

# THE FIRST HAGUE CONFERENCE

BY  
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DR. WHITE'S AUTOBIOGRAPHY

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## PREFACE

The meeting of the first Peace Conference at The Hague, on the 18th of May, 1899, marked the opening of a new era in human history. In the world's great peace movement it was an event of such cardinal significance that the peace workers in all nations have come by common consent to make the anniversary their chief day for the annual celebration and public presentation of their cause. The first Hague Conference was in germ the true Parliament of Man. The dream of the prophets and the song of the poets here found their first partial realization in plain prose. Only twenty-six of the fifty-nine governments claiming independent sovereignty in 1899 were represented at the Conference; but so profound was the influence of the Conference, and so clearly was it recognized that it represented the world's vitality and commanded its future, that at the second Conference, in 1907, forty-four governments sent delegates, representing practically the whole world. The second Conference made definite provision in its final act for the meeting of a third Conference after substantially the same interval as that between the first and second Conferences; and this means a fourth and a fifth—it means that the Conferences will be regular; and that in the lifetime of men now upon the stage the International Congress, composed of the official representatives of all nations, will assemble at stated times

to confer upon the mutual interests of the nations, as the Congress of the United States meets regularly to confer upon the mutual interests of the states in the Union. This is what was involved in the memorable meeting of the First Hague Conference in 1899.

To the history of this unique event the journal of Andrew D. White, which, by the kind consent of The Century Company, is reprinted in the present volume from his Autobiography, bears a unique relation. Mr. White was the head of our American delegation; and his careful journal, covering the whole period of the Conference, is the only similar record which has been published by any of the participants. It thus has a value as an original historical document not unlike in some respects that of Madison's journal in relation to our Constitutional Convention of 1787; and it has the additional value and charm of communicating the impression of the general social atmosphere and environment of the Conference. It will thus have a high and abiding interest in international history, and its publication in the present form will certainly find a wide and warm welcome.

Mr. White's own distinguished services at the First Hague Conference are so well known as to require no notice here. His part in the effort for the establishment of the Permanent Court of Arbitration, the greatest achievement of the Conference, was preëminent, second only to that of Sir Julian Pauncefote; he made the most important speech in the Conference in behalf of the immunity of private property from capture in maritime warfare; and he stood stanchly and influentially for every great constructive measure of the Conference. He

worked no less earnestly in behalf of the measures aiming to mitigate the inhumanities of war. The United States has been reproached by humane international men for its opposition in the Hague Conferences to the prohibition of asphyxiating bombs in war, an opposition in which at the Second Hague Conference it stood alone. It must not be forgotten that the action of the United States delegation at the first Conference was against the protest of Mr. White, the leader of the delegation. In no way, perhaps, did Mr. White render a greater service at The Hague than in the part he took in securing the adherence of Germany to the plan for the Permanent Court of Arbitration; and the pages of his journal devoted to this matter, including the full text of his letter to Baron von Bülow, will always possess a peculiar interest.

The history of the First Peace Conference at The Hague has been written by Frederick W. Holls, the secretary of the American delegation. This work was published in 1900, the year following the Conference. Soon after the second Conference Dr. James Brown Scott, technical delegate of the United States to the second Conference and therefore standing in a similar relation to the American delegation at that Conference to that in which Mr. Holls stood to the American delegation at the first Conference, published his exhaustive and valuable work, "The Hague Peace Conferences of 1899 and 1907." The American addresses at the Second Hague Conference have been gathered into a special volume by Dr. Scott, with prefatory surveys of the work of the second Conference by himself and by Hon. Joseph H. Choate and General Horace Porter of the

American delegation at the second Conference. There is also an admirable volume upon "The Two Hague Conferences" by Professor William I. Hull, who was present at The Hague in a journalistic capacity during the time of the second Conference in 1907, and whose book appeared the following year. In all of these volumes will be found the record of Mr. White's part in the first Conference, with reports especially of his address upon the exemption of private property from capture at sea in time of war, the report in Mr. Holls's history being complete. Mr. Holls also gives the full text of the address by Mr. White in honor of Hugo Grotius, in the Great Church of Delft, on July 4, 1899, when, in the presence of all the members of the Peace Conference, the Dutch Government and the diplomatic corps accredited to The Hague, and other distinguished visitors, he laid upon the tomb of Grotius a silver wreath in behalf of the government and people of the United States.

There are of course various valuable European works upon the Hague Conferences, but reference is made here simply to the American works which are easily available, and which together furnish our people with a complete record of the great work in which Mr. White was so conspicuous a figure. But among all the works relating to the first Conference, no other can ever possess the peculiar interest or make the strong personal appeal of Mr. White's journal, the careful preparation of which during the very course of the Conference was one of the most fortunate incidents of modern international history.

E. D. M.

# THE FIRST HAGUE CONFERENCE

## I

ON the 24th of August, 1898, the Russian Government proposed, in the name of the Emperor Nicholas II, a conference which should seek to arrest the constantly increasing development of armaments and thus contribute to a durable peace; and on the 11th of January, 1899, his minister of foreign affairs, Count Muravieff, having received favorable answers to this proposal, sent forth a circular indicating the Russian view as to subjects of discussion. As to the place of meeting, there were obvious reasons why it should not be the capital of one of the greater powers. As to Switzerland, the number of anarchists and nihilists who had taken refuge there, and the murder of the Empress of Austria by one of them shortly before, at Geneva, in broad daylight, had thrown discredit over the ability of the Swiss Government to guarantee safety to the conference; the Russian Government therefore proposed that its sessions be held at The Hague, and, this being agreed to, the opening was fixed for the 18th of May.

From the first there was a misunderstanding throughout the world as to what the Emperor Nicholas really proposed. Far and near it was taken for granted that he desired a general disarmament, and this legend spread

rapidly. As a matter of fact, this was neither his proposal nor his purpose; the measures he suggested being designed "to put an end to the constantly increasing development of armaments."

At the outset I was skeptical as to the whole matter. What I had seen of the Emperor Nicholas during my stay in Russia had not encouraged me to expect that he would have the breadth of view or the strength of purpose to carry out the vast reforms which thinking men hoped for. I recalled our conversation at my reception as minister, when, to my amazement, he showed himself entirely ignorant of the starving condition of the peasantry throughout large districts in the very heart of the empire. That he was a kindly man, wishing in a languid way the good of his country, could not be doubted; but the indifference to everything about him evident in all his actions, his lack of force even in the simplest efforts for the improvement of his people, and, above all, his yielding to the worst elements in his treatment of the Baltic provinces and Finland, did not encourage me to believe that he would lead a movement against the enormous power of the military party in his vast empire. On this account, when the American newspapers prophesied that I was to be one of the delegates, my feelings were strongly against accepting any such post. But in due time the tender of it came in a way very different from anything I had anticipated: President McKinley cabled a personal request that I accept a position on the delegation, and private letters from very dear friends, in whose good judgment I had confidence, gave excellent reasons for my doing so. At the same time came the names of my colleagues, and this led me to feel that the delegation



was to be placed on a higher plane than I had expected. In the order named by the President, they were as follows: Andrew D. White; Seth Low, President of Columbia University; Stanford Newel, Minister at The Hague; Captain Mahan, of the United States navy; Captain Crozier, of the army; and the Hon. Frederick W. Holls as secretary. In view of all this, I accepted.

Soon came evidences of an interest in the conference more earnest and widespread than anything I had dreamed. Books, documents, letters, wise and unwise, thoughtful and crankish, shrewd and childish, poured in upon me; in all classes of society there seemed fermenting a mixture of hope and doubt; even the German Emperor apparently felt it, for shortly there came an invitation to the palace, and on my arrival I found that the subject uppermost in his mind was the approaching conference. Of our conversation, as well as of some other interviews at this period, I speak elsewhere.<sup>1</sup>

On the 16th of May I left Berlin, and arrived late in the evening at The Hague. As every day's doings were entered in my diary, it seems best to give an account of this part of my life in the shape of extracts from it.

### *May 17, 1899.*

This morning, on going out of our hotel, the Oude Doelen, I found that since my former visit, thirty-five years ago, there had been little apparent change. It is the same old town, quiet, picturesque, full of historical monuments and art treasures. This hotel and the neighboring streets had been decorated with the flags of various nations, including our own, and crowds were

<sup>1</sup> See June 12, pp. 56-57, below.

assembled under our windows and in the public places. The hotel is in one of the most attractive parts of the city architecturally and historically, and is itself interesting from both points of view. It has been a hostelry ever since the Middle Ages, and over the main entrance a tablet indicates rebuilding in 1625. Connected with it by interior passages are a number of buildings which were once private residences, and one of the largest and best of these has been engaged for us. Fortunately the present Secretary of State, John Hay, has been in the diplomatic service; and when I wrote him, some weeks ago, on the importance of proper quarters being secured for us, he entered heartily into the matter, giving full powers to the minister here to do whatever was necessary, subject to my approval. The result is that we are quite as well provided for as any other delegation at the conference.

In the afternoon our delegation met at the house of the American minister and was duly organized. Although named by the President first in the list of delegates, I preferred to leave the matter of the chairmanship entirely to my associates, and they now unanimously elected me as their president.

The instructions from the State Department were then read. These were, in effect, as follows:

The first article of the Russian proposals, relating to the non-augmentation of land and sea forces, is so inapplicable to the United States at present that it is deemed advisable to leave the initiative, upon this subject, to the representatives of those powers to which it may properly apply.

As regards the articles relating to the non-employment

of new firearms, explosives and other destructive agencies, the restricted use of the existing instruments of destruction, and the prohibition of certain contrivances employed in naval warfare, it seems to the department that they are lacking in practicability and that the discussion of these articles would probably provoke divergency rather than unanimity of view. The secretary goes on to say that "it is doubtful if wars will be diminished by rendering them less destructive, for it is the plain lesson of history that the periods of peace have been longer protracted as the cost and destructiveness of war have increased. The expediency of restraining the inventive genius of our people in the direction of devising means of defense is by no means clear, and, considering the temptations to which men and nations may be exposed in a time of conflict, it is doubtful if an international agreement of this nature would prove effective."

As to the fifth, sixth and seventh articles, aiming, in the interest of humanity, to succor those who by the chance of battle have been rendered helpless, to alleviate their sufferings, and to insure the safety of those whose mission is purely one of peace and beneficence, we are instructed that any practicable proposals should receive our earnest support.

On the eighth article, which proposes the wider extension of "good offices, mediation and arbitration," the secretary dwells with much force, and finally says: "The proposal of the conference promises to offer an opportunity thus far unequaled in the history of the world for initiating a series of negotiations that may lead to important practical results." The delegation is therefore

enjoined to propose, at an opportune moment, a plan for an International Tribunal of Arbitration which is annexed to the instructions, and to use their influence in the conference to procure the adoption of its substance.

And, finally, we are instructed to propose to the conference the principle of extending to strictly private property at sea the immunity from destruction or capture by belligerent powers analogous to that which such property already enjoys on land, and to endeavor to have this principle incorporated in the permanent law of civilized nations. A well-drawn historical résumé of the relations of the United States to the question of arbitration thus far is added, and a historical summary of the action of the United States, hitherto, regarding the exemption of private property at sea from seizure during war.

The document of most immediate importance is the plan furnished us for international arbitration. Its main features are as follows :

First, a tribunal "composed of judges chosen, on account of their personal integrity and learning in international law, by a majority of the members of the highest court now existing in each of the adhering states, one from each sovereign state participating in the treaty, who shall hold office until their successors are appointed by the same body."

Secondly, the tribunal to meet for organization not later than six months after the treaty shall have been ratified by nine powers; to organize itself as a permanent court, with such officers as may be found necessary, and to fix its own place of session and rules of procedure.

The third article provides that "the contracting nations

will mutually agree to submit to the international tribunal all questions of disagreement between them, excepting such as may relate to or involve their political independence or territorial integrity."

The fifth article runs as follows: "A bench of judges for each particular case shall consist of not fewer than three nor more than seven, as may be deemed expedient, appointed by the unanimous consent of the tribunal, and shall not include any member who is either a native, subject or citizen of the state whose interests are in litigation in the case."

The sixth article provides that the general expenses of the tribunal be divided equally among the adherent powers; but that those arising from each particular case be provided for as may be directed by the tribunal; also that non-adherent states may bring their cases before it, on condition of the mutual agreement that the state against which judgment shall be found shall pay, in addition to the judgment, the expenses of the adjudication.

The seventh article makes provision for an appeal; within three months after the notification of the decision, upon presentation of evidence that the judgment contains a substantial error of fact or law.

The eighth and final article provides that the treaty shall become operative when nine sovereign states, whereof at least six shall have taken part in the conference of The Hague, shall have ratified its provisions.

It turns out that ours is the only delegation which has anything like a full and carefully adjusted plan for a court of arbitration. The English delegation, though evidently exceedingly desirous that a system of arbitration be adopted, has come without anything definitely

drawn. The Russians have a scheme ; but, so far as can be learned, there is no provision in it for a permanent court.

In the evening there was a general assemblage of the members of the conference at a reception given by Jonkheer van Karnebeek, formerly Dutch minister of foreign affairs, and now first delegate from the Netherlands to the conference. It was very brilliant, and I made many interesting acquaintances ; but, probably, since the world began, never has so large a body come together in a spirit of more hopeless skepticism as to any good result. Though no one gives loud utterance to this feeling, it is none the less deep. Of course, among all these delegates acquainted with public men and measures in Europe, there is considerable distrust of the intentions of Russia ; and, naturally, the weakness of the Russian Emperor is well understood, though all are reticent regarding it. The only open utterances are those attributed to one or two of the older European diplomatists, who lament being sent on an errand which they fear is to be fruitless. One of these is said to have bewailed this mission as a sad ending to his public services, and to have declared that as he had led a long life of devotion to his country and to its sovereign, his family might well look upon his career as honorable ; but that now he is probably doomed to crown it with an open failure.

### *May 18.*

At two o'clock in the afternoon the conference held its open session at the " House in the Wood." The building is most interesting, presenting as it does the art and general ideas of two hundred and fifty years ago ; it is

full of historical associations, and the groves and gardens about it are delightful. The walls and dome of the great central hall are covered with immense paintings in the style of Rubens, mainly by his pupils; and, of these, one over the front entrance represents Peace descending from heaven, bearing various symbols and, apparently, entering the hall. To this M. de Beaufort, our honorary president, the Netherlands minister of foreign affairs, made a graceful allusion in his opening speech, expressing the hope that Peace, having entered the hall, would go forth bearing blessings to the world. Another representation, which covers one immense wall, is a glorification of various princes of Orange: it is in full front of me, as I sit, the Peace fresco being visible at my left, and a lovely view of the gardens, and of the water beyond, through the windows at my right.

The "House in the Wood" was built early in the seventeenth century by a princess of the house of Orange, the grandmother of William III of England. The central hall under the dome, above referred to, is now filled up with seats and desks, covered with green cloth, very neat and practical, and mainly arranged like those in an English college chapel. Good fortune has given me one of the two best seats in the house; it being directly in front of the secretaries, who are arranged in a semicircle just below the desk of the president; at my left are the other members of our delegation, and facing me, across the central aisle, is Count Münster, at the head of the German delegation. This piece of good luck comes from the fact that we are seated in the alphabetical order of our countries, beginning with *Allemagne*, continuing with *Amérique*, and so on down the alphabet.

The other large rooms on the main floor are exceedingly handsome, with superb Japanese and Chinese hangings, wrought about the middle of the last century to fit the spaces they occupy; on all sides are the most perfect specimens of Japanese and Chinese bronzes, ivory carvings, lacquer work, and the like: these rooms are given up to the committees into which the whole body is divided. Upstairs is a dining hall in which the Dutch Government serves, every working day, a most bounteous lunch to us all, and at this there is much opportunity for informal discussion. Near the main hall is a sumptuous saloon, hung round with interesting portraits, one of them being an admirable likeness of Motley the historian, who was a great favorite of the late Queen, and frequently her guest in this palace.

Our first session was very interesting; the speech by the honorary president, M. de Beaufort, above referred to, was in every way admirable, and that by the president, M. de Staal, thoroughly good. The latter is the Russian ambassador to London; I had already met him in St. Petersburg, and found him interesting and agreeable. He is, no doubt, one of the foremost diplomatists of this epoch; but he is evidently without much knowledge of parliamentary procedure. Congratulatory telegrams were received from the Emperor of Russia and the Queen of the Netherlands and duly answered.

### *May 19.*

At eleven in the morning, in one of the large rooms of the hotel, the presidents of delegations met to decide on a plan of organization and work; and, sitting among them, I first began to have some hopes of a good result.



Still, at the outset, the prospect was much beclouded. Though a very considerable number of the foremost statesmen in Europe were present, our deliberations appeared, for a time, a hopeless chaos: the unfamiliarity of our president, Baron de Staal, with parliamentary usages seemed likely to become embarrassing; but sundry statesmen, more experienced in such matters, began drawing together, and were soon elaborating a scheme to be presented to the entire conference. It divided all the subjects named in the Muravieff circular among three great committees, the most important being that on "Arbitration." The choice of representatives on these from our delegation was made, and an ex-officio membership of all three falls to me.

In the course of the day I met and talked with various interesting men, among them Count Nigra, formerly Cavour's private secretary and ambassador at the court of Napoleon III, where he accomplished so much for Italian unity; Sir Julian Pauncefote, the British ambassador at Washington; and M. Beernaert, president of the Belgian Chamber. In the evening, at a reception given by the minister of foreign affairs, M. de Beaufort, I made further acquaintances and had instructive conversations.

In addition to the strict duties of the conference, there is, of course, a mass of social business, with no end of visits, calls and special meetings, to say nothing of social functions, on a large scale, at the houses of sundry ministers and officials; but these, of course, have their practical uses.

The Dutch Government is showing itself princely in various ways, making every provision for our comfort and enjoyment.

