old as society itself; *ubi societas ibi jus est;* but international law, as we know it, is a modern invention. It is in a state of growth and transition. To codify it would be to crystalize it; uncodified it is more flexible and more easily assimilates new rules. While agreeing, therefore, that indeterminate points should be determined and that we should aim at raising the ethical standard, I do not think we have yet reached the point at which codification is practicable, or if practicable would be a public good.

Let me give you an analogy. Amongst the most successful experiments in codification, in English communities, have been those in Anglo-India, particularly the Penal Code and the Codes of Criminal and Civil Procedure. Prompted by their comparative success, Sir Roland Wilson urged the extension of the process of codification to those traditional unwritten native usages, or customary law, of Hindu or Mahomedan origin, still recognized in the government of India by Englishmen. But the wiser opinion of Indian experts was, that it was better not to persevere in the attempt. Many of these usages, by sheer force of contact with European life and habits of thought are falling into desuetude. The hand of change is at work upon them, and to codify them would be to stop the natural progress of disintegration.

As we are not to-day considering the history of international law, I shall say but a word as to its rise and then pass on to the consideration of its later developments and tendencies.

[To be continued.]

GENERAL NOTES.

APPOINTMENT OF QUEEN'S COUNSEL IN CANADA.—An announcement has been made that the special case stated for the opinion of the Ontario Court of Appeal, as to the validity of appointments by the Federal and Provincial Governments, will be argued in September. It was set down for argument as long ago as April, 1892, but, owing to difficulties in the constitution of the Court and representation of the different interests by counsel for the purposes of the argument, it was adjourned from time to time, and finally taken off the list, with the understanding that it should be put down again when the difficulties should be removed. One difficulty has now been removed by the appointment of Mr. H. J. Scott, Q. C., to argue the case on behalf of the Dominion Government, and it is believed that one of the "divisions" of the Court of Appeal—if it sits in September in two divisions—will be so constituted as to hear this case. There are three views taken as to the jurisdiction in question, viz., that the Dominion Government alone has power to appoint, that the Provincial Government alone has power, and that both Governments have concurrent power.