

FIFTH SESSION

Saturday, April 29, 1967, at 9:30 a.m.

BUSINESS MEETING

Pursuant to the notice published in the January, 1967, issue of the *American Journal of International Law*, the meeting convened at 9:30 a.m. in the South American Room of the Statler-Hilton Hotel, Washington, D.C., President JOHN R. STEVENSON presiding.

Judge EDWARD DUMBAULD, Secretary of the Society, read the list of members who had died during the past year:

In Memoriam

- AFRICA, BERNABE, Quezon City, The Philippines, member since 1921, died October, 1966.
- ALLEN, FLORENCE E., Willoughby, Ohio, member 1929-1964, died September 12, 1966.
- AVRAM, DAVID, New York City, member since 1945, died 1966.
- BORDEAU, CHESTER, New York City, member since 1944, died August 26, 1966.
- BRADY, JOSEPH B., New York City, member since 1946, died 1966.
- BROWN, PHILIP MARSHALL, Williamstown, Massachusetts, member since 1906, died May 10, 1966.
- BURLING, EDWARD B., Washington, D.C., member since 1921, supporting member since 1963, died October 3, 1966.
- CAVARÉ, LOUIS, Rennes, France, member since 1959, died April, 1964.
- CLARK, GRENVILLE, Dublin, New Hampshire, member since 1907, died January 12, 1967.
- COLEMAN, C. J., Everett, Washington, member since 1954, died 1965.
- COX, OSCAR S., Washington, D.C., member since 1954, supporting member since 1961, died October 3, 1966.
- CULBERTSON, WILLIAM S., Washington, D.C., member 1925-1964, died August 13, 1966.
- DUDZIANSKI, ALEX, Göttingen, Germany, member since 1958, died 1966.
- FREUTEL, EDWARD C., JR., Los Angeles, California, member since 1950, died February 26, 1967.
- GATLIN, MAURICE B., New Orleans, Louisiana, member since 1965, died May, 1965.
- GIRAUD, EMILE, Jura, France, member since 1947, died March 15, 1965.
- GOODYEAR, LOUIS E., Dhahran, Saudi Arabia, member since 1960, died 1966.
- HACKETT, KENRICK W., Leesburg, Virginia, member since 1961, died October 17, 1966.
- HALEY, ANDREW G., Washington, D.C., member since 1956, died September 11, 1966.

- HEARN, JAMES R., New York City, student member since 1965, died September 22, 1966.
- HEYDT, DON M., San Francisco, California, student member since 1964, died October 10, 1966.
- HOCKING, WILLIAM ERNEST, Madison, New Hampshire, member since 1947, died June 12, 1966.
- HORNBECK, STANLEY K., Washington, D.C., member since 1914, died December 10, 1966.
- HYMAN, WILLIAM A., New York City, member since 1960, died 1966.
- LINEBARGER, PAUL M. A., Washington, D.C., member since 1936, died August 6, 1966.
- McMULLIN, BENTLEY M., Denver, Colorado, member since 1950, died February 1, 1967.
- NAVARRO GAMIZ, SALVADOR, Mexico City, Mexico, life member since 1960, died October, 1966.
- PAL, RADHABINOD, Calcutta, India, member since 1959, died 1966.
- PUSTA, KAAREL ROBERT, Madrid, Spain, member since 1941, died May 4, 1964.
- RANDOLPH, BESSIE CARTER, Lynchburg, Virginia, member since 1922, life member since 1935, died July 2, 1966.
- RIVKIN, WILLIAM, Chicago, Illinois, member since 1965, died March 20, 1967.
- SANDIFORD, ROBERTO, Rome, Italy, member since 1959, died 1966.
- SERENI, ANGELO PIERO, Rome, Italy, member since 1939, died April 5, 1967.
- SHIPLEY, RUTH B., Washington, D.C., member since 1939, died November 3, 1966.
- THAYER, PHILIP W., Washington, D.C., member since 1938, died December 18, 1966.
- TOWNSEND, DALLAS, S., New York City, member since 1923, died May 27, 1966.
- VALLANCE, WILLIAM R., Washington, D.C., member since 1921 died February 15, 1967.

