

safeguarding of the property and the settlement of the estate of their deceased countrymen," until the heirs or legal representatives themselves appear.

Only the treaties with Morocco, Tripoli, and Tunis (now abrogated) have provided that the effects of deceased nationals should be taken in charge, will or no will, by other nationals, until the one entitled to the property should appear.

However, enough has perhaps been said to suggest that these various conventions will well repay a more detailed study.

THE INTEGRITY OF NORWAY GUARANTEED

The famous little maxim, "In union there is strength," carries with it the necessary implication that "In disunion there is weakness," and from the earliest day to the present it is the practice of the strong to separate probable opponents in order to crush each in turn. The separation of Norway and Sweden caused no little head-shaking among political prophets, for it was feared that Sweden and Norway might either yield in turn to Russia or feel the heavy hand of Russia.

The policy of Europe has been to prevent by diplomatic and other methods Russia's entry into the innermost and western chamber. The Russian-Japanese war showed the determination of Japan not to permit by peaceable means the further inroad of Russia into that portion of Asia nearest Japan. Opposed in most ways, the Far East and the Extreme West are at one in their desire to prevent the Russian from putting to sea. After centuries of effort Russia finds itself in possession of the Black Sea, but is not permitted unrestricted access to the *Ægean*. And Europe shows as little desire to see Russia encroach upon the Baltic. Hence the recent treaty of November 2, 1907, by which Norway agrees not to cede any of its territory, and in exchange for this agreement the integrity of Norway is guaranteed whenever threatened.

The reason for this new convention lies in the fact that the separation of Norway from Sweden seriously affects the treaty of November 21, 1855, between the united kingdoms of Norway and Sweden, France, and Great Britain, guaranteeing the integrity of the Scandinavian Peninsula.

"Desiring to prevent every complication of a nature to disturb the European equilibrium" — that is to say, to prevent Russia from acquiring a foothold in Norway and Sweden, and thus to confine it to the East of the Baltic — His Majesty the King of Sweden and Norway bound

himself neither to cede to Russia nor to exchange with it, nor to permit it to occupy any part of the territory belonging to the crowns of Sweden and Norway. And the King of Sweden and Norway bound himself in addition not to cede or to lease to Russia any right of pasturage, fishery, or any right whatsoever within the territories or upon the coasts of Sweden and Norway, and to resist any pretension of Russia to any such rights. And the King of Norway and Sweden further agreed to communicate immediately any proposition or demand relating to said rights to Great Britain and France, which countries thereupon bound themselves to furnish His Majesty the King of Sweden and Norway the requisite naval and military forces to resist such Russian pretension and aggression. (Articles I and II of the treaty of November 21, 1855, between the King of Norway and Sweden, on the one hand, and Great Britain and France, on the other. 45 British and Foreign State Papers, 33, 34.)

It will be observed that Russia was not a party to this agreement, and naturally so, because France and Great Britain were then at war with Russia.

The situation in 1907 is different. France, Great Britain, and Russia are at peace, and Germany since the Franco-Prussian war has become a great naval and military power. It is therefore natural that Russia should desire to prevent Norway from falling under the influence of Germany, just as Germany is interested in preventing the westward extension of Russia. Hence the great powers of Europe having an interest in preserving the status quo have agreed to guarantee the integrity of Norway. It will be noted that Sweden is not a party to the agreement, but hemmed in by Russia on the east and Norway on the west, and with Germany on the south, it is not likely that Sweden will endeavor to assert an interest in Norway. It is therefore highly improbable that the Baltic will become a Russian or a German lake, and although by the third paragraph of the new convention Norway reserves the right to make special agreements with Sweden and Denmark, for the preservation of its integrity, it seems likewise improbable, owing to the state of feeling between the three Scandinavian Kingdoms, that any steps will be taken in the near future to bring them into anything approaching the mediæval union of Calmar.

The treaty of 1855 forbade a lease of territory; the convention of 1907 does not mention this possibility, and while the treaty of 1855 provided that Russian aggression should be resisted by sufficient naval and mili-

tary forces, the integrity of Norway is to be maintained when threatened by such means as may be considered most suitable. The letter of the two treaties differs; the spirit is the same — namely, to prevent the western extension of Russia. This is no doubt as apparent to Russia as to the rest of the world. But the old saying that “politics makes strange bed-fellows” is still true in 1907.

The treaty as a whole guarantees the integrity of Norway; it does not guarantee its neutrality. This question, it is understood, is left for further consideration.¹

EDWARD HENRY STROBEL

In the first number of this JOURNAL the editorial column noticed the death of Carlos Calvo, the distinguished theorist and writer on international law. The first number of the second year has the painful duty of recording the death of Edward Henry Strobel, general adviser to the King of Siam, first Bemis professor of international law at Harvard, and approved and trusted practitioner of international law. Born in Charleston, S. C., December 7, 1855, he died at Bangkok, Siam, on the 16th day of January, 1908. Young in years — for he was barely fifty-two — he was rich in practical experience. He graduated from Harvard in 1877, the law school in 1882, and practiced law in New York 1883 to 1885. With this latter date his strictly professional career in our municipal courts may be said to have ended, for in 1885 he was appointed secretary of the American legation at Madrid, where he served until 1890, about one-third of which time as chargé d'affaires. During his residence at Madrid he was detailed on special business to Morocco on two occasions (1888 and 1891).

From 1893 to 1894 he served as Third Assistant Secretary of State, resigning to accept the ministry to Ecuador, and in December of the same year he was transferred as minister to Chile, serving until the termination of Mr. Cleveland's second administration in 1897. His tact and experience restored the strained relations between Chile and the United States, and the respect in which he was held by the Government to which he was accredited is shown by the fact that in 1899 he was appointed counsel for Chile before the United States and Chilean Claims Commission at Washington.

¹ The text of the declaration of abrogation of the treaty of 1855, and of the treaty of November 2, 1907, will be published in a subsequent Supplement of the JOURNAL.