In general, I am considerably encouraged. The skeptical feeling with which we came together seems now passing away ; the recent speech of the Emperor William at Wiesbaden has aroused new hopes of a fairly good chance for arbitration, and it looks as if the promise made me just before I left Berlin by Baron von Bülow, that the German delegation should coöperate thoroughly with our own, is to be redeemed. That delegation assures us that it is instructed to stand by us as far as possible on all the principal questions. It forms a really fine body, its head being Count Münster, whom I have already found very agreeable at Berlin and Paris, and its main authority in the law of nations being Professor Zorn, of the University of Königsberg ; but, curiously enough, as if by a whim, the next man on its list is Professor Baron von Stengel of Munich, who has written a book *against* arbitration ; and next to him comes Colonel Schwartzhoff, said to be a man of remarkable ability in military matters, but strongly prejudiced against the Russian proposals.

As to arbitration, we cannot make it compulsory, as so many very good people wish ; it is clear that no power here would agree to that ; but even to provide regular machinery for arbitration, constantly in the sight of all nations, and always ready for use, would be a great gain.

As to disarmament, it is clear that nothing effective can be done at present. The Geneva rules for the better care of the wounded on land will certainly be improved and extended to warfare on sea, and the laws of war will doubtless be improved and given stronger sanction.

Whether we can get our proposals as to private property on the high seas before the conference is uncertain ; but I think we can. Our hopes are based upon the fact

that they seem admissible under one heading of the Muravieff circular. There is, of course, a determination on the part of leading members to exclude rigorously everything not provided for in the original program, and this is only right; for, otherwise, we might spend years in fruitless discussion. The Armenians, for example, are pressing us to make a strong declaration in their behalf. Poland is also here with proposals even more inflammatory; so are the Finlanders; and so are the South African Boers. Their proposals, if admitted, would simply be bombshells sure to blow all the leading nations of Europe out of the conference and bring everything to naught. Already pessimists outside are prophesying that on account of these questions we are doomed to utter failure.

The peace people of all nations, including our own, are here in great force. I have accepted an invitation from one of them to lunch with a party of like mind, including Baroness von Suttner, who has written a brilliant book, "*Die Waffen Nieder*," of which the moral is that all nations shall immediately throw down their arms. Mr. Stead is also here, vigorous as usual, full of curious information, and abounding in suggestions.

There was a report, on our arriving, that the Triple Alliance representatives are instructed to do everything to bring the conference into discredit, but this is now denied. It is said that their program is changed, and things look like it. On the whole, though no one is sanguine, there is more hope.

### *May 21.*

In the morning went with Dr. Holls to a Whitsunday service at the great old church here. There was a crowd,

impressive chorals, and a sermon at least an hour long. At our request, we were given admirable places in the organ loft, and sat at the side of the organist as he managed that noble instrument. It was sublime. After the closing voluntary Holls played remarkably well.

To me the most striking feature in the service was a very earnest prayer made by the clergyman for the conference. During the afternoon we also visited the old prison near the Vijver, where the De Witts and other eminent prisoners of state were confined, and in front of which the former were torn in pieces by the mob. Sadly interesting was a collection of instruments of torture, which had the effect of making me better satisfied with our own times than I sometimes am.

In the evening, with our minister, Mr. Newel, and the Dean of Ely, his guest, to an exceedingly pleasant "tea" at the house of Baroness Gravensteen, and met a number of interesting people, among them a kindly old gentleman who began diplomatic life as a British attaché at Washington in the days of Webster and Clay, and gave me interesting accounts of them.

The queer letters and crankish proposals which come in every day are amazing. I have just added to my collection of diplomatic curiosities a letter from the editor of a Democratic paper in southern Illinois, addressed to me as ambassador at *Mayence*, which he evidently takes to be the capital of Germany, asking me to look after a great party of Western newspaper men who are to go up the Rhine this summer and make a brief stay in the above-named capital of the empire. I also receive very many letters of introduction, which of course make large demands upon my time. The number of epistles, also,

which come in from public meetings in large and small American towns is very great, some evidently representing no persons other than the writers. As I write the above, I open mechanically a letter from a peace meeting assembled in Ledyard, Connecticut, composed of "Rogerine Quakers"; but what a "Rogerine Quaker" is I know not. Some of these letters are touching, and some have a comic side. A very good one comes from May Wright Sewall; would that all the others were as thoughtful!

It goes without saying that the Quakers are out in full force. We have been answering by cable some of the most important communications sent us from America; the others we shall try to acknowledge by mail, though they are so numerous that I begin to despair of this. If these good people only knew how all this distracts us from the work which we have at heart as much as they, we should get considerably more time to think upon the problems before us.

### *May 22.*

In the afternoon came M. de Bloch, the great publicist, who has written four enormous volumes on war in modern times, summaries of which, in the newspapers, are said to have converted the young Emperor Nicholas to peace ideas, and to have been the real cause of his calling the conference together. I found him interesting, full of ideas, and devoted most earnestly to a theory that militarism is gradually impoverishing all modern states, and that the next European war will pauperize most of them.

Just afterward Count Welsersheimb, president of the Austrian delegation, called, and was very anxious to

know the line we are to take. I told him frankly that we are instructed to present a plan of arbitration, and to urge a resolution in favor of exempting private property, not contraband of war, from seizure on the high seas; that we are ready to go to the full length in improving the laws of war, and in extending the Geneva rules to maritime warfare; but that we look on the question of reducing armaments as relating wholly to Europe, no part of it being applicable to the United States.

As he seemed strongly in favor of our contention regarding private property on the high seas, but fearful that Russia and England, under a strict construction of the rules, would not permit the subject to be introduced, I pointed out to him certain clauses in the Muravieff circular which showed that it was entirely admissible.

### *May 23.*

In the morning came a meeting of the American delegation on the subject of telegraphing Washington for further instructions. We find that some of the details in our present instructions are likely to wreck our proposals, and there is a fear among us that, by following too closely the plan laid down for us at Washington, we may run full in the face of the Monroe doctrine. It is, indeed, a question whether our people will be willing to have matters of difference between South American States, or between the United States and a South American State, or between European and South American States, submitted to an arbitration in which a majority of the judges are subjects of European powers. Various drafts of a telegram were made, but the whole matter went over.

At ten the heads of delegations met and considered a plan of organizing the various committees, and the list was read. Each of the three great committees to which the subjects mentioned in the Muravieff circular are assigned was given a president, vice president and two honorary presidents. The first of these committees is to take charge of the preliminary discussion of those articles in the Muravieff circular concerning the non-augmentation of armies and the limitation in the use of new explosives and of especially destructive weapons. The second committee has for its subject the discussion of humanitarian reforms — namely, the adaptation of the stipulations of the Convention of Geneva of 1864 to maritime warfare, the neutralization of vessels charged with saving the wounded during maritime combats, and the revision of the declaration concerning customs of war elaborated in 1874 by the Conference of Brussels, which has never yet been ratified. The third committee has charge of the subject of arbitration, mediation and the like.

The president of the first committee is M. Beernaert, a leading statesman of Belgium, who has made a most excellent impression on me from the first; and the two honorary presidents are Count Münster, German ambassador at Paris, and myself.

The president of the second committee is M. de Martens, the eminent Russian authority on international law; and the two honorary presidents, Count Welsersheimb of Austria-Hungary, and the Duke of Tetuan from Spain.

The third committee receives as its president M. Léon Bourgeois, who has held various eminent positions in

France ; the honorary presidents being Count Nigra, the Italian ambassador at Vienna, and Sir Julian Pauncefote, the British ambassador at Washington.

There was much discussion and considerable difference of opinion on many points, but the main breeze sprang up regarding the publicity of our doings. An admirable speech was made by Baron de Bildt, who is a son of my former Swedish colleague at Berlin, has held various important positions at Washington and elsewhere, has written an admirable history of Queen Christina of Sweden, and is now minister plenipotentiary at Rome. He spoke earnestly in favor of considerable latitude in communications to the press from the authorities of the conference ; but the prevailing opinion, especially of the older men, even of those from constitutional states, seemed to second the idea of Russia — that communications to the press should be reduced to a minimum, comprising merely the external affairs of the conference. I am persuaded that this view will get us into trouble ; but it cannot be helped at present.

#### *May 24.*

As was to be expected, there has begun some reaction from the hopes indulged shortly after the conference came together. At our arrival there was general skepticism ; shortly afterward, and especially when the organization of the arbitration committee was seen to be so good, there came a great growth of hope ; now comes the usual falling back of many. But I trust that this will not be permanent. Yesterday there was some talk which, though quiet, was none the less bitter, to the effect that the purpose of Russia in calling the conference is only



to secure time for strengthening her armaments; that she was never increasing her forces at a greater rate, especially in the southwestern part of the empire and in the Caucasus, and never intriguing more vigorously in all directions. To one who stated this to me my answer simply was that bad faith to this extent on the part of Russia is most unlikely, if not impossible; that it would hand down the Emperor and his advisers to the eternal execration and contempt of mankind; and that, in any case, our duty is clear: to go on and do the best we can; to perfect plans for a permanent tribunal of arbitration; and to take measures for diminishing cruelty and suffering in war.

Meeting Count Münster, who, after M. de Staal, is very generally considered the most important personage here, we discussed the subject of arbitration. To my great regret, I found him entirely opposed to it, or, at least, entirely opposed to any well-developed plan. He did not say that he would oppose a moderate plan for voluntary arbitration, but he insisted that arbitration must be injurious to Germany; that Germany is prepared for war as no other country is or can be; that she can mobilize her army in ten days; and that neither France, Russia nor any other power can do this. Arbitration, he said, would simply give rival powers time to put themselves in readiness, and would therefore be a great disadvantage to Germany.

Later came another disappointment. M. de Martens, having read the memorandum which I left with him yesterday on the subject of exempting private property, not contraband of war, from seizure upon the high seas, called, and insisted that it would be impossible, under

any just construction of the Muravieff program, to bring the subject before the second committee as we had hoped to do; that Russia would feel obliged to oppose its introduction; and that Great Britain, France and Italy, to say nothing of other powers, would do the same. This was rather trying, for I had especially desired to press this long-desired improvement in international law; and I showed him how persistent the United States had been as regards this subject throughout our whole history, how earnest the President and his cabinet are in pressing it now, and how our delegation are bound, under our instructions, to bring it before the conference. I insisted that we should at least have the opportunity to present it, even if it were afterward declared out of order. To this he demurred, saying that he feared it would arouse unpleasant debate. I then suggested that the paper be publicly submitted to our whole body for special reference to a future conference, and this he took into consideration. Under other circumstances, I would have made a struggle in the committee and, indeed, in the open session of the full conference; but it is clear that what we are sent here for is, above all, to devise some scheme of arbitration, and that anything which comes in the way of this, by provoking ill feeling or prolonging discussion on other points, will diminish our chances of obtaining what the whole world so earnestly desires.

During the day our American delegation held two sessions; and, as a result, a telegram of considerable length to the State Department was elaborated, asking permission to substitute a new section in our original instructions regarding an arbitration tribunal, and to be allowed liberty to make changes in minor points, as the

development of opinion in the conference may demand. The substitute which we suggested referred especially to the clash between the original instructions and the Monroe doctrine. I was very reluctant to send the dispatch; but, on the whole, it seemed best, and it was adopted unanimously.

In the afternoon, at five, the presidents of all the delegations went to the palace, by appointment, and were presented to the young Queen and to the Queen mother. The former is exceedingly modest, pretty and pleasant; and as she came into the room, about which were ranged that line of solemn, elderly men, it seemed almost pathetic. She was evidently timid, and it was, at first, hard work for her; but she got along well with Count Münster, and when she came to me I soon brought the conversation upon the subject of the "House in the Wood" by thanking her for the pains her government had taken in providing so beautiful a place for us. This new topic seemed to please her, and we had quite a long talk upon it; she speaking of her visits to the park, for skating and the like, and I dwelling on the beauty of the works of art and the views in the park. Then the delegates, going to the apartments of the Queen mother, went through a similar formality with her. She is very stout, but fine-looking, with a kindly face and manner. Both mother and daughter spoke, with perfect ease, Dutch, French, German, English and how many other languages I know not. The young Queen was very simply dressed, like any other young lady of seventeen, except that she had a triple row of large pearls about her neck. In the evening, at 9.30, the entire delegations were received at a great presentation and ball. The music was very fine, but the most

interesting thing to me was the fact that, as the palace was built under Louis Bonaparte and Hortense, the main rooms were in the most thoroughgoing *style empire*, not only in their decorations, but in their furniture and accessories — clocks, vases, candelabra and the like. I have never seen that style, formerly so despised, but now so fashionable, developed as fully.

After the presentation I met Sir John Fisher, one of the English delegates, an admiral in the British navy, and found him very intelligent. He said that he was thoroughly for peace, and had every reason to be so, since he knew something of the horrors of war. It appears that in one of the recent struggles in China he went ashore with eleven hundred men and returned with only about five hundred; but, to my regret, I found him using the same argument as regards the sea that Count Münster had made regarding the land. He said that the navy of Great Britain was and would remain in a state of complete preparation for war; that a vast deal depended on prompt action by the navy; and that the truce afforded by arbitration proceedings would give other powers time, which they would otherwise not have, to put themselves into complete readiness. He seemed uncertain whether it was best for Great Britain, under these circumstances, to support a thoroughgoing plan of arbitration; but, on the whole, seemed inclined to try it to some extent. Clearly what Great Britain wants is a permanent system of arbitration with the United States; but she does not care much, I think, for such a provision as regards other powers.

There is considerable curiosity among leading members to know what the United States really intends to

do ; and during the day Sir Julian Pauncefote and others have called to talk over the general subject.

The London *Times* gives quite correctly a conversation of mine, of rather an optimistic nature, as to the possibilities and probabilities of arbitration, and the improvement of the customs of war ; but in another quarter matters have not gone so well : the *Corriere della Sera* of Milan publishes a circumstantial interview with me, which has been copied extensively in the European press, to the effect that I have declared my belief in the adoption of compulsory arbitration and disarmament. This is a grotesque misstatement. I have never dreamed of saying anything of the kind ; in fact, have constantly said the contrary ; and, what is more, I have never been interviewed by the correspondent of that or of any other Continental paper.

## II

*May 25.*

THIS morning a leading delegate of one of the great European powers called and gave me a very interesting account of the situation as he sees it.

He stated that the Russian representatives, on arriving here, gave out that they were not prepared with any plan for a definite tribunal of arbitration; but that shortly afterward there appeared some discrepancy on this point between the statements of the various members of their delegation; and that they now propose a system of arbitration, mediation and examination into any cause of difficulty between nations.

In the evening our secretary spoke of the matter to De Staal, the president of the Russian delegation and of the conference, and was told that this plan would, within a day or two, be printed and laid before the whole body.

This is a favorable sign. More and more it looks as if the great majority of us are beginning to see the necessity of some scheme of arbitration embracing a court and definite, well-contrived accessories.

The above-mentioned discrepancy between the various statements of the Russians leads me to think that what Count Münster told me some days since may have some truth in it — namely, that Pobyedonostzeff, whom I knew well, when minister to Russia, as the strongest man on moral, religious and social questions in that country, is really the author of the documents that were originally

given to the world as emanating from the Russian Foreign Office, and that he has now added to them this definite scheme for arbitration. Remembering our old conversations, in which he dwelt upon the great need of money in order to increase the stipends of the Russian clergy, and so improve their moral as well as religious condition, I can understand easily that he may have greatly at heart a plan which would save a portion of the enormous expenditure of Russia on war, and enable him to do more for the improvement of the church.

Dined at the British legation with the minister, my old friend of St. Petersburg days, Sir Henry Howard, De Martens, the real head of the Russian delegation, being of the party, and had a long talk with the latter about Russia and Russians. He told me that Pobyedonostzeff is now becoming old and infirm, and it appears that there has been a sort of cleaning out of the Foreign Office and the Ministry of the Interior—a procedure which was certainly needed in my time.

Later in the evening we went to a reception by Baron van Hardenbroek, the grand chamberlain, where I met various interesting persons, especially M. Descamps, the eminent Belgian delegate, who, in the fervor of his speech yesterday morning, upset his inkstand and lavished its contents on his neighbors. He is a devotee of arbitration, and is preparing a summary for the committee intrusted with that subject. There seemed to be, in discussing the matter with various delegates at this reception, a general feeling of encouragement.

During the day Mr. Loehner, a Berlin sculptor, called, and carried me off to see his plan of a great statue of "Peace" which he hopes to induce the Emperor Nicholas

to erect in Paris. It seems to me well conceived, all except the main figure, which I could not induce myself to like. In the anxiety of the sculptor to avoid any more female figures, and to embody virile aspirations for peace, he has placed this main figure at the summit of the monument in something like a long pea jacket, with an insufficient mantle at the back, and a crown upon its head.

The number of people with plans, schemes, notions, nostrums, whimsies of all sorts, who press upon us and try to take our time, is enormous; and when to this is added the pest of interviewers and photographers, life becomes serious indeed.

*May 26.*

At two the committee on arbitration met, and, as it is the largest of all, its session was held in the main hall under the dome. The Russian plan was presented, and was found to embrace three distinct features:

First, elements of a plan of mediation; secondly, a plan for international arbitration; thirdly, a plan for the international examination of questions arising between powers, such examination being conducted by persons chosen by each of the contestants. This last is a new feature, and is known as a *commission internationale d'enquête*.

The project for a plan of arbitration submits a number of minor matters to compulsory arbitration, but the main mass of differences to voluntary arbitration.

But there was no definite proposal for a tribunal, and there was an evident feeling of disappointment, which was presently voiced by Sir Julian Pauncefote, who, in the sort of plain, dogged way of a man who does not



purpose to lose what he came for, presented a resolution looking definitely to the establishment, here and now, of an international tribunal of arbitration. After some discussion, the whole was referred to a subcommittee, to put this and any other proposals submitted into shape for discussion by the main committee. In the course of the morning the American delegation received an answer to its telegram to the State Department, which was all that could be desired, since it left us virtually free to take the course which circumstances might authorize, in view of the main object to be attained. But it came too late to enable us to elaborate a plan for the meeting above referred to, and I obtained permission from the president, M. Léon Bourgeois, to defer the presentation of our scheme until about the middle of next week.

Just before the session of the main committee, at which the Russian plan was received, I had a long and very interesting talk with Mr. van Karnebeek, one of the leading statesmen of the Netherlands, a former minister of foreign affairs, and the present chief of the Dutch delegation in the conference. He seems clear-headed and far-sighted, and his belief is that the conference will really do something of value for arbitration. He says that men who arrived here apparently indifferent have now become interested, and that *amour propre*, if nothing else, will lead them to elaborate something likely to be useful. He went at considerable length into the value of an international tribunal, even if it does nothing more than keep nations mindful of the fact that there is some way, other than war, of settling disputes.