The SECRETARY read the following memorial to Judge Florence E. Allen prepared by Virginia Meekison:

FLORENCE ELLINWOOD ALLEN, 1884-1966

Judge Florence Ellinwood Allen was not only a great American woman but was also one of the distinguished jurists of her time. This remarkable woman was born in Salt Lake City, Utah, March 23, 1884, and died September 12, 1966, rich in achievement and honors. The orbit of her judicial career ranged all the way from her election in 1920 to the judgeship of the Court of Common Pleas of Cuyahoga County, Ohio, to her appointment by President Franklin Delano Roosevelt in 1934 to the bench of the United States Court of Appeals for the Sixth Circuit, becoming its Chief Judge in 1958. In between she served as Judge of the Supreme Court of Ohio, to which post she was elected in 1922 and re-

elected in 1928. She was the first woman in history to sit in a court of last resort, and the first woman to be appointed to a Federal Court of general jurisdiction.

She was wholly dedicated to the view that the rule of law must take the place of war. While giving "Current Events" talks in 1911–1913, to help finance her way through New York University Law School, she repeatedly stressed the need to enact substantive international law. As she said in her book, *To Do Justly*, at that time there were rules about ambassadors and consuls, rules about the three-mile limit, and in the Hague Convention certain laws about war: but there were no laws *against* war. Thus in 1922 she became a member of an informal committee for the "Outlawry of War" headed by Salmon O. Levinson, an inspired Chicago lawyer. She took to the speaking platform and fought so hard and so long for the cause that her work is credited in no small part for bringing about the public and Congressional reaction which culminated in the signing of the Treaty for the Renunciation of War as an Instrument of National Policy (the Kellogg-Briand Pact). The Nuremberg Trial she felt was an implementation to the Kellogg-Briand Pact, as it held accountable the high statesmen who instituted the war.

Judge Allen became a member of the American Society of International Law in 1929. When President of the Society James Brown Scott presented Judge Allen as a speaker at the Society's annual banquet in 1934, he suggested that her ancillary interest in music may have aided her in harmonizing the discordant laws which exist not only in Ohio but in many other parts of the country.

She was a prime mover with her friend, Dr. Rosalind Goodrich Bates, of Los Angeles, in the founding in 1948 of the International Federation of Women Lawyers.

Besides her autobiography, *To Do Justly*, her other books are *This Constitution of Ours* (1939), and *The Treaty as an Instrument of Legislation* (1953).

The SECRETARY read the following memorials prepared by Eleanor H. Finch:

PHILIP MARSHALL BROWN, 1875–1966

In noting with sorrow the death on May 10, 1966, of Philip Marshall Brown in Williamstown, Massachusetts, the Society marks the passing of one of the last of its original members—one who had participated in its affairs for many years and who had served on the Board of Editors of the *American Journal of International Law* for fifty years. Professor Brown had been an honorary vice president of the Society from 1932 to 1961. He was a member of the *Institut de Droit International* and had been President of the American Peace Society from 1940 to 1946.

Professor Brown began his career in the diplomatic service of the United States in the Near East and later in Central America. He served as an observer on the staff of the United States Commission to Negotiate Peace

at Paris in 1919. After the Peace Conference Professor Brown returned to Princeton University, where he had begun teaching in 1913, and taught international law until his retirement in 1935. He took part in the conferences of teachers organized by the Carnegie Endowment for International Peace in co-operation with this Society.

Professor Brown was an active participant in the Society's annual meetings and contributed many stimulating articles and editorials to the *Journal*. His first article in 1915 dealt with "The Theory of the Independence and Equality of States"; his last editorial was entitled "Protective Jurisdiction over Marginal Waters." His contributions to the *Journal* and *Proceedings* were distinguished by clarity and forthrightness as well as scholarship.

Philip Marshall Brown was a scholar and a diplomat of the old school, with all the attributes of charm and courtesy associated with those vocations. Those members of the Society who had the pleasure of knowing him mourn the loss of a good friend and colleague.

