

international relations. It is equally certain that the publication of a journal devoted to the exposition of those principles would offer a ready and valuable means of communication between jurists and students of International Law on the one hand, and the scientific and lay public on the other. The absence of any organization in the United States having for its first and sole object the promotion of these purposes, and the lack in the English-speaking world of any periodical devoted exclusively to International Law indicate the need of such a society.

American publicists, such as Kent, Marshall, Story, Wheaton, Halleck, Lieber, Lawrence, Dana, Field, Woolsey and Wharton—not to mention those among the living—have made many and varied contributions to the science of International Law. It is too plain for argument that the existence of such an organization with annual and special meetings and the publication of a periodical exclusively devoted to International Law will not only furnish a nucleus and incentive but also a means of communication. It would likewise seem equally clear that the Society and Journal would necessarily and directly foster the study of International Law and promote the establishment of international relations upon the basis of law and justice.

Your coöperation in the work of the Society is earnestly requested.

CONSTITUTION

ARTICLE I

Name

This Society shall be known as the AMERICAN SOCIETY OF INTERNATIONAL LAW.

ARTICLE II

Object

The object of this Society is to foster the study of International Law and promote the establishment of international relations on the basis of law and justice. For this purpose it will coöperate with other societies in this and other countries having the same object.

ARTICLE III

Membership

Members may be elected on the nomination of two members in regular standing by vote of the Executive Council under such rules and regulations as the council may prescribe.

Each member shall pay annual dues of five dollars and shall thereupon become entitled to all the privileges of the Society including a copy of the publications issued during the year. Upon failure to pay the dues for the period of one year a member may, in the discretion of the Executive Council, be suspended or dropped from the rolls of membership.

Upon payment of one hundred dollars any person otherwise entitled to membership may become a life-member and shall thereupon become entitled to all the privileges of membership during his life.

A limited number of persons not citizens of the United States and not exceeding one in any year, who shall have rendered distinguished service to the cause which this Society is formed to promote, may be elected to honorary membership at any meeting

of the Society on the recommendation of the Executive Council. Honorary members shall have all the privileges of membership but shall be exempt from the payment of dues.

ARTICLE IV

Officers

The officers of the Society shall consist of a president, nine or more vice-presidents, the number to be fixed from time to time by the Executive Council, a recording secretary, a corresponding secretary and a treasurer, who shall be elected annually, and of an executive council composed of the president, the vice-presidents, *ex officio*, and twenty-four elected members whose term of office shall be three years, except that of those elected at the first election, eight shall serve for the period of one year only and eight for the period of two years, and that any one elected to fill a vacancy shall serve only for the unexpired term of the member in whose place he is chosen.

The recording secretary, the corresponding secretary and the treasurer shall be elected by the Executive Council from among its members. The other officers of the Society shall be elected by the Society, except as hereinafter provided for the filling of vacancies occurring between elections.

At every annual election candidates for all the offices to be filled by the Society at such election shall be placed in nomination by a Nominating Committee of five members of the Society previously appointed by the Executive Council, except that the officers of the first year shall be nominated by a committee of three appointed by the chairman of the meeting at which this Constitution shall be adopted.

All officers shall be elected by a majority vote of members present and voting.

All officers of the Society shall serve until their successors are chosen.

ARTICLE V

Duties of Officers

1. The president shall preside at all meetings of the Society and of the Executive Council and shall perform such other duties as the council may assign to him. In the absence of the president at any meeting of the Society his duties shall devolve upon one of the vice-presidents to be designated by the Executive Council.

2. The secretaries shall keep the records and conduct the correspondence of the Society and of the Executive Council and shall perform such other duties as the council may assign to them.

3. The treasurer shall receive and have the custody of the funds of the Society and shall disburse the same subject to the rules and under the direction of the Executive Council. The fiscal year shall begin on the first day of January.

4. The Executive Council shall have charge of the general interests of the Society, shall call regular and special meetings of the Society and arrange the programmes therefor, shall appropriate money, shall appoint from among its members an Executive Committee and other committees and their chairmen, with appropriate powers, and shall have full power to issue or arrange for the issue of a periodical or other publications, and in general possess the governing power in the Society, except as otherwise specifically provided in this Constitution. The Executive Council shall have the power to fill vacancies in its membership occasioned by death, resignation, failure to elect, or other cause, such appointees to hold office until the next annual election.

Nine members shall constitute a quorum of the Executive Council, and a majority vote of those in attendance shall control its decisions.

5. The Executive Committee shall have full power to act for the Executive Council when the Executive Council is not in session.

6. The Executive Council shall elect a chairman who shall preside at its meetings in the absence of the president, and who shall also be chairman of the Executive Committee.

ARTICLE VI

Meetings

The Society shall meet annually at a time and place to be determined by the Executive Council for the election of officers and the transaction of such other business as the council may determine.

