI, 165-78. New York, 1907.
- "Eugenics." *American Journal of Sociology*, X, 11-25. Chicago, 1904-5.
- "Possible Improvement of the Human Breed." *Smithsonian Institution, Report*, 1901, 523-38. Washington, 1902.
- and Schuster, Edgar. *Noteworthy Families*. London, 1907.
- "Eugenics: Its Definition, Scope, and Aims." *Sociological Papers*, I, 45-79. London, 1905'.
- "Studies in Eugenics." *American Journal of Sociology*, XI, 11-25. Chicago, 1905.
- "Eugenics as a Factor in Religion." *Sociological Papers*, II, 52-53. London, 1906.
- "Restrictions in Marriage." *Sociological Papers*, II, 1-13. London, 1906.
- "Studies in National Eugenics." *Sociological Papers*, II, 14-51. London, 1906.
- Goddard, H. H. *The Kallikak Family. A Study in the Heredity of Feeble-Mindedness*. New York, 1912.
- "Heredity and Feeble-Mindedness." *American Breeders Magazine*, 1910, I.
- Gulick, S. L. *Evolution of the Japanese*. 1903.
- Hall, W. S. *The Biology, Physiology, and Sociology of Reproduction*. Chicago, 1908.
- *Reproduction and Sexual Hygiene*. New York, 1908.
- *From Youth into Manhood*. New York, 1909.
- Harris, J. "Unfit for Parentage." *Westminster Review*, CLXXVII, 579-81. London, 1912.
- Hart, Berry. *Phases of Evolution and Heredity*. London, 1911.
- Hartog, Marcus. "The Transmission of Acquired Characters." *Contemporary Review*, XCIV, 635-40. London, 1908.
- Haycraft, J. B. *Darwinism and Race Progress*. New York, 1895.
- Herbert, S. *First Principles of Heredity*. London, 1911.
- "Eugenics in Relation to Social Reform." *Westminster Review*, CLXXX, 377-86. London, 1913.

- Herter, C. A. *Biological Aspects of Social Problems*. 1911.
- Higgins, Hubert. *Humaniculture*. New York, 1906.
- Hill, George C. *Heredity and Selection in Sociology*. London, 1907.
- Hobhouse, L. T. "The Value and Limitations of Eugenics." *Sociological Review*, IV, 281-302. London, 1911.
- Hoffmann, Giza von. *Eugenics in the United States*. 1913.
- Hunt, R. D. "Eugenics: A Nobler Breed of Men." *Twentieth Century Magazine*, I, 134-37. Boston.
- Hutchinson, W. "Evidence of Race Degeneration." *Annals*, XXXIV, 43-47. Philadelphia, 1909.
- James, William. "Great Men, Great Thoughts, and the Environment." *Atlantic*, XLVI, 441-59. Boston, 1880.
- Johnson, Alexander. "Race Improvement by Control of Defectives." *Annals*, XXXIV, 22-29. Philadelphia, 1909.
- Keller, A. G. "Eugenics, the Science of rearing Human Thoroughbreds." *Yale Review*, XVII, 127-55. New Haven, 1908.
- Kellicott, W. E. *Social Direction of Human Evolution*. 1911.
- Kelsey, Carl. "Influence of Heredity and Environment upon Race Improvement." *Annals*, XXXIV, 3-5. Philadelphia, 1909.
- Lindsay, A. "Case for and against Eugenics." *Nineteenth Century*, LXXII, 546-57. London, 1912.
- Macdonald, G. *The Child's Inheritance*. London, 1910.
- McDougall, W. "A Practicable Eugenic Suggestion." *Sociological Papers*, III, 53-. London, 1907.
- McKim, W. D. *Heredity and Human Progress*. New York, 1901.
- Martin, Victoria C. Woodhull. *The Rapid Multiplication of the Unfit*. London, 1891.
- Mercier, Charles. "The Transmission of Acquired Characters." *Contemporary Review*, XCIV, 705-15. London, 1908. See Hartog.
- Michaud, Gustave. "How shall we improve our Race?" *Popular Science Monthly*, LXXII, 75-78. New York, 1908.
- Marvin, E. M. D. "The Obstacles to Eugenics." *Sociological Review*, II, 400-401. London, 1909.
- Mitchell, Arthur. "Blood-Relationship in Marriage Considered in its Influence upon the Offspring." *Memoirs of the London Anthropological Society*, II, 402-56. London, 1866.
- Nearing, Scott. *The Super Race*. New York, 1913.
- Nisbet, J. F. *The Insanity of Genius*. London, 1900.
- Nock, A. J. "A New Science and its Findings." *American Magazine*, LXXIII, 577-83. New York, 1912.
- Odin, A. *Genese des grands hommes*. 2 vols. Paris, 1895.

