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### Concerning English Administrative Law (Book Note)

Louis Prashker

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would go far in bringing about needed statutory changes in matters where the courts determine they have no power.

The distinguished Surrogate of New York County in his foreword to this book stated among other things that the volume was "of particular importance to the members of the profession". Such a recommendation by Judge James A. Foley needs no further amplification nor verification. This is all the more obvious when it is realized that this honorable judge has had such long and intimate contact with one of the authors, Chester J. Dodge, who as Special Deputy Clerk of the Surrogate's Court of New York County in charge of accounting, has labored long and efficiently in the important and highly specialized field of estate accounting.

EDWARD J. O'TOOLE.\*

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### BOOK NOTE

CONCERNING ENGLISH ADMINISTRATIVE LAW. By Sir Cecil Thomas Carr. New York: Columbia University Press, 1941, pp. xi, 189.

*Concerning English Administrative Law* includes a series of special lectures delivered by Sir Cecil Thomas Carr, as a Carpentier Fund lecturer, at Columbia University in the fall of 1940. The book is most timely. The Attorney General's Committee on (Federal) Administrative Procedure recently completed its study, and made its findings and recommendations to the Attorney General of the United States. Before long, Mr. Benjamin, as Moreland Commissioner to Investigate Administrative Agencies of the State of New York, will complete his investigation, and submit his findings and recommendations to the Governor of New York. The Congress of the United States and the Legislature of the State of New York will very likely enact administrative legislation for the government of federal and state administrative agencies. A study of British experiences in the government of such agencies should be helpful in the formulation of such legislation.

In Britain, as in the United States, the administrative agency has had its foes and its friends. Lord Hewart, in his *The New Despotism* (1929), viewed with alarm the comprehensive authority delegated to administrative agencies, and their enactment of delegated legislation. Sir Cecil Thomas Carr, in his lectures of 1940, was more sanguine. He viewed administrative agencies as necessary supplements to the ordinary executive, legislative and judicial bodies. In times of crisis particularly, centralization, delegation and delegated legislation are necessary governmental *modi operandi*. But free peoples, Carr reminds us, must ever be on the alert for an unretarded restoration of their full liberties when the crisis is over.

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