BESSIE CARTER RANDOLPH, 1885-1966

In the death of Miss Bessie Carter Randolph at Lynchburg, Virginia, on July 2, 1966, the Society has lost one of its most faithful members, who contributed much to its annual meetings not only by her charm and graciousness but by her keen observations on the subjects in which she was most learned—international relations and international law. A member since 1922 and a life member since 1935, Miss Randolph took an active part in the Society over a period of twenty-five years from 1933 to 1958. She was a member of the Executive Council for several terms between 1933 and 1947 and contributed an article to the *American Journal of International Law* on "Foreign Bondholders and the Repudiated Debts of the Southern States." As a life member, she annually made contributions to the Society to augment the income from her life membership.

Miss Randolph was an outstanding educator, having been Professor of Political Science at Hollins College, from which she had graduated, and of which she became President in 1933. She retired as President of the College in 1950 and at the time of her death was President *Emeritus*. She had also taught at Florida State College for Women and at Randolph-Macon Women's College. She held a Carnegie Endowment Fellowship in International Law from 1924 to 1926.

Miss Randolph was International Relations Chairman of the Lynchburg branch of the American Association of University Women and was instrumental in starting a series of international relations forums sponsored by that organization in co-operation with the Woodrow Wilson School of Foreign Affairs and the Extension Division of the University of Virginia.

The death of Miss Randolph is not only a loss of a deeply respected member to the Society but also a loss of a distinguished citizen to the State of Virginia.

Mr. JOHN G. LAYLIN presented the following memorials:

EDWARD B. BURLING

Mr. Edward B. Burling, who died on October 3, 1966, at the age of ninety-six, dealt, over a period of nearly twenty years during and after the first World War, with issues which can be said to have involved many aspects of what has been called international law. His main interest was not so much in the formulation of international law as in the application of principles, which to him were vague and abstract, to concrete cases. His long-time experience in dealing with non-political problems of many foreign governments made him hesitant in attempting at the present time to define too sharply dogmatic principles in working out the problems of his clients.

Mr. Burling's clients included, while he was General Counsel of the Shipping Board, the United States Government; later on, in private practice, the Governments of Norway and Sweden, and also private American companies with foreign interests. He was concerned, as most practicing lawyers are, and are supposed to be, with the interests of his clients and not primarily with the development of jurisprudence, national or international.

He did not contribute to the literature of international law, having the common law lawyer's suspicion of it as vague and ambivalent. Both natural law and the ideological rationalization seemed to him remote from the realities of a world seeking a disciplined and responsible balancing of power within which conflicts of national interest might be adjusted without mutual destruction. Mr. Burling was deeply interested in power and its exercise. He was fully aware of the necessity of restraint upon its use. In the restraint of Great Powers in the international field there seemed no promising alternative to self-restraint or mutual restraint, both of which grow out of respect for power and the consequences of its use. The institutionalization of self-restraint through the acceptance of third-party adjudication based upon vaguely understood premises, which so often passes for international law, seemed to him a long way off.

The foregoing is written in an attempt to say what Ned Burling at times has said—only he said it more colorfully. He loved to provoke lively debate and what he said was often for the purpose of drawing sparks. He was at the same time a good listener and wanted to know what could be said in response to his thrusts. He was too keen, too modest, too wise to say the last word—and no one can now say this for him.

Notwithstanding the doubts he expressed, his views must be tested by his actions. He was a generous and consistent contributor to this Society and to Tillar House; and he encouraged in other ways those of us who, while recognizing that the day is distant when international law alone can assure resolution of conflicts involving power politics, believe that an intermediate goal of establishing guidelines for the peaceful settlement of less explosive differences between nations or between a government and aliens is not beyond reach and is worthy of our best endeavors in and out of the private practice of law.

WILLIAM S. CULBERTSON

William S. Culbertson, an Honorary Vice President of our Society, completed a full and constructive career on August 13, 1966. His goals were many, and some he lived to see achieved, others it will take time to accomplish, some of these with aid he invoked from us.

