

room come able, learned men, widely different in race and creed and colour, all to help in that task, fundamentally human, fundamentally divine, the search for truth, the doing of justice. . . .

"Over and over again there come before the Board questions, antagonisms, rivalries, jealousies, which in former times would have driven races, provinces, kingdoms, to rancorous and bloody wars. These problems are settled by the arbitrament of equity and by a justice so manifestly achieved without fear or favour that their solution is accepted with a loyalty at once respectful, real, and complete. So that one can feel that peace is being won and kept by justice—a peace more enduring than any that could be imposed even by the rod of Imperial power."

MORAL DAMAGE.

Those who remember the history of the Jameson raid of 1895 will recollect that much mirth was occasioned by the inclusion in President Kruger's claim for damages of a large sum under the head of "moral damage." Indeed the expression is little used in this country and so it easily lent itself to jesting. *Domage moral* is, however, a reality, meaning injury to honour, affection or other proper feeling and forms the basis of our law of libel; of Lord Campbell's Act, of the Slander of Women Act of 1911, of breach of promise actions, and of actions against bankers for wrongly dishonouring cheques, and in all cases without special damage being proved; while in the practice of the courts actual damage is often appreciated at an enhanced figure when the conduct of the defendant has been shockingly bad or the feelings of the plaintiff have been injured. In the former case the practice of juries, sometimes encouraged by judges, exhibits the common desire to punish a wrong-doer wanting in moderation. Thus, the plaintiff sells his honour for riches which he has done nothing to earn, the jury has gratified their vindictive righteousness, the defendant learns that gross improprieties can be weighed against gold and the functions of the criminal courts have been usurped. Here is judge-made law of the doubtful kind under which punishment is meted out in a civil court and