

The Americans, on the other hand, on entering the war, submitted to the jurisdiction of the French tribunals, and undertook to pay such damages as should be assessed against them by the French authorities. They subsequently had reason to regret that they had surrendered their rights as a sovereign state, and had assumed the obligations of a private person or corporation, under laws which differed materially from their own.

In England, the British authorities adopted a different course for, although it is British law that the King can do no wrong, and cannot be guilty of laches or negligence and *a fortiori* cannot be liable for the laches or negligence of a servant or agent, civil or military, public opinion was so strongly against the doctrine that the military authorities practically abandoned it. Whenever a British soldier was involved in a claim for damages put forward by a civilian in England, failing settlement, an action was brought against the soldier. The Treasury supplied solicitors and counsel for the defence, and if a verdict were obtained, the amount was paid together with the costs awarded.

This was the practice followed by the Canadian authorities during the early years of the war. It was not found to work satisfactorily and was changed in 1917. When justifying this change to the British authorities it was pointed out that the position of the Canadians in Britain was similar to that of the British in France; that in dealing with the claims of their civilian population at home against their own soldiers the British Government for political reasons was anxious to be generous; that there was a good deal of complacency in respect to verdicts which went into the pockets of their own people; and further that the invocation of the prerogative of the King was not popular in a country which is in some respects more democratic than Canada.

On the other hand: if the Canadian Government voluntarily abandoned its rights as representative of a sovereign state, thereby largely increasing the tax burdens of the people at home in Canada, such action would not be favourably regarded by those who paid the money but received none of it. The utmost economy in the administration of affairs overseas was what they most desired. That there was a great difference between the amounts for which