

termine, and no writer had distinctly put the case of such a repugnance. He had, therefore, no direct and positive authority; but he never could hesitate in asserting, that in such an imaginary case, it would be the duty of a judge to disregard the instructions, and to consult only that universal law to which all civilised princes and states acknowledge themselves to be subject, and over which none of them can claim any authority.⁶

JAMES BROWN SCOTT.

THE INTERNATIONAL HIGH COMMISSION ON UNIFORMITY OF LAWS

The first general meeting at Buenos Aires, April 3–12, 1916, of the International High Commission on Uniformity of Laws created by the First Pan American Financial Conference was an event of supreme significance. Its great possibilities of service in laying the foundations for an effective international organization of the Republics of the Western Hemisphere make a striking appeal to the imagination.

The First Pan American Financial Conference was held in Washington May 24–29, 1915, in response to the invitation of the United States Government. All the American Republics were represented, except Mexico and Haiti. Its purpose was well set forth by the Honorable W. G. McAdoo, Secretary of the Treasury, in the following words:

The outbreak of the European War accentuated many of our problems, and brought clearly home to the American Republics the danger of complete dependence upon the great European states for their economic development and commercial security. All of them, including the United States, face at the beginning of the war the possibilities of appalling disaster. That experience clearly shows the imperative necessity for closer relations between the American states themselves and a more enduring organization of their own life in order that they may work out their destinies, freed as far as possible from the dangers which constantly menace their economic development through European complications. It was essential in these circumstances that the American nations should take measures for their own protection; that they should reconstruct, as far as practicable, their commercial and financial relationships for the security of their own interests and the welfare of their people.

The discussions of this conference centered about three main topics: (1) The granting by United States bankers and business men of ample credits to Latin America and the provision of the necessary organization and facilities for this purpose; (2) The prompt establishment of adequate

⁶ Life of the Right Honourable Sir James Mackintosh, Vol. I, pp. 317–319; Phillimore's Int. Law, Vol. III, p. 656.

steamship facilities between the leading ports of the United States and South America; and (3) Uniformity of laws concerning currency, exchange, merchandise, commercial travellers, patents, postal rates, etc., etc.

It was apparent that a permanent organization was necessary in order to give effect to the conclusions and recommendations of this conference. The International High Commission created for this purpose is a body consisting of nineteen national sections, each in turn consisting of nine jurists and financiers under the chairmanship of the Minister of Finance. Its object is to devise means of adjusting and harmonizing principles and procedure of commercial law and administrative regulation in the American Republics, and to work for the solution of legal problems in the fields of banking and public finance. It will hold biennial meetings and the work of the national sections will be coordinated and directed by a Central Executive Council of which the Secretary of the Treasury acts as President. In the words of Secretary McAdoo,

The work of the International High Commission will be the connecting link between the successive Pan American Financial Conferences which, for my part, I earnestly hope may become a part of the permanent policy of the American states. If such a financial conference shall be held every two years, with the International High Commission as the intermediate working body to carry into effect the conclusions of these conferences, we will no longer live in the realm of theories, but will make practical results of every conference certain.

The United States Section of the International High Commission has been duly authorized by Act of Congress, and is composed of the following members:

William G. McAdoo, Secretary of the Treasury, *Chairman*.

John Bassett Moore, Columbia University, *Vice Chairman*.

John H. Fahey, Boston, Massachusetts.

Duncan U. Fletcher, Jacksonville, Florida.

David R. Francis, St Louis, Missouri.

E. H. Gary, New York City.

A. B. Hepburn, New York City.

George M. Reynolds, Chicago.

Samuel Untermyer, New York City.

Leo S. Rowe of the University of Pennsylvania is Secretary of the Section, and Messrs. J. Brooks, B. Parker, and C. E. McGuire, Assistants to the Secretary General.

The United States Section left Hampton Roads on the armored cruiser *Tennessee*, March 8, 1916, visiting Haiti, Trinidad, Rio Janeiro, and Montevideo en route for Buenos Aires, which was reached April 1st. The formal sessions of the High Commission lasted from April 3 to April 12. The Commission was the object of lavish hospitality and the many festivities included an official reception by the President of the Argentine Republic, a banquet by the United States Ambassador, Frederick J. Stimson, a farewell banquet by Dr. José Luis Murature, Minister for Foreign Affairs, and a luncheon by the United States Section in honor of the Argentine Minister of Finance, Dr. Francisco J. Oliver. Leaving Buenos Aires on April 15th, the United States Section visited Chile, Peru, Panama, and Cuba, returning to Hampton Roads and Washington on May 4th. It was everywhere received with marked courtesies and cordiality.

The work of the International High Commission was divided among seven committees, whose reports and resolutions contain a wealth of data and findings on matters of vital importance for the welfare of the American Republics. It is obviously impossible to do more than summarize the more important features of this meeting.

The Commission recommended among other matters, the adoption of a "money of account" of a uniform standard; uniform legislation assuring the legal status of credits arising from the sale of merchandise; the publication by the Pan American Union of a commercial nomenclature and compendium of tariffs; uniform regulations for commercial travellers; and the calling of a special conference to consider the means of making uniform the maritime law of the American states.

Special mention should be made of the recommendation of the Commission that the American nations should adopt the convention on international commercial arbitration entered into by the Chamber of Commerce of Buenos Aires and Chamber of Commerce of the United States of America.

This project was originally presented by Dr. R. C. Aldao of the Argentine Republic at the First Pan American Financial Conference in Washington, 1915. Providing as it does for readily accessible and effective means for the immediate adjustment of international commercial disputes, it should prove a powerful agency for the avoidance of friction and the encouragement of that confidence and good will on which the intercourse of nations must depend.

The High Commission decided that a Pan American Financial Con-

ference should be held every two years, designating 1917 for the next conference, and Washington again as its place of meeting. The Commission also created the Central Executive Council already alluded to, "whose duty it shall be to centralize and coördinate the labors of the Commission, to keep the several Sections in constant touch with one another, to carry out the conclusions of the International High Commission and the Pan American Financial Conferences, and to prepare the program, reports and all other material necessary for the holding of the second meeting of the International High Commission."

History, both recent and remote, should conclusively demonstrate that international harmony cannot depend on good will alone, or on what Lord Haldane characterized as *sittlichkeit*. It rests ultimately on the just regulation of mutual interests. There can be no international peace where these interests are not clearly recognized, duly respected and legally protected. There can be no possibility of international organization until common understandings exist concerning the practical problems arising out of the normal intercourse of nations. There is perhaps a danger in exaggerating the influence of economic factors in history, but there can be no doubt that human affairs cannot be regulated by sentiment alone.

The International High Commission on Uniform Laws is thus a most memorable step towards the elimination of misunderstandings and the establishment of intimate cordial relations between the nations of the Western Hemisphere. The United States Constitution owed its inception to an unofficial conference of delegates at Annapolis to consider the mutual economic interests of the States of the Confederation.

May we not reasonably hope that the Pan American Financial Conferences and the International High Commission may prove the logical first steps towards an effective organization of the American nations which shall be based, not on sentiment alone, but on solid interests clearly defined and protected by uniform legislation?

PHILIP MARSHALL BROWN.

THE SECRETARY OF STATE ON THE VIOLATIONS OF INTERNATIONAL LAW
IN THE EUROPEAN WAR AS THEY AFFECT NEUTRALS

For the first time since his appointment as Secretary of State of the United States, on June 23, 1915, Mr. Lansing delivered an address, on June 3, 1916, before the Jefferson County Bar Association at Watertown, New York. The occasion was remarkable, in that it was a meet-