

paid only when they are on duty, which is when they have a case to try. The judges of the proposed court would be paid a salary of \$2,400 a year from the time of their appointment, and receive about \$40 a day, with travelling expenses additional, when they go into session. The draft of the agreement contemplates an annual session beginning the third Wednesday in June, provided public business requires it; besides the election annually of three of the members, with substitutes, as a Permanent Delegation in residence at The Hague and always ready to try minor cases or cases for summary procedure. The Delegation is a unique and promising feature of the proposed court. It makes the court free and easy of access, which is desirable, and is an advantage over the system of the court of 1899, whose tribunals have to be especially summoned, even for a minor case. It is given large power, but cannot perpetuate itself at the expense of the whole court, as it is not only subject to election by the general body, but may at any time, on application of the nations, be superseded by it. The whole court may at any time be summoned in extraordinary session by the Delegation.

The proposed Judicial Arbitration Court, to be sure, if installed to-day, would not be open to all nations, as is the present Hague Court, but only to the nations which accept it by entering into a special contract. These nations, however, acting as a whole and not separately, are to pay the salaries of the judges, a method that is an improvement on the court of 1899, as under its system each litigant pays its own judges, a thing that would not be tolerated in a judicial court in municipal law. The costs of the proposed court, apart from the salaries of the officers, are apportioned among the litigants, who are also required to pay their own charges for counsel, witnesses, etc. No judge will be allowed to sit on a case in the decision of which he has already taken part in its earlier stages in national courts, nor can he appear before the court as counsel or advocate in any case, as men have done before the court of 1899. A judge is not permitted to receive money or hold any office under authority of one of the litigants, or of his own nation, inconsistent with his duties as a judge. In these respects, then, the new court is more