

advisable, without being controlled by the statements which one or other of the contracting parties may make to it.

But this is not all. Having assumed jurisdiction of the subject-matter, the commission is authorized to determine the measures which, in its opinion, are necessary to preserve the rights of the parties pending investigation and report. This is, in technical language, nothing less than an international injunction. Finally, it is to be stated that in accordance with the fifth article, the report, to be effective, is to be adopted by a majority and transmitted by the president to each of the contracting parties who, "reserve full liberty as to the action to be taken by the commission." It is believed that comment is useless upon such an agreement. Its terms speak for themselves. There is here no reserve of honor, no reserve of independence, no reserve of vital interests. There is also no compulsion. The appeal is to the public and instructed opinion of the world.

Secretary Bryan regarded these treaties as his greatest achievement, and the official portrait painted for the Diplomatic Room of the Department of State represents him in standing posture, holding in his hand a copy of the treaties. He was right. In the opinion of many, they constitute the greatest contribution of an official nature made at any time, by any one man.

JAMES BROWN SCOTT.

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#### LÉON BOURGEOIS—1851-1925

On the 28th of September, 1925, M. Léon Bourgeois died, at Paris, after many years of public service in France, which placed at his disposition the highest offices of state, and after years of service to the cause of international peace through justice, which secured him not only leadership in this cause at home, but in the world at large. No historian of the times in which he lived can speak of the two Peace Conferences at The Hague, or of the creation and conduct of the League of Nations at Geneva, without referring to the great and noble part which M. Bourgeois played in both in their efforts to advance the cause of international peace. His personality attracted an audience which his eloquence charmed; both were enhanced by the official position which he held in his own country, and gave prestige and weight to his advocacy of international justice. He early achieved distinction, and he retained his hold upon his country and his countrymen until his death.

Born in 1851, and educated for the law, he did not have the opportunity, owing to his youth, to take a part in the stirring events of the Franco-Prussian War, or in the decade following it. He first became known to the public as Prefect of Police, in 1887, at the critical moment of President Grévy's resignation. In the following year, he stood as Deputy for the Marne, in opposition to the famous Boulanger, and was elected. His can-

didacy and victory marked him out for preferment by the Radical Left, to which group he belonged. He became Under-Secretary of the Interior in the Floquet ministry (1888–1889); Minister of the Interior in the cabinet of M. Tirard and, in 1890–1892, Minister of Public Instruction in that of M. de Freycinet. For this post he was admirably qualified, because of his interest in educational matters. He retained it in M. Loubet's ministry (1892), and at the end of the year was Minister of Justice under M. Ribot. As Prefect of Police, in 1887, he attracted notice, so, in 1893, in charge of the Department of Justice, he impressed himself upon the public. The scandal connected with the Panama Canal then dominated French politics, and M. Bourgeois threw his whole weight for the prosecution of all implicated in that unfortunate affair. During the next two years he did not hold ministerial office, but in November, 1895, he formed a ministry of his own, in which he was successively Minister of the Interior and of Foreign Affairs. It was of a very radical tendency, inasmuch as M. Bourgeois was a pronounced radical, and it was of short duration, remembered chiefly for the constitutional question which it raised, and upon which it fell—the right of the Chamber of Deputies to force its opinion in financial matters upon the upper house. In M. Brisson's cabinet (1898), he was again Minister of Public Instruction.

Up to this time, M. Bourgeois' career was that of a successful politician of the radical type. He was very well known in France, but not to the outer world. His really great career began with his appointment as chairman of the French delegation to the First Peace Conference assembling at The Hague in 1899. It is common knowledge that, under trying circumstances, he represented France admirably and with great dignity. Germany was then opposed, in principle and in practise, to arbitration, and would have nothing to do with the proposed Permanent Court of Arbitration. M. Bourgeois' tact as president of the Third Commission, dealing with questions of peaceable settlement, counted for much in the success of the project. With him, however, must be associated Sir Julian Pauncefote, chairman of the British delegation, and Andrew D. White, chairman of the American delegation.

In the interval between the First and Second Hague Conferences, he had left the Chamber of Deputies for the Senate, to which body he was elected in 1905. In M. Sarrien's cabinet, he held the post of Minister of Foreign Affairs, and, as such, was responsible for the conduct of France, highly successful, at the Algeiras Conference of that year.

The reputation which M. Bourgeois had made in the First, he increased at the Second Hague Conference. The situation was more difficult, because as Minister of Foreign Affairs, he had been responsible for what must be considered as a French triumph at Algeiras, at the expense of Germany. Under such circumstances, the German delegation to the Second Peace Conference was in an unhappy, if not a belligerent mood. M. Bourgeois was

chairman of the First Commission, devoted to the consideration of questions of peaceable settlement, and he was very desirous of securing a general treaty of arbitration, and to have it inserted in the revision of the Pacific Settlement Convention of the First Conference, which the second was to undertake. The German delegation was opposed to a general treaty of arbitration; it was even more opposed to its insertion in the Pacific Settlement Convention, as, if this were done, Germany would refuse to sign it. The victory lay with the Germans in both instances, but it was a negative victory, whereas, M. Bourgeois' defeat made him the accredited advocate of peaceful settlement throughout the world. He was, appropriately, appointed by France a member of the Permanent Court of Arbitration at The Hague.

During the World War, M. Bourgeois became a member of the French cabinet, without portfolio; and in and out of office his advice was both sought and followed. He was a technical delegate of France to the Peace Conference of Paris (1919), representing the attitude of his government, or, rather, formulating it, toward the League of Nations. He was its mouth-piece in the commission appointed for its consideration, headed by no less a person than Woodrow Wilson, then President of the United States. There were differences of opinion between these two great advocates of the League of Nations, as to its advisability, but the Nobel Prize Committee recognized their services by awarding the peace prize to Mr. Wilson, in 1919, and to M. Bourgeois, in 1920; and the League, itself, recognizing in him, as has been said, its "spiritual father," chose him, by a unanimous vote, the first president of the Council.

In addition to those posts of distinction occupied by M. Bourgeois mentioned in this imperfect account of his labors, he was, on one occasion, president of the Chamber of Deputies, and later, after the conclusion of peace, president of the Senate. On various occasions the presidency of France was within his grasp—indeed, it was offered him, but he refused the highest post, in order that he might be freer to advance the causes which he had at heart. It was, therefore, eminently proper on the part of the Government of France to accord him a public funeral, because of his services to his country; and it was no less appropriate on the part of the Inter-parliamentary Union, at its opening session, in the City of Washington, on the first of October, 1925, to adopt a resolution of appreciation of his services, to rise, and to adjourn the session in his honor.

JAMES BROWN SCOTT.

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EDGAR A. BANCROFT

Mr. Edgar A. Bancroft, who had been a member of the American Society of International Law since April 27, 1909, died on July 28th at Karuizawa, Japan, to which country he had been serving as American Ambassador