

in accomplishing their master's order, would it be reasonable to say that the murderer who had instigated and set on foot the crime was entitled to protection from punishment, on the ground either that he could do no wrong, or that he was levying war? Any such pretences ought to be regarded with contempt. He has committed murder, and if he can be brought within the jurisdiction of the law of the state, he should, and by every consideration of justice ought, to suffer like any other criminal for his crime. Would the offence be any the less or any the less amenable to the law if, instead of one man, he sent 50 or 100 to bring about the like result? A multiplicity of criminals may and often does prevent all of them from being brought to punishment, but it does not in the least diminish the guilt of all and each of them concerned. So long as the criminals remain in their own country there may be difficulty in bringing them to justice; but if they flee to other countries their surrender may be justly and rightfully demanded. Grotius very justly observes that kings and those who are possessed of sovereign power have a right to exact punishment, not only for injuries affecting immediately themselves or their own subjects, *but for gross violations of the law of nature and of nations, done to other states and subjects.* According to this view of international war, the Allied powers are well within their rights in seeking to bring to the bar of international justice the authors and promoters of the grievous wrongs and injuries inflicted on Belgium as a nation, contrary to the law of nature and of nations by the German army. The whole German nation cannot be brought to book, but the ringleaders and promoters of the crime are amenable to punishment like any other criminals.

Two or three of the principal offenders have sought asylum in other countries, and it has been suggested that they are entitled to protection as political refugees, but it is submitted that such a claim cannot be supported. *Quoad* Belgium they are simply criminals who have committed with force and violence outrageous crimes in Belgium contrary to the laws of Belgium. They entered Belgium unjustly, unlawfully and, contrary to international law, they proceeded to murder, rob and ravish the inhabitants; and from the moment they entered until they departed their status