Born in Greensburg, Pennsylvania, on August 5, 1884, Ambassador Culbertson, twenty-four years later won his Ph.D. at Yale University after having been awarded his LL.D. at the College of Emporia in 1907. Colonel Culbertson, as he was sometimes known, took special studies at Leipzig and Berlin and was awarded by Georgetown University its honorary LL.D. in 1931.

As early as 1912 he began as an examiner on the United States Tariff Board, to which he was to return as a member of the Board (1917–1925) and one of its distinguished members. There he developed his profound understanding of international commercial relationships—an understanding that led to his notable contributions as an alumnus of the Tariff Commission, as chief of Mission in Rumania (1925–1928) and Chile (1928–1933), and officer of this Society.

His services to our country were many beyond those mentioned, but these suffice to explain his qualities that all who knew him personally and those who will share in the results of what he stood for and did, appreciate or will come to appreciate.

With his family background, his experience in American tariff policy and his later experience in representing our country abroad, William Culbertson became a source of wisdom on economic foreign affairs. An insight to his mature thinking is preserved in the *Proceedings* of our Society in 1937. In a session over which James Brown Scott presided, William Culbertson presented a paper on the most-favored-nation clause or, as he more properly described it, the equal treatment clause. Stanley Hornbeck, whom we also lost this year, paid tribute to William Culbertson as one of a triumvirate that established the most-favored-nation principle in our treaties of friendship. The other two were none other than Charles Cheney Hyde and Charles Evans Hughes.

But Culbertson went a step further. In his paper presented to our Society at its meeting, thirty years ago to within a day, he maintained that most-favored or, as he preferred to say, equally-favored treatment is an obligation apart from treaties. Treatment less favored than that accorded by us to others was, under the principles of customary international law, discriminatory and as such a violation of its basic norms.

He was an idealist but a practical one. His experience had demonstrated to him that equal treatment even national equal treatment to others invited reciprocal treatment for our nationals abroad. But his idealism while practical was not the offspring of self-interest. He believed in the good for itself. This was manifested in his devotion to this Society, to his delightful family and to Charmian, their beautiful place in the Pennsylvania mountains, to his church, of which he was a pillar, and to his principles.

May this Society continue to foster and be strengthened by members of the caliber of William Culbertson.

Professor LOUIS B. SOHN presented the following memorial:

GRENVILLE CLARK

NOVEMBER 5, 1882-JANUARY 13, 1967

One of the first members of the American Society of International Law, Greenville Clark was a close associate of one of the founders of the Society, Secretary of State Elihu Root, with whom he formed the law firm of Root, Clark and Bird.

At crucial points in American history of the last fifty years, Mr. Clark made a decisive contribution to the turn of events. In 1915 he foresaw that the United States could not for long stay away from the war then raging in Europe, and that the small professional army would be inadequate for the task ahead. In the face of strong public opposition, he organized the "Plattsburg Movement" which, at Plattsburg, New York, and a dozen more camps around the country, helped to train some 16,000 young line officers for the future army. This was a crucial part of the "military miracle" which enabled the United States to make a quick contribution to the Allied victory after the United States declared war in 1917. In 1933 he persuaded President Roosevelt that a rigid economy program was necessary and helped in drafting the National Economy Act which proved decisive in stemming the depression. On the other hand, when he learned about the President's plan to "pack" the Supreme Court, he organized a lawyers' committee which contributed to the defeat of that proposal.

When the Second World War started in Europe, Mr. Clark foresaw that the United States would become involved. Working closely with the President and Secretary Stimson, Clark drafted the Selective Service Act and helped to ensure its passage by Congress. But the Congress limited the duration of the Act to one year only, and a tremendous effort by Clark and his associates was needed to have the Act renewed. If it had not been for these 1940-1941 efforts by Greenville Clark, the United States would not have had an effective military force on Pearl Harbor Day. A grateful Stimson relied on Greenville Clark in many of his decisions and appointments, and several young men brought in by Clark made their mark on Washington.

