

to be found in the customs of their people, in the writings of their jurists and in the decisions of their courts, so the unwritten International law is to be found in the customs of nations, in the works of International writers from Grotius down and in the decisions of civil, criminal and prize courts. And just as these principles have in the case of private law been written in statutes, so in the case of International law have they been embodied in treaties and in the declarations of International Congresses. Both private and international law justify the taking of human life in certain cases, but the submarine pirate will find no law to cover his murder of non-combatants. He will have but the plea that he was following the orders of a superman named the kaiser who is bound by no law human or divine and whose authority and will no living creature may deny or oppose. But will mankind bow to this?

As Dr. Wharton has put it, the conviction of *Dr. Cooper* (p. 774) after those that had gone before under the unpopular Sedition Law only added fresh pungency to invectives already pungent. Cooper shook his chains in the President's face and dared him to pardon him; and Lyon danced about his dungeon in agony, lest in a fit of clemency Mr. Adams should secure the presidential vote of Vermont. Under the Sedition Law the "seditious" became still more scurrilous; and the result was that the government found itself impudently bullied by those it attempted to chastise. It was reserved for later times to demonstrate that after all a press the most unfettered is a press the most restrained.

In a recent work of great interest to the lawyer^{*}

^{*} *Decisive Battles of the Law*, by Frederick Trevor Hill, New York and London, Harper Bros., publishers. 1907.