

Book Review: The British Yearbook of International Law

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the natural justice doctrine, then points out its fallacies, laying stress upon the fact that no two consciences will see the same set of facts in the same light. Another chapter deals with "The Real Nature of Equity" i.e. its dual purpose in jurisprudence and the practical nature of equitable relief. Its history and generous scope, its necessity where the limitations of the law prevent remedying of certain wrongs, the surest tests of adequacy of relief at law and various forms of relief, are pointed out in following chapters. "Building restrictions" and "Specific Performance and Protection of Creditors," are given considerable space as are the chapters on "Injuries Inflicted Through Governmental, Official or Judicial Agency"; "Injunction"; and "Receivership"; all important phases of modern equitable jurisdiction.

The index which was prepared by Mr. William R. Simson of the New York Bar, will be of great value in speeding up the use of these books as it is thoroughly clear, comprehensive, and standard.

J. STEWART MURPHY

The British Yearbook of International Law. 1928. Oxford University Press, pp. 248. Price \$5.50.

This review will briefly state the history and contents of this book. It marks the ninth year of issue of the *British Yearbook of International Law*. The first issue appeared in 1920-1921 with the explanation that this book, "has been established because its promoters feel that a wider knowledge and comprehension of the subject is essential at the present time, and that a British periodical devoted to international law would help to this end." The object of this series was at that time also explained, "The purpose of the yearbook is to provide scope for well informed and careful contributions to the science of international law, wherein the fruits of research can be applied to the problems of the day."

This book is not an official organ and is not dependent on governmental or private organizations, but is an absolutely independent enterprise under the management of a committee. Since the publication of the first volume, the *British Yearbook of International Law* has been affiliated to the British Institute of International Affairs.

The editors of this yearbook are Sir Cecil Hurst and Professor A. Pearce Higgins. The editorial committee is composed of Professor P. J. Baker, W. E. Beckett, H. H. L. Bellot, Professor J. L. Brierly, A. D. McNair, H. W. Malkin, and Sir John Fischer Williams.

The leading articles and their authors are as follows:

"International Law and the Property of Aliens" by Sir John Fischer Williams.

"The Treatment of Mails in Time of War" by Professor A. Pearce Higgins.

"The Theory of Implied State Complicity in International Claims" by Professor J. L. Brierly.

"The Value of the Right of Capture at Sea in Time of War" by Vice-Admiral Sir Herbert Richmond.

"When Do British Treaties Involve Legislation?" by Arnold D. McNair.

"Neutral Commerce In The War of the Spanish Succession and the Treaty of Utrecht" by G. N. Clark.

"The Admission of States to the League of Nations" by Lillian M. Friedlander.

"The Pre-War Theory of Neutrality" by Miss V. M. S. Crichton.

The notes include the following subjects:

"Annual Digest of Public International Law Cases."

"The Progress of Codification In 1927."

"The Hague Conventions and the Nullity of Arbitral Awards."

"The Legal Remedy in Cases of Excess of Jurisdiction."

"Territorial Limits in the British Channel, the Frageries' Case."

"The Principle of Personal Law."

"Arbitration and Conciliation."

"Return of Alien Enemy Property by the United States."

"The Case of the *Lotus*."

The third part of the book takes up decisions, opinions and awards of international tribunals under which are the following:

"Judgments and Advisory Opinions of the Permanent Court of International Justice:

1. The Factory at Chorzow.
2. Case of S.S. *Lotus*.
3. Case of the Re-Adaptation of the Mavrommatis Jerusalem Concessions.
4. Jurisdiction of the European Commission of the Danube."

"Decisions of the American-Mexican Mixed Claims Commission."

"The Tripartite Claims Commission-United States, Austria and Hungary."

"Work of the German-American Mixed Claims Commission."

The two articles which appear under "Decisions of National Tribunals Involving Points of International Law" are "Digest of the Decisions of the English Courts During the Year 1927" and "De Facto Government and State Succession—Decisions of New York Supreme Court."

A review of books and a bibliography of books on international law then follows.

There is also a summary of events of the year 1927, which is compiled by the Royal Institute of International Affairs. In this summary the respective countries and their international happenings are listed.

The book ends with "General International Agreements, under which heading are summarized the international agreements of the various countries as to various affairs.

EUGENE M. HAERTLE

The Sanctity of the Law. By John W. Burgess; Harper and Brothers Publishers, 1928; pages vii, 345.

This book, *The Sanctity of the Law*, contains, in the concise words of the author, "the story of man's attainment of law and order from the Roman times to the present." It reads like an interesting history book of the rise and fall of the men and nations of Europe in their striving for a competent sanctity or inviolability of law. It gives the philosophy of the rise and fall of the early Roman's idea of law; then in turn deals with the rise and recession of the idea of the Church as being the sole means of giving, and living according to, the civil law; then it tells of the trials of states and nations in their attempts to draw up their own sanctified or inviolable law, and of their never ending succession of wars and conflicts.

It is written somewhat as a thesis, though an unfinished one, for history is ever in the making as this the author tells, himself. At times one is apt to lose one's self in the captivating way in which points of history are explained and to forget that the author is trying, not to write an abridged history of Europe, but something about how our system of law grew to be as it is