

was that of murderers and thieves and they by whom they were set in motion stand in the same category. The killing of Edith Cavell and Captain Fryatt were not acts of war, in the circumstances in which they were committed, but the murder of two British subjects in no way subject to the jurisdiction of those who caused them to be killed.

For every Belgian robbed, murdered or ravished the ex-Kaiser is answerable to the Belgian law as a criminal; and for every British subject put to death by Germans in Belgium the ex-Kaiser is also answerable to the Belgian law, and for these causes his extradition may properly be demanded by Belgium. As Grotius observes: "The right of demanding the surrender or punishment of criminals that have fled into other kingdoms has, in most parts of Europe during the present and the immediately preceding centuries, been generally exercised in cases where the crimes were such as affected *the safety of the state or were attended with notorious atrocity*," both of which circumstances exist in the case in hand.

The right of asylum which is extended to some refugees is, as Grotius lays down, for the "protection only of those who are the victims of unmerited persecution, not for those who have committed crimes injurious to mankind and destructive to society." Under this excepted class to some extent come those who in the carrying out of political designs in their own country have resorted to deeds of violence and then escaped to some other country, but even such offenders are not in all cases entitled to protection from extradition.

The question of extradition of criminals is among civilized nations now usually the subject of express treaty stipulations, and between Belgium and Holland we assume such a treaty exists, that it provides for the extradition of murderers, robbers, thieves and the perpetrators of rape we have no doubt, and to this class of criminals the ex-Kaiser and his son now in Holland may properly be assigned, and their extradition may be rightfully claimed by Belgium for their violations of Belgian law.

But the acts of the ex-Kaiser and his advisers have in many other respects been flagrant violations of the laws not only of