- Pearson, Karl. "The Scope and Importance to the State of the Science of National Eugenics." *Popular Science Monthly*, LXXVI, 385-412. New York, 1910.
- Punnett, R. C. *Mendelism*. New York and London, 1911.
- Reibmayr, Albert. *Die Ehe Tuberkulöser und ihre Folgen*. Leipzig and Vienna, 1894.
- Regnano, Eugenio. *The Inheritance of Acquired Characters*. Chicago, 1911.
- Reid, G. A. *The Principles of Heredity*. New York, 1905.
- _____ *The Laws of Heredity*. London, 1911.
- _____ "The Alleged Transformation of Acquired Characters." *Contemporary Review*, XCIV, 399-412. London, 1908.
- Rentoul, R. R. *Sterilization*, 1903.
- _____ *Race Culture; or, Race Suicide*. London and New York, 1906.
- Richards, Ellen H. *Euthenics, the Science of Controllable Environment*. Boston, 1910.
- _____ *Conservation by Sanitation*. New York, 1911.
- Robertson, J. M. "The Economics of Genius." *Forum*, XXV, 178-90. New York, 1898.
- Saleeby, Caleb W. *Parenthood and Race Culture*. New York and London, 1908.
- _____ *Woman and Womanhood*. New York, 1911.
- _____ "The Obstacles to Eugenics." *Sociological Review*, II, 228-40. London, 1909.
- _____ "The Psychology of Parenthood." *Eugenics Review*, I. London, 1909.
- _____ "The Methods of Eugenics." *Sociological Review*, III, 277-86. London, 1910.
- _____ "The Purpose of Womanhood." *Forum*, XLV, 44-50. New York, 1911.
- _____ "The Problems of Heredity." *Fortnightly Review*, LXXXIV, 604-15. London, 1905.
- Scott, James F. *Heredity and Morals*. New York, 1908.
- Shelton, H. S. "Problem of Eugenics." *Contemporary Review*, CI, 84-95. London, 1912.
- Simpson, James Y. *The Spiritual Interpretation of Nature*. New York, 1913.
- Taylor, J. L. "The Social Application of Eugenics." *Westminster Review*, CLXX, 416-. London, 1908.
- _____ "Heredity and the Social Outlook." *Sociological Review*, IV, 131-40. London, 1911.

- Thomas, F. *L'education dans la famille; les péchés des parents.* Paris, 1908.
- Thomas, William I. "Eugenics: the Science of Breeding Men." *American Magazine*, LXVIII, 190-97. New York, 1909.
- Thomson, J. A. *Heredity.* New York, 1908.
- Thorndike, E. L. *An Introduction to the Theory of Mental and Social Measurements.* New York, 1908.
- "Eugenics: With Special Reference to Intellect and Character." *Popular Science Monthly*, August, 1913.
- *Heredity, Correlation, and Sex Differences in School Abilities.* New York and Berlin, 1903.
- Tredgold, A. F. "Study of Eugenics." *Quarterly Review*, CCXVII, 43-67. London, 1912.
- Tweedie, E. A. "Eugenics." *Fortnightly Review*, XCVII, 854-65. London, 1912.
- Walker, C. R. *Hereditary Characters and their Modes of Transmission.* London, 1911.
- Wallace, Alfred R. *Social Environment and Moral Progress.* New York, 1913.
- Walter, Herbert E. *Genetics. An Introduction to the Study of Heredity.* New York, 1912.
- Ward, Lester F. *Applied Sociology: A Treatise on the Conscious Improvement of Society.* Boston, 1906.
- "Broadening the Way to Success." *Forum*, II, 340-50. New York, 1886.
- Watkins, G. P. "Forms of Selection with Reference to their Application to Man." *Popular Science Monthly*, LXXI, 69-83. New York, 1907.
- Wertheimer, Julius. "Homiculture." *Nineteenth Century*, XXIV, 390-92. London, 1888.
- Whetham, W. C. D., and C. D. *The Family and the Nation.* London and New York, 1909.
- *Eugenics and Unemployment.* London, 1910.
- *Introduction to Eugenics.* Cambridge, London, and Glasgow, 1912.
- *Heredity and Society.* London, 1912.
- "Eminence and Heredity." *Nineteenth Century*, LXIX, 818-32. London, 1911.
- Winship, A. E. *Jukes-Edwards.* Harrisburg, 1909.
- Wissler, Clark. "The Relation of Culture to Environment from the Standpoint of Invention." *Popular Science Monthly*, August, 1913. New York, 1913.

