

**Government of the Virgin Islands.** On August 4, 1916, a convention between the United States and Denmark was signed at New York providing for the cession to the United States of the Danish West Indies (subsequently renamed the "Virgin Islands");<sup>1</sup> ratifications were exchanged on January 17, 1917, and on March 31 the formal transfer took place by the payment of the purchase price of \$25,000,000 and the replacing of the Danish flag by that of the United States. Before the formal transfer—on March 3—congress had passed "An act to provide a temporary government for the West Indian Islands acquired by the United States from Denmark."<sup>2</sup> The decision that the Islands should be administered under the direction of the navy department instead of the war department, and the appointment of Rear Admiral James H. Oliver as the first governor, mark, for the present at least, the last phase of the effort first made by William H. Seward, while secretary of state, to secure for the United States control of the Danish Islands, St. Thomas, St. John, and St. Croix.

But few points of interest are presented by the congressional statute providing a temporary government for the Virgin Islands. Following to some extent the language of the Philippine clause of the army appropriation bill of March 2, 1901, "all military, civil, and judicial powers necessary to govern the West Indian Islands acquired from Denmark shall be vested in a governor and in such person or persons as the President may appoint, and shall be exercised in such manner as the President shall direct until Congress shall provide for the government of said Islands." The governor, who may be an officer of the army or navy, is appointed by the President, subject to senatorial confirmation, and the compensation of all persons appointed is fixed by the President.

In so far as is compatible with the changed sovereignty and not in conflict with the provisions of the act, the election and other local laws of the Islands are to remain in force and to be administered by the local tribunals, but the President is given the power to authorize changes in the laws by the colonial councils having jurisdiction. The judicial tribunals have their jurisdiction extended to cases in which the United States or a citizen is a party, and it is provided that in cases which were reviewable by the courts of Denmark an appeal will lie to the United States circuit court of appeals for the third circuit. The decisions of this court are final except when it certifies questions of law concerning which it desires instructions (and here the supreme court

<sup>1</sup> U. S. Treaty Series, No. 629.

<sup>2</sup> Public, No. 389, 64th Congress; 39 Stat. at L. 1132.

of the United States may require the whole record to be sent up as if by writ of error) or when the supreme court requires the certification of a case for review and determination.<sup>3</sup>

So far as tariffs on articles coming into the United States from the Islands are concerned, if they are native products or do not contain more than 20 per cent of foreign materials, no duty is charged; as for all other articles, the United States will impose "the rates of duty and internal revenue taxes which are required to be levied, collected, and paid upon like articles imported from foreign countries." All tax laws and custom regulations not incompatible with the changed sovereignty or in conflict with provisions of this act remain in force in the Virgin Islands, "except that articles the growth, product, or manufacture of the United States shall be admitted free of duty." A flat rate of \$8 per ton is imposed upon all exports of sugar, even to the United States. Moneys collected under the act do not go into the general fund of the United States treasury, "but shall be used and expended for the government and benefit of said Islands under such rules and regulations as the President may prescribe." Congress appropriated \$100,000 to carry out the provisions of the act and \$25,000,000 to pay Denmark.

Before the cession the Danish West Indies were crown colonies, administered by a governor with the assistance of a colonial council.

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**American War Measures.** With the entrance of the United States as an active participant in the now almost universal world war has come an enormous expansion in governmental activities, and with this a great increase in administrative agencies. This development has been based more largely than in other countries on legislation passed by congress. But, as in other countries, the legislation has been enacted to a large degree under executive leadership; and, mainly under the congressional acts, there has been a vast extension of executive authority.

*Acts of Congress*, while granting extensive powers, have been more specific and more detailed than the legislation of other countries; and while there has been effective executive leadership, there has also

<sup>3</sup> Appeals are limited to the cases covered by Sections 239 and 240 of the Judicial Code. 36 Stat. at L. 1157.