When the tide of the war turned in 1944 against the Axis, Greenville Clark decided at the age of 62 to "retire" both from Washington and from his law firm in which for years he mingled general law practice with defense of civil liberties. Direct action at the centers of power was replaced by a stream of letters and memoranda, backed up by his specialty, long-distance telephone calls as lengthy as the occasion required. From that point on, Clark devoted himself primarily to an effort to save the world from the catastrophe of World War III.

Mr. Clark believed strongly that world wars could be stopped only

by world law. He wanted to give a new dimension to international law, and to change it from contract law into the constitutional law of the world community. He insisted that the United Nations must be strengthened sufficiently to maintain peace, and in the book *World Peace through World Law* he presented specific amendments to the Charter of the United Nations which, he believed, could give the United Nations the necessary peacekeeping capacity. Being less rigid than some of his followers, he was willing to shift tactics to achieve his aims, and when a revision of the Charter proved unattainable in the near future, he did not hesitate to work on an alternative version of a treaty for a World Disarmament and World Development Organization, combining disarmament and peacekeeping with adequately financed plans for world economic and social development.

Mr. Clark was a rare combination of a thinker and philosopher, on the one hand, and the doer and action man, on the other hand. He was a patrician gentleman, kind and friendly to all, dedicated to the rule of law at home and in the affairs of nations. He made a valiant effort to bring mankind closer to peace with justice, under law.

Professor MYRES S. McDOUGAL presented the following memorial:

OSCAR COX

With the death of Oscar Cox in October, 1966, the Society has lost a valued member and warm friend, and the larger community has been deprived of a highly skilled practitioner and creative statesman in international law.

Oscar was born in Portland, Maine, in 1905 and was educated at M.I.T. and Yale, receiving his law degree in 1929. After practicing in New York and serving as Assistant Corporation Counsel of the City of New York from 1934 to 1938, he was appointed an Assistant to the General Counsel of the U. S. Treasury Department. With the outbreak of World War II he became increasingly involved in international problems, an interest which dominated the rest of his professional and private life.

The Lend-Lease Act, which served our country and the world well during the vast emergency of World War II, and is often cited as an outstanding example of legal ingenuity and craftsmanship, exemplifies the important contributions of Oscar Cox to international legal order. He is credited with having developed the "lend-lease" concept, and he played an important rôle in the drafting of the Act and in securing its enactment. He also had a significant hand in the management of the *Eight Saboteurs Case* and in other decisions which have shaped the present broad war powers of the nation. His service, first, as Assistant Solicitor General of the Department of Justice and as General Counsel of the Lend-Lease Administration and of the Office of Emergency Management (positions which he held simultaneously) and, later, as General Counsel of the Foreign Economic Administration, gave him an unusual opportunity to bring a very special combination of intellectual and pragmatic qualities

to bear on the problems of war and postwar reconstruction. In all these offices he brought to his staff, and gave inspired and imaginative leadership to, many international law scholars temporarily displaced from their academic communities.

After serving in 1945 as Deputy Administrator of the Foreign Economic Administration, Oscar established the Washington law firm now known as Cox, Langford & Brown. In the twenty years of private practice which followed, his interest in international legal problems and international public affairs never lessened. He was always available to counsel United States officials at the highest level, and his professional clients included many foreign governments, corporations, and individuals. He was an Officer of the French Legion of Honor and a Commander of the Order of Leopold (Belgium), and was awarded the Order of the Star of Solidarity by Italy. From 1961 until his death, he was Chairman of the President's Commission on International Rules of Judicial Procedure.

It is important to note that the Franklin D. Roosevelt Memorial Library at Hyde Park, New York, has requested and is to receive Mr. Cox's papers.

Oscar had a genuine greatness of mind and magnanimity of spirit. He was completely dedicated to the common interest and a craftsman almost without peer. He will be remembered and honored for an enduring contribution to the securing and maintenance of a world public order of human dignity.

