

exchange of views between the lawyers and legal societies of the Pan-Pacific countries, two classes of subjects are deemed to merit the consideration of the Pan-Pacific Legal Conference of 1927. They are (1) the unification or harmonizing of such subjects, pertaining to the laws of Pacific Countries, as it is important to harmonize, in order to prevent the arising of international friction and misunderstanding and in order to advance the mutual interests of the peoples of the Pacific nations; and (2) an exchange of information between lawyers in respect of procedure, of municipal law, and of local, legal affairs, in general, to the end that the lawyers of one country may profit by the experience of those of another country and thus improve their own local laws and local legal conditions.

5. It is earnestly desired that you ascertain, by such means as to you seem practicable, and that you communicate to the undersigned, the views of the members of your organization and of the lawyers of your country concerning the particular subjects that may most profitably be discussed by the Pan-Pacific Legal Conference of 1927. It is not the intention necessarily to limit your suggestion to subjects falling within either of two classes of subjects mentioned above; although those classes seem fairly comprehensive, as including what may presumably prove interesting and profitable to discuss. Nor is it the intention necessarily to exclude from the subjects to be proposed by you those subjects which are referred to in paragraph 9 *infra*. Moreover, it is not the intention, even after the agenda of the conference have been announced, that the conference is to be committed to a discussion of any of the designated subjects which, upon its convening, seem unpromising or unprofitable to a majority of the conference; nor is the conference to be precluded from discussing subjects not included in the agenda, the impor-

ance of which may then have become apparent.

It is hoped that, in proposing subjects falling within the former of the two classes mentioned in paragraph 4, *supra*, you may find it practicable to mention the salient features of the existing law of your country, in respect of the subject proposed by you, especially those features upon which the laws of the different countries bordering upon the Pacific are believed to differ disadvantageously from one another.

6. Some of the suggestions which have been made to the undersigned are the following:

*As to Class 1*

What law ought to be applicable, where a tort is committed in one country, of which the victim and the tort-feasor are not nationals, and the rights of the parties are litigated in a country other than that of the place of the tort? What law ought to be applicable, where a contract is made in one country for performance in a second country or on the high seas by means of the ships of a second country? Where certain contractual stipulations are, in general, deemed ineffectual by one country because repugnant to the public interest; in what cases, if at all, should contracts be refused enforcement, when they are shown to be valid under the *lex loci solutionis*?

The recognition, in other countries, of marriages valid where solemnized and of divorces valid where granted. How far the effect of marriages and divorces ought to depend upon the law of the place where they entered into or adjudged or upon the law of the country of citizenship; and what law should take precedence as the law of citizenship, in cases wherein the spouses are of different citizenship.

Other questions of interest and importance pertaining to private international law or to the conflict of laws.

The law of sales; of negotiable paper; of the quarantine of persons, animals and plants; of trade marks; of the ex-