protection to American missionaries, and of course, in the omission of the special articles with regard to American cable and radio rights in Yap. Furthermore, the Japanese treaty provided that "existing treaties between the United States and Japan shall be applicable to the mandated islands," whereas the French treaties provide only for such application of "extradition treaties and conventions." Thus Articles 7 and 12 of the French consular convention of 1853, which confer most favored national treatment with regard to consuls and national treatment with respect to private real and personal property rights and inheritances is not applicable in the Cameroons and Togoland. Treatment equal to that of Frenchmen in respect to personal and property rights and other privileges are, it is true, assured to nationals of League Members by Article 6 of the mandates in question, and, by the present treaties, to American citizens, but other privileges (apart from extradition) not thus specified in the mandates, which Americans now enjoy in France under treaty, would not be enjoyed by Americans in the mandated territories. In this respect, therefore, the United States gets less than it did under the Japanese treaty.

It should be noticed that the Japanese mandated islands fall in Class C under the League Covenant, to be "administered under the laws of the mandatory as integral portions of its territory," subject to specified safeguards for the benefit of the natives. Thus Japan probably has the right to extend all treaty privileges of foreign nations to them.[5] The covenant, however, does not appear to give so extensive powers to mandatories of Class B territories, like the Cameroons and Togoland. There might, therefore, be a question of the right of France as mandatory to extend all treaty privileges of foreigners to the territory. In fact, however, Article 9 of the mandates for these two territories does give the mandatory the right to administer them "as an integral part of his territory."

From the standpoint of international law the most interesting feature of these treaties is: (1) the assumption that American consent is necessary for French administration of the mandates and (2) the assumption that France can grant permanent rights with respect to the territories.[6]

QUINCY WRIGHT.

THE LEAGUE OF NATIONS' REPORT ON THE UNIFICATION OF THE LAW OF NEGOTIABLE INSTRUMENTS

The Conference of Financial Experts held at Brussels in September, 1920, recommended to the League of Nations as part of its scheme of financial rehabilitation "that the activities of the League might usefully be directed towards promoting certain reforms," the first of which was that

[5] Question might be raised whether, without the consent of the Council, she could exercise such sovereign powers as treaty-making with respect to mandated territory.

[6] Wright, "Sovereignty of the Mandates," this JOURNAL, Vol. 17, 699–700.

progress should be made toward the unification of the laws of the various countries relating to bills of exchange and bills of lading. The International Chamber of Commerce and other trade bodies have likewise strongly supported a resumption of initiative in this direction, which was interrupted by the war. As a result, the Economic Committee of the League of Nations, acting in coöperation with the Government of the Netherlands, and with the approval of the Council and the Assembly, appointed four legal experts to report their opinions upon the attitude now prevailing in the various countries of the world toward the work of the two Hague Conferences on Negotiable Instruments and also as to whether further action toward unification was likely to meet with practical success. The following highly qualified experts were charged with the task: Sir Mackenzie Chalmers, well known as the author of the English Bills of Exchange Act of 1882; the late Professor David Josephus Jitta, formerly Councillor of State of the Netherlands; Professor Franz Klein, of Austria, and Professor Lyon-Caen, the well-known French authority on commercial law.

It will be remembered that the unification of the law of bills and notes had advanced to the stage of the signing of a convention by representatives of twenty-seven nations in 1912. Two conferences at The Hague, in 1910 and in 1912, respectively, elaborated a *règlement* applicable to bills of exchange and promissory notes, which the nations signatory to the convention undertook to adopt as part of their national legislation. The convention failed of ratification mainly by reason of the war. Ratification by certain nations was delayed by the unfavorable attitude of Great Britain and the United States toward adhering to any scheme of unification which would involve material changes in the laws of their own jurisdictions. At the time of the conferences, it was thought possible to arrive at a scheme of unification in which countries of the Anglo-American sphere of jurisprudence might participate, but objections, partly of policy and partly constitutional, have induced both governments to withhold any hope of legislative approval.

Of course the Federal Government would not be likely to engage itself to recommend the adoption of any law which would substantially vary the system of the Uniform Negotiable Instruments Law elaborated after much labor and now in force in nearly all the States. Great Britain has never seriously considered the abandonment of the system developed through the Common Law and the Law Merchant as represented by its Bills of Exchange Act of 1882. It has, however, declared its willingness to consider such non-fundamental amendments as would aid in the process of unification.

The report of the experts of the League of Nations was presented to the Council in 1923, and its recommendations approved, though no action has yet been taken to execute the plan. The report recommends the acceptance of the convention and *règlement* of 1912, not as a finality, but as a

basis for further discussion at a conference to be called at The Hague to which all nations shall be invited and which shall be organized by the Government of the Netherlands acting in coöperation with the League of Nations. The report reflects an important change of opinion in so far that the inability of the Governments of United States and of Great Britain to hold out any hope of ultimate ratification on their part is no longer regarded as an impediment in the path of progress by the other nations. As the Uniform Negotiable Instruments Law varies so slightly from the system in force in Great Britain and in the British Colonies and Dependencies, the adoption of a uniform code for all other countries would leave only two great systems prevailing throughout the world, the Anglo-American and what, for lack of a better term, may be called the Continental System. This in itself would be a great advance and would make for certainty and stability in international and financial transactions. However, the committee of legal experts insists upon the importance of having the presence and coöperation of representatives of the Anglo-American group, with a view to coördination wherever possible. Sir Mackenzie Chalmers is of the opinion that the rules adopted in 1912 were already a closer approach to the Anglo-American system than any of the codes of the several countries of Continental Europe or of Latin-America. A "progressive assimilation" should, therefore, not be unthinkable, and the work of the proposed conference would then be one of consolidation of similar systems, with a tendency to approach the Anglo-American rules wherever practicable. In the words of the committee of experts, "It is wise to harvest that which is ripe and to allow to ripen that which is not."

ARTHUR K. KUHN.

DANISH LEGISLATION PROTECTING MINORITIES

An admirable illustration of both just and generous treatment of an alien minority is to be found in a brief pamphlet recently published by the Danish Ministry of Foreign Affairs, entitled: *The German Minority in South Jutland —A Summary of the Danish Legislation.*

It will be remembered that the Treaty of Versailles provided that the boundary between Germany and Denmark should be fixed in conformity with the results of a plebiscite to be taken in two separate zones, the more northern of which only was transferred to Denmark on that basis. Unlike the case of Poland, Czechoslovakia, and other states to which alien minorities were assigned, Denmark was not required by the Treaty of Versailles to enter into a separate treaty of guarantee defining the protection to be accorded to the German minority. This was due, the present pamphlet informs us, to the liberal character of the Danish legislation already in existence, which applied to all Danish subjects irrespective of language or nationality. This legislation was based upon the Danish Constitutional Act and