A delegate also informed me that in talking with M. de Staal the latter declared that in his opinion the

present conference is only the first of a series, and that it is quite likely that another will be held next winter or next spring.

In the evening I made the acquaintance of Mr. Marshall, a newspaper correspondent, who is here preparing some magazine articles on The Hague and the conference. He is a very interesting man on various accounts, and especially at present, since he has but just returned from the Cuban campaign, where he was fearfully wounded, receiving two shots which carried away parts of the vertebral column, a bullet being left in his body. He seems very cheerful, though obliged to get about on crutches.

### *May 27.*

In the morning, calls from various people urging all kinds of schemes for arbitration and various other good things for the human race, including considerable advantages, in many cases, for themselves.

Best of all, by far, was John Bellows of Gloucester, our old Quaker friend at St. Petersburg, whom I was exceedingly glad to take by the hand: he, at least, is a thoroughly good man — sincere, honest, earnest and blessed with good sense.

The number of documents, printed and written, coming in upon us is still enormous. Many are virtually sermons displaying the evils of war, the blessings of peace, and the necessity of falling back upon the Bible. Considering the fact that our earlier sacred books indicate approval by the Almighty of some of the most blood-thirsty peoples and most cruel wars ever known, such a recommendation seems lacking in "actuality."

This morning we had another visit from Sir Julian

Pauncefote, president of the British delegation, and discussed with him an amalgamation of the Russian, British and American proposals for an arbitration tribunal. He finds himself, as we all do, agreeably surprised by the Russian document, which, inadequate as it is, shows ability in devising a permanent scheme both for mediation and arbitration.

During the day President Low, who had been asked by our delegation to bring the various proposals agreed to by us into definite shape, made his report; it was thoroughly well done, and, with some slight changes, was adopted as the basis for our final project of an arbitration scheme. We are all to meet on Monday, the 29th, for a study of it.

In the evening to the concert given to the conference by the burgomaster and city council. It was very fine, and the audience was large and brilliant. There was music by Tschaikowsky, Grieg and Wagner, some of which was good, but most of it seemed to me noisy and tending nowhither; happily, in the midst of it came two noble pieces, one by Beethoven and the other by Mozart, which gave a delightful relief.

### *May 28.*

Drove with Dr. Holls to Delft, five miles, and attended service at the "New Church." The building was noble, but the service seemed very crude and dismal, nearly the whole of it consisting of two long sermons separated by hymns, and all unspeakably dreary.

Afterward we saw the tombs of William of Orange and Grotius, and they stirred many thoughts. I visited them first nearly forty years ago, with three persons very

dear to me, all of whom are now passed away. More than ever it is clear to me that of all books ever written — not claiming divine inspiration — the great work of Grotius on "War and Peace" has been of most benefit to mankind. Our work here, at the end of the nineteenth century, is the direct result of his, at the beginning of the seventeenth.

Afterward to the Prinzenhof, visiting the place where William of Orange was assassinated. Was glad to see the new statue of Grotius in front of the church where he lies buried.

### *May 29.*

In the morning President Low and myself walked, and talked over various proposals for arbitration, especially our own. It looks much as if we can amalgamate the Russian, British and original American plans into a good arrangement for a tribunal. We also discussed a scheme for the selection, by disagreeing nations, of "seconding powers," who, before the beginning of hostilities, or even after, shall attempt to settle difficulties between powers, or, if unsuccessful, to stop them as soon after war begins as the honor of the nations concerned may allow. The Germans greatly favor this plan, since it resembles their tribunal of honor (*Ehrengericht*); it was originally suggested to us by our secretary, Dr. Holls.

In the evening, at six, the American delegation met. We had before us typewritten copies of our whole arbitration project as elaborated in our previous sessions, and sundry changes having been made, most of them verbal, the whole, after considerable discussion, was adopted.

At ten I left, via Hook of Holland and Harwich, for

London, arriving about ten the next morning, and attending to various matters of business. It was fortunate for me that I could have for this purpose an almost complete lull in our proceedings, the first and second committees of the conference being at work on technical matters, and the third not meeting until next Monday.

In the evening I went to the Lyceum Theater, saw Henry Irving and Ellen Terry in Sardou's "Robespierre," and for the first time in my life was woefully disappointed in them. The play is wretchedly conceived, and it amazes me that Sardou, who wrote "Thermidor," which is as admirable as "Robespierre" is miserable, could ever have attached his name to such a piece.

For the wretchedness of its form there is, no doubt, some excuse in the fact that it has been done into English, and doubtless cut, pieced and altered to suit the Lyceum audiences; but when one compares the conspiracy part of it with a properly conceived drama in which a conspiracy is developed, like Schiller's "Fiesco," the difference is enormously in favor of the latter. As literature the play in its English dress is below contempt.

As to its historical contents, Sardou resorts to an expedient which, although quite French in its character, brings the whole thing down to a lower level than anything in which I had ever seen Irving before. The center of interest is a young royalist who, having been present with his mother and sister at the roll call of the condemned and the harrowing scenes resulting therefrom, rushes forth, determined to assassinate Robespierre, but is discovered by the latter to be his long-lost illegitimate son, and then occur a series of mystifications suited only to the lowest boulevard melodrama.

As to the action of the piece, the only thing that showed Irving's great ability was the scene in the forest of Montmorency, where, as Robespierre, he reveals at one moment, in his talk with the English envoy, his ambition, his overestimate of himself, his suspicion of everybody and everything, his willingness to be cruel to any extent in order to baffle possible enemies; and then, next moment, on the arrival of his young friends, boys and girls, the sentimental, Rousseau side of his character. This transition was very striking. The changes in the expression of Irving's face were marvelous—as wonderful as those in his Louis XI; but that was very nearly all. In everything else, Coquelin, as I had seen him in Sardou's "Thermidor," was infinitely better.

Besides this, the piece was, in general, grotesquely unhistorical. It exhibits Robespierre's colleagues in the Committee of Public Safety as noisy and dirty street blackguards. Now, bad as they were, they were not at all of that species, nor did their deliberations take place in the manner depicted. Billaud-Varennes is represented as a drunken vagabond sitting on a table at the committee and declaiming. He was not this at all, nor was Tallien, vile as he was, anything like the blackguard shown in this piece.

The final scene, in which Robespierre is brought under accusation by the Convention, was vastly inferior to the same thing in "Thermidor"; and, what was worse, instead of paraphrasing or translating the speeches of Billaud-Varennes, Tallien and Robespierre, which he might have found in the *Moniteur*, Sardou, or rather Irving, makes the leading characters yell harangues very much of the sort which would be made in a meeting of drunken

dock laborers to-day. Irving's part in this was not at all well done. The unhistorical details now came thick and fast, among them his putting his head down on the table of the tribune as a sign of exhaustion, and then, at the close, shooting himself in front of the tribunal. If he did shoot himself, which is doubtful, it was neither at that time nor in that place.

But, worst of all, the character of Robespierre was made far too melodramatic, and was utterly unworthy of Irving, whom, in all his other pieces, I have vastly admired. He completely misconceives his hero. Instead of representing him as, from first to last, a shallow Rousseau sentimentalist, with the proper mixture of vanity, suspicion and cruelty, he puts into him a great deal too much of the ruffian, which was not at all in Robespierre's character.

The most striking scene in the whole was the roll call at the prison. This was perhaps better than that in Sardou's "Thermidor," and the tableaux were decidedly better.

The scene at the "Festival of the Supreme Being" was also very striking, and in many respects historical; but, unless I am greatly mistaken, the performance referred to did not take place as represented, but in the garden directly in front of the Tuileries. The family scene at the house of Duplay the carpenter was exceedingly well managed; old Duplay, smoking his pipe, listening to his daughters playing on a spinet and singing sentimental songs of the Rousseau period, was perfect. The old carpenter and his family evidently felt that the golden age had at last arrived; that humanity was at the end of its troubles; and that the world was indebted for

it all to their lodger Robespierre, who sat in the midst of them reading, writing and enjoying the coddling and applause lavished upon him. And he and they were to go to the guillotine within a week !

Incidentally there came a little touch worthy of Sardou ; for, as Robespierre reads his letters, he finds one from his brother, in which he speaks of a young soldier and revolutionist of ability whose acquaintance he has just made, whom he very much likes, and whose republicanism he thoroughly indorses — one Buonaparte. This might have occurred, and very likely did occur, very much as shown on the stage ; for one of the charges which nearly cost Bonaparte his life on the Ninth Thermidor was that he was on friendly terms with the younger Robespierre, who was executed with his more famous brother.

On the whole, the play was very disappointing. It would certainly have been hissed at the Porte St. Martin, and probably at any other Paris theater.

### *June 1.*

Having left London last evening, I arrived at The Hague early this morning and found, to my great satisfaction, that the subcommittee of the third committee had unanimously adopted the American plan of "seconding powers," and that our whole general plan of arbitration will be to-day in print and translated into French for presentation. I also find that Sir Julian Pauncefote's arbitration project has admirable points.

The first article in Sir Julian's proposal states that, with the desire to facilitate immediate recourse to arbitration by nations which may fail to adjust by diplomatic negotiations differences arising between them, the



signatory powers agree to organize a permanent tribunal of international arbitration, accessible at all times, to be governed by a code, provided by this conference, so far as applicable and consistent with any special stipulations agreed to between the contesting parties.

Its second provision is the establishment of a permanent central office, where the records of the tribunal shall be preserved and its official business transacted, with a permanent secretary, archivist and suitable staff, who shall reside on the spot. This office shall make arrangements for the assembling of the tribunal, at the request of contesting parties.

Its third provision is that each of the signatory powers shall transmit the names of two persons who shall be recognized in their own country as jurists or publicists of high character and fitness, and who shall be qualified to act as judges. These persons shall be members of the tribunal, and a list of their names shall be recorded in the central office. In case of death or retirement of any one of these, the vacancy shall be filled up by new appointment.

Its fourth provision is that any of the signatory powers desiring to have recourse to the tribunal for the settlement of differences shall make known such desire to the secretary of the central office, who shall thereupon furnish the powers concerned with a list of the members of the tribunal, from which such powers may select such number of judges as they may think best. The powers concerned may also, if they think fit, adjoin to these judges any other person, although his name may not appear on the list. The persons so selected shall constitute the tribunal for the purpose of such arbitration,

and shall assemble at such date as may be most convenient for the litigants.

The tribunal shall ordinarily hold its sessions at ———; but it shall have power to fix its place of session elsewhere, and to change the same from time to time, as circumstances may suggest.

The fifth provision is that any power, even though not represented in the present conference, may have recourse to the tribunal on such terms as may be prescribed by the regulations.

Provision sixth: The government of ——— is charged by the signatory powers, on their behalf, as soon as possible after the conclusion of this convention, to name a permanent council of administration, at ———, composed of five members and a secretary. This council shall organize and establish the central office, which shall be under its control and direction. It shall make such rules and regulations as may be necessary for the office; it shall dispose of all questions that may arise in relation to the working of the tribunal, or which may be referred to it by the central office; it shall make all subordinate appointments, may suspend or dismiss all employees, and shall fix their salaries and control their expenditure. This council shall select its president, who shall have a casting vote. The remuneration of the members shall be fixed from time to time by accord between the signatory powers.

Provision seventh: The signatory powers agree to share among them the expenses pertaining to the administration of the central office and the council of administration; but the expenses incident to every arbitration, including the remuneration of the arbiters, shall be equally borne by the contesting powers.

From a theoretical point of view, I prefer to this our American plan of a tribunal permanently in session : the judges, in every particular case, to be selected from this. Thus would be provided a court of any odd number between three and nine, as the contesting powers may desire. But from the practical point of view, even though the Russian plan of requiring the signatory powers to send to the tribunal a multitude of smaller matters, such as those connected with the postal service, etc., is carried out, the great danger is that such a court, sitting constantly as we propose, would, for some years, have very little to do, and that soon we should have demagogues and feather-brained "reformers" ridiculing them as "useless," "eating their heads off," and "doing nothing"; that then demagogic appeals might lead one nation after another to withdraw from an arrangement involving large expense apparently useless; and in view of this latter difficulty I am much inclined to think that we may, under our amended instructions, agree to support, in its essential features as above given, the British proposal, and, with some reservations, the code proposed by the Russians.

Among the things named by the Russians as subjects which the agreeing powers must submit to arbitration, are those relating to river navigation and international canals; and this, in view of our present difficulties in Alaska and in the matter of the Isthmus Canal, we can hardly agree to. During the morning Sir Julian came in and talked over our plan of arbitration as well as his own and that submitted by Russia. He said that he had seen M. de Staal, and that it was agreed between them that the latter should send Sir Julian, at the first moment possible, an amalgamation of the Russian and British plans, and this

Sir Julian promised that he would bring to us, giving us a chance to insert any features from our own plan which, in our judgment, might be important. He seemed much encouraged, as we all are.

Returning to our rooms, I found Count Münster. As usual, he was very interesting; and, after discussing sundry features of the Russian plan, he told one or two rather good stories. He said that during his stay in St. Petersburg as minister, early in the reign of Alexander II, he had a very serious quarrel with Prince Gorchakoff, the minister of foreign affairs, who afterward became the famous chancellor of the empire.

Count Münster had received one day from a professor at Göttingen a letter stating that a young German savant, traveling for scientific purposes in Russia, had been seized and treated as a prisoner, without any proper cause whatever; that, while he was engaged in his peaceful botanizing, a police officer, who was taking a gang of criminals to Siberia, had come along, and one of his prisoners having escaped, this officer, in order to avoid censure, had seized the young savant, quietly clapped the number of the missing man on his back, put him in with the gang of prisoners, and carried him off along with the rest; so that he was now held as a convict in Siberia. The count put the letter in his pocket, thinking that he might have an opportunity to use it, and a day or two afterward his chance came. Walking on the quay, he met the Emperor (Alexander II), who greeted him heartily, and said, "Let me walk with you." After walking and talking some time, the count told the story of the young German, whereupon the Emperor asked for proofs of its truth. At this Münster pulled the letter out of his pocket; and,

both having seated themselves on a bench at the side of the walk, the Emperor read it. On finishing it, the Emperor said: "Such a thing as this can happen only in Russia." That very afternoon he sent a special police squad, posthaste, all the way to Siberia, ordering them to find the young German and bring him back to St. Petersburg.

Next day Count Münster called at the Foreign Office on current business, when Gorchakoff came at him in a great rage, asking him by what right he communicated directly with the Emperor; and insisting that he had no business to give a letter directly to the Emperor, that it ought to have gone through the Foreign Office. Gorchakoff reproached the count bitterly for this departure from elementary diplomatic etiquette. At this Münster replied: "I gave the letter to the Emperor because he asked me for it, and I did not give it to you because I knew perfectly well that you would pigeonhole it and the Emperor would never hear of it. I concede much in making any answer at all to your talk, which seems to me of a sort not usual between gentlemen." At this Gorchakoff was much milder, and finally almost obsequious, becoming apparently one of Münster's devoted friends, evidently thinking that, as Münster had gained the confidence of the Emperor, he was a man to be cultivated.

The sequel to the story was also interesting. The policemen, after their long journey to Siberia, found the young German and brought him to St. Petersburg, where the Emperor received him very cordially and gave him twenty thousand rubles as an indemnity for the wrong done him. The young savant told Münster that he had not been badly treated, that he had been assigned a very

pleasant little cottage, and had perfect freedom to pursue his scientific researches.

On my talking with the count about certain Russian abuses, and maintaining that Russia, at least in court circles, had improved greatly under Alexander III as regarded corruption, he said that he feared she was now going back, and he then repeated a remark made by the old Grand Duke Michael, brother of Alexander II, who said that if any Russian were intrusted with the official care of a canary he would immediately set up and maintain a coach and pair out of it.

At six o'clock our American delegation met and heard reports, especially from Captain Mahan and Captain Crozier, with reference to the doings in the subcommittees. Captain Mahan reported that he had voted against forbidding asphyxiating bombs, etc., evidently with the idea that such a provision would prove to be rather harmful than helpful to the cause of peace.

Captain Crozier reported that his subcommittee of committee No. 2 had, at its recent meeting, tried to take up the exemption of private property from seizure on the high seas in time of war, but had been declared out of order by the chairman, De Martens, the leading Russian delegate, who seems determined to prevent the subject coming before the conference. The question before our American delegation now was, Shall we try to push this American proposal before the subcommittee of the second committee, or before the entire conference at a later period? and the general opinion was in favor of the latter course. It was not thought best to delay the arbitration plan by its introduction at present.

In the evening dined with Minister Newel, and had

a very interesting talk with Van Karnebeek, who had already favorably impressed me by his clear-headedness and straightforwardness; also with M. Asser, member of the Dutch Council of State, and M. Rahusen, member of the Upper Chamber of the States General, both of whom are influential delegates.

All three of these men spoke strongly in favor of our plan for the exemption of private property on the high seas, Van Karnebeek with especial earnestness. He said that, looking merely at the material interests of the Netherlands, he might very well favor the retention of the present system, since his country is little likely to go into war, and is certain to profit by the carrying trade in case of any conflict between the great powers; that, of course, under such circumstances, a large amount of commerce would come to Holland as a neutral power; but that it was a question of right and of a proper development of international law, and that he, as well as the two other gentlemen above named, was very earnestly in favor of joint action by the powers who are in favor of our proposal. He thought that the important thing just now is to secure the coöperation of Germany, which seems to be at the parting of the ways, and undecided which to take.

In the course of the evening one of my European colleagues, who is especially familiar with the inner history of the calling of the conference, told me that the reason why Professor Stengel was made a delegate was not that he wrote the book in praise of war and depreciating arbitration, which caused his appointment to be so unfavorably commented upon, but because, as an eminent professor of international law, he represented Bavaria;

and that as Bavaria, though represented at St. Petersburg, was not invited, it was thought very essential that a well-known man from that kingdom should be put into the general German delegation.