- Woods, F. A. *Mental and Moral Heredity in Royalty*. New York, 1906.
- *American Men of Science and the Question of Heredity*.
Reprinted from *Science*, n. s., XXX, 205-10. New York, 1909.
- *The Birth Places of Leading Americans and the Question of Heredity*. Reprinted from *Science*, n. s., XXX, 17-21. New York, 1909.
- *Laws of Diminishing Environmental Influences*. Reprinted from *Popular Science Monthly*, LXXVI, 313-36. New York, 1910.

VII. SOCIAL DISEASE, SEX HYGIENE, EDUCATION FOR PARENTHOOD AND THE FAMILY LIFE.

1. Periodicals.

- Social Diseases*. Published by the Society of Sanitary and Moral Prophylaxis. New York.
- Vigilance*. Published by the American Vigilance Association. New York.

2. Books, Pamphlets, and Articles.

- Abbott, A. C. *Hygiene of Transmissible Diseases*. 1909.
- Abbott, E. H. *On the Training of Parents*. 1908.
- Addams, Jane. *A New Conscience and an Ancient Evil*. New York, 1912.
- "A Challenge to the Contemporary Church." *Survey*, XXVIII, 195-98. New York, 1912.
- Adler, Felix. *Moral Education of Children*. New York, 1892.
- Allen, Mrs. M. W. *Making the Best of our Children*. 1909.
- American Purity Alliance. *Pamphlets*.
- American School Hygiene Association. *Proceedings*.
- Bailey, M. H. *Sexual Hygiene*. Booklet published by the Health Education League. Boston.
- Balliet, Thomas M.; Bigelow, Maurice; Morrow, Prince A.: Special Committee of the American Federation for Sex Hygiene. *Report on the Matter and Methods of Sex Education*. *Social Diseases*, IV, No. 1. New York, 1913.
- Barnes, Earl. "Bibliography of Sex Hygiene." *Studies in Education*, I, 301-308. 1897.
- Bellangee, J. "Sexual Purity and the Double Standard." *Arena*, XI, 370-77. Boston, 1895.
- Bennett, L. B. "Work for Better Homes." *Good Housekeeping*, LII, 179-81. New York, 1910.
- Bey, Lipa. "Die moderne Ehe." *Sexuelle Probleme*, March, 1911.

- Bingham, T. A. *The Girl that Disappears*. Boston, 1911.
- Birtwell, C. W. (Chairman). "Sex Hygiene." *Report*. A symposium. N. C. C. C., 1912, 261-307.
- Blackwell, Elizabeth. *The Human Element in Sex*. London, 1894.
- *Counsel to Parents on the Moral Education of their Children in Relation to Sex*. 7th ed. London, 1884.
- Burbank, L. *Training the Human Plant*. New York, 1907.
- "California Women and the Vice Situation." *Survey*, XXX, 162-63. New York, 1913.
- Chapman, R. W. *The Moral Problem of the Children*. Ann Arbor, 1909.
- Chicago Society of Social Hygiene. *Circulars*.
- Chicago, The Vice Commission of. *The Social Evil. Report*. Chicago, 1911.
- Cocks, O. G. *The Social Evil and Methods of Treatment*. New York, 1913.
- Coffee, Rabbi Rudolph I. "Pittsburg Clergy and the Social Evil." *Survey*, XXIX, 815-16. New York, 1913.
- Collier, L. W. "A Square Deal for the Baby." *Good Housekeeping*, LI, 712-18. 1910.
- "Commercialized Vice a National Problem." *Survey*, XXIX, 800. New York, 1913.
- Comstock, Anthony. "Work of the New York Society for the Prevention of Vice and its Bearing on the Morals of the Young." Child Conference for Research and Welfare, *Proceedings*, I, 91-108. 1909.
- Deck, Louis. *Syphilis et réglementation de la prostitution en Angleterre et aux Indes*. Paris, 1898.
- Dock, Lavinia L. *Hygiene and Morality*. New York, 1910.
- Duboc, Karl J. *Die Psychologie der Liebe*. Hanover, 1874.
- Eliot, Charles W. "Plan to teach Sex Hygiene." *Survey*, XXV. New York, 1911.
- Ellis, Havelock. *Man and Woman. A Study of Human Secondary Sexual Characters*. London, 1896.
- *Studies in the Psychology of Sex*. London, 1897.
- *Sex in Relation to Society*. New York, 1912.
- *The Task of Social Hygiene*. Boston, 1912.
- "Dangers of Sexual Hygiene." *Good Housekeeping*, LIII, 456-59. 1911.
- Féré, C. *L'instinct sexuel*. Paris, 1899.
- Fiaux, Louis. *La police des mœurs*. Paris, 1907.
- *Enseignement populaire de la moralité sexuelle*. Paris, 1908.
- Flower, B. O. "Wellsprings of Immorality." *Arena*, XI, 56-70, XII, 337-52. Boston, 1895.

