

ference suggested a meeting of duly authorized representatives of the proposers of that convention and, in pursuance of this suggestion, delegates of the four powers met at Paris in March, 1910, and drafted a protocol for the establishment of the Court of Arbitral Justice by means of the system adopted by the Prize Court Convention, conditioned, however, upon the ratification of the original Prize Court Convention and the additional article thereto drafted at Paris in 1910, and conditioned further upon the adherence of eighteen powers to the protocol establishing the Court of Arbitral Justice. It was believed that little or no difficulty would be experienced in securing the acceptance of the additional protocol to the Prize Court Convention, and it has in fact been accepted by all the parties to the original convention. It was hoped, indeed expected, that the convention together with the additional protocol for this important court would be ratified at one and the same time and in the near future by a sufficient number of powers to constitute the court, so that the four powers represented at the Paris conference of 1910 and which had agreed upon a draft convention to put into effect the Court of Arbitral Justice, could within a reasonable time transmit the said draft through the intermediary of the Netherland Government and upon the request of the United States, to the powers represented at the Second Peace Conference. A year and eight months have passed and, although the Senate of the United States has approved the original Prize Court Convention, the additional protocol modifying its procedure, and the Declaration of London, and the President stands ready to deposit the ratifications of these various instruments, the Prize Court has not been agreed to by a sufficient number of states to insure its establishment and the date of depositing ratifications has not been fixed. As is well known, the Government of Great Britain conditioned its acceptance of the Prize Court Convention upon the acceptance of certain principles of law to be applied by the judges of the Prize Court. For this purpose Great Britain invited certain maritime powers to a conference which, as has been said, was held at London in 1908-9, as "it would be difficult, if not impossible, for his Majesty's Government to carry the legislation necessary to give effect to the convention, unless they could assure both Houses of the British Parliament that some more definite understanding had been reached as to the rules by which the new tribunal would be governed." The Declaration of London, as the deliberations of the conference are called, was at the time of its negotiation apparently satisfactory to Great Britain, but the bill embodying the legislation necessary to give effect to the court and to the Declaration has failed of