On my asking why Brazil, though represented at St. Petersburg, was not invited, he answered that Brazil was invited, but showed no desire to be represented. On my asking him if he supposed this was because other South American powers were not invited, he said that he thought not; that it was rather its own indifference and carelessness, arising from the present unfortunate state of government in that country. On my saying that the Emperor Dom Pedro, in his time, would have taken the opportunity to send a strong delegation, he said, "Yes, he certainly would have done so; but the present government is a poor sort of thing."

I also had a talk with one of the most eminent publicists of the Netherlands, on the questions dividing parties in this country, telling him that I found it hard to understand the line of cleavage between them. He answered that it is, in the main, a line between religious conservatives and liberals; the conservatives embracing the Roman Catholics and high-orthodox Protestants, and the liberals those of more advanced opinions. He said that socialism plays no great part in Holland; that the number of its representatives is very small compared with that in many European states; that the questions on which parties divide are mainly those in which clerical ideas are more or less prominent; that the liberal party, if it keeps together, is much the stronger party of the two, but that it suffers greatly from its cliques and factions.

On returning home after dinner, I found a cipher



dispatch from the Secretary of State informing us that President McKinley thinks that our American commission ought not to urge any proposal for "seconding powers"; that he fears lest it may block the way of the arbitration proposals. This shows that imperfect reports have reached the President and his cabinet. The fact is that the proposal of "seconding powers" was warmly welcomed by the subcommittee when it was presented; that the members very generally telegraphed home to their governments, and at once received orders to support it; that it was passed by a unanimous vote of the subcommittee; and that its strongest advocates were the men who are most in favor of an arbitration plan. So far from injuring the prospects of arbitration, it has increased them; it is very generally spoken of as a victory for our delegation, and has increased respect for our country, and for anything we may hereafter present.

*June 2.*

This morning we sent a cipher telegram to the Secretary of State, embodying the facts above stated.

The shoals of telegrams, reports of proceedings of societies, hortatory letters, crankish proposals and peace pamphlets from America continue. One of the telegrams which came late last night was pathetic; it declared that three millions of Christian Endeavorers bade us "God-speed," etc., etc.

During the morning De Martens, Low, Holls and myself had a very thoroughgoing discussion of the Russian, British and American arbitration plans. We found the eminent Russian under very curious misapprehensions regarding some minor points, one of them being that he had

mistaken the signification of our word "publicist"; and we were especially surprised to find his use of the French word "publiciste" so broad that it would include M. Henri Rochefort, Mr. Stead or any newspaper writer; and he was quite as surprised to find that with us it would include only such men as Grotius, Wheaton, Calvo and himself.

After a long and intricate discussion we separated on very good terms, having made, I think, decided progress toward fusing all three arbitration plans into one which shall embody the merits of all.

One difficulty we found, of which neither our State Department nor ourselves had been fully aware. Our original plan required that the judges for the arbitration tribunal should be nominated by the highest courts of the respective nations; but De Martens showed us that Russia has no highest court in our sense of the word. Then, too, there is Austria-Hungary, which has two supreme courts of equal authority. This clause, therefore, we arranged to alter, though providing that the original might stand as regards countries possessing supreme courts.

At lunch we had Baron de Bildt, Swedish minister at Rome and chief of the Swedish delegation at the conference, and Baron de Bille, Danish minister at London and chief delegate from Denmark. De Bille declared himself averse to a permanent tribunal to be in constant session, on the ground that, having so little to do, it would be in danger of becoming an object of derision to the press and peoples of the world.

We were all glad to find, upon the arrival of the London *Times*, that our arbitration project seemed to be receiving extensive approval, and various telegrams from America during the day indicated the same thing.

It looks more and more as if we are to accomplish something. The only thing in sight calculated to throw a cloud over the future is the attitude of the German press against the whole business here ; the most virulent in its attacks being the high-Lutheran conservative — and religious ! — journal in Berlin, the *Kreuz-Zeitung*. Still, it is pleasant to see that eminent newspaper find, for a time, some other object of denunciation than the United States.

*June 3.*

In the afternoon drove to Scheveningen and took tea with Count Münster and his daughter. He was somewhat pessimistic, as usual, but came out very strongly in favor of the American view as regards exemption of private property on the high seas. Whether this is really because Germany would derive profit from it, or because she thinks this question a serviceable entering wedge between the United States and Great Britain, there is no telling at present. I am sorry to say that our hopes regarding it are to be dashed, so far as the present conference is concerned. Sundry newspaper letters and articles in the *Times* show clearly that the English Government is strongly opposed to dealing with it here and now ; and as France and Russia take the same position, there is no hope for any action, save such as we can take to keep the subject alive and to secure attention to it by some future conference.

### III

*June 4.*

WE have just had an experience which "adds to the gayety of nations." Some days since, representatives of what is called "the Young Turkish party" appeared and asked to be heard. They received, generally, the cold shoulder, mainly because the internal condition of Turkey is not one of the things which the conference was asked to discuss; but also because there is a suspicion that these "Young Turks" are enabled to live in luxury at Paris by blackmailing the Sultan, and that their zeal for reform becomes fervid whenever their funds run low, and cools whenever a remittance comes from the Bosphorus. But at last some of us decided to give them a hearing, informally; the main object being to get rid of them. At the time appointed, the delegation appeared in evening dress, and, having been ushered into the room, the spokesman began as follows, very impressively:

"Your Excellencies, ve are ze Young Turkeys."

This was too much for most of us, and I think that, during our whole stay at The Hague thus far, we have never undertaken anything more difficult, physically, than to keep our faces straight during the harangue which followed.

Later, we went with nearly all the other members of the conference to Haarlem, in a special train, by invitation of the burgomaster and town council, to the "Fête Hippique" and the "Fête des Fleurs." We were treated

very well indeed, refreshments being served on the grand stand during the performances, which consisted of hurdle races, etc., for which I cared nothing, followed by a procession of peasants in old chaises of various periods, and in the costumes of the various provinces of the Netherlands, which interested me much. The whole closed with a long train of fine equipages superbly decorated with flowers.

Discussing the question of the immunity of private property, not contraband of war, on the high seas, I find that the main argument which our opponents are now using is that, even if the principle were conceded, new and troublesome questions would arise as to what really constitutes contraband of war; that ships themselves would undoubtedly be considered as contraband, since they can be used in conveying troops, coal, supplies, etc.

#### *June 5.*

Having given up the morning of the 5th mainly to work on plans of arbitration, mediation and the like, I went to the meeting, at the "House in the Wood," of the third great committee of the conference — namely, that on arbitration.

The session went off satisfactorily, our duty being to pass upon the report from the subcommittee which had put the various propositions into shape for our discussion. The report was admirably presented by M. Descamps, and, after considerable discussion of details, was adopted in all essential features. The matters thus discussed and accepted for presentation to the conference as a whole related:

- (1) To a plan for tendering "good offices."

(2) To a plan for examining into international differences.

(3) To the "special mediation" plan.

The last was exceedingly well received, and our delegation has obtained much credit for it. It is the plan of allowing any two nations drifting into war to appoint "seconding nations," who, like "seconds" in a duel, shall attempt to avert the conflict; and, if this be unsuccessful, shall continue acting in the same capacity, and endeavor to arrest the conflict at the earliest moment possible.

Very general good feeling was shown, and much encouragement derived from the fact that these preliminary matters could be dealt with in so amicable and businesslike a spirit.

Before the meeting I took a long walk in the garden back of the palace with various gentlemen, among them Mr. van Karnebeek, who discussed admirably with me the question of the exemption of private property from seizure on the high seas. He agreed with me that even if the extreme doctrine now contended for — namely, that which makes ships, coal, provisions and very nearly everything else, contraband — be pressed, still a first step, such as the exemption of private property from seizure, would be none the less wise, leaving the subordinate questions to be dealt with as they arise.

I afterwards called with Dr. Holls at the house of the burgomaster of The Hague, and thanked him for his kindness in tendering us the concert last Saturday, and for various other marks of consideration.

On the whole, matters continue to look encouraging as regards both mediation and arbitration.

*June 6.*

In the morning Sir Julian Pauncfote called, and again went over certain details in the American, British and Russian plans of arbitration, discussing some matters to be stricken out and others to be inserted. He declared his readiness to strike out a feature of his plan to which from the first I have felt a very great objection—namely, that which, after the tribunal is constituted, allows the contesting parties to call into it and mix with it persons simply chosen by the contestants *ad hoc*. This seems to me a dilution of the idea of a permanent tribunal, and a means of delay and of complications which may prove unfortunate. It would certainly be said that if the contestants were to be allowed to name two or more judges from outside the tribunal, they might just as well nominate all, and thus save the expense attendant upon a regularly constituted international court chosen by the various governments.

Later in the day I wrote a private letter to the Secretary of State suggesting that our American delegation be authorized to lay a wreath of silver and gold upon the tomb of Grotius at Delft, not only as a tribute to the man who set in motion the ideas which, nearly three hundred years later, have led to the assembling of this conference, but as an indication of our gratitude to the Netherlands Government for its hospitality and the admirable provision it has made for our work here, and also as a sign of good will toward the older governments of the world on the occasion of their first meeting with delegates from the New World, in a conference treating of matters most important to all nations.

In the evening to Mr. van Karnebeek's reception, and

there met Mr. Raffalovitch, one of the Russian secretaries of the conference, who, as councilor of the Russian Empire and corresponding member of the French Institute, has a European reputation, and urged him to aid in striking out the clause in the plan which admits judges other than those of the court. My hope is that it will disappear in the subcommittee and not come up in the general meeting of the third great committee.

*June 8.*

The American delegation in the afternoon discussed at length the proposals relating to the Brussels Conference rules for the more humane carrying on of war. Considerable difference of opinion has arisen in the section of the conference in which the preliminary debates are held, and Captain Crozier, our representative, has been in some doubt as to the ground to be taken between these opposing views. On one side are those who think it best to go at considerable length into more or less minute restrictions upon the conduct of invaders and invaded. On the other side, M. Beernaert of Belgium, one of the two most eminent men from that country, and others, take the ground that it would be better to leave the whole matter to the general development of humanity in international law. M. de Martens insists that now is the time to settle the matter, rather than leave it to individuals who, in time of war, are likely to be more or less exasperated by accounts of atrocities and to have no adequate time for deciding upon a policy. After considerable discussion by our delegation, the whole matter went over.

In the evening to a great reception at the house of Sir Henry Howard, British minister at this court. It was



very brilliant, and the whole afforded an example of John Bull's good sense in providing for his representatives abroad, and enabling them to exercise a social influence on the communities where they are stationed, which rapidly becomes a political influence with the governments to which they are accredited. Sir Henry is provided with a large, attractive house, means to entertain amply, and has been kept in the service long enough to know everybody and to become experienced in the right way of getting at the men he wishes to influence, and of doing the things his government needs to have done. Throughout the whole world this is John Bull's wise way of doing things. At every capital I have visited, including Washington, Constantinople, St. Petersburg, Rome, Paris, Berlin and Vienna, the British representative is a man who has been selected with reference to his fitness, kept in the service long enough to give him useful experience, and provided with a good, commodious house and the means to exercise social and, therefore, political influence. The result is that, although, in every country in the world, orators and editors are always howling at John Bull, he everywhere has his way: to use our vernacular, he "gets there," and can laugh in his sleeve at the speeches against him in public bodies, and at the diatribes against him in newspapers. The men who are loudest in such attacks are generally the most delighted to put their legs under the British ambassador's mahogany, or to take their daughters to his receptions and balls, and then quietly to follow the general line of conduct which he favors.

*June 9.*

In the morning an interesting visit from M. de Staal, president of the conference. We discussed arbitration plans, Brussels rules and Geneva rules, and, finally, our social debts to the Dutch authorities.

As to the general prospects of arbitration, he expressed the belief that we can, by amalgamating the British, Russian and American plans, produce a good result.

During the day, many members of the conference having gone to Rotterdam to see the welcoming of the Queen in that city, I took up, with especial care, the Brussels rules for the conduct of war, and the amendments of them now proposed in the conference, some of which have provoked considerable debate. The more I read the proposals now made, the more admirable most of them seem to be, and the more it seems to me that we ought, with a few exceptions, to adopt them. Great Britain declines to sanction them as part of international law, but still agrees to adopt them as a general basis for her conduct in time of war; and even this would be a good thing for us, if we cannot induce our government to go to the length of making them fully binding.

At six o'clock Dr. Holls, who represents us upon the subcommittee on arbitration, came in with most discouraging news. It now appears that the German Emperor is determined to oppose the whole scheme of arbitration, and will have nothing to do with any plan for a regular tribunal, whether as given in the British or the American scheme. This news comes from various sources, and is confirmed by the fact that, in the subcommittee, one of the German delegates, Professor Zorn of Königsberg, who had become very earnest in behalf of arbitration, now

says that he may not be able to vote for it. There are also signs that the German Emperor is influencing the minds of his allies, — the sovereigns of Austria, Italy, Turkey and Roumania, — leading them to oppose it.

Curiously enough, in spite of this, Count Nigra, the Italian ambassador at Vienna and head of the Italian delegation, made a vigorous speech showing the importance of the work in which the committee is engaged, urging that the plan be perfected, and seeming to indicate that he will go on with the representatives who favor it. This, coming from perhaps the most earnest ally of Germany, is noteworthy.

At the close of the session Sir Julian Pauncefote informed Dr. Hollis that he was about to telegraph his government regarding the undoubted efforts of the German Emperor upon the sovereigns above named, and I decided to cable our State Department, informing them fully as to this change in the condition of affairs.

At eight went to the dinner of our minister, Mr. Newel, and found there three ambassadors, De Staal, Münster and Pauncefote, as well as M. Léon Bourgeois, president of the French delegation; Sir Henry Howard, the British minister; Baron de Bildt, the Swedish minister; and some leading Netherlands statesmen. Had a long talk with M. de Staal and with Sir Julian Pauncefote regarding the state of things revealed this afternoon in the subcommittee on arbitration. M. de Staal has called a meeting of the heads of delegations for Saturday afternoon. Both he and Sir Julian are evidently much vexed by the unfortunate turn things have taken. The latter feels, as I do, that the only thing to be done is to go on and make the plan for arbitration as perfect as possible,

letting those of the powers who are willing to do so sign it. I assured him and De Staal that we of the United States would stand by them to the last in the matter.

Late in the evening went to a reception of M. de Beaufort, the Netherlands minister of foreign affairs, and discussed current matters with various people, among them Count Nigra, whom I thanked for his eloquent speech in the afternoon, and Baron de Bildt, who feels, as I do, that the right thing for us is to go on, no matter who falls away.

*June 10.*

This morning I gave to studies of the various reports sent in from the subcommittees, especially those on arbitration and on the Brussels Conference rules. Both have intensely interested me, my main attention being, of course, centered on the former; but the Brussels rules seem to me of much greater importance now than at first, and my hope is that we shall not only devise a good working plan of arbitration, but greatly humanize the laws of war.

At four o'clock in the afternoon met the four other ambassadors and two or three other heads of delegations, at the rooms of M. de Staal, to discuss the question of relaxing the rules of secrecy as regards the proceedings of committees, etc. The whole original Russian plan of maintaining absolute secrecy has collapsed, just as the representatives from constitutional countries in the beginning said it would. Every day there are published minute accounts in Dutch, French and English journals which show that, in some way, their representatives obtain enough information to enable them, with

such additional things as they can imagine, to make readable reports. The result is that various gentlemen in the conference who formerly favored a policy of complete secrecy find themselves credited with speeches which they did not make, and which they dislike to be considered capable of making.

After a great deal of talk, it was decided to authorize the chairman of each committee to give to the press complete reports, so far as possible, keeping in the background the part taken by individuals.

At six the American delegation met, and the subject of our instructions regarding the presentation of the American view of the immunity of private property on the high seas in time of war was taken up. It was decided to ask some of the leading supporters of this view to meet us at luncheon at 12.30 on Monday, in order to discuss the best way of overcoming the Russian plan of suppressing the matter, and to concert means for getting the whole subject before the full conference.

### *June 11.*

Instead of going to hear the Bishop of Hereford preach on "Peace," I walked with Dr. Holls to Scheveningen, four miles, to work off a nervous headache and to invite Count Münster to our luncheon on Monday, when we purpose to take counsel together regarding private property on the high seas. He accepted, but was out of humor with nearly all the proceedings of the conference. He is more than ever opposed to arbitration, and declares that, in view of the original Russian program under which we were called to meet, we have no right to take it up at all, since it was not mentioned. He was decidedly pessimistic

regarding the continuance of the sessions, asking me when I thought it would all end; and on my answering that I had not the slightest idea, he said that he was entirely in the dark on the subject; that nobody could tell how long it would last, or how it would break off.

*June 12.*

At half-past twelve came our American luncheon to Count Münster, Mr. van Karnebeek and Baron de Bildt, each of whom is at the head of his delegation,—our purpose being to discuss with them the best manner of getting the subject of immunity of private property at sea, not contraband, before the conference, these gentlemen being especially devoted to such a measure.

All went off very well, full interchange of views took place, and the general opinion was that the best way would be for us, as the only delegation instructed on the subject, to draw up a formal memorial asking that the question be brought before the conference, and sending this to M. de Staal as our president.

Curious things came out during our conversation. Baron de Bildt informed me that, strongly as he favored the measure, and prepared as he was to vote for it, he should have to be very careful in discussing it publicly, since his instructions were to avoid, just as far as possible, any clash between the opinions expressed by the Swedish representatives and those of the great powers. Never before have I so thoroughly realized the difficult position which the lesser powers in Europe hold as regards really serious questions.

More surprising was the conversation of Count Münster, he being on one side of me and Mr. van Karnebeek

on the other. Bearing in mind that the Emperor William, during his long talk with me just before I left Berlin, in referring to the approaching Peace Congress had said that he was sending Count Münster because what the conference would most need would be "common sense," and because, in his opinion, Count Münster had "lots of it," some of the count's utterances astonished me. He now came out, as he did the day before in his talk with me, utterly against arbitration, declaring it a "humbug," and that we had no right to consider it, since it was not mentioned in the first proposals from Russia, etc., etc.