Professor BROWNLEE S. CORRIN presented the following memorial:

ANDREW GALLAGHER HALEY

September 10, 1966, marked the passing of Andrew Gallagher Haley, a member of this Society. His beginnings included an LL.B. at Georgetown University, postgraduate study with Dr. James Brown Scott, and research in radio communications. With communications as a central focus, he became a specialist in law as legal counsel with the Federal Communications Commission. The subject's technical intricacies led him into close relationship with the scientific community. The natural sciences' exploratory nature and concern for the then relatively unknown upper atmosphere and extraterrestrial effects upon communications, stimulated his interest in rocketry. From there it was but a step to man in space in the quest for knowledge. And, pressed by inescapable logic, he came to recognize that communications had a range and meaning beyond the immediate life of *homo sapiens*.

Sometimes called the "last of the Renaissance men," Andrew Haley's sense of purpose, drive, tempestuous brilliance, and sweeping interdisciplinary awareness, energized, prodded, and unified a tangled web of human functions and interests on an international scale. To some, he was an industrialist, as co-founder and President of Aerojet. To others, he was a leader in advancement of rockets and astronautics, as President of the American Rocket Society. For the many involved in telecommunications, he opened opportunities for further research and discovery, as when

he introduced internationally the subject of spectrum allocations for astronomical radio. As journalist, lawyer, scholar, diplomatist, publicist, lecturer, philanthropist, and administrator, more than any other man, he was responsible for stimulating thought and awareness of space in all its multifaceted aspects by peoples and governments.

We recognize, here, particularly his contributions to development in space law. Haley organized and was Chairman of the First International Colloquium on the Law of Outer Space; and was co-editor of its *Proceedings* through 1966. He served as Chairman of the American Bar Association's Committee on the Law of Outer Space, as Director of the International Institute of Space Law, and as Counsel to the International Academy of Astronautics, the International Astronautical Federation, and the American Institute of Aeronautics and Astronautics. He wrote and has been cited extensively on subjects of space law in scores of journals and other publications. He lectured on space law problems before innumerable law associations and major universities throughout the world. His treatise, *Space Law and Government*, has been regarded as a "pioneering contribution to the analysis of governmental and international legal questions." For services to "Space Law and International Cooperation" he was awarded the Grotius Medal of the International Grotius Foundation for the Propagation of the Law of Nations.

All such works, however, stand pale in comparison to the impact of his original contribution to law and philosophy. Haley's concept of *metallaw*, a body of law governing relationships between man and other sapient life in space, will provide foundations for modification of our legal and philosophical anthropocentrism, as theoretical contact becomes reality. Andrew Gallagher Haley believed in universal communication, and has affected humanity's reaching for the stars.

Mr. DENYS P. MYERS presented the following memorial:

STANLEY KUHL HORNBECK, 1883-1966

Stanley Kuhl Hornbeck was born at Franklin, Massachusetts, May 4, 1883, and died at Washington December 10, 1966. He was a member of the American Society of International Law for 52 years, from May 9, 1914, and, as an Honorary Vice President from 1955, one of its governing group. Starting life as an educator he was early diverted into a career of public service that involved him with the problems of international relations for 30 years.

From the University of Denver he went to Oxford in 1904 as Colorado's first Rhodes Scholar, writing a book on the scholarships in 1907. He went in 1907 to the University of Wisconsin, from which he took a Ph.D. in 1911 on a thesis published in 1910 entitled "The Most-Favored-Nation Clause in Commercial Treaties," parts of which had been published in 1909 in the *American Journal of International Law*. From 1909 to 1913 he taught in Chinese Government colleges, acquiring the usual incurable interest in China. He returned to Wisconsin in 1914 as a professor of

political science, leaving to join the Ordnance Department in 1917.

Captain Hornbeck was a technical expert on the Far East in the American Commission to Negotiate Peace at Paris in 1919. Released from that mission, he resumed work as an expert with the Tariff Commission, where his mastery of the most-favored-nation mystique had brought him at sundry times since 1917. He was technical expert on both economic and political matters for Far Eastern questions to the American Delegation to the Conference on Limitation of Armament, 1921–1922, and after that became a drafting officer in the office of the Economic Adviser, Department of State, until 1924. In that year his academic bent drew him to a lectureship on the Harvard Faculty where he happily taught for four years, with time out for tariff negotiations with China in 1925. In 1927 he published *China Today: Political*.

