

BOOKS AND PERIODICALS.

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Economic and Social History of the World War. War Finances in the Netherlands. By M. J. Van Der Flier, LL.D., Oxford University Press, American Branch, New York. 1923. pp. xi+150.

This book is part of a general survey undertaken in 1914 by the Carnegie Endowment for International Peace. The work is under the general editorship of Professor James T. Shotwell, a brilliant Canadian historian who is now on a leave of absence from Columbia University, New York, in connection with the editorial supervision of this survey. The scope of the study covers the various European nations. In the present volume an analysis is made of conditions in Holland down to 1918.

The work bears all the marks of accuracy. Of necessity, it is to a great extent statistical,—a fact which renders it impossible to give citations in the compass of a short review. Notwithstanding its statistical nature, there is much of interest for the general reader, and one may remember the saying of Hazlitt regarding the Faery Queen—"The moral will not bite you."

The introductory chapter gives a good summary of trade and commercial conditions in Holland prior to the War, and prepares the way for a study of the economic and financial dislocation. While Holland was not an armed combatant, she was subjected to many war expenses and war readjustments. The Army had to be increased. The expenses of looking after refugees was great. Along with these went dislocation of price levels and lowering of standards of living. The burden of debt financing as well as of new taxes had to be met, and in the background more than once the question of the capital levy.

While Dr. Van Der Flier's study will find its general justification as part of the comprehensive study already referred to, it is of real interest from another standpoint, namely, that of showing how far-reaching the economic and financial results of the great War are, not only as affecting those engaged in conflict but neutral nations as well.

S. J. McL.

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"De la condition des Sociétés Etrangères Aux Etats-Unis d'Amerique.

Par Pierre Lepaulle: Avocat à la Cour de Paris: Chargé des Conférences de Droit anglais et américain à la Faculté de Droit de Paris; Chargé de cours à l'École de Droit de Harvard; etc., etc. Avec préface de M. H. Lévy-Ullman Professeur à la Faculté de Droit de Paris: Paris, Libraire Arthur Rousseau; 1923: (pp. 274+xlviiii).

Those who had the great pleasure of hearing the interesting and scholarly address of M. Lepaulle to the Canadian Bar Association in Montreal last September will turn with great expectation to this book and they will not be disappointed. It is a great task Dr. Lepaulle has set himself, involving a careful consideration of the statute law of the forty-eight states

of the Union, a very clear exposition—for he is addressing himself to a large French audience as well as to the American public—of the nature of a corporation, its creation and powers, and its position under the common law, the last requiring a measure of historical writing.

The author says: "parmi tous les sujets qui se sont présentés à notre esprit, aucun ne nous a paru plus utile à traiter que le droit relatif aux sociétés étrangères. A l'intérêt théorique que peut offrir toute étude de législation industrielle ou commerciale américaine, s'ajoute ici un intérêt pratique immédiat. En effet, les relations juridiques que nos Nationaux entretiennent avec les Américains sont moins des rapports d'individu à individu que des rapports de société à société parce qu'à l'heure actuelle, la plupart des entreprises commerciales qui ont assez d'envergure pour se livrer à des opérations internationales sont constituées en sociétés."

He also points out that the United States has reached a stage of economic development much in advance of France, and has already solved problems in a manner to furnish an example and a lesson to the French when they reach the same stage. The reason which determined Dr. Lepaulle's choice of a subject dictated his method of arrangement.

In his treatment of the subject the author has been admirably successful. The long struggle to obtain recognition in the other States of the Union of corporations brought into existence by virtue of the exercise of the sovereign power of one State has brought up for consideration on innumerable occasions difficult and important questions of corporate capacity and comity. These matters are clearly and comprehensively set forth.

Space will not permit the discussion of any of the many interesting points that arise upon even a hasty perusal of this work. The Bibliography shews the amount of interest the subject has excited. The authorities quoted are well selected and the learned author is evidently as familiar with English and Canadian as with the American case law.

This book is the first volume of what is proposed to be a collection of theoretical and practical studies on Foreign Law, Comparative Law and International Law under the direction of M. Lévy-Ullman, who writes the interesting Preface. The origin of the "projet très vaste" is given by M. Lévy-Ullman, and it is to be hoped that the members of the Canadian Bar Association can be permitted and enabled to come in contact with the work as it progresses. We note a reference to Mr. J. D. Falconbridge, K.C., in the Preface, and know that Hon. Mr. Justice Surveyer has done much along the lines of M. Lepaulle's work.

Dr. Lepaulle has given an incentive to those of us who practise in the common law provinces of Canada to enter whole-heartedly upon the study of comparative legislation. A start has already been made. We may be permitted to refer, for example, to Hon. Mr. Justice Anglin's article, "Some Differences between the law of Quebec and the law as administered in the other Provinces of Canada" (1 C. B. R. 33), and Mr. MacMurphy's "Contributory Negligence" (1 C. B. R. 344). The opportunity in this country is unique, as we shall have the assistance of our brothers in the profession in the Province of Quebec who are peculiarly qualified to lead the way in this regard. May we not hope to see in each issue of the CANADIAN BAR REVIEW some contribution to this end? 'E. K. W.