A little later, something having been said about telegraphs and telephones, he expressed his belief that they are a curse as regards the relations between nations; that they interfere with diplomacy, and do more harm than good. This did not especially surprise me, for I had heard the same opinions uttered by others; but what did surprise me greatly was to hear him say, when the subject of bacteria and microbes was casually mentioned, that they were "all a modern humbug."

It is clear that, with all his fine qualities, — and he is really a splendid specimen of an old-fashioned German nobleman devoted to the diplomatic service of his country, — he is saturated with the ideas of fifty years ago.

Returning from a drive to Scheveningen with Major Burbank of the United States army, I sketched the first part of a draft for a letter from our delegation to M. de Staal, and at our meeting at six presented it, when it met with general approval. President Low had also sketched a draft which it was thought could be worked very well into the one which I had offered, and so we two were made a subcommittee to prepare the letter in full.

*June 13.*

This morning come more disquieting statements regarding Germany. There seems no longer any doubt that the German Emperor is opposing arbitration, and, indeed, the whole work of the conference, and that he will insist on his main allies, Austria and Italy, going with him. Count Nigra, who is personally devoted to arbitration, allowed this in talking with Dr. Holls; and the German delegates — all of whom, with the exception of Count Münster, are favorably inclined to a good arbitration plan — show that they are disappointed.

I had learned from a high imperial official, before I left Berlin, that the Emperor considered arbitration as derogatory to his sovereignty, and I was also well aware, from his conversation, that he was by no means in love with the conference idea; but, in view of his speech at Wiesbaden, and the petitions which had come in to him from Bavaria, I had hoped that he had experienced a "change of heart."

Possibly he might have changed his opinion had not Count Münster been here, reporting to him constantly against every step taken by the conference.

There seems danger of a catastrophe. Those of us who are faithful to arbitration plans will go on and do the best we can; but there is no telling what stumblingblocks Germany and her allies may put in our way; and, of course, the whole result, without their final agreement, will seem to the world a failure and, perhaps, a farce.

The immediate results will be that the Russian Emperor will become an idol of the "plain people" throughout the world, the German Emperor will be bitterly hated, and the socialists, who form the most dreaded party on



the continent of Europe, will be furnished with a thoroughly effective weapon against their rulers.

Some days since I said to a leading diplomatist here, "The ministers of the German Emperor ought to tell him that, should he oppose arbitration, there will be concentrated upon him an amount of hatred which no minister ought to allow a sovereign to incur." To this he answered, "That is true; but there is not a minister in Germany who dares tell him."

*June 14.*

This noon our delegation gave a breakfast to sundry members of the conference who are especially interested in an effective plan of arbitration, the principal of these being Count Nigra from Italy; Count Welsersheimb, first delegate of Austria; M. Descamps of Belgium; Baron d'Estournelles of France; and M. Asser of the Netherlands. After some preliminary talk, I read to them the proposal, which Sir Julian had handed me in the morning, for the purpose of obviating the objection to the council of administration in charge of the court of arbitration here in The Hague, which was an important feature of his original plan, but which had been generally rejected as involving expensive machinery. His proposal now is that, instead of a council specially appointed and salaried to watch over and provide for the necessities of the court, such council shall simply be made up of the ministers of sundry powers residing here, — thus doing away entirely with the trouble and expense of a special council.

This I amended by adding the Netherlands minister of foreign affairs as ex-officio president, there being various

reasons for this, and among these the fact that, without some such provision, the Netherlands would have no representative in the council.

The plan and my amendment were well received, and I trust that our full and friendly discussion of these and various matters connected with them will produce a good effect in the committees.

Count Nigra expressed himself to me as personally most earnestly in favor of arbitration, but it was clear that his position was complicated by the relations of his country to Germany as one of the Triple Alliance ; and the same difficulty was observable in the case of Count Welsersheimb, the representative of Austria, the third ally in the combination of which Germany is the head.

In the course of our breakfast, Baron d'Estournelles made a statement which I think impressed every person present. It was that, as he was leaving Paris, Jaurès, the famous socialist, whom he knows well, said to him, "Go on ; do all you can at The Hague, but you will labor in vain : you can accomplish nothing there, your schemes will fail, and we shall triumph," or words to that effect. So clear an indication as this of the effect which a failure of the conference to produce a good scheme of arbitration will have in promoting the designs of the great international socialist and anarchist combinations cannot fail to impress every thinking man.

Dined in the evening with the French minister at this court, and very pleasantly. There were present M. Léon Bourgeois, the French first delegate, and the first delegates from Japan, China, Mexico and Turkey, with subordinate delegates from other countries. Sitting next the lady at the right of the host, I found her to be the wife

of the premier, M. Piersoon, minister of finance, and very agreeable. I took in to dinner Madame Behrends, wife of the Russian chargé, evidently a very thoughtful and accomplished woman, who was born, as she told me, of English parents in the city of New York when her father and mother were on their way to England. I found her very interesting, and her discussions of Russia, as well as of England and the Netherlands, especially good.

In the smoking room I had a long talk with M. Léon Bourgeois, who, according to the papers, is likely to be appointed minister of foreign affairs in the new French cabinet. He dwelt upon the difficulties of any plan for a tribunal, but seemed ready to do what he could for the compromise plan, which is all that, during some time past, we have hoped to adopt.

*June 15.*

Early this morning Count Münster called, wishing to see me especially, and at once plunged into the question of the immunity of private property from seizure on the high seas. He said that he had just received instructions from his government to join us heartily in bringing the question before the conference; that his government, much as it inclines to favor the principle, could not yet see its way to commit itself fully; that its action must, of course, depend upon the conduct of other powers in the matter, as foreshadowed by discussions in the conference, but that he was to aid us in bringing it up.

I told him I was now preparing a draft of a memorial to the conference giving the reasons why the subject ought to be submitted, and that he should have it as soon as completed.

This matter being for the time disposed of, we took up the state of the arbitration question, and the consequences of opposition by Germany and her two allies to every feasible plan.

He was very much in earnest, and declared especially against compulsory arbitration. To this I answered that the plan thus far adopted contemplated entirely voluntary arbitration, with the exception that an obligatory system was agreed upon as regards sundry petty matters in which arbitration would assist all the states concerned; and that if he disliked this latter feature, but would agree to the others, we would go with him in striking it out, though we should vastly prefer to retain it.

He said, "Yes; you have already stricken out part of it in the interest of the United States," referring to the features concerning the Monroe doctrine, the regulation of canals, rivers, etc.

"Very true," I answered; "and if there are any special features which affect unfavorably German policy or interests, move to strike them out, and we will heartily support you."

He then dwelt in his usual manner on his special hobby, which is that modern nations are taking an entirely false route in preventing the settlement of their difficulties by trained diplomatists, and intrusting them to arbitration by men inexperienced in international matters, who really cannot be unprejudiced or uninfluenced; and he spoke with especial contempt of the plan for creating a bureau, composed, as he said, of university professors and the like, to carry on the machinery of the tribunal.

Here I happened to have a trump card. I showed him Sir Julian Pauncefote's plan to substitute a council

composed of all the ministers of the signatory powers residing at The Hague, with my amendment making the Dutch minister of foreign affairs its president. This he read and said he liked it; in fact, it seemed to remove a mass of prejudice from his mind.

I then spoke very earnestly to him—more so than ever before—about the present condition of affairs. I told him that the counselors in whom the Emperor trusted—such men as himself and the principal advisers of his Majesty—ought never to allow their young sovereign to be exposed to the mass of hatred, obloquy and opposition which would converge upon him from all nations in case he became known to the whole world as the sovereign who had broken down the conference and brought to naught the plan of arbitration. I took the liberty of telling him what the Emperor said to me regarding the count himself—namely, that what the conference was most likely to need was good common sense, and that he was sending Count Münster because he possessed that. This seemed to please him, and I then went on to say that he of all men ought to prevent, by all means, placing the young Emperor in such a position. I dwelt on the gifts and graces of the young sovereign, expressed my feeling of admiration for his noble ambitions, for his abilities, for the statesmanship he had recently shown, for his grasp of public affairs, and for his way of conciliating all classes, and then dwelt on the pity of making such a monarch an object of hatred in all parts of the world.

He seemed impressed by this, but said the calling of the conference was simply a political trick—the most detestable trick ever practiced. It was done, he said,

mainly to embarrass Germany, to glorify the young Russian Emperor, and to put Germany and nations which Russia dislikes into a false position. To this I answered: "If this be the case, why not trump the Russian trick? or, as the poker players say, 'Go them one better,' take them at their word, support a good tribunal of arbitration more efficient even than the Russians have dared to propose; let your sovereign throw himself heartily into the movement and become a recognized leader and power here; we will all support him, and to him will come the credit of it.

"Then, in addition to this, support us as far as you can as regards the immunity of private property on the high seas, and thus you will gain another great point; for, owing to her relations to France, Russia has not dared commit herself to this principle as otherwise she doubtless would have done, but, on the contrary, has opposed any consideration of it by the conference.

"Next, let attention be called to the fact—and we will gladly aid in making the world fully aware of it—that Germany, through you, has constantly urged the greatest publicity of our proceedings, while certain other powers have insisted on secrecy until secrecy has utterly broken down, and then have made the least concession possible. In this way you will come out of the conference triumphant, and the German Emperor will be looked upon as, after all, the arbiter of Europe. Everybody knows that France has never wished arbitration, and that Russian statesmen are really, at heart, none too ardent for it. Come forward, then, and make the matter thoroughly your own; and, having done this, maintain your present attitude strongly as regards the two other

matters above named,—that is, the immunity from seizure of private property on the high seas, and the throwing open of our proceedings,—and the honors of the whole conference are yours.”

He seemed impressed by all this, and took a different tone from any which has been noted in him since we came together. I then asked him if he had heard Baron d’Estournelles’ story. He said that he had not. I told it to him, as given in my diary yesterday; and said, “You see there what the failure to obtain a result which is really so much longed for by all the peoples of the world will do to promote the designs of the socialistic forces which are so powerful in all parts of the Continent, and nowhere more so than in Germany and the nations allied with her.”

This, too, seemed to impress him. I then went on to say: “This is not all. By opposing arbitration, you not only put a club into the hands of socialists, anarchists and all the other antisocial forces, but you alienate the substantial middle class and the great body of religious people in all nations. You have no conception of the depth of feeling on this subject which exists in my own country, to say nothing of others; and if Germany stands in the way, the distrust of her which Americans have felt, and which as minister and ambassador at Berlin I have labored so hard to dispel, will be infinitely increased. It will render more and more difficult the maintenance of proper relations between the two countries. Your sovereign will be looked upon as the enemy of all nations, and will be exposed to every sort of attack and calumny, while the young Emperor of Russia will become a popular idol throughout the world, since he will

represent to the popular mind, and even to the minds of great bodies of thinking and religious people, the effort to prevent war and to solve public questions as much as possible without bloodshed; while the Emperor of Germany will represent to their minds the desire to solve all great questions by force. Mind, I don't say this is a just view: I only say that it is the view sure to be taken, and that by resisting arbitration here you are playing the game of Russia, as you yourself have stated it—that is, you are giving Russia the moral support of the whole world at the expense of the neighboring powers, and above all of Germany."

I then took up an argument which, it is understood, has had much influence with the Emperor,—namely, that arbitration must be in derogation of his sovereignty,—and asked: "How can any such derogation be possible? Your sovereign would submit only such questions to the arbitration tribunal as he thought best; and, more than all that, you have already committed yourselves to the principle. You are aware that Bismarck submitted the question of the Caroline Islands for arbitration to the Pope, and the first Emperor William consented to act as arbiter between the United States and Great Britain in the matter of the American northwestern boundary. How could arbitration affect the true position of the sovereign? Take, for example, matters as they now stand between Germany and the United States. There is a vast mass of petty questions which constantly trouble the relations between the two countries. These little questions embitter debates, whether in your Reichstag on one hand, or in our Congress on the other, and make the position of the Berlin and Washington governments



especially difficult. The American papers attack me because I yield too much to Germany, the German papers attack Von Bülow because he yields too much to America, and these little questions remain. If Von Bülow and I were allowed to sit down and settle them, we could do so at short notice; but behind him stands the Reichstag, and behind our Secretary of State and myself stands the American Congress."

I referred to such questions as the tonnage dues, the additional tariff on bounty-promoted sugar, Samoa, the most-favored-nation clause, in treaties between Germany and the United States, in relation to the same clause in sundry treaties between the United States and other powers, and said: "What a blessing it would be if all these questions, of which both governments are tired, and which make the more important questions constantly arising between the two countries so difficult to settle, could be sent at once to a tribunal and decided one way or the other! In themselves they amount to little. It is not at all unlikely that most of them — possibly all of them — would be decided in favor of Germany; but the United States would acquiesce at once in the decision by a tribunal such as is proposed. And this is just what would take place between Germany and other nations. A mass of vexatious questions would be settled by the tribunal, and the sovereign and his government would thus be relieved from parliamentary chicanery based, not upon knowledge, but upon party tactics or personal grudges or inherited prejudices."

He seemed now more inclined to give weight to these considerations, and will, I hope, urge his government to take a better view than that which for some time past

has seemed to be indicated by the conduct of its representatives here.

In the afternoon I went to the five-o'clock tea of the Baroness d'Estournelles, found a great crowd there, including the leading delegates, and all anxious as to the conduct of Germany. Meeting the Baroness von Suttner, who has been writing such earnest books in behalf of peace, I urged her to write with all her might to influence public prints in Austria, Italy and Germany in behalf of arbitration, telling her that we are just arriving at the parting of the ways, and that everything possible must be done now, or all may be lost. To this she responded very heartily, and I have no doubt will use her pen with much effect.

In the evening went to a great reception at the house of the Austrian ambassador, M. Okolicsanyi. There was a crush. Had a long talk with Mr. Stead, telling him D'Estournelles' story, and urging him to use it in every way to show what a boon the failure of arbitration would be to the antisocial forces in all parts of Europe.

In the intervals during the day I busied myself in completing the memorial to the conference regarding the immunity from seizure of private property at sea. If we cannot secure it now, we must at least pave the way for its admission by a future international conference.

## IV

*June 16.*

THIS morning Count Münster called and seemed much excited by the fact that he had received a dispatch from Berlin in which the German Government — which, of course, means the Emperor — had strongly and finally declared against everything like an arbitration tribunal. He was clearly disconcerted by this too literal acceptance of his own earlier views, and said that he had sent to M. de Staal insisting that the meeting of the subcommittee on arbitration, which had been appointed for this day (Friday), should be adjourned on some pretext until next Monday; “for,” said he, “if the session takes place to-day, Zorn *must* make the declaration in behalf of Germany which these new instructions order him to make, and that would be a misfortune.” I was very glad to see this evidence of change of heart in the count, and immediately joined him in securing the adjournment he desired. The meeting of the subcommittee has therefore been deferred, the reason assigned, as I understand, being that Baron d’Estournelles is too much occupied to be present at the time first named. Later Count Münster told me that he had decided to send Professor Zorn to Berlin at once in order to lay the whole matter before the Foreign Office and induce the authorities to modify the instructions. I approved this course strongly, whereupon he suggested that I should do something to the same purpose, and this finally ended in the agreement that Holls should go with Zorn.

In view of the fact that Von Bülow had agreed that the German delegates should stand side by side with us in the conference, I immediately prepared a letter of introduction and a personal letter to Bülow for Holls to take, and he started about five in the afternoon. This letter is as follows:

(Copy.)

(*Personal.*)

*June 16, 1899.*

DEAR BARON VON BÜLOW:

I trust that, in view of the kindly relations which exist between us, succeeding as they do similar relations begun twenty years ago with your honored father, you will allow me to write you informally, but fully and frankly, regarding the interests of both our governments in the peace conference. The relations between your delegates and ours have, from the first, been of the kindest; your assurances on this point have been thoroughly carried out. But we seem now to be at "the parting of the ways," and on the greatest question submitted to us, — the greatest, as I believe, that any conference or any congress has taken up in our time, — namely, the provision for a tribunal of arbitration.

It is generally said here that Germany is opposed to the whole thing, that she is utterly hostile to anything like arbitration, and that she will do all in her power, either alone or through her allies, to thwart every feasible plan of providing for a tribunal which shall give some hope to the world of settling some of the many difficulties between nations otherwise than by bloodshed.

No rational man here expects all wars to be ended by anything done here; no one proposes to submit to any

such tribunal questions involving the honor of any nation or the inviolability of its territory, or any of those things which nations feel instinctively must be reserved for their own decision. Nor does any thinking man here propose obligatory arbitration in any case, save, possibly, in sundry petty matters where such arbitration would be a help to the ordinary administration of all governments; and, even as to these, they can be left out of the scheme if your government seriously desires it.

The great thing is that there be a provision made for easily calling together a court of arbitration which shall be seen of all nations, indicate a sincere desire to promote peace, and, in some measure, relieve the various peoples of the fear which so heavily oppresses them all — the dread of an outburst of war at any moment.

I note that it has been believed by many that the motives of Russia in proposing this conference were none too good, — indeed, that they were possibly perfidious; but, even if this be granted, how does this affect the conduct of Germany? Should it not rather lead Germany to go forward boldly and thoughtfully, to accept the championship of the idea of arbitration, and to take the lead in the whole business here?

Germany, if she will do this, will certainly stand before the whole world as the leading power of Europe; for she can then say to the whole world that she has taken the proposal of Russia *au sérieux*; has supported a thoroughly good plan of arbitration; has done what Russia and France have not been willing to do, — favored the presentation to the conference of a plan providing for the immunity of private property from seizure on the high seas during war, — and that while, as regards the

proceedings of the conference, Russia has wished secrecy, Germany has steadily, from the first, promoted frankness and openness.

With these three points in your favor, you can stand before the whole world as the great Continental power which has stood up for peace as neither Russia nor France has been able to do. On the other hand, if you do not do this, if you put a stumblingblock in the way of arbitration, what results? The other powers will go on and create as good a tribunal as possible, and whatever failure may come will be imputed to Germany and to its Emperor. In any case, whether failure or success may come, the Emperor of Russia will be hailed in all parts of the world as a deliverer and, virtually, as a saint, while there will be a widespread outburst of hatred against the German Emperor.

And this will come not alone from the antisocial forces which are hoping that the conference may fail, in order that thereby they may have a new weapon in their hands, but it will also come from the middle and substantial classes of other nations.