- “Social Conditions as Feeders of Immorality.” *Arena*, XII, 399-412. Boston, 1895.
- “Prostitution within the Marriage Bond.” *Arena*, XIII, 59-73. Boston, 1895.
- Foerster, F. W. *Marriage and the Sex Problem*. Trans. by M. Booth. New York, 1912.
- Forel, August. *The Sexual Question*. London and New York, 1908.
- Fournier, Alfred. *Syphilis und Ehe*. Berlin, 1881.
- Galbraith, Anna M. *The Four Epochs of Woman's Life, a Study in Hygiene*. Philadelphia, New York, and London, 1904.
- Galloway, T. W. *Biology of Sex*. Boston, 1913.
- Gardener, Helen H. “A Battle for Sound Morality, or the History of Recent Age of Consent Legislation in the United States.” *Arena*, XIII, 353-71, XIV, 1-32, 205-20, 401-19. Boston, 1895.
- Robinson, C. H.; Bowen, J. E.; Gurley, Z. H.; Tompkins, A. C.; Lyons, Will H. “Opposing Views by Legislators on the Age of Consent.” *Arena*, XIII, 209-25. Boston, 1895.
- Geddes, Patrick, and Thompson, J. A. *The Evolution of Sex*. 2d ed. New York, 1901.
- Gospel of the Kingdom*, No. for July, 1911, on sex-hygiene.
- Greene, F. M. “Sex Hygiene.” N. E. A., *Proceedings*, 1911, 917-25.
- Hall, G. Stanley. “The Needs and Methods of Educating Young People in the Hygiene of Sex.” *Pedagogical Seminar*, XV, 82-91. Worcester, 1908.
- “Pedagogy of Sex.” *Educational Problems*, I, chap. vii. New York, 1911.
- Hard, William. “At Last—A Programme.” *Delineator*, March, 1912. New York.
- Harlan, Earl. “Sexual Science—Who Should teach It?” Ohio State Board of Health, *Monthly Bulletin*, I, 331-34. 1911.
- Harvey, L. D. “A School for Home Makers.” Commissioner of Education, *Report* (1911), I, 313-29. Washington, 1912.
- Health Education League, Boston. *Pamphlet on Sex Hygiene*.
- Heidingsfeld, M. L. “Should Sexual Science be taught in the Public Schools?” Ohio State Board of Health, *Monthly Bulletin*, I, 327-31. 1911.
- Henderson, Charles R. *Education with Reference to Sex*. 2 Parts. Eighth Yearbook of the National Society for the Scientific Study of Education. Chicago, 1909.
- Howard, Clifford. *Sex Worship*. 2d ed. Washington, 1898.
- Howard, W. L. *Plain Facts on Sex-Hygiene*. New York, 1910.
- Hutchinson, Woods. *We and Our Children*. New York, 1912.
- “What not to teach our Children upon Race Hygiene.” *Good Housekeeping*, LIV, 529-33. New York, 1912.