The Grotius Society Publications, No. 2. The Saar Controversy. By W. R. Bisschop, LL.D. London: Sweet & Maxwell, Limited, 1924.

If the statesmen and functionaries who appear to be groping at noon-day as the blind grope in darkness in the effort to settle the Saar controversy would heed the counsel here offered them by Dr. Bisschop we think they would be carried a long way on the road to a fair and final decision of the various matters in dispute. In Dr. Bisschop's view the radical difficulty lies in the dissatisfaction of the inhabitants of the Saar Basin with the policy of the Governing Commission created by the Treaty of Versailles. He points out that there is a preponderance of French sentiment among the members of the Commission, while the people they are set to govern, numbering 740,000, are overwhelmingly German living in a territory that has been German for nearly a thousand years, save for two brief interruptions. We will quote Dr. Bisschop's own words:

"There is no doubt that the acts of the Governing Commission have brought about a regrettable state of affairs. A deep chasm has been opened between the Commission and the population. All the good elements of the population are repulsed by the methods of the Commission, who have managed to lose the respect and confidence of the people in so short a space of time by their narrow-minded material policy, their disregard for rights, their lack of understanding of the needs of the people, and their abuse of the power entrusted to them. The Governing Commission stand alone, and have isolated themselves in the land the welfare of which was entrusted to them. Their task was of so ideal a nature that the fulfilment of it would have made the Commission highly esteemed in the whole world. They had to put into practice the ideals of the League of Nations—Justice, Liberty, and Self-determination—and if they had done so the deep gulf between two great nations might have been bridged. But the Governing Commission were not equal to this task. They have not practised the noble principles which led to the foundation of the League of Nations, and the work of those who were called upon to fulfil those high ideals was thus bound to be wrecked.

"That such was not necessary has been shown by Mr. R. D. Waugh, the Canadian, who, as member of the Governing Commission, had, by his disinterestedness, impartiality, and faithful adherence to the task imposed upon him by the League of Nations in accordance with the Treaty of Versailles, shown that the high aims of the League were obtainable, if only followed without national bias and political prejudice."

Dr. Bisschop certainly has no bias in favour of the policy of the French Government, and while this has in no way coloured his presentation of the facts, it must not be lost sight of in weighing his opinions.

C. M.

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Transactions of the Grotius Society. Volume 9. Problems of Peace and War. Papers read before the Society in the year 1923. London: Sweet & Maxwell, Limited, 1924. Pp. xxxix+163.

We found this a most interesting publication throughout. The objects of the Grotius Society are to afford facilities for discussion of the Laws of War and Peace, for the interchange of opinions regarding their opera-

tion, to make suggestions for their reform, and generally to advance the study of Public and Private International Law. These objects are admirably served by the papers of which the contents of the book are composed. In the course of his address at the last annual meeting of the society on the subject of "The Problem of International Law and Order," Sir Henry Duke made this pregnant observation (p. xxxi):—

"In this country, until the last few weeks, it was impossible not to be struck with something like unanimity in the indifference of the Press to the possibilities of the Assembly and Council of the League of Nations and of the International Tribunal at the Hague. The Press, of course, gives to its readers what they ask for. I am not reflecting upon the Press, I am reflecting upon the public taste which demands acts of worthless information and cannot receive with satisfaction paragraphs of intelligence or of suggestion upon a topic such as that of the prevention of war by international means, upon which, it may be, the existence of society depends."

Mr. W. S. M. Knight's paper, "A Mediaeval Pacifist—Pierre du Bois," is full of attraction for those who confess an interest in the history of International Law. We especially commend for perusal "Territorial Waters," by Dr. C. J. Colombos, (p. 89), and "Division of States: Its Effect on Obligations," by Dr. T. Baty (p. 101).

C. M.

CURRENT EVENTS.

It is reported in the English press that Child & Co., the oldest private bank in England and perhaps in the world, is to be absorbed by Glyn, Mills & Co. in accordance with the will of the Eighth Earl of Jersey, senior partner, who died on December 31.

Child's bank was founded about the year 1560, has occupied the site of its present offices in Fleet street ever since, and is full of historic associations. Oliver Cromwell, Samuel Pepys, Horace Walpole, the poet Dryden, Charles II and his famous paramour, Nell Gwyn, were among the many prominents who had accounts at the bank, which is identical with "Tellson's" in Dickens' "Tale of Two Cities."

The connection with the bank of the Earls of Jersey can be traced to two romantic elopements. The tenth Earl of Westmoreland, who died in 1841, ran away with the daughter of the banker Child, the couple being married at Gretna Green. Their daughter similarly eloped with the young Earl of Jersey, and the Jerseys ever since have been partners in the banking business.

The latest balance sheet of Child & Co. showed deposits of £3,000,000. Combined with Glyn's, they will exceed £30,000,000.

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The proposed constitutional amendment to empower Congress to regulate or prohibit child labour under eighteen years of age is giving the American farmers some concern. In the South they fear that under its