It is sure to make the relations between Germany and the United States, which have been of late improving, infinitely more bitter than they have ever before been, and it is no less sure to provoke the most bitter hatred of the German monarchy in nearly all other nations.

Should his advisers permit so noble and so gifted a sovereign to incur this political storm of obloquy, this convergence of hatred upon him? Should a ruler of such noble ambitions and such admirable powers be exposed to this? I fully believe that he should not, and that his advisers should beg him not to place himself before the

world as the antagonist of a plan to which millions upon millions in all parts of the world are devoted.

From the United States come evidences of a feeling widespread and deep on this subject beyond anything I have ever known. This very morning I received a prayer set forth by the most conservative of all Protestant religious bodies — namely, the American branch of the Anglican Church — to be said in all churches, begging the Almighty to favor the work of the peace conference; and this is what is going on in various other American churches, and in vast numbers of households. Something of the same sort is true in Great Britain and, perhaps, in many parts of the Continent.

Granted that expectations are overwrought, still this fact indicates that here is a feeling which cannot be disregarded.

Moreover, to my certain knowledge, within a month, a leading socialist in France has boasted to one of the members of this conference that it would end in failure; that the monarchs and governments of Europe do not wish to diminish bloodshed; that they would refuse to yield to the desire of the peoples for peace, and that by the resentment thus aroused a new path to victory would be open to socialism.

Grant, too, that this is overstated, still such a declaration is significant.

I know it has been said that arbitration is derogatory to sovereignty. I really fail to see how this can be said in Germany. Germany has already submitted a great political question between herself and Spain to arbitration, and the Emperor William I was himself the arbiter between the United States and Great Britain in the matter of our northwestern boundary.

•

Bear in mind again that it is only *voluntary* arbitration that is proposed, and that it will always rest with the German Emperor to decide what questions he will submit to the tribunal and what he will not.

It has also been said that arbitration proceedings would give the enemies of Germany time to put themselves in readiness for war; but if this be feared in any emergency, the Emperor and his government are always free to mobilize the German army at once.

As you are aware, what is seriously proposed here now, in the way of arbitration, is not a tribunal constantly in session, but a system under which each of the signatory powers shall be free to choose, for a limited time, from an international court, say two or more judges who can go to The Hague if their services are required, but to be paid only while actually in session here; such payment to be made by the litigating parties.

As to the machinery, the plan is that there shall be a dignified body composed of the diplomatic representatives of the various signatory powers, to sit at The Hague, presided over by the Netherlands minister of foreign affairs, and to select and to control such secretaries and officers as may be necessary for the ordinary conduct of affairs.

Such council would receive notice from powers having differences with each other which are willing to submit the questions between them to a court, and would then give notice to the judges selected by the parties. The whole of the present plan, except some subordinate features of little account, which can easily be stricken out, is voluntary. There is nothing whatever obligatory about it. Every signatory power is free to resort to such a



tribunal or not, as it may think best. Surely a concession like this may well be made to the deep and wide sentiment throughout the world in favor of some possible means of settling controversies between nations other than by bloodshed.

Pardon me for earnestly pressing upon you these facts and considerations. I beg that you will not consider me as going beyond my province. I present them to you as man to man, not only in the interest of good relations between Germany and the United States, but of interests common to all the great nations of the earth, — of their common interest in giving something like satisfaction to a desire so earnest and widespread as that which has been shown in all parts of the world for arbitration.

I remain, dear Baron von Bülow,

Most respectfully and sincerely yours,

(Sgd.)      ANDREW D. WHITE.

P. S. Think how easily, if some such tribunal existed, your government and mine could refer to it the whole mass of minor questions which our respective parliamentary bodies have got control of, and entangled in all sorts of petty prejudices and demagogical utterances; for instance, Samoa, the tonnage dues, the sugar-bounty question, the most-favored-nation clause, etc., etc., which keep the two countries constantly at loggerheads. Do you not see that submission of such questions to such a tribunal as is now proposed, so far from being derogatory to sovereignty, really relieves the sovereign and the Foreign Office of the most vexatious fetters and limitations of parliamentarianism. It is not at all unlikely that such a court would decide in your favor; and if so,

every thoughtful American would say, "Well and good; it appears that, in spite of all the speeches in Congress, we were wrong." And the matter would then be ended with the good will of all parties.

(Sgd.) A. D. W.

It is indeed a crisis in the history of the conference, and perhaps in the history of Germany. I can only hope that Bülow will give careful attention to the considerations which Münster and myself press upon him.

Later in the day Sir Julian Pauncefote called, evidently much vexed that the sitting of the subcommittee had been deferred, and even more vexed since he had learned from De Staal the real reason. He declared that he was opposed to stringing out the conference much longer; that the subcommittee could get along perfectly well without Dr. Zorn; that if Germany did not wish to come in, she could keep out; etc., etc. He seemed to forget that Germany's going out means the departure of Austria and Italy, to say nothing of one or two minor powers, and therefore the bringing to naught of the conference. I did not think it best to say anything about Holls' departure, but soothed him as much as I could by dwelling on the success of his proposal that the permanent council here shall be composed of the resident diplomatic representatives.

The other members of our commission, and especially President Low, were at first very much opposed to Dr. Holls' going, on the ground that it might be considered an interference in a matter pertaining to Germany; but I persisted in sending him, agreeing to take all the responsibility, and declaring that he should go simply as

a messenger from me, as the American ambassador at Berlin, to the imperial minister of foreign affairs.

*June 17.*

The morning was given largely to completing my draft of our memorial to the conference regarding the immunity of private property in time of war from seizure on the high seas.

In the afternoon drove to Scheveningen to make sundry official visits, and in the evening to the great festival given by the Netherlands Government to the conference.

Its first feature was a series of tableaux representing some of the most famous pictures in the Dutch galleries, the most successful of all being Rembrandt's "Night Watch." Jan Steen's "Wedding Party" was also very beautiful. Then came peasant dances given, in the midst of the great hall, by persons in the costumes of all the different provinces. These were characteristic and interesting, some of them being wonderfully quaint.

The violinist of the late King, Johannes Wolff, played some solos in a masterly way.

The music by the great military band, especially the hymn of William of Nassau and the Dutch and Russian national anthems, was splendidly rendered, and the old Dutch provincial music played in connection with the dances and tableaux was also noteworthy.

It was an exceedingly brilliant assemblage, and the whole festival from first to last a decided success.

*June 18, Sunday.*

Went to Leyden to attend service at St. Peter's. Both the church and its monuments are interesting.

Visited also the church of St. Pancras, a remarkable specimen of Gothic architecture, and looked upon the tomb of Van der Werf, the brave burgomaster who defended the town against the Spaniards during the siege.

At the university I was much interested in the public hall where degrees are conferred, and above all in the many portraits of distinguished professors. Lingered next in the botanical gardens back of the university, which are very beautiful.

Then to the Museum of Antiquities, which is remarkably rich in Egyptian and other monuments. Roman art is also very fully represented.

Thence home, and, on arriving, found, of all men in the world, Thomas B. Reed, Speaker of our House of Representatives. Mr. Newel, our minister, took us both for a drive to Scheveningen, and Mr. Reed's conversation was exceedingly interesting; he is well read in history and, apparently, in every field of English literature. There is a bigness, a heartiness, a shrewdness and a genuineness about him which greatly attract me.

### *June 19.*

Called on M. de Staal to show him Holls' telegram from Berlin, which is encouraging. De Staal thinks that we may have to give up the tenth section of the arbitration plan, which includes obligatory arbitration in sundry minor matters; but while I shall be very sorry to see this done, we ought to make the sacrifice if it will hold Germany, Italy and Austria to us.

A little later received a hearty telegram from the Secretary of State authorizing our ordering the wreath of

silver and gold and placing it on the tomb of Grotius. Telegraphed and wrote Major Allen at Berlin full directions on the subject. I am determined that the tribute shall be worthy of our country, of its object, and of the occasion.

In the afternoon took Speaker Reed, with his wife and daughter, through the "House in the Wood," afterwards through the grounds, which are more beautiful than ever, and then to Delft, where we visited the tombs of William the Silent and Grotius, and finally the house in which William was assassinated. It was even more interesting to me than during either of my former visits, and was evidently quite as interesting to Mr. Reed.

At six attended a long meeting of the American delegation, which elaborated the final draft of our communication to M. de Staal on the immunity of private property on the high seas. Various passages were stricken out, some of them — and, indeed, one of the best — in deference to the ideas of Captain Mahan, who, though he is willing, under instructions from the government, to join in presenting the memorial, does not wish to sign anything which can possibly be regarded as indicating a personal belief in the establishment of such immunity. His is the natural view of a sailor; but the argument with which he supports it does not at all convince me. It is that during war we should do everything possible to weaken and worry the adversary, in order that he may be the sooner ready for peace; but this argument proves too much, since it would oblige us, if logically carried out, to go back to the marauding and atrocities of the Thirty Years' War.

*June 20.*

Went to the session of one of the committees at the "House in the Wood," and showed Mr. van Karnebeek our private-property memorial, which he read, and on which he heartily complimented us.

I then made known to him our proposal to lay a wreath on the tomb of Grotius, and with this he seemed exceedingly pleased, saying that the minister of foreign affairs, M. de Beaufort, would be especially delighted, since he is devoted to the memory of Grotius, and delivered the historical address when the statue in front of the great church at Delft was unveiled.

A little later submitted the memorial, as previously agreed upon, to Count Münster, who also approved it.

Holls telegraphs me from Berlin that he has been admirably received by the chancellor, Prince Hohenlohe, and by Baron von Bülow, and that he is leaving for Hamburg to see the Emperor.

At four P.M. to a meeting of the full conference to receive report on improvements and extension of the Red Cross rules, etc. This was adopted in a happy-go-lucky, unparliamentary way, for the eminent diplomatist who presides over the conference still betrays a Russian lack of acquaintance with parliamentary proceedings. So begins the first full movement of the conference in the right direction; and it is a good beginning.

Walked home through the beautiful avenues of the park with Mr. van Karnebeek and Baron d'Estournelles, who is also a charming man. He has been a minister plenipotentiary, but is now a member of the French Chamber of Deputies and of the conference.

*June 21.*

Early in the morning received a report from Holls, who arrived from Hamburg late last night. His talks with Bülow and Prince Hohenlohe had been most encouraging. Bülow has sent to the Emperor my long private letter to himself, earnestly urging the acceptance by Germany of our plan of arbitration. Prince Hohenlohe seems to have entered most cordially into our ideas, giving Holls a card which would admit him to the Emperor, and telegraphing a request that his Majesty see him. But the Emperor was still upon his yacht, at sea, and Holls could stay no longer. Bülow is trying to make an appointment for him to meet the Emperor at the close of the week.

Early in the afternoon went with Minister Newel and Mr. Low to call on M. de Beaufort regarding plans for the Grotius celebration, on July 4, at Delft. It was in general decided that we should have the ceremony in the great church at eleven o'clock, with sundry speeches, and that at half-past twelve the American delegation should give a luncheon to all the invited guests in the town hall opposite.

Holls tells me that last night, at the dinner of the president of the Austrian delegation, he met Münster, who said to him, "I can get along with Hohenlohe, and also with Bülow, but not with those d—d lawyers in the Foreign Office" (*Mit Hohenlohe kann ich auskommen, mit Bülow auch, aber mit diesen verdammten Juristen im Auswärtigen Amt, nicht*).

*June 22.*

Up at four o'clock and at ten attended a session of the first section at the "House in the Wood." Very interesting were the discussions regarding bullets and asphyxiating bombs. As to the former, Sir John Ardagh of the British delegation repelled earnestly the charges made regarding the British bullets used in India, and offered to substitute for the original proposal one which certainly would be much more effective in preventing unnecessary suffering and death; but the Russians seemed glad to score a point against Great Britain, and Sir John's proposal was voted down, its only support being derived from our own delegation. Captain Crozier, our military delegate, took an active part in supporting Sir John Ardagh, but the majority against us was overwhelming.

As to asphyxiating bombs, Captain Mahan spoke at length against the provision to forbid them: his ground being that not the slightest thing had yet been done looking to such an invention; that, even if there had been, their use would not be so bad as the use of torpedoes against ships of war; that asphyxiating men by means of deleterious gases was no worse than asphyxiating them with water; indeed, that the former was the less dangerous of the two, since the gases used might simply incapacitate men for a short time, while the blowing up of a ship of war means death to all or nearly all of those upon it.

To this it was answered—and, as it seemed to me, with force—that asphyxiating bombs might be used against towns for the destruction of vast numbers of noncombatants, including women and children, while torpedoes at



sea are used only against the military and naval forces of the enemy. The original proposal was carried by a unanimous vote, save ours. I am not satisfied with our attitude on this question; but what can a layman do when he has against him the foremost contemporary military and naval experts? My hope is that the United States will yet stand with the majority on the record.

I stated afterwards in a bantering way to Captain Mahan, as well as others, that while I could not support any of the arguments that had been made in favor of allowing asphyxiating bombs, there was one which somewhat appealed to me — namely, that the dread of them might do something to prevent the rush of the rural population to the cities, and the aggregation of the poorer classes in them, which is one of the most threatening things to modern society, and also a second argument that such bombs would bring home to warlike stay-at-home orators and writers the realities of war.

At noon received the French translation of our memorial to De Staal, but found it very imperfect throughout, and in some parts absolutely inadmissible; so I worked with Baron de Bildt, president of the Swedish delegation here, all the afternoon in revising it.

At six the American delegation met and chose me for their orator at the approaching Grotius festival at Delft. I naturally feel proud to discharge a duty of this kind, and can put my heart into it, for Grotius has long been to me almost an object of idolatry, and his main works a subject of earnest study. There are few men in history whom I so deeply venerate. Twenty years ago, when minister at Berlin, I sent an eminent American artist to Holland and secured admirable copies of the

two best portraits of the great man. One of these now hangs in the Law Library of Cornell University, and the other over my worktable at the Berlin Embassy.

*June 23.*

At work all the morning on letters and revising final draft of memorial on immunity of private property at sea, and lunched afterwards at the "House in the Wood" to talk it over with Baron de Bildt.

At the same table met M. de Martens, who has just returned by night to his work here, after presiding a day or two over the Venezuela arbitration tribunal at Paris. He told me that Sir Richard Webster, in opening the case, is to speak for sixteen days, and De Martens added that he himself had read our entire Venezuelan report, as well as the other documents on the subject, which form quite a large library. And yet we do not include men like him in "the working classes"!

In the evening to a reception at the house of M. de Beaufort, minister of foreign affairs, and was cordially greeted by him and his wife, both promising that they would accept our invitation to Delft. I took into the buffet the wife of the present Dutch prime minister, who also expressed great interest in our proposal, and declared her intention of being present.

Count Zanini, the Italian minister and delegate here, gave me a comical account of two speeches in the session of the first section this morning; one being by a delegate from Persia, Mirza Riza Khan, who is minister at St. Petersburg. His Persian Excellency waxed eloquent over the noble qualities of the Emperor of Russia, and especially over his sincerity as shown by the fact that

when his Excellency tumbled from his horse at a review, his Majesty sent twice to inquire after his health. The whole effect upon the conference was to provoke roars of laughter.

But the great matter of the day was the news, which has not yet been made public, that Prince Hohenlohe, the German chancellor, has come out strongly for the arbitration tribunal, and has sent instructions here accordingly. This is a great gain, and seems to remove one of the worst stumblingblocks. But we will have to pay for this removal, probably, by giving up Sec. 10 of the present plan, which includes a system of obligatory arbitration in various minor matters, — a system which would be of use to the world in many ways. While the American delegation, as stated in my letter which Holls took to Bülow, and which has been forwarded to the Emperor, will aid in throwing out of the arbitration plan everything of an obligatory nature, if Germany insists upon it, I learn that the Dutch Government is much opposed to this concession, and may publicly protest against it.

A curious part of the means used in bringing about this change of opinion was the pastoral letter, elsewhere referred to, issued by the Protestant Episcopal bishop of Texas, calling for prayers throughout the state for the success of the conference in its efforts to diminish the horrors of war. This pastoral letter, to which I referred in my letter to Minister von Bülow, I intrusted to Holls, authorizing him to use it as he thought fit. He showed it to Prince Hohenlohe, and the latter, although a Roman Catholic, was evidently affected by it, and especially by the depth and extent of the longing for peace

which it showed. It is perhaps an interesting example of an indirect "answer to prayer," since it undoubtedly strengthened the feelings in the prince chancellor's mind which led him to favor arbitration.

*June 24.*

Sent to M. de Staal, as president of the conference, the memorial relating to the exemption of private property, not contraband of war, from capture on the high seas. Devoted the morning to blocking out my Grotius address, and afterwards drove with Holls to Delft to look over the ground for our Fourth of July festival. The town hall is interesting and contains, among other portraits, one which is evidently a good likeness of Grotius; the only difficulty is that, for our intended luncheon, the rooms, though beautiful, seem inadequate.

Thence to the church, and after looking over that part of it near the monuments, with reference to the Grotius ceremony, went into the organ loft with the organist. There I listened for nearly an hour while he and Holls played finely on that noble instrument; and as I sat and looked down over the church and upon the distant monuments, the old historic scenes of four hundred years ago came up before me, with memories almost overpowering of my first visit thirty-five years ago. And all then with me are now dead.

*June 25.*

At nine in the morning off with Holls to Rotterdam, and on arriving took the tram through the city to the steamboat wharf, going thence by steamer to Dort. Arrived, just before the close of service, at the great

church where various sessions of the synod were held. The organ was very fine; the choir stalls, where those wretched theologians wrangled through so many sessions and did so much harm to their own country and others, were the only other fine things in the church, and they were much dilapidated. I could not but reflect bitterly on the monstrous evils provoked by these men who sat so long there spinning a monstrous theology to be substituted for the teachings of Christ himself.

Thence back to The Hague and to Scheveningen, and talked over conference matters with Count Münster. Received telegrams from Count von Bülow in answer to mine congratulating him on his promotion, also one from Baron von Mumm, the German minister at Luxemburg, who goes temporarily to Washington.

