

referred to, the Privy Council has shewn a disposition to resist the view that is making way overseas and elsewhere—that each Dominion is in effect, and is to be treated as, a corporate entity: (see *Williams v. Howarth*, 93 L.T. Rep. 115; (1905) A.C. 551, reversing the Supreme Court of New South Wales) and with this case compare such cases as *Municipal Council of Sydney v. Commonwealth* (194, 1 Commonw. L. Rep. 208, 231) and *Baxter v. Commissioners of Taxation* (1907, 4 Commonw. L. Rep. 1087, 1126). Possibly a new appellate court of the right calibre would do what it has been said “the Lords of the Judicial Committee must sooner or later” do—that is, “recognise that Dominion and Commonwealth, Provinces and States, being living members of one Empire and perfectly real persons in political fact, have to be so treated in law.” It certainly will not make for uniformity in law if we have the Privy Council propounding one theory of sovereignty in the Dominion and the High Court of Australia another.—*Law Times*.

WAR CRIMINALS.

There seems to be no question, but that offenders against the law and customs of war as carried on between civilized nations are responsible and liable to punishment. Such offences are crimes, that is, acts forbidden by law under pain of punishment. The articles in the Peace Treaty which refer to this are as follows:—

ARTICLE 227.

The Allied and Associated Powers publicly arraign William II. of Hohenzollern, formerly German Emperor, for a supreme offence against international morality and the sanctity of treaties.

A special tribunal will be constituted to try the accused, thereby assuring him the guarantees essential to the right of defence. It will be composed of five judges, one appointed by each of the following Powers: namely, the United States of America, Great Britain, France, Italy, and Japan.

In its decision the tribunal will be guided by the highest motives of international policy, with a view to vindicating the solemn obligations of international undertakings and the validity of international morality. It will be its duty to fix the punishment which it considers should be imposed.