- Janney, O. E. *White Slave Traffic in America*. New York, 1911.
- Johnson. *The Social Evil*. New York and London, 1902.
- Johnston, Mary. "The Eugenic Point of View." *Vigilance*, July, 1911, 11-15.
- Keech, Mabel L. *Training the Little Home Maker*. Philadelphia, 1912.
- Kelly, H. A. *Medical Gynecology*. 1908.
- Kerr, Le G. *The Care and Training of Children*. 1910.
- Key, Ellen. *Love and Ethics*. New York.
- Kirkbridge, F. D. "Right to be Well Born." *Survey*, XXVII, 1838-39. New York, 1912.
- Kneeland, George J. *Commercialized Prostitution in New York City*. New York, 1913.
- Laidlaw, Harriet B. "My Little Sister." Discussion of Elizabeth Robins's book. *Survey*, XXX, 199-202. New York, 1913.
- Latimer, Caroline W. *Girl and Woman*. New York and London, 1910.
- Lodge, O. J. *Parent and Child, A Treatise on the Moral and Religious Education of Children*. 1910.
- Lydston, G. F. *The Diseases of Society*. Philadelphia, 1904.
- Lyttleton, E. *Training of the Young in Laws of Sex*. London and New York, 1900.
- McClure, S. S. "Tammanyizing of a Civilization." *McClure's Magazine*, XXXIV, 117-28. New York, 1909.
- McComb, S. "Who Should Marry?" *Good Housekeeping*, LIV, 344-48. New York, 1912.
- Macomber, E. C. "What will Your Child Inherit?" *Delineator*, LXXIX, 273. New York, 1912.
- McKeever, W. A. *Better Crop of Boys and Girls*. Manhattan, 1904.
- *Instructing the Young in Regard to Sex*. Manhattan, 1912.
- "Instructing Adolescents in Regard to Sex." *Good Housekeeping*, LIII, 599-602. New York, 1911.
- Mackirdy, Mrs. Archibald, and Willis, W. N. *The White Slave Market*. London, 1912.
- Marro, A. "Influence of Puberal Development upon the Moral Character of Children of Both Sexes." *American Journal of Sociology*, V, 193-219. Chicago, 1899.
- Martin, E. S. *Luxury of Children*. 1908.
- Massachusetts Association of Board of Health, Committee on Sex Hygiene. *Circulars*.
- Minneapolis, The Vice Commission of. *Report*. Minneapolis, 1911.
- Mitchney, Mrs. Lilian. "Moral Problem of the Children." Kansas Conference of Charities and Corrections, *Proceedings*, 1910.

- Moll, Albert. *The Sexual Life of the Child*. New York, 1912.
- Moqué, Alice L. "Educated Maternity." *Westminster Review*, CLIII, 53-60. London, 1900.
- Morley, Margaret W. *Renewal of Life*. Chicago, 1906.
- *Seed Babies*. Chicago.
- *Life and Love*. Chicago, 1899.
- Morrow, Prince A. *Social Diseases and Marriage*. New York, 1904, 1909.
- "Teaching of Sex Hygiene." *Good Housekeeping*, LIV, 404-407. New York, 1912.
- Mosher, Eliza M. *Health and Happiness for Girls*.
- Mosher, Martha B. *Child Culture in the Home*. New York, 1889.
- Mumford, E. E. R. *The Dawn of Character; A Study of Child Life*. 1910.
- Myers, G. "White Slavery in America." *International Soc. Review*, XI, 270-. 1910.
- National Education Association, Department of School Patrons. *Proceedings*, 1911.
- National Congress of Mothers. *Proceedings*.
- Noble, A. B. "The Relation of Social Diseases to the Family." *American Journal of Sociatology*, XIV, 635-. Chicago and New York, 1909.
- Oregon State Board of Health. *Plain Talk with Girls*.
- Parkinson, W. D. "Sex and Education." *Educational Review*, XLI, 42-49. New York, 1911.
- Portland, Oregon. Social Hygiene Society. *Circulars and Annual Reports*.
- Powell, Aaron M.; Gardener, Helen H.; Willard, Frances E.; Lewis, A. H.; Janney, O. E.; Dromgoole, W. A.; Blackwell, Emily. "The Shame of America—The Age of Consent Laws in the United States." A symposium. *Arena*, XI, 192-215. Boston, 1895.
- "Problems of Sex Instruction." A Symposium. *Journal of Education*, March 21, 1912.
- Putnam, Helen C. "Biology and Teaching of Hygiene." *Education*, Nov. 1, 1907.
- "Sex Instruction in Schools." National Society for the Scientific Study of Education. *Year Book*, 1908.
- "Sex Instruction in High Schools." National Society for Scientific Study of Education, *Eighth Year Book*, Part 2, 1909.
- Reeder, R. R. "Post-Graduates of the Hired Man." *Survey*, XXIX, 816-18. New York, 1913.
- "Relations of Vice to Police Graft in New York." *Survey*, XXIX, 802-803. New York, 1913.

