

the mother Islands to your great Continent, unites us, and reminds us always that we belong to the same, though a mixed, racial family. Indeed, the spectacle which we, to-day, present is unique. We represent the great English-speaking communities—communities occupying a large space of the surface of the earth—made up of races wherein the blood of Celt and Saxon, of Dane and Norman, of Pict and Scot, are mingled and fused into an aggregate power held together by the nexus of a common speech—combining at once territorial dominion, political influence and intellectual force greater than history records in the case of any other people.

This consideration is prominent amongst those which suggest the theme on which I desire to address you—namely, international law.

The English-speaking peoples, masters not alone of extended territory, but also of a mighty commerce, the energy and enterprise of whose sons have made them the great travellers and colonizers of the world—have interests to safeguard in every quarter of it, and therefore, in an especial manner it is important to them, that the rules which govern the relations of States *inter se* should be well understood and should rest on the solid bases of convenience, of justice and of reason. One other consideration has prompted the selection of my subject. I knew it was one which could not fail, however imperfectly treated, to interest you. You regard with just pride the part which the judges and writers of the United States have played in the development of international law. Story, Kent, Marshall, Wheaton, Dana, Wooleey, Halleck and Wharton, amongst others, compare not unfavorably with the workers of any age, in this province of jurisprudence.

International law, then, is my subject. The necessities of my position restrict me to, at best, a cursory and perfunctory treatment of it.

I propose briefly to consider what is international law; its sources; the standard—the ethical standard—to which it ought to conform; the characteristics of its modern tendencies and developments, and then to add some (I think) needful words on the question, lately so much discussed of international arbitration.

I call the rules which civilized nations have agreed shall bind them in their conduct *inter se*, by the Benthamite title, "International Law." And here, Mr. President, on the threshold of my subject I find an obstacle in my way. My right so to describe them is challenged. It is said by some that there is no international law, that there is only a bundle, more or less confused, of rules to which nations more or less conform, but that international law there is none. The late Sir James F. Stephen takes this view in his "History of the Criminal Law of England," and in the celebrated "Franconia" case (to which I shall hereafter have occasion to allude), the late Lord Coleridge speaks in the same sense. He says: "Strictly speaking, 'International Law' is an inexact expression and it is apt to mislead if its inexactness is not kept in mind. Law implies a lawgiver and a tribunal capable of enforcing it and coercing its transgressors." Indeed it may be said that with few exceptions the same note is