*June 26.*

At work all the morning on my Grotius address. Lunched at the "House in the Wood," and walked to town with sundry delegates. In the afternoon went to a "tea" at the house of Madame Boreel and met a number of charming people; but the great attraction was the house, which is that formerly occupied by John De Witt — that from which he went to prison and to assassination. Here also Motley lived, and I was shown the room in which a large part of his history was written, and where Queen Sophia used to discuss Dutch events and personages with him.

The house is beautiful, spacious and most charmingly decorated, many of the ornaments and paintings having been placed there in the time of De Witt.

*June 27.*

At all sorts of work during the morning, and then, on invitation of President Low, went with the other members of the delegation to Haarlem, where we saw the wonderful portraits by Frans Hals, which impressed me more than ever, and heard the great organ. It has been rebuilt since I was there thirty-five years ago; but it is still the same great clumsy machine, and very poorly played, — that is, with no spirit, and without any effort to exhibit anything beyond the ordinary effects for which any little church organ would do as well.

In the evening dined with Count Zanini, the Italian minister and delegate, and discussed French matters with Baron d'Estournelles. He represents the best type of French diplomatist, and is in every way attractive.

Afterwards to Mr. van Karnebeek's reception, meeting various people in a semisatisfactory way.

*June 29.*

In the morning, in order to work off the beginnings of a headache, I went to Rotterdam and walked until noon about the streets and places, recalling my former visit, which came very vividly before me as I gazed upon the statue of Erasmus, and thought upon his life here. No man in history has had more persistent injustice done him. If my life were long enough I would gladly use my great collection of *Erasmiana* in illustrating his services to the world. To say nothing of other things, the modern "higher criticism" has its roots in his work.

*June 30.*

Engaged on the final revision of my Grotius speech, and on various documents.

At noon to the "House in the Wood" for lunch, and afterwards took a walk in the grounds with Beldiman, the Roumanian delegate, who explained to me the trouble in Switzerland over the vote on the Red Cross Conference.

It appears that whereas Switzerland initiated the Red Cross movement, has ever since cherished it, and has been urged by Italy and other powers to take still further practical measures for it, the Dutch delegation recently interposed, secured for one of their number the presidency of the special conference, and thus threw out my Berlin colleague, Colonel Roth, who had been previously asked to take the position and had accepted it, with the result that the whole matter has been taken out of the hands of Switzerland, where it justly belonged, and put under the care of the Netherlands. This has provoked much ill feeling in Switzerland, and there is especial astonishment at the fact that when Beldiman moved an amendment undoing this unjust arrangement, it was by some misunderstanding lost, and that therefore there has been perpetuated what seems much like an injustice against Switzerland. I promised to exert myself to have the matter rectified so far as the American delegation was concerned, and later was successful in doing so.

In the evening dined at Minister Newel's. Sat between Minister Okolicsanyi of the Austrian delegation, and Count Welsersheimb, the chairman of that delegation, and had interesting talks with them, with the Duke of Tetuan and others. It appears that the Duke, who is a very charming, kindly man, has, like myself, a passion both for cathedral architecture and for organ music; he dwelt much upon Burgos, which he called the gem of Spanish cathedrals.

Thence to the final reception at the house of M. de Beaufort, minister of foreign affairs, who showed me a contemporary portrait of Grotius which displays the traits observable in the copies which Burleigh painted for me twenty years ago at Amsterdam and Leyden. Talked with Sir Julian Pauncefote regarding the Swiss matter; he had abstained from voting for the reason that he had no instructions in the premises.

*July 2.*

In the morning Major Allen, military attaché of our embassy at Berlin, arrived, bringing the Grotius wreath. Under Secretary Hay's permission, I had given to one of the best Berlin silversmiths virtually *carte blanche*, and the result is most satisfactory. The wreath is very large, being made up, on one side, of a laurel branch with leaves of frosted silver and berries of gold, and, on the other, of an oak branch with silver leaves and gold acorns, both boughs being tied together at the bottom by a large knot of ribbon in silver gilded, bearing the arms of the Netherlands and the United States on enameled shields, and an inscription as follows:

To the Memory of HUGO GROTIUS;  
In Reverence and Gratitude,  
From the United States of America;  
On the Occasion of the International Peace Conference  
of The Hague.  
July 4th, 1899.

It is a superb piece of work, and its ebony case, with silver clasps, and bearing a silver shield with suitable inscription, is also perfect: the whole thing attracts most favorable attention.



## V

*July 4.*

ON this day the American delegation invited their colleagues to celebrate our national anniversary at the tomb of Grotius, first in the great church, and afterwards in the town hall of Delft. Speeches were made by the minister of foreign affairs of the Netherlands, De Beaufort; by their first delegate, Van Karnebeek; by Mr. Asser, one of their leading jurists; by the burgomaster of Delft; and by Baron de Bildt, chairman of the Swedish delegation and minister at Rome, who read a telegram from the King of Sweden referring to Grotius' relations to the Swedish diplomatic service; as well as by President Low of Columbia University and myself: the duty being intrusted to me of laying the wreath upon Grotius' tomb and making the address with reference to it. As all the addresses are to be printed, I shall give no more attention to them here. A very large audience was present, embracing the ambassadors and principal members of the conference, the Netherlands ministers of state, professors from the various universities of the Netherlands, and a large body of other invited guests.

The music of the chimes, of the organ and of the royal choir of one hundred voices was very fine; and, although the day was stormy, with a high wind and driving rain, everything went off well.

After the exercises in the church, our delegation gave a breakfast, which was very satisfactory. About three

hundred and fifty persons sat down to the tables at the town hall, and one hundred other guests, including the musicians, at the leading restaurant in the place. In the afternoon the Americans gathered at the reception given by our minister, Mr. Newel, and his wife, and in the evening there was a large attendance at an "American concert" given by the orchestra at the great hall in Scheveningen.

*July 5.*

Early in the morning to the second committee of the conference, where I spoke in behalf of the Beldiman resolution, doing justice to Switzerland as regards the continuance of the Red Cross interests in Swiss hands; and on going to a vote we were successful.

Then, the question of a proper dealing with our memorial regarding the immunity of private property on the high seas coming up, I spoke in favor of referring it to the general conference, and gave the reasons why it should not simply be dropped out as not coming within the subjects contemplated in the call to the conference. Though my speech was in French, it went off better than I expected.

In the afternoon, at the full conference, the same subject came up; and then, after a preface in French, asking permission to speak in English, I made my speech, which, probably, three quarters of all the delegates understood, but, at my request, a summary of it was afterwards given in French by Mr. van Karnebeek.

The occasion of this speech was my seconding the motion, made in a very friendly manner by M. de Martens, to refer the matter to a future conference; but I went

into the merits of the general subject to show its claims upon the various nations, etc., etc., though not, of course, as fully as I would have done had the matter been fully under discussion. My speech was very well received, and will, I hope, aid in keeping the subject alive.

In the afternoon drove to Ryswyck, to the house of M. Cornets De Groot, the living representative of the Grotius family. The house and grounds were very pleasant, but the great attraction was a collection of relics of Grotius, including many manuscripts from his own hand, — among these a catechism for his children, written in the prison of Loewenstein; with official documents, signed and sealed, connected with the public transactions of his time; also letters which passed between him and Oxenstiern, the great Swedish chancellor, some in Latin and some in other languages; besides sundry poems. There were also a multitude of portraits, engravings and documents relating to Olden-Barneveld and others of Grotius' contemporaries.

The De Groot family gave us a most hearty reception, introducing their little girl, who is the latest-born descendant of Grotius, and showing us various household relics of their great ancestor, including cups, glasses and the like. Mr. De Groot also gave me some curious information regarding him which I did not before possess; and, among other things, told me that when Grotius' body was transferred, shortly after his death, from Rostock to Delft, the coffin containing it was stoned by a mob at Rotterdam; also that at the unveiling of the statue of Grotius in front of the church at Delft, a few years ago, the high-church Calvinists would not allow the children from their church schools to join the other children

in singing hymns. The old bitterness of the extreme Calvinistic party toward their great compatriot was thus still exhibited, and the remark was made at the time, by a member of it, that the statue was perfectly true to life, since "its back was turned toward the church"; to which a reply was made that "Grotius' face in the statue, like his living face, was steadily turned toward justice." This latter remark had reference to the fact that a court is held in the city hall, toward which the statue is turned.

In the evening to a dinner given by Mr. Piersoon, minister of finance and prime minister of the Netherlands, to our delegation and to his colleagues of the Dutch ministry. Everything passed off well, Mr. Piersoon proposing a toast to the health of the President of the United States, to which I replied in a toast to the Queen of the Netherlands. In the course of his speech Mr. Piersoon thanked us for our tribute to Grotius, and showed really deep feeling on the subject. There is no doubt that we have struck a responsive chord in the hearts of all liberal and thoughtful men and women of the Netherlands; from every quarter come evidences of this.

A remark of his, regarding arbitration, especially pleased us. He said that the arbitration plan, as it had come from the great committee, was like a baby: — apparently helpless, and of very little value, unable to do much, and requiring careful nursing; but that it had one great merit: — *it would grow*.

This I believe to be a very accurate statement of the situation. The general feeling of the conference becomes better and better. More and more the old skepticism has departed, and in place of it has come a strong ambition to have a share in what we are beginning to believe may

be a most honorable contribution to the peace of the world. I have never taken part in more earnest discussions than those which during the last two weeks have occupied us, and especially those relating to arbitration.

I think I may say, without assuming too much, that our Grotius celebration has been a contribution of some value to this growth of earnestness. It has, if I am not greatly mistaken, revealed to the conference, still more clearly than before, the fact that it is a historical body intrusted with a matter of vast importance and difficulty, and that we shall be judged in history with reference to this fact.

*July 6.*

At 5.30 P.M. off in special train with the entire conference to Amsterdam. On arriving, we found a long train of court carriages which took us to the palace, the houses on each side throughout the entire distance being decorated with flags and banners, and the streets crowded with men, women and children. We were indeed a brave show, since all of us, except the members of our American delegation, wore gorgeous uniforms with no end of ribbons, stars and insignia of various offices and orders.

On reaching our destination, we were received by the Queen and Queen mother, and shortly afterwards went in to dinner. With the possible exception of a lord mayor's feast at the Guildhall, it was the most imposing thing of the kind that I have ever seen. The great banqueting hall, dating from the glorious days of the Dutch Republic, is probably the largest and most sumptuous in continental Europe, and the table furniture, decorations and dinner were worthy of it. About two hundred and fifty persons, including all the members of the conference and the

higher officials of the kingdom, sat down, the Queen and Queen mother at the head of the table, and about them the ambassadors and presidents of delegations. My own place, being very near the Majesties, gave me an excellent opportunity to see and hear everything. Toward the close of the banquet the young Queen arose and addressed us, so easily and naturally that I should have supposed her speech extemporaneous had I not seen her consulting her manuscript just before rising. Her manner was perfect, and her voice so clear as to be heard by every one in the hall. Everything considered, it was a remarkable effort for a young lady of seventeen. At its close an excellent reply was made by our president, M. de Staal; and soon afterwards, when we had passed into the great gallery, there came an even more striking exhibition of the powers of her youthful Majesty, for she conversed with every member of the conference, and with the utmost ease and simplicity. To me she returned thanks for the Grotius tribute, and in very cordial terms, as did later also the Queen mother; and I cannot but believe that they were sincere, since, three months later, at the festival given them at Potsdam, they both renewed their acknowledgments in a cordial way which showed that their patriotic hearts were pleased. Various leading men of the Netherlands and of the conference also thanked us, and one of them said, "You Americans have taught us a lesson; for, instead of a mere display of fireworks to the rabble of a single city, or a ball or concert to a few officials, you have, in this solemn recognition of Grotius, paid the highest compliment possible to the entire people of the Netherlands, past, present and to come."

*July 7.*

In the morning to the great hall of the "House in the Wood," where the "editing committee" (*comité de rédaction*) reported to the third committee of the conference the whole arbitration plan. It struck me most favorably, — indeed, it surprised me, though I have kept watch of every step. I am convinced that it is better than any of the plans originally submitted, not excepting our own. It will certainly be a gain to the world.

At the close of the session we adjourned until Monday, the 17th, in order that the delegates may get instructions from their various governments regarding the signing of the protocols, agreements, etc.

*July 8.*

In the evening dined with M. de Mier, the Mexican minister at Paris and delegate here, and had a very interesting talk with M. Raffalovitch, to whom I spoke plainly regarding the only road to disarmament. I told him that he must know as well as any one that there is a vague dread throughout Europe of the enormous growth of Russia, and that he must acknowledge that, whether just or not, it is perfectly natural. He acquiesced in this, and I then went on to say that the Emperor Nicholas had before him an opportunity to do more good and make a nobler reputation than any other czar had ever done, not excepting Alexander II with his emancipation of the serfs; that I had thought very seriously of writing, at the close of the conference, to M. Pobyedonostzeff, presenting to him the reasons why Russia might well make a practical beginning of disarmament by dismissing to their homes, or placing on public works, say two hundred

thousand of her soldiers; that this would leave her all the soldiers she needs, and more; that he must know, as everybody knows, that no other power dreams of attacking Russia or dares to do so; that there would be no disadvantage in such a dismissal of troops to peaceful avocations, but every advantage; and that if it were done the result would be that, in less than forty years, Russia would become, by this husbanding of her resources, the most powerful nation on the eastern continent, and able to carry out any just policy which she might desire. I might have added that one advantage of such a reduction would certainly be less inclination by the war party at St. Petersburg to plunge into military adventures. (Had Russia thus reduced her army she would never have sunk into the condition in which she finds herself now (1905), as I revise these lines. Instead of sending Alexeieff to make war, she would have allowed Witte to make peace — peace on a basis of justice to Japan, and a winter access to the Pacific, under proper safeguards, for herself.)

Raffalovitch seemed to acquiesce fully in my view, except as to the number of soldiers to be released, saying that fifty or sixty thousand would do perfectly well as showing that Russia is in earnest.

He is one of the younger men of Russia, but has very decided ability, and this he has shown not only in his secretaryship of the conference, but in several of his works on financial and other public questions published in Paris, which have secured for him a corresponding membership of the French Institute.

It is absolutely clear in my mind that, if anything is to be done toward disarmament, a practical beginning must



be made by the Czar; but the unfortunate thing is that with, no doubt, fairly good intentions, he is weak and ill informed. The dreadful mistake he is making in violating the oath sworn by his predecessors and himself to Finland is the result of this weakness and ignorance; and should he attempt to diminish his overgrown army he would, in all probability, be overborne by the military people about him, and by petty difficulties which they would suggest, or, if necessary, create. It must be confessed that there is one danger in any attempted disarmament, and this is that the military clique might, to prevent it, plunge the empire into a war.

The Emperor is surrounded mainly by inferior men. Under the shade of autocracy men of independent strength rarely flourish. Indeed, I find that the opinion regarding Russian statesmen which I formed in Russia is confirmed by old diplomatists, of the best judgment, whom I meet here. One of them said to me the other day: "There is no greater twaddle than all the talk about farseeing purposes and measures by Russian statesmen. They are generally weak, influenced by minor, and especially by personal, considerations, and inferior to most men in similar positions in the other great governments of Europe. The chancellor, Prince Gorchakoff, of whom so much has been said, was a weak, vain man, whom Bismarck found it generally very easy to deal with."

As to my own experience, I think many of those whom I saw were far from the best of their kind with whom I have had to do. I have never imagined a human being in the position of minister of the interior of a great nation so utterly futile as the person who held

that place at St. Petersburg in my time; and the same may be said of several others whom I met there in high places. There are a few strong men, and, unfortunately, Pobyedonostzeff is one of them. Luckily, Witte, the minister of finance, is another.

*July 10.*

The evil which I dreaded, as regards the formation of public opinion in relation to the work of our conference, is becoming realized. The London *Spectator*, just received, contains a most disheartening article, "The Peace Conference a Failure," with an additional article, more fully developed, to the same effect. Nothing could be more unjust; but, on account of the *Spectator's* "moderation," it will greatly influence public opinion, and doubtless prevent, to some extent, the calling of future conferences needed to develop the good work done in this. Fortunately the correspondent of the *Times* gives a better example, and shows, in his excellent letters, what has been accomplished here. The New York *Herald*, also, is thus far taking the right view, and maintaining it with some earnestness.

*July 17.*

This morning, at ten, to the "House in the Wood" to hear Mr. van Karnebeek's report on disarmament, checking invention, etc., before the session of committee No. 1. It was strongly attacked, and was left in shreds: the whole subject is evidently too immature and complicated to be dealt with during the present conference.

In the afternoon came up an especially interesting matter in the session of the arbitration committee, the

occasion being a report of the subcommittee. Among the points which most interested us as Americans was a provision for an appeal from the decision of the arbitration tribunal on the discovery of new facts.

De Martens of Russia spoke with great force against such right of appeal, and others took ground with him. Holls really distinguished himself by a telling speech on the other side — which is the American side, that feature having been present in our original instructions; Messrs. Asser and Karnebeck both spoke for it effectively, and the final decision was virtually in our favor, for Mr. Asser's compromise was adopted, which really gives us the case.

The Siamese representatives requested that the time during which an appeal might be allowed should be six instead of three months, which we had named; but it was finally made a matter of adjustment between the parties.

### *July 18.*

The American delegation met at ten, when a cable message from the State Department was read authorizing us to sign the protocol.

### *July 19.*

Field day in the arbitration committee. A decided sensation was produced by vigorous speeches by my Berlin colleague, Beldiman, of the Roumanian delegation, and by Servian, Greek and other delegates, against the provision for *commissions d'enquête*, — De Martens, Descamps and others making vigorous speeches in behalf of them. It looked as if the Balkan states were likely

to withdraw from the conference if the *commission d'enquête* feature was insisted upon: they are evidently afraid that such "examining commissions" may be sent within their boundaries by some of their big neighbors — Russia, for example — to spy out the land and start intrigues. The whole matter was put over.

In the evening to Count Münster's dinner at Scheveningen, and had a very interesting talk on conference matters with Sir Julian Pauncefote, finding that in most things we shall be able to stand together as the crisis approaches.

*July 20.*

For several days past I have been preparing a possible speech to be made in signing the protocol, etc., which, if not used for that purpose, may be published, and, perhaps, aid in keeping public opinion in the right line as regards the work of the conference after it has closed.

