

In the next place, I have advanced reasons tending to show that the Netherland Government is not only justified in taking the initiative, through diplomatic channels, to constitute the Court of Arbitral Justice as recommended by the Second Conference, but that this Government may properly regard it as its duty to do so. Finally, I have mentioned the reasons which seem to suggest that the present moment is both timely and propitious for such negotiations as, after war and disquieting rumors of possible war, the nations may well turn their thoughts to peace and their efforts to its maintenance; and in the concluding paragraph of the memorandum I have ventured the hope that they might be willing to avail themselves of the opportunity to institute a permanent court of justice and to install it in the Palace of Peace at one and the same time with the Permanent Academy of International Law during the course of the year 1914.

The Administration of President Taft had intended to take action in behalf of the Court of Arbitral Justice and the late Secretary of State, Mr. Philander C. Knox, requested me to undertake a mission to the European powers for this purpose. I gladly accepted the offer with which he honored me and suggested the present method of constituting the court. I drafted a memorandum and an identic circular note for his consideration. These he approved and signed on November 25, 1912, but, for reasons which in no way reflect upon the project and which are immaterial to the present occasion, it was deemed best not to open negotiations at that time with the various powers whose co-operation was necessary for the success of the undertaking. However, I have thought it of more than passing interest to annex the drafts of the memorandum (Appendix No. 1, p. 6) and identic circular note (Appendix No. 2, p. 18) as showing the reasons which influenced the Secretary of State and the project which met with his approval. Whether the present Administration shares these views I am unable to say, as I am not authorized to speak in its behalf. It is to be presumed, however, that any and every Administration of the United States will look with favor upon what has generally been considered to be essentially an American ideal.

I am, however, authorized on behalf of Mr. Elihu Root, who as Secretary of State instructed the American delegation to the Second Peace Conference to propose a permanent international Court of Justice, and also on behalf of Mr. Robert Bacon, who as Secretary of State endeavored through diplomatic channels to establish the Court of Arbitral Justice, to say that they heartily approve of the present method to secure its formation, and that they earnestly hope you may