

THE  
AMERICAN JOURNAL  
OF  
INTERNATIONAL LAW



VOLUME 15

1921

Reprinted with the permission of The American Society of International Law

JOHNSON REPRINT CORPORATION  
111 Fifth Avenue, New York, N.Y. 10003

JOHNSON REPRINT COMPANY LIMITED  
Berkeley Square House, London, W. 1

**COPYRIGHT, 1921**  
**BY**  
**THE AMERICAN SOCIETY OF INTERNATIONAL LAW**

First reprinting, 1965, Johnson Reprint Corporation

Printed in the United States of America

## CONTENTS OF VOLUME FIFTEEN

	PAGE
THE CONSTITUTION OF AN INTERNATIONAL COURT OF JUSTICE. <i>Elihu Root</i> .....	1
NOTES ON WORLD SOVEREIGNTY. <i>Robert Lansing</i> .....	13
OUTLINE OF A PLAN FOR THE MAINTENANCE OF INTERNATIONAL PEACE. <i>George A. Finch</i> .....	28
THE JONES ACT AND THE DENUNCIATION OF TREATIES. <i>Jesse S. Reeves</i> .....	33
THE REFUSAL OF THE PRESIDENT TO GIVE NOTICE OF TERMINATION OF CERTAIN TREATY PROVISIONS UNDER THE JONES ACT. <i>Howard Thayer Kingsbury</i> ..	39
THE INTERNATIONAL LABOR ORGANIZATION OF THE LEAGUE OF NATIONS. <i>Charles Noble Gregory</i> .....	42
THE ADMINISTRATION OF JUSTICE IN THE SWISS FEDERAL COURT IN INTERCANTONAL DISPUTES. <i>Dietrich Schindler</i> .....	149
THE NATURE OF AMERICAN TERRITORIAL EXPANSION. <i>Pitman B. Potter</i> .....	189
ENEMY GOODS AND HOUSE OF TRADE. PART I. <i>Thomas Baty</i> .....	198
THE NATURE AND SOURCES OF INTERNATIONAL LAW. <i>Gordon E. Sherman</i> .....	349
INTERNATIONAL SOCIETY AND INTERNATIONAL LAW. <i>Jesse S. Reeves</i> .....	361
GREEK INTERSTATE ASSOCIATIONS AND THE LEAGUE OF NATIONS. <i>A. E. R. Boak</i> ..	375
ENEMY GOODS AND HOUSE OF TRADE. PART II. <i>Thomas Baty</i> .....	384
CONFERENCE ON THE LIMITATION OF ARMAMENT AND PROBLEMS OF THE PACIFIC. <i>James Brown Scott</i> .....	503
THE UNITED STATES AND THE LEAGUE OF NEUTRALS OF 1780. <i>William S. Carpenter</i>	511
THE PRINCIPLE OF EQUILIBRIUM AND THE PRESENT PERIOD. <i>Tor Hugo Wistrand</i> ..	523
COLONIAL REPRESENTATION IN THE AMERICAN EMPIRE. <i>Pedro Capó Rodriguez</i> ....	530
<b>EDITORIAL COMMENT:</b>	
The annual meeting of the Society. <i>Announcement</i> .....	51
A Permanent Court of International Justice. <i>James Brown Scott</i> .....	52
The California-Japanese question. <i>Theodore S. Woolsey</i> .....	55
Recognition of new governments. <i>Amos S. Hershey</i> .....	59
New consular conventions. <i>Charles Cheney Hyde</i> .....	62
Nationality and the Nineteenth Amendment. <i>George Grafton Wilson</i> .....	65
The "Little Entente." <i>Philip Marshall Brown</i> .....	67
The understandings of international law. <i>Philip Marshall Brown</i> .....	69
The Tacna-Arica dispute and the Monroe Doctrine. <i>Jesse S. Reeves</i> .....	70
Arbitration resumed at The Hague. <i>James Brown Scott</i> .....	73
The foreign policy of the United States. <i>James Brown Scott</i> .....	232
Charles Evans Hughes—The new Secretary of State. <i>James Brown Scott</i> .....	234
The Costa Rica-Panama boundary dispute. <i>Chandler P. Anderson</i> .....	236
The first Assembly of the League of Nations. <i>Charles Noble Gregory</i> .....	240
The Teaty of Rapallo. <i>Jesse S. Reeves</i> .....	252
The federation of Central America. <i>Philip Marshall Brown</i> .....	255

	PAGE
The Permanent Court of International Justice. <i>James Brown Scott</i> .....	260
American and British Claims Arbitration Tribunal. <i>Chandle P. Anderson</i> ....	266
The Aaland Islands question. <i>Philip Marshall Brown</i> .....	268
Sakuyei Takahashi—In memoriam. <i>James Brown Scott</i> .....	272
President Harding's foreign policy. <i>James Brown Scott</i> .....	409
German reparations. <i>Amos S. Hershey</i> .....	411
George Fancis Hagerup. <i>George G. Wilson</i> .....	418
The mandate over Yap. <i>Charles Noble Gregory</i> .....	419
The relinquishment of extraterritorial jurisdiction in Siam. <i>Charles Cheney Hyde</i> .....	428
The treaty between Colombia and the United States. <i>James Brown Scott</i> ....	430
Superior orders and war crimes. <i>George A. Finch</i> .....	440
The Peace Treaties. <i>Chandler P. Anderson</i> .....	552
The election of judges for the Permanent Court of International Justice. <i>James Brown Scott</i> .....	556
Drago and the Drago Doctrine. <i>T. S. Woolsey</i> .....	558
Ernest Nys, 1851-1920. <i>Amos S. Hershey</i> .....	560
<b>CURRENT NOTES:</b>	
Admission of women to membership in the American Society of International Law .....	76
Amendment of the Constitution of the American Society of International Law ..	76
Proceedings for 1920 .....	77
Cumulative Index to the American Journal of International Law.....	77
Bound volumes of the Society's publications .....	78
The Institute of Politics.....	78
Revue de Droit International et de Législation Comparée.....	79
The British Year Book of International Law.....	80
Nobel Prize Essay.....	81
The Edward Fry Library of International Law.....	81
The annual meeting of the Society.....	446
The Nobel Peace Prize. <i>James Brown Scott</i> .....	562
Federal legislation upon civil aeronautics. <i>Arthur K. Kuhn</i> .....	564
The Institute of Politics .....	565
CHRONICLE OF INTERNATIONAL EVENTS. <i>M. Alice Matthews</i> .....	83, 273, 451, 569
PUBLIC DOCUMENTS RELATING TO INTERNATIONAL LAW. <i>George A. Finch</i> .....	95, 289, 469, 585
<b>JUDICIAL DECISIONS INVOLVING QUESTIONS OF INTERNATIONAL LAW:</b>	
<i>Permanent Court of Arbitration at The Hague:</i>	
Awards in the matter of the "contested properties" in Portugal.....	99
<i>American and British Claims Arbitration Tribunal:</i>	
In the matter of H. J. Randolph Hemming.....	292
In the matter of the Home Missionary Society.....	294
In the matter of the Tattler.....	297
In the matter of the Coquitlam.....	301
<i>Supreme Court of the United States:</i>	
Strathearn Steamship Company v. Dillon.....	474
<i>Judicial Committee of the Privy Council:</i>	
The Elve and the Bernisse.....	478
The Hilding and other vessels.....	593

CONTENTS

v

BOOK REVIEWS:	PAGE
Barclay: Collapse and Reconstruction.....	122
Baruch: The Making of the Reparation and Economic Sections of the Treaty..	125
Foerster: The Italian Emigration of Our Times.....	128
Fried: Mein Kriegs-Tagebuch. Vols. III and IV.....	130
Grotius Society: Transactions, 1919.....	131
Harrison: On Jurisprudence and the Conflict of Laws.....	134
Hill: American World Policies.....	138
Millard: Democracy and the Eastern Question.....	142
Pollock: The League of Nations.....	144
Strupp: Das Völkerrechtliche Delikt.....	146
Ariga: La Chine et la Grande Guerre Européenne.....	305
The British Year Book of International Law.....	306
Conrotte: La Intervención de España en la Independencia de Los Estados Unidos	308
Dickinson: The Equality of States in International Law.....	309
Hayden: The Senate and Treaties, 1789-1817.....	312
Hicks: The New World Order.....	312
Lansing: The Peace Negotiations: A Personal Narrative.....	316
Latané: The United States and Latin America.....	323
McNair: Legal Effects of War.....	325
Ruyssen: De la Guerre au Droit.....	328
Scott: The United States of America: A study in International Organization..	331
Smith: The American Supreme Court as an International Tribunal.....	333
Valentin: Geschichte des Völkerbundgedankens in Deutschland.....	336
Wambaugh: A Monograph on Plebiscites.....	337
Mattern: The Employment of the Plebiscite in the Determination of Sovereignty	337
Buell: Contemporary French Politics.....	484
Castro y Oyanguren: La cuestion de Tacna y Arica.....	485
Corporaal: De internationaalrechtelijke betrekkingen tusschen Nederland en Venezuela, 1816-1920.....	486
Helfferich: Vom Eingreifen Amerikas bis zum Zusammenbruch.....	488
Henry: Etudes sur l'Occupation Allemande en Belgique.....	489
Henry: L'Œuvre du Comité National de Secours et d'Alimentation pendant la Guerre.....	489
Holmes: Collected Legal Papers.....	490
Montijn: A New Principle of International Law.....	492
Van Vollenhoven: The Three Stages in the Evolution of the Law of Nations...	493
Canfield and Dalzell: The Law of the Sea.....	615
Chow: Le Controle Parlementaire de la Politique Étrangère en Angleterre, en France, et aux Etats-Unis.....	616
Garner: International Law and the World War.....	620
Oppenheim: International Law. A Treatise.....	622
de Ridder: Histoire Diplomatique du Traité de 1839.....	625
Tardieu: The Truth about the Treaty.....	626
Willoughby: Foreign Rights and Interests in China.....	628
PERIODICAL LITERATURE OF INTERNATIONAL LAW. <i>Hope K. Thompson</i> .....	341, 495
OFFICIAL DOCUMENTS (separately paged and indexed).	