THE

AMERICAN JOURNAL

INTERNATIONAL LAW



VOLUME 19

1925

PUBLISHED BY

THE AMERICAN SOCIETY OF INTERNATIONAL LAW

Publication Office: THE RUMFORD PRESS Concord, N. H. Editorial and Executive Office: 2 JACKSON PLACE Washington, D. C. COPYRIGHT, 1925

BY

THE AMERICAN SOCIETY OF INTERNATIONAL LAW

CONTENTS OF VOLUME NINETEEN

[No. 1, January, 1925, pp. 1–250; No. 2, April, 1925, pp. 251–459; No. 3, July, 1925, pp. 461–673; No. 4, October, 1925, pp. 675–859.]

	PAGE
GROTIUS AND THE STUDY OF LAW. C. Van Vollenhoven	1
THE FIRST Edition of Grotius' de Jure Belli ac Pacis, 1625. Jesse S. Reeves	12
The Ineligible to Citizenship Provisions of the Immigration Act of 1924.	
A. Warner Parker	23
THE THIRD YEAR OF THE PERMANENT COURT OF INTERNATIONAL JUSTICE. Manley	,
0. Hudson	48
THE OUTLAWRY OF WAR. Quincy Wright	76
THE MEANING OF PAN-AMERICANISM. Joseph B. Lockey	104
GROTIUS' DE JURE BELLI AC PACIS: A BIBLIOGRAPHICAL ACCOUNT. Jesse S. Reeves	251
RECENT RECOGNITION CASES. Edwin D. Dickinson	263
REGISTRATION AND PUBLICATION OF TREATIES. Manley O. Hudson	273
THE RESPONSIBILITY OF THE STATE FOR THE PROTECTION OF FOREIGN OFFICIALS.	
Clyde Bagleton	293
INTERNATIONAL LAW AND NATIONAL LAW IN THE UNITED STATES. Pitman B. Potter	315
GROTIUS' DE JURE BELLI AC PACIS: THE WORK OF A LAWYER, STATESMAN AND	
Theologian. James Brown Scott	461
DIPLOMATIC PREROGATIVES OF NON-DIPLOMATS. C. Van Vollenhoven	469
THE LEAGUE OF NATIONS AND UNANIMITY. Sir John Fischer Williams	475
THE TREATY-MAKING POWER IN CANADA. N. A. M. Mackenzie	489
INTERNATIONAL SANCTIONS AND AMERICAN LAW. J. Whitla Stinson	505
THE RED RIVER BOUNDARY DISPUTE. W. Clayton Carpenter	517
THE CODIFICATION OF INTERNATIONAL LAW. Elihu Root.	675
GROTIUS IN THE SCIENCE OF LAW. Roscos Pound	685
GERMAN-AMERICAN COMMERCIAL RELATIONS. Wallace McClure	689
AERIAL LAW AND WAR TARGETS. Elbridge Colby	702
JUSTINIAN AND THE FREEDOM OF THE SEA. Percy Thomas Fenn, Jr.	716
THE MAVROMMATIS CONCESSIONS CASES. Edwin M. Borchard.	728
EDITORIAL COMMENT:	120
The commemoration of Grotius. David Jayne Hill	118
The Geneva Protocol for the pacific settlement of international disputes. James	
W. Garner	123
The opinions of the Mixed Claims Commission, United States and Germany.	
Edwin M. Borchard	133
The scope of domestic questions in international law. C. G. Fenwick	143
Meeting of the Institute of International Law at Vienna, 1924. James Brown Scott	147
The Irish boundary question. Manley O. Hudson.	150
Condification of international law and the Fifth Assembly. Arthur K. Kuhn	158
International political questions in national courts. Edwin D. Dickinson	157
The Central American policy of non-recognition. Chandler P. Anderson 16	4, 361
Some observations on the codification of international law. James W. Gurner	
The codification of American international law. James Brown Scott	333

