

allied and associated Powers have desired that judicial forms and judicial procedure, and a regularly constituted tribunal should be set up, in order to ensure to the accused full rights and liberties in regard to his defence, and in order that the judgment should be of the most solemn judicial character."

The law which was violated was in existence when the offence was committed. It is not an *ex post facto* law as the Germans suggest. When Canada was invaded by a band of Fenian scoundrels in 1866, those of them who were caught were tried as common criminals for violation of the law of Canada and sentenced to appropriate punishments. In what respect does the criminality of the Kaiser differ from that of those men except that the Kaiser's case was infinitely worse and accompanied by a thousand times more hideous cruelty and barbarity; for aught that appears to the contrary he consented to and authorized the outrage with full knowledge of the wrong he was committing and was thus an accessory before the fact to the murders and other outrages committed by his troops in Belgium.

Now ordinary people would like kaisers and chancellors and statesmen and generals and admirals to be made to understand that whatever may have been done or omitted to be done in the past ages of the world, they who commit and carry on such wholesale murders, robberies, arsons and rapes, as were committed in Belgium, do so at the peril of their lives, and the only way that lesson can be effectively taught is now to make the precedent. All things must have a beginning and the reign of law for sovereigns and statesmen and military advisers must have its beginning. If the precedent is made now the lesson may never need to be repeated.

Selected particular cases of crimes actually committed by German soldiers in Belgium should be made the subject of the indictment of the Kaiser and his principal advisers, and he and they should receive the punishment which, by the laws of Belgium, persons are liable to who commit murder, robbery, arson, and rape in that country.

The point of law to be solemnly affirmed is simply this, viz., that those who invade a neutral country in defiance of international law are to be regarded as criminals in the country which