In the afternoon to the "House in the Wood," the committee on arbitration meeting again. More speeches were made by the Bulgarians and Servians, who are still up in arms, fearing that the *commission d'enquête* means intervention by the great states in their affairs. Speeches to allay their fears were made by Count Nigra, Dr. Zorn, Holls and Léon Bourgeois. Zorn spoke in German with excellent effect, as did Holls in English; Nigra was really impressive; and Bourgeois, from the chair, gave us a specimen of first-rate French oratory. He made a most earnest appeal to the delegates of the Balkan states, showing them that by such a system of arbitration as is now proposed the lesser powers would be the very first to

profit, and he appealed to their loyalty to humanity. The speech was greatly and justly applauded.

The Balkan delegates are gradually and gracefully yielding.

*July 21.*

In the morning to the "House in the Wood," where a plenary session of the conference was held. It was a field day on explosive, flattening and expanding bullets, etc. Our Captain Crozier, who evidently knows more about the subject than anybody else here, urged a declaration of the principle that balls should be not more deadly or cruel than is absolutely necessary to put soldiers *hors de combat*; but the committee had reported a resolution which, Crozier insists, opens the door to worse missiles than those at present used. Many and earnest speeches were made. I made a short speech, moving to refer the matter back to the committee, with instructions to harmonize and combine the two ideas in one article — that is, the idea which the article now expresses, and Crozier's idea of stating the general principle to which the bullets should conform — namely, that of not making a wound more cruel than necessary; but the amendment was lost.

*July 22.*

Sir Julian Pauncefote called to discuss with us the signing of the *Acte Final*. There seems to be general doubt as to what is the best manner of signing the conventions, declarations, etc., and all remains in the air.

In the morning the American delegation met and Captain Mahan threw in a bomb regarding Art. 27, which

requires that when any two parties to the conference are drifting into war, the other powers should consider it a duty (*devoir*) to remind them of the arbitration tribunal, etc. He thinks that this infringes the American doctrine of not entangling ourselves in the affairs of foreign states, and will prevent the ratification of the convention by the United States Senate. This aroused earnest debate, Captain Mahan insisting upon the omission of the word *devoir*, and Dr. Holls defending the article as reported by the subcommittee, of which he is a member, and contending that the peculiar interests of America could be protected by a reservation. Finally, the delegation voted to insist upon the insertion of the qualifying words, *autant que les circonstances permettent*, but this decision was afterwards abandoned.

*July 23.*

Met at our Minister Newel's supper Sir Henry Howard, who told me that the present Dutch ministry, with Piersoon at its head and De Beaufort as minister of foreign affairs, is in a very bad way; that its "subserviency to Italy," in opposition to the demands of the Vatican for admittance into the conference, and its difficulties with the socialists and others, arising from the police measures taken against Armenian, Finnish, New Turkish and other orators who have wished to come here and make the conference and the city a bear garden, have led both the extreme parties — that is, the solid Roman Catholic party on one side, and the pretended votaries of liberty on the other — to hate the ministry equally. He thinks that they will join hands and oust the ministry just as soon as the conference is over.

Some allowance is to be made for the fact that Sir Henry is a Roman Catholic : while generally liberal, he evidently looks at many questions from the point of view of his church.<sup>1</sup>

*July 24.*

For some days — in fact, ever since Captain Mahan on the 22d called attention to Art. 27 of the arbitration convention as likely to be considered an infringement of the Monroe doctrine — our American delegation has been greatly perplexed. We have been trying to induce the French, who proposed Art. 27, and who are as much attached to it as is a hen to her one chick, to give it up, or, at least, to allow a limiting or explanatory clause to be placed with it. Various clauses of this sort have been proposed. The article itself makes it the duty of the other signatory powers, when any two nations are evidently drifting toward war, to remind these two nations that the arbitration tribunal is open to them. Nothing can be more simple and natural ; but we fear lest, when the convention comes up for ratification in the United States Senate, some oversensitive patriot may seek to defeat it by insisting that it is really a violation of time-honored American policy at home and abroad — the policy of not entangling ourselves in the affairs of foreign nations, on one side, and of not allowing them to interfere in our affairs, on the other.

At twelve this day our delegation gave a large luncheon at the Oude Doelen — among those present being

<sup>1</sup> As it turned out, he was right : the ministry was ousted, but not so soon as he expected, for the catastrophe did not arrive until about two years later. Then came in a coalition of high Calvinists and Roman Catholics which brought in the Kuyper ministry.

Ambassadors de Staal, Count Nigra and Sir Julian Pauncefote, Bourgeois, Karnebeek, Basily, Baron d'Estournelles, Baron de Bildt and others—to discuss means of getting out of the above-mentioned difficulty. A most earnest effort was made to induce the French to allow some such modification as has been put into other articles—namely, the words, *autant que possible*, or some limiting clause to the same effect; but neither Bourgeois nor D'Estournelles, representing France, would think of it for a moment. Bourgeois, as the head of the French delegation, spoke again and again, at great length. Among other things, he gave us a very long disquisition on the meaning of *devoir* as it stands in the article—a disquisition which showed that the Jesuits are not the only skillful casuists in the world.

I then presented my project of a declaration of the American doctrine to be made by us on signing. It had been scratched off with a pencil in the morning, hastily; but it was well received by Bourgeois, D'Estournelles and all the others.

Later we held a meeting of our own delegation, when, to my project of a declaration stating that nothing contained in any part of the convention signed here should be considered as requiring us to intrude, mingle or entangle ourselves in European politics or internal affairs, Low made an excellent addition to the effect that nothing should be considered to require any abandonment of the traditional attitude of the United States toward questions purely American; and, with slight verbal changes, this combination was adopted.



*July 25.*

All night long I have been tossing about in my bed and thinking of our declaration of the Monroe doctrine to be brought before the conference to-day. We all fear that the conference will not receive it, or will insist on our signing without it or not signing at all.

On my way to The Hague from Scheveningen I met M. Descamps, the eminent professor of international law in the University of Louvain, and the leading delegate in the conference as regards intricate legal questions connected with the arbitration plan. He thought that our best way out of the difficulty was absolutely to insist on a clause limiting the *devoir* imposed by Art. 27, and to force it to a vote. He declared that, in spite of the French, it would certainly be carried. This I doubt. M. Descamps knows, perhaps, more of international law than of the temper of his associates.

In the afternoon to the "House in the Wood," where the "Final Act" was read. This is a statement of what has been done, summed up in the form of three conventions, with sundry declarations, *vœux*, etc. We had taken pains to see a number of the leading delegates, and all, in their anxiety to save the main features of the arbitration plan, agreed that they would not oppose our declaration. It was therefore placed in the hands of Raffalovitch, the Russian secretary, who stood close beside the president, and as soon as the "Final Act" had been recited he read this declaration of ours. This was then brought before the conference in plenary session by M. de Staal, and the conference was asked whether any one had any objection, or anything to say regarding it. There was a pause of about a minute, which seemed to

me about an hour. Not a word was said,—in fact, there was dead silence,—and so our declaration embodying a reservation in favor of the Monroe doctrine was duly recorded and became part of the proceedings.

Rarely in my life have I had such a feeling of deep relief; for, during some days past, it has looked as if the arbitration project, so far as the United States is concerned, would be wrecked on that wretched little Art. 27.

I had before me notes of a speech carefully prepared, stating our reasons and replying to objections, to be used in case we were attacked, but it was not needed. In the evening I was asked by Mr. Lavino, the correspondent of the London *Times*, to put the gist of it into an "interview" for the great newspaper which he serves, and to this I consented; for, during the proceedings this afternoon in the conference, Sir Julian Pauncefote showed great uneasiness. He was very anxious that we should withdraw the declaration altogether, and said, "It will be charged against you that you propose to evade your duties while using the treaty to promote your interests"; but I held firm and pressed the matter, with the result above stated. I feared that he would object in open conference; but his loyalty to arbitration evidently deterred him. However, he returned to the charge privately, and I then promised to make a public statement of our reasons for the declaration, and this seemed to ease his mind. The result was a recasting of my proposed speech, and this Mr. Lavino threw into the form of a long telegram to the *Times*.

*July 26.*

At ten to a meeting of our American delegation, when another bombshell was thrown among us — nothing less than the question whether the Pope is to be allowed to become one of the signatory powers; and this question has now taken a very acute form. Italy is, of course, utterly opposed to it, and Great Britain will not sign if any besides those agreed upon by the signatory powers are allowed to come in hereafter, her motive being, no doubt, to avoid trouble in regard to the Transvaal.

Mr. Low stated that in the great committee the prevailing opinion seemed to be that the signatory powers had made a sort of partnership, and that no new partners could be added without the consent of all. This is the natural ground, and entirely tenable.

I would have been glad to add the additional requirement that no power should be admitted which would not make arbitration reciprocal—that is, no power which, while aiding to arbitrate for others, would not accept arbitration between itself and another power. This would, of course, exclude the Vatican; for, while it desires to judge others, it will allow no interests of its own, not even the most worldly and trivial, to be submitted to any earthly tribunal.

The question now came up in our American delegation as to signing the three conventions in the *Acte Final*—namely, those relating to arbitration, to the extension of the Geneva rules, and to the laws and customs of war. We voted to sign the first, to send the second to Washington without recommendation, and to send the third with a recommendation that it be there signed. The reason for sending the second to Washington without

recommendation is that Captain Mahan feels that, in its present condition, it may bring on worse evils than it prevents. He especially and, I think, justly objects to allowing neutral hospital ships to take on board the wounded and shipwrecked in a naval action, with power to throw around them the safeguards of neutrality and carry them off to a neutral port whence they can again regain their own homes and resume their status as combatants.

The reason for submitting the third to Washington, with a recommendation to sign it there, is that considerable work will be required in conforming our laws of war to the standard proposed by the conference, and that it is best that the Washington authorities look it over carefully.

I was very anxious to sign all three conventions, but the first is the great one, and I yielded my views on the last two.

The powers are to have until the 31st of December, if they wish it, before signing.

### *July 27.*

Early in the morning to a meeting of our American delegation, Mr. van Karnebeek being present. We agreed to sign the arbitration convention, attaching to our signatures a reservation embodying our declaration of July 25 regarding the maintenance of our American policy—the Monroe doctrine. A telegram was received from the State Department approving of this declaration.

The imbroglio regarding the forcing of the Pope into the midst of the signatory powers continues. The ultramontanes are pushing on various delegates, especially

sundry Austrians and Belgians, who depend on clerical support for their political existence, and, in some cases, for their daily bread; and the result is that M. Descamps, one of the most eminent international lawyers in Europe, who has rendered great services during the conference, but who holds a professorship at the University of Louvain, and can hold it not one moment longer than the Jesuits allow him, is making a great display of feeling on the subject. Italy, of course, continues to take the strongest ground against the proposal to admit his Holiness as an Italian sovereign.

Our position is, as was well stated in the great committee by Mr. Low, that the contracting parties must all consent before a new party can come in; and this under one of the simplest principles of law. We ought also to add that any power thus admitted shall not only consent to arbitrate on others, but to be arbitrated upon. This, of course, the Vatican monsignori will never do. They would see all Europe deluged in blood before they would submit the pettiest question between the kingdom of Italy and themselves to arbitration by lay powers. All other things are held by them utterly subordinate to the restoration of the Pope's temporal power, though they must know that if it were restored to him to-morrow he could not hold it. He would be overthrown by a revolution within a month, even with all the troops which France or Austria could send to support him; and then we should have the old miserable state of things again in Italy, with bloodshed, oppression and exactions such as took place throughout the first half of this century, and, indeed, while I was in Italy, under the old papal authority, in 1856.

In the afternoon to the "House in the Wood" to go over documents preliminary to signing the "Final Act."

*July 28.*

In the afternoon in plenary session of the conference, hearing the final reports as to forms of signing, etc.

To-day appears in the London *Times* the interview which its correspondent had with me yesterday. It develops the reasons for our declaration, and seems to give general satisfaction. Sir Julian Pauncefote told Holls that he liked it much.

The committee on forms of the "Final Act," etc., has at last, under pressure of all sorts, agreed that the question of admitting nonsignatory powers shall be decided by the signatory powers, hereafter, through the ordinary medium of diplomatic correspondence. This is unfortunate for some of the South American republics, but it will probably in some way inure to the benefit of the Vatican monsignori.

*July 29.*

The last and culminating day of the conference.

In the morning the entire body gathered in the great hall of the "House in the Wood," and each delegation was summoned thence to sign the protocol, conventions and declarations. These were laid out on a long table in the dining room of the palace, which is adorned with very remarkable paintings of mythological subjects imitating bas-reliefs.

All these documents had the places for each signature prepared beforehand, and our seals, in wax, already placed upon the pages adjoining the place where each

signature was to be. At the request of the Foreign Office authorities for my seal, I had sent a day or two beforehand the seal ring which Goldwin Smith gave me at the founding of Cornell University. It is an ancient carnelian intaglio which he obtained in Rome, and bears upon its face, exquisitely engraved, a Winged Victory. This seal I used during my entire connection with Cornell University, and also as a member of the Electoral College of the State of New York at General Grant's second election, when, at the request of the president of that body, Governor Woodford, it was used in sealing certificates of the election, which were sent, according to law, to certain high officials of our government.

I affixed my signature to the arbitration convention, writing in, as agreed, the proviso that our signatures were subject to the Monroe doctrine declaration made in open session of the conference on July 25. The other members of the American delegation then signed in proper order. But the two other conventions we left unsigned. It was with deep regret that I turned away from these; but the majority of the delegation had decreed it, and it was difficult to see what other course we could pursue. I trust that the Washington authorities will rectify the matter by signing them both.

We also affixed our signatures to the first of the "declarations."

At three P.M. came the formal closing of the conference. M. de Staal made an excellent speech, as did Mr. van Karnebeek and M. de Beaufort, the Netherlands minister of foreign affairs. To these Count Münster, the presiding delegate from Germany, replied in French, and apparently extemporaneously. It must have been pain

and grief to him, for he was obliged to speak respectfully, in the first place, of the conference, which for some weeks he had affected to despise; and, secondly, of arbitration and the other measures proposed, which, at least during all the first part of the conference, he had denounced as a trick and a humbug; and, finally, he had to speak respectfully of M. de Staal, to whom he has steadily shown decided dislike. He did the whole quite well, all things considered; but showed his feelings clearly, as regarded M. de Staal, by adding to praise of him greater praise for Mr. van Karnebeek, who has been the main managing man in the conference in behalf of the Netherlands Government.

Then to the hotel and began work on the draft of a report, regarding the whole work of the conference, to the State Department. I was especially embarrassed by the fact that the wording of it must be suited to the scruples of my colleague, Captain Mahan. He is a man of the highest character and of great ability, whom I respect and greatly like; but, as an old naval officer, wedded to the views generally entertained by older members of the naval and military service, he has had very little, if any, sympathy with the main purposes of the conference, and has not hesitated to declare his disbelief in some of the measures which we were especially instructed to press. In his books he is on record against the immunity of private property at sea, and in drawing up our memorial to the conference regarding this latter matter, in making my speech with reference to it in the conference, and in preparing our report to the State Department, I have been embarrassed by this fact. It was important to have unanimity, and it could not be



had, so far as he was concerned, without toning down the whole thing, and, indeed, leaving out much that in my judgment the documents emanating from us on the subject ought to contain. So now, in regard to arbitration, as well as the other measures finally adopted, his feelings must be considered. Still, his views have been an excellent tonic; they have effectively prevented any lapse into sentimentality. When he speaks the millenium fades and this stern, severe, actual world appears.

I worked until late at night, and then went to Scheveningen almost in despair.

*July 30.*

Returned to The Hague early in the morning, and went on again with the report, working steadily through the day upon it. For the first time in my life I have thus made Sunday a day of work. Although I have no conscientious scruples on the subject, it was bred into me in my childhood and boyhood that Sunday should be kept free from all manner of work; and so thoroughly was this rule inculcated that I have borne it in mind ever since, often resisting very pressing temptation to depart from it.

But to-day there was no alternative, and the whole time until five o'clock in the afternoon was given to getting my draft ready.

At five P.M. the American delegation came together, and, to my surprise, received my report with every appearance of satisfaction. Mr. Low indicated some places which, in his opinion, needed modification; and to this I heartily agreed, for they were generally places where I was myself in doubt.

My draft having thus been presented, I turned it over to Mr. Low, who agreed to bring it to-morrow morning with such modifications, omissions and additions as seemed best to him. The old proverb, "T is always darkest just before daylight," seems exemplified in the affairs of to-day, since the kind reception given to my draft of the report, and the satisfaction expressed regarding it, form a most happy and unexpected sequel to my wretched distrust regarding the whole matter last night.

*July 31.*

The American delegation met at eleven in the morning and discussed my draft. Mr. Low's modifications and additions were not many and were mainly good. But he omitted some things which I would have preferred to retain: these being in the nature of a plea in behalf of arbitration, or, rather, an exhibition of the advantages which have been secured for it by the conference; but, between his doubts and Captain Mahan's opposition, I did not care to contest the matter, and several pages were left out.

At six in the afternoon came the last meeting of our delegation. The reports, duly engrossed, — namely, the special reports, signed by Captain Mahan and Captain Crozier, from the first and second committees of the conference; the special report made by myself, Mr. Low and Dr. Holls as members of the third committee; and the general report covering our whole work, drawn almost entirely by me, but signed by all the members of the commission, — were presented, re-read and signed, after which the delegation adjourned, *sine die*.

*August 1.*

After some little preliminary work on matters connected with the winding up of our commission, went with my private secretary, Mr. Vickery, to Amsterdam, visiting the old church, the palace, the Zoölogical Gardens, etc. Thence to Gouda and saw the stained-glass windows in the old church there, which I have so long desired to study.

*August 3.*

At 8.30 left The Hague and went by rail, via Cologne and Ehrenbreitstein, to Homburg, arriving in the evening.

*August 5.*

This morning resumed my duties as ambassador at Berlin.

There was one proceeding at the final meeting of the conference which I have omitted, but which really ought to find a place in this diary. Just before the final speeches, to the amazement of all and almost to the stupefaction of many, the president, M. de Staal, