
NOTES FROM THE INNS OF COURT.

INTERNATIONAL LAW THROUGH GERMAN GLASSES.

Many lawyers have wondered how the German government reconciles its conduct of the submarine campaign with the principles of international law. Dr. Scholz, a member of the Berlin Court of Appeal, in an article in the *Deutsche Juristen-Zeitung* gets over one troublesome question by enunciating the following rule: "All British merchant ships must be presumed to be armed. Every German submarine boat is therefore justified, *until the contrary has been proved in the individual case*, to assume that every British merchant ship is a fighting ship, which, like a man-of-war or an auxiliary cruiser, may be sunk without warning, and in respect of which it must be deemed a mild practice if the crew are not treated as pirates." The words in italics suggest a question of some nicety. When and where is the contrary to be proved? After the fatal torpedo has been charged—after the shell has burst in the saloon and killed 50 innocent passengers? "Sentence first and trial afterwards" is evidently to be one of the rules of procedure in the international court if constituted according to German ideas.

GERMAN LAW TO BE INTERNATIONAL LAW.

The rule drafted by Dr. Scholz embodies a proposition which is entirely consistent with German policy. The German Emperor is making a bid for world power. Having achieved its purpose, the government of the Kaiser will frame laws for the world. In authorizing a "tame judge" to lay down the above astounding proposition, the War Council at Potsdam imagines that it is merely anticipating events a little. Instances of other "intelligent" anticipation of the like order are to hand.

Dr. Von Campe, in another article in the same journal (the *Deutsche Juristen-Zeitung*) boldly justifies the tearing up of treaties. He says: "The highest principle of civil law is the observance of good faith, not so in international law. Each