

truly judicial than the court of 1899, and, though limited to the contracting powers, is fundamentally more international in its spirit.

The court is supposed to sit at The Hague, but may sit elsewhere if obliged to do so. The Delegation may, of its own accord, hold its sessions elsewhere with the consent of the parties, if circumstances make a change of place necessary. The court may call upon states to help it in serving notices and securing evidence. It determines the language that is to be used in cases coming before it. It discusses its cases and makes decisions upon them in private session under the control of a president or vice-president; but a judge who is appointed by one of the parties may not preside. A judge cannot serve as a member of the Delegation "when the power which appointed him, or of which he is a national, is one of the parties" (Art. 6). The decisions of the court must be made in writing by a majority of the judges present, who must give the reasons for their opinions and disclose their names. The judgment must be signed by the president and registrar. The court is authorized to improve upon its rules of procedure, but must communicate them to the contracting powers for approval.

Such are some of the superior features of the proposed Court of Arbitral Justice. It is not, however, intended to supplant the court of 1899, but to be used instead of it if litigants prefer its services. It is stipulated that its members shall be taken, as far as possible, from the judges of the Permanent Court of Arbitration. In common with that court it follows the procedure laid down in the Convention for the Pacific Settlement of International Disputes, except as it is empowered specifically to make its own rules. Its jurisdiction is as large as possible. It may take cases coming to it by a standing treaty of arbitration or by a special agreement.

This proposed International High Court of Justice should have the hearty support of Canadians and, indeed, of all lovers of peace the world over. We subscribe to the view so well expressed by Professor Kirchway, Dean of the Law School of Columbia University: "There is an increasing and well-nigh