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BOOK REVIEWS

New Viewpoints in Georgia History. By Albert B. Saye, assistant professor of political science at the University of Georgia. (The University of Georgia Press, Athens, Ga. 1943. 256 pp. \$2.50.)

A scholarly study of the colonial history of Georgia from the date of the colony's founding in 1732 to 1789, this well documented and annotated volume, incidentally, dispels the legend that Georgia was founded for the relief of debtors languishing in British prisons. "The evidence is persuasive," writes the author, "that only a handful of debtors ever came to Georgia—a dozen would be a fair estimate." Philanthropic, military and economic factors were primary considerations of the British government in supporting the colonizing project of James Edward Oglethorpe. Nevertheless, 2122 persons were sent to Georgia on charity from 1732 to 1750, of whom 1096 were British and 1026 foreign Protestants. In the first report upon the method used in selecting the Georgia colonists, the *Political State of Great Britain* said: "As soon as it began to be rumored about, that the said Trustees were to send out some People to take Possession of the said Colony, there were vast Numbers of poor miserable Wretches made Application to them; and when the Gentlemen declared, that upon casting up their Cash, they found it was not sufficient to send over immediately but a few, and that therefore they had chosen those that were the greatest Objects of Compassion, the rest found themselves disappointed." Further: "The early settlers of Georgia were in the main persecuted Protestants from Germany and English of the 'middle poor.' " . . . "There were Jews and Gentiles, English, Germans, Scotch, Irish, French, Italians, Portuguese and perhaps other nationalities represented; there were men and women of every trade and profession: viticulturists, doctors, silk workers, sawyers, pin-dars, Indian traders, bakers, ministers, carpenters, surveyors, shopkeepers, bricklayers, midwives, pilots, shoemakers, wheelwrights and numerous other occupational groups; there were masters with indentured servants and poor

settlers entirely dependent upon the charity of the Trust; there were Anglicans, Baptists, Presbyterians, Lutherans, Moravians and other religious groups; there were graduates of Oxford, persons with only a few years of academic training, and hundreds of illiterates, the latter not excluding some officials in high positions."

Of great interest is the story of the development of the colonial government from a model royal colony into a state government, democratic in form with a constitution which provided for a separation of executive, judicial and legislative powers. "The similarity of the Constitutions of Georgia, Pennsylvania and Vermont in respect to a unicameral legislature has sometimes led to an erroneous classification of other features as common to the three. The executive council in Georgia was elected by the legislature from its own membership, not by a direct vote of the people as in Pennsylvania and Vermont." Thus the author follows step by step the controversies, debates, which preceded and followed the Revolution of the Thirteen Colonies. It is significant that Georgia was one of the first states to ratify the United States constitution. It was thereafter that crude constitutions of earlier dates began to be replaced by state constitutions modeled largely after that of Massachusetts. The 1789 Georgia constitution, "the briefest of Georgia's seven constitutions, contained no separate bill of rights; but freedom of the press, the most necessary of all civil liberties for the preservation of a democracy, together with trial by jury, habeas corpus, and the free exercise of religion were guaranteed by the Fourth Article."

Professor Saye's contribution to colonial and constitutional history is of more than local interest as it helps to explain general trends whose influence is felt even at the present day. It is curious to note that the domain of the colony of Georgia was deemed to extend as far west as the Mississippi with even the suggestion that the Pacific was the western boundary and that therefore New Mexico was included. A bibliography of manuscript, printed and secondary sources of local as well as general works is of value to students who are interested in colonial annals.—

P. A. F. W.

Land Tenure Problems in the Santa Fé Railroad Grant Area. By Sanford A. Mosk. Publications of the Bureau of Business and Economic Research, University of California. (University of California Press, Berkeley and Los Angeles, 1944; 66 pp. \$1.00.)

Sanford A. Mosk, assistant professor of economics in the University of California, has written a useful summary of the land problem involved in the conflict of interests between the railroad, stockmen, Indians, and the state and federal governments, in the area covered by the land grant to the Atlantic & Pacific Railroad Company in 1866, extending from Albuquerque, New Mexico, to the California border. The land holdings of these several interests are intermingled in a confused checkerboard pattern due to the granting of alternate sections along the railroad right of way to that company, sectional grants to the states for institutions, individual homesteading, and the allotment of land to the Navaho in severalty.

An especially difficult part of the land problem in the area studied is the long-time conflict between the Navaho and the white man for the grazing land east of the reservation boundary. For a solution of the problem as a whole which, in its broadest aspects, is one of land conservation, the Taylor Act of 1934 provides a working basis, but the process of working it out will be long and difficult. The stockman is interested in his profit, the Navaho is struggling for a livelihood, the Government seeks a better policy of land usage, and too many government agencies have a voice in the matter.

The study is based on an adequate bibliography, supplemented by the author's interviews with people acquainted with the problem, and has a good index.

FRANK D. REEVE

El Federalista. By Gustavo R. Velasco. (Mexico: Fondo de Cultura Económica, 1943. xxvi+446 pp., appendices, index.)

Through the courtesy of Mr. J. A. C. Grant of the University of California at Los Angeles, we have a review copy of the new Spanish edition of the famous articles by Alexander Hamilton, John Jay, and James Madison, admirably translated from the English and annotated by the Lic. Gustavo R. Velasco.

In his *prólogo*, Professor Velasco gives an excellent historical evaluation of the book and its authors, quoting the words of De Tocqueville, for example, who called it a book "with which the statesmen of all countries ought to familiarize themselves." Yet when he asks (p. xvi) what influence *The Federalist* had in Latin American countries, he shows that even in English it was hardly known there before the end of the nineteenth century. There were two contemporary French editions (1792 and 1795), but there was none in Portuguese until 1840, nor in Spanish until the editions of 1868 and 1887. Of these, not a copy has been located in Mexico today, nor does our own Library of Congress have either of them. While we know, therefore, that our constitution was used as a model by our Latin American neighbors in the writing of one and another of their constitutions, there is little chance that the authors of those documents had any acquaintance with the commentary and exposition of principles which they might have found in *The Federalist*. In Mexico, for example, this would be true of their constitutions of 1812, 1824, 1836, 1843, and 1857.

Professor Velasco has enhanced the value of his work by including in the appendices a Spanish translation of our Articles of Confederation and of our Constitution,—including the twenty-one amendments, none of which had been rectified prior to the appearance of these articles in *The Federalist*.—L.B.B.