“The Secretary asked me to take the Division of Far Eastern Affairs,” Stanley confided to me as we were leaving the Department of State Building one evening in January, 1928. His inclination was to refuse Secretary Kellogg, but the advice of friends and the call to public service prevailed. On February 25, 1928, he was designated Chief of the Division. Advanced to Adviser on Political Relations August 16, 1937, his service in the Far East sector continued until September, 1944, when he was appointed Ambassador to The Netherlands. Those years were crucial in the Far East and Hornbeck’s analytical papers and policy memoranda were relied on by Secretaries Kellogg, Stimson and Hull successively. He shared in the postwar preparations and was present at the Dumbarton Oaks Conversations.

Ambassador Hornbeck retired from the Hague Embassy in May, 1947, into two decades of incisive and perspicacious commentary on passing events, particularly those of Eastern Asia. In private as in official life, he endlessly sought for the right answer, which he expressed in an aphoristic prose that emphasized a rare honesty of intellect.

Mr. FRANCIS O. WILCOX presented the following memorials:

PAUL M. A. LINEBARGER

Paul M. A. Linebarger died on August 6th, 1966, at the age of 53. Mr. Linebarger had been Professor of Asiatic Politics at the Johns Hopkins School of Advanced International Studies since 1946.

Dr. Linebarger received his Ph.D. from Johns Hopkins University in 1936 and had taught at Harvard University and Duke University before coming to the School of Advanced International Studies. An internationally recognized expert on China and the Far East, he was author and co-author of numerous works on China, Sun Yat-sen, and related subjects.

During World War II he was commissioned a 2nd Lieutenant in 1942. He retired from active duty in 1945 as a Major in the General Staff Corps of the Army. At the time of his death he was a Lieutenant Colonel in the U. S. Army Active Reserve.

Professor Linebarger was a pioneer in the field of psychological warfare. His book, *Psychological Warfare*, published in 1948, was used for several years as a textbook for the armed forces. He also served as adviser to various government agencies in the field of psychological warfare.

Professor Linebarger was awarded an honorary degree by the Universidad Interamericana in 1964 and by the National Chengchi University in 1965. In 1966 shortly before his death he was decorated by the Republic of China.

PHILIP W. THAYER

Philip W. Thayer died on December 18th, 1966, at the age of 73. Mr. Thayer had served for sixteen years as Dean of the Johns Hopkins School of Advanced International Studies and it was under his guidance that the School became known as a leading graduate school in the field of international studies. An author as well as an educator, Dean Thayer wrote *The Law Merchant* and edited several volumes on Asia and the Middle East. He also served with the State Department during and after World War II in Chile, Germany, and Austria.

A native of Springfield, Massachusetts, he was graduated *magna cum laude* from Harvard College and received his LL.B. from the Harvard Law School. He was admitted to the Massachusetts Bar in 1917. Before joining the Johns Hopkins faculty in 1946 as a professor of international and commercial law in the School of Advanced International Studies, Mr. Thayer taught at Harvard's Business and Law Schools and at the Fletcher School of Law and Diplomacy at Tufts University.

He became Dean of the school in 1948 and Professor *Emeritus* in 1964. He also held visiting professorships at the University of Virginia, the University of Washington, and the University of Concepcion (Chile).

Mr. CHARLES NORBERG presented the following memorial:

WILLIAM ROY VALLANCE—IN MEMORIAM

William Roy Vallance, law professor, practicing lawyer, internationalist and, above all, a gentleman of the old school, died on February 15, 1967, in Washington, D.C., and the legal profession in the Western Hemisphere lost its staunchest advocate and builder. He had lived for 79 years but his spirit was as if he were still in his twenties, just graduated from the University of Rochester and then Columbia University Law School. He truly lived so that the "past was prologue" to a better and more constructive tomorrow that he was constantly seeking.

William Roy Vallance devoted 40 years of his life to the Department of State where he served as Assistant Legal Adviser, representing the United States at many international conferences in Latin America and in Europe. One of his special legal interests related to the use of international boundary waters and he was legal adviser to the United States Section of the U. S.-Canadian Joint Commission concerned with these problems.