

Policies of life insurance pledged with an alien enemy as security for bills cannot be recovered by the trustee in bankruptcy as the custodian under sec. 4 (1) of the Trading with the Enemy Act, 1914, where the alien enemy is beyond the jurisdiction of the Court, and no assignment of the policies had been executed in favour of the enemy; that it is not the object of the Act that the custodian should be used as a medium for recovering for the trustee the bankrupt's property which during the war he could not recover for himself: *Re Reuben*, 31 T.L.R. 562.

RECEIVERS AND TRUSTEES.—The Court will appoint a receiver of a partnership business, of which one of the owners is an alien enemy, if the business is an ordinary commercial enterprise, and not within sec. 3 of the Trading with the Enemy Act, 1914: *Rombach v. Rombach*, 59 S.J. 90.

An application for the appointment of a controller of an enemy firm or company under sec. 3 of the Trading with the Enemy Act, 1914, may be made by an originating motion. A controller so appointed may be ordered to furnish the usual security required from a receiver and to account for, and report on, periodically, as to the position of the business and the results of carrying it on: *Re Meister Lucius, etc.*, 59 S.J. 25, 31 T.L.R. 28.

In the case of *Re Bechstein* (No. 1), 58 S.J. 863, a large firm, composed of alien enemies, had a London branch employing a large number of British workmen. The Court appointed the British assistant-manager of that branch to be receiver and manager upon his undertaking (1) not to remit goods or money forming assets of the defendant's business to any hostile country; (2) to endeavour to obtain from the Crown a license to trade.

Under the rules promulgated under the Trading with the Enemy Act, 1914, for the purpose of obtaining an order vesting in the Public Trustee all the property of an enemy company having a branch in England, an originating summons must be issued in pursuance of the rules, and the matter come on first in Chambers, and where the alien enemy is interned in an internment camp, a letter should be sent to him enclosing a copy of the originating summons: *Re Company*, 59 S.J. 217.

PRINCIPAL AND AGENT.—A British subject, acting as an agent for an undisclosed principal who is an alien enemy, is not debarred at common law, apart from the Trading with the Enemy Act, 1914, and the Proclamations issued thereunder, from maintaining an action against British subjects for the price of goods; and, upon his consenting to a stay of execution until a hearing under the Trading with the Enemy Amendment Act, 1914, for the vesting of the moneys in the custodian thereunder, he will be entitled to judgment: *Schmidt v. Van Der Veen*, 31 T.L.R. 214.

The agent of a principal who is an alien enemy is not entitled to bring an action against him for a declaration that the agent be entitled to collect debts due the principal, and to pay debts due from the latter, or for the appointment of a receiver of the assets of the principal's business in this country: *Maxwell v. Grunhut*, 31 T.L.R. 79, 59 S.J. 104.

In following the case of *Maxwell v. Grunhut*, *supra*, it was held that a British manager of an enemy firm with a branch in London, who was remunerated by a salary and commissions on sales, is not a person interested within the purview of the Trading with the Enemy Act, 1914, for the pur-