All provisions of law authorizing the distribution among captors of the whole or any portion of the proceeds of vessels, or any property hereafter captured, condemned as prize, or providing for the payment of bounty for the sinking or destruction of vessels of the enemy hereafter occurring in time of war, are hereby repealed. (March 3, 1899. 30 Stat. L. 1007.)

This enactment marks an important step toward greater security of private property in time of war, for it takes away the pecuniary inducements for the capture of such property. The institution of "prize money" is still in existence outside of the United States, and its abolition would be a proper subject for consideration at the coming Hague conference.

Many people advocate the complete immunity from capture of non-offending enemy property upon the high seas and consider its capture as unjustifiable, as the seizure of such property would be if on land. This may be so, but it is important to consider whether freedom from capture of property on sea would remove a check upon war by freeing large and important commercial interests from danger. The question is one of fact not of theory.

The abolition of privateering has freed commerce from a band of irresponsible adventurers; the abolition of prize-money removes an incentive to prey unjustly and for personal profit upon private property.

It may be said that one class of property should not suffer solely by reason of its situation while property of the same kind would be immune on land. This is unfortunate but if capture of property so circumstanced serves to prevent war by weighing the purse against the sword, it is better that property afloat be subject to loss rather than that a human life be endangered. Certain classes of the community do not suffer in their persons by war, while the soldier and sailor meet death. Why should not property be exposed to danger? The question is, as suggested, one of fact not of theory.

ANGLO-FRENCH-ITALIAN AGREEMENT REGARDING ABYSSINIA

After prolonged negotiations, France, Great Britain and Italy signed, on December 13, 1906, a treaty regulating their respective rights in Abyssinia. The treaty guarantees the integrity of Abyssinia, and the maintenance of the *status quo*. In case future events should make impossible the maintenance of the *status quo* the three signatory powers agree to act only in concert. Great Britain obtains the assurance that nothing will be done to modify the course of the Nile and its tributaries; Italy is given a free hand to construct railways from Eritrea to Addis-Abeba, and from there to its colony of Benadir; to France is assured

control of the proposed and partially constructed railway from Jiboutil to Addis-Abeba, though the directorate of this railroad shall have one member each from Great Britain, Abyssinia and Italy. The Emperor Menelik has expressed his satisfaction with the terms of the treaty.

THE JORIS CASE AND THE TURKISH CAPITULATIONS

On the twenty-first of July, 1905, an unsuccessful attempt was made upon the life of the Sultan at Constantinople. Among the persons arrested for this offense was Charles Edouard Joris, a Belgian subject. Joris avowed his connection with the crime, and was condemned to death by the criminal court of Constantinople; this sentence was affirmed by the criminal section of the Turkish court of cassation. Joris was assisted at the trial before the criminal court by a representative of the Belgian legation, who refused to join in the judgment of the court. After judgment the Belgian legation demanded that Joris be handed over to the Belgian government for trial before the court of assize of Brabant, which has jurisdiction, under Belgian law, "over crimes committed by Belgians in non-Christian countries." The Turkish government refused to comply with this demand, and has maintained its attitude, notwithstanding the repetition of the Belgian demand. The question at issue turns largely upon the interpretation of the Turco-Belgian treaty of August 3, 1858. The French text of this treaty supports the Belgian contention; the language of the Turkish text provides only that a Belgian diplomatic or consular officer shall assist at the trial. Prof. N. Politis, in a recent number of the Revue de droit international privé (2:659) criticizes the Belgian position, and asserts that neither treaties nor usage justify the denial of the jurisdiction of the Turkish courts.

RESOLUTIONS ADOPTED BY THE INSTITUTE OF INTERNATIONAL LAW, AT GHENT, IN SEPTEMBER, 1906

1. It is conformable to the exigencies of international law, to the loyalty which nations owe to each other in their mutual relations as well as to common interest of all states, that hostilities should not commence without previous and unequivocal notice.

2. Such notice may take the form of a declaration of war pure and simple, or that of an official ultimatum by the state desirous of beginning war.

3. Hostilities should commence only after the expiration of such a period of time that the rule of previous notice shall not be considered to have been eluded.

Whether the adoption of these rules is desirable or not is a serious question. The practice of nations is to attack and to declare later if