- Rhode Island State Board of Health. *Sex Hygiene Circulars*.
- Robinovitch, Louise G. *The Genesis of Sex*. Reprint of two articles. New York, 1905-1906.
- Robins, Elizabeth. *My Little Sister*. New York, 1913.
- Robinson, M. E. "The Sex Problem." *International Journal of Ethics*, XXI, 326-39. Philadelphia, 1911.
- Roe, Clifford G. *Panders and their White Slaves*. New York, 1910.
- *The Prodigal Daughter; the White Slave Evil and the Remedy*. Chicago, 1911.
- Rossiter, W. S. "The Significance of the Decreasing Proportion of Children." *Annals*, XXXIV, 71-80. Philadelphia, 1909.
- Saleeby, Caleb W. "Price of Prudery." *Forum*, XLV, 311-19. New York, 1911.
- Salmon, A. L. *The Man and the Woman*. New York, 1913.
- Sanger, W. W. *History of Prostitution*. New York, 1910.
- Schulz-Dresden, C. T. *Gefallene Mädchen und die Frauenforderung: Gleiches moralisches Mass für beide Geschlechter*. Berlin, 1899.
- Sedgwick, H. D. "Gap in Education." *New American Type*, 189-204. Boston, 1908.
- Seligman, E. R. A. *The Social Evil*. Second edition of the Report of Fifteen. New York, 1912.
- Sheffield, A. E. "The Written Law and the Unwritten Double Standard." *International Journal of Ethics*, XXI, 475-85. Philadelphia, 1911.
- Schmitt, Clara. "The Teaching of Facts of Sex in Public Schools." *Pedagogical Seminar*, XVII, 229-41. Worcester, 1910.
- "Sex Instruction." Papers by Swan, Smith, Garrett, and Irwin, with discussion. *Social Diseases*, IV, No. 2. New York, 1913.
- Smith, Nellie M. *The Three Gifts of Life*. New York, 1913.
- Social Diseases*. Published by the Society of Sanitary and Moral Prophylaxis. New York.
- Society of Sanitary and Moral Prophylaxis. *Instructions in the Physiology and Hygiene of Sex for Teachers*.
- *Health and Hygiene for College Students*.
- *The Young Man's Problem*.
- *Proceedings*.
- Spencer, Anna Garlin. "Hygiene and Morality." *Survey*, XXIV, 719-22. New York, 1910.
- "Social Nemesis and Social Salvation." *Forum*, L, 432-44. New York, 1913.
- Spokane Society of Social and Moral Hygiene. *Circulars and pamphlets*.
- Stead, W. T. *If Christ Came to Chicago*. Chicago, 1894.

- Strahan, S. A. K. *Marriage and Disease: a study of Heredity and the more important family degenerations.* London, 1892.
- Sumner, Helen L. *The White Slave.*
- Taylor, Graham. "The War on Vice." *Survey*, XXIX, 811-13. New York, 1913.
- Torelle, Ellen. *Plant and Animal Children and how They Grow.* New York, 1913.
- Trall, R. T. *Sexual Physiology and Hygiene.* Glasgow and London, 1897.
- Tuckerman, L. B. *Venereal Disease as a Factor in the Moral Evolution of the Race.* Cleveland, 1902.
- Turner, George Kibbe. "Daughters of the Poor." *McClure's Magazine*, XXXIV, 45-61. New York, 1909.
- Vale, C. "Mills of the Gods." *Forum*, XLVII, 289-302. New York, 1912.
- Vickers, G. H. *Education of Sex. Compilation from the Writings and Teachings. A National Text-Book.* Philadelphia, 1911.
- Vigilance.* A monthly magazine published by the American Vigilance Association. New York.
- Webster, Hutton. *Primitive Secret Societies.* New York, 1908. Very important for primitive rites and customs relating to sex, puberty, and the household.
- Weeks, Mary H. *How to tell the Story of Reproduction to Children.* Kansas City, Missouri: The Mother Union, 1900.
- Weiniger, Otto. *Sex and Character.* New York, 1906.
- Wile, Ira S. *Sex Education.* New York, 1912.
- *A Programme for Sex Instruction.* Reprinted from *Archives of Pediatrics*, February, 1912.
- Wills, W. N. *The White Slaves of London.* New York, 1913.
- Wilson, Robert N. *The Education of the Young in Sex Hygiene.* Philadelphia.
- *The American Boy and the Social Evil.* New York, 1909.
- *Nobility of Boyhood.*
- Woods, Robert A. "Banners of a New Army." *Survey*, XXIX, 813-14. New York, 1913. Against prostitution.
- Zenner, Philip. *Education in Sexual Physiology and Hygiene.* Cincinnati, 1910.

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