CONTENTS

		PAGE
T	he Geneva Protocol. Philip Marshall Brown	338
	he Isle of Pines treaty. Quincy Wright	340
T	he meaning of nationality in the recent Immigration Acts. Edwin D. Dickinson	344
	he American withdrawal from the Opium Conference. Quincy Wright	348
Se	equestrated private property and American claims—the Treaties of Versailles	
	and Berlin, Edwin M. Borchard	355
Ir	nternational regulation of legal assistance for the poor. Arthur K. Kuhn	359
	nnual meeting of the American Society of International Law. George A. Finch	530
T	he progressive codification of international law. George A. Finch	534
	onference of American teachers of international law. Ellery C. Stowell	542
	niformity of law in respect to nationality. J. W. Garner	547
T	he new commercial treaty with Germany. Arthur K. Kuhn	553
	Vaiver of state immunity. Edwin D. Dickinson	555
	he Opium Conferences. Quincy Wright	559
	nternational control and distribution of raw materials. Chandler P. Anderson.	739
	he non-recognition and expatriation of naturalized American citizens. Charles	
	Cheney Hyde	742
L	egal status of state-owned ships employed in trade. J. W. Garner	745
	hina and the Powers. George A. Finch	748
	The Russian Reinsurance Company Case. Edwin D. Dickinson	753
	nstitute of Pacific Relations. George Grafton Wilson	757
	The Institute of International Law. James Brown Scott	758
	The Foreign Service School. Ellery C. Stowell	763
	The Hague Academy of International Law. James Brown Scott	768
	ENT NOTES:	
	resident Coolidge's annual message to Congress, December 3, 1924	167
	merican note on the Treaty of Mutual Assistance	170
	Amendments to the Covenant of the League of Nations	170
	Tripartite claims agreement signed with Austria and Hungary	171
	The Academy of International Law at The Hague	
	nternational Law Association	173
	nstitute for the Unification of Private Law	173
	'ellowships in international law	
	The Reference Service on International Affairs of the American Library in Paris,	
. 1	Inc	
7.	nter-American Committee on Electrical Communications	176
		170
	Exporting arms to Juarez or Maximilian. Elbridge Colby	
	nternational law teaching.	362
	ettlement of boundary controversies between Brazil, Colombia and Peru 36	
	merican-British Claims Arbitral Tribunal	
	fixed Claims Commission, United States and Germany	
	fixed Claims Commission, United States and Mexico	
	Ir. Root's eightieth birthday	
	telations of United States with Latin America. Charles E. Hughes	
W	Var seizures by the British Government of German owned stock in American	
_	corporations. Frederic R. Coudert	
	Pano-Norwegian conflict over Greenland. Paul Knaplund	
	aris agreement regarding distribution of the Dawes annuities—Official comment	
	Vithdrawal of the United States from the Opium Conference—Official statement	
	Oouble taxation on shipping. Arnold D. McNair	
	e Comité Maritime International. Sir Graham Bower	
. It	talian Institute of International Law	578

CONTENTS

37 · .	PAGE
William Jennings Bryan. James Brown Scott	772
Leon Bourgeois. James Brown Scott	774
Edgar A. Bancroft	776
The International Telegraph Conference	777
Remission of the Boxer Indemnity by the United States	778
Miscellaneous notes	, 779
CHRONICLE OF INTERNATIONAL EVENTS. M. Alice Matthews181, 382, 584	,782
JUDICIAL DECISIONS INVOLVING QUESTIONS OF INTERNATIONAL LAW:	
American and British Claims Arbitration Tribunal:	
Robert E. Brown Claim	193
Rio Grande Claim	206
Union Bridge Company Claim	215
Adolph G. Studer v. Great Britain	790
Canadian Claims for Refund of Hay Duties	795
The R. T. Roy v. Great Britain	800
In the Matter of the Tacna-Arica Arbitration:	
Award of President Coolidge, March 4, 1925	393
Memorial of Peru, Ruling and Observations of the Arbitrator, Appointment	
of Peruvian member of Plebiscitary Commission	633
Mixed Claims Commission—United States and Germany:	¥05
Life-Insurance Claims. Sept. 18, 1924.	593
Estate Claims. Administrative Decision No. IV. Oct. 2, 1924	609
Nationality of Claims. Administrative Decision No. V. Oct. 31, 1924	612
Claims of American Nationals for Deaths of Aliens. Administrative Decision	900
No. VI. Jan. 30, 1925	630 803
Mary Barchard Williams v. Germany	806
Edward A. Hilson v. Germany	810
Christian Damson v. Germany.	815
Eisenbach Brothers & Co. v. Germany.	821
Book Reviews and Notes:	-
Alexander: The Revival of Europe: Can the League of Nations Help?	220
Alvarez: The Monroe Doctrine	221
Bülow: Der Versailler Völkerbund, eine vorläufige Bilanz	224
Burns: A Short History of International Intercourse	226
Pillet and Niboyet: Manuel de droit international privé à l'usage des Etudiants	
de Licence	228
Poole: The Conduct of Foreign Relations under modern democratic conditions.	229
Potter: The Freedom of the Seas	231
Schücking and Wehberg: Die Satzung des Völkerbundes. 2d ed	233
Soule and McCauley: International Law for Naval Officers	233
De Visscher: Le Droit International des Communications	238
Ward and Gooch: The Cambridge History of British Foreign Policy, 1783–1919.	239
Bewes: The Romance of the Law Merchant	433
Hudson: The Permanent Court of International Justice	434
Isay: Völkerrecht	435
Lay: The Foreign Service of the United States	436
Matsunami: Immunity of State Ships	441
McClure: A New American Commercial Policy	442
Nathan: The Renascence of International Law	444
Parmelee: Blockade and Sea Power.	444

CONTENTS

		PAGE
	Reuter: Anglo-American Relations during the Spanish American War	
	Ruyssen: Les Minorités Nationales de l'Europe	445
	Spaight: Air Power and War Rights	447
	Verzijl: Le Droit des Prises de la Grande Guerre	449
	Arminjon: Précis de droit international privé	649
	Bethmann-Hollweg: Considérations sur la Guerre Mondiale	650
	Brandenburg: Von Bismarck zum Weltkriege	
	Soviet Government: Correspondance entre Guillaume II et Nicolas II, 1894-1914	651
	Chirol: The Occident and the Orient	653
	Kraus: Germany in Transition	653
	De Visscher: The Stabilization of Europe	653
	Fooks: Prisoners of War	655
	Hall: A Treatise on International Law	656
	Kellor: Security against War	657
	Miller: The Geneva Protocol	660
	Moon: Syllabus on International Relations	661
	Politis: La Justice Internationale	
	Roscoe: History of the English Prize Court	. 663
	Warren: The Supreme Court and Sovereign States	664
	Baker: The Geneva Protocol for the Pacific Settlement of International Disputes	824
	Buchanan: My Mission to Russia and Other Diplomatic Memories	. 825
	Culbertson: Raw Materials and Foodstuffs in the Commercial Policies of National	s 827
	Dutcher: The Political Awakening of the East	. 827
	Edmunds: The Lawless Law of Nations	. 830
	Fauchille: Traité de droit international public	. 832
	Grabower: Die Geschichte der Umsatzsteuer und ihre gegenwärtige Gestaltung	
	im Inland und im Ausland	
	Hough: Cases in Vice Admiralty and Admiralty in New York, 1717-1788	. 834
	Mowat: The Diplomacy of Napoleon	. 835
	Pillet: Traité Pratique de Droit International Privé	. 836
	Stoyanovsky: La Théorie Générale des Mandats Internationaux	
	Travers: Le Droit Pénal International	
	Willoughby: Opium as an International Problem—The Geneva Conferences	. 840
	Notes241, 4:	
	Books received	51, 849
Rev	VIEW OF CURRENT PERIODICALS. Charles G. Fenwick	70, 854
IND	mx	. 860

BOARD OF EDITORS OF THE AMERICAN JOURNAL OF INTERNATIONAL LAW

CHANDLER P. ANDERSON, New York, N. Y. EDWIN M. BORCHARD, Yale Law School. PHILIP MARSHALL BROWN, Princeton University. WILLIAM C. DENNIS, Washington, D. C. EDWIN D. DICKINSON, University of Michigan. CHARLES G. FENWICK, Bryn Mawr College. JAMES W. GARNER, University of Illinois. DAVID JAYNE HILL, Washington, D. C. MANLEY O. HUDSON, Harvard Law School. CHARLES CHENEY HYDE, Columbia University. ARTHUR K. KUHN, New York, N. Y. ELLERY C. STOWELL, American University. LESTER H. WOOLSEY, Washington, D. C. QUINCY WRIGHT, University of Chicago.

Honorary Editor-in-Chief
JAMES BROWN SCOTT, Washington, D. C.

Editor-in-Chief
GEORGE GRAFTON WILSON, Harvard University

Managing Editor
George A. Finch, 2 Jackson Place, Washington, D. C.

The American Journal of International Law is supplied to all members of the American Society of International Law without extra charge, as the membership fee of five dollars per annum includes the right to all issues of the Journal published during the year for which the dues are paid. (Members residing in foreign countries pay one dollar extra per annum for foreign postage.)

The annual subscription to non-members of the Society is five dollars per annum (one dollar extra is charged for foreign postage) and should be placed with the American Society of International Law, 2 Jackson Place, Washington, D. C.

Single copies of the Journal will be supplied by the Society at \$1.25 per copy.

Applications for membership in the Society, correspondence with reference to the Journal, and books for review should be sent to George A. Finch, Recording Secretary and Managing Editor, 2 Jackson Place, Washington, D. C.