Special meetings may be held at any time and place on the call of the Executive Council or at the written request of thirty members on the call of the secretary. At least ten days' notice of such special meeting shall be given to each member of the Society by mail, specifying the object of the meeting, and no other business shall be considered at such meeting.

Twenty-five members shall constitute a quorum at all regular and special meetings of the Society and a majority vote of those present and voting shall control its decisions.

ARTICLE VII

Resolutions

All resolutions which shall be offered at any meeting of the Society shall, in the discretion of the presiding officer, or on the demand of three members, be referred to the appropriate committee or the council, and no vote shall be taken until a report shall have been made thereon.

ARTICLE VIII

Amendments

This Constitution may be amended at any annual or special meeting of the Society by a majority vote of the members present and voting. But all amendments to be proposed at any meeting shall first be referred to the Executive Council for consideration and shall be submitted to the members of the Society at least ten days before such meeting.

Adopted January 12, 1906.

ELIHU ROOT, *President.*

JAMES B. SCOTT, *Recording Secretary.*

CHARLES HENRY BUTLER, *Corresponding Secretary.*

OSCAR S. STRAUS, *Chairman Executive Committee.*

CHANDLER P. ANDERSON, *Treasurer.*

The object of this Society is to foster the study of international law and promote the establishment of international relations on the basis of law and justice. This is the one aim and purpose. The fundamental

object of the Society and the hope of the members was and is that it may contribute in some degree to the establishment of international relations on the basis of law and justice. To effectuate this purpose the Society will hold annual meetings at which questions of international interest will be discussed and the proceedings will be published in a volume for distribution to members. The first annual meeting will be held in 1907, in Washington, D. C., on the nineteenth and twentieth of April—days not without a certain international as well as historical interest to students of history.

A programme is in the course of preparation and will be sent to all members of the Society.

It will be noted that the American Society of International Law differs from the Institute of International Law in that its membership is not restricted solely to specialists in international law. In one way this may seem to be a disadvantage, but when it is remembered that the "specialists" of international law will necessarily be included within the membership, these societies do not differ so much as would appear at first sight. The value of men of affairs, and the broad experience they bring to the discussion of a question of theory, cannot be or should not be overlooked or rejected.

In the matter of membership the resemblance of the Society to the International Law Association is marked, but the likeness is confined solely to the question of membership. The Association publishes its proceedings and while they circulate among the members and find an honored place in the library, the Association has not taken an active part in the formulation and propagation of the theory and practice of international law. The proceedings of the Association lack the scientific value and precision of the proceedings of the Institute and they have not influenced international thought as keenly or profoundly as the *Annuaire* of the body of specialists composing the Institute.

The American Society of International Law has sought to combine the excellencies of both organizations and to obviate at one and the same time the drawbacks necessarily existent in such societies. The Institute holds annual meetings of specialists and publishes the proceedings in the *Annuaire*. This volume appeals solely to the scientific world. The Association composed of specialists and interested persons prepares a programme, suitable and agreeable to the larger and less scientific body of members.

The American Society of International Law recognizes the value of a broad and democratic membership and prepares a programme suited to the occasion. It has, however, established as an organ of progressive and

scientific thought the *AMERICAN JOURNAL OF INTERNATIONAL LAW* which will, it is hoped, bring home to the English reader, layman or specialist, the theory and practice of international law. The journal is the handmaid of science and its pages will be closed to the language of prejudice and bias.

SOCIETIES OF INTERNATIONAL LAW

The Institut de droit international was organized in September, 1873, at Ghent. M. Rolin-Jaequemyns, a Belgian advocate and scholar, took the lead in effecting the organization, although Dr. Francis Lieber was one of the first to suggest the plan. The membership of the Institut is limited to 120; the members and associates are chosen because of some contribution of value within the field of international law. It is an organization of specialists, and its work has been of a scientific character. It works through permanent committees, which prepare reports for discussion at the annual meetings; through its efforts many unsettled questions have been carefully discussed, and the results of the discussion stated in the form of rules; such rules have in some cases formed the basis of later definite action by international conferences. One of the best known and most important works of the Institut is *Les lois de guerre sur terre*, agreed upon at the Oxford meeting of 1880. As a body of eminent text-writers and scholars the Institut gives a united expression to the views of the most noted living authorities upon international law. The proceedings of the Institut are published in its *Annuaire*, of which twenty volumes have appeared to 1904.

The International Law Association was organized in 1873 as the Association for the Reform and Codification of the Law of Nations. It admits to membership all who take an interest in the objects of the Association. From the first its membership has been largely English, although most of its meetings have been held in cities on the continent of Europe. An annual meeting is held, and its proceedings have been published regularly since the first meeting. No other publications are issued. The International Law Association is broader in its foundation than the Institut; its membership is open to others than specialists, and its work, though valuable, is less scientific and less important than that of the Institut.

The following is a list of the principal periodicals devoted wholly or in part to questions of international law:

Revue de droit international et de législation comparée. Established in 1869. 37 volumes issued to end of 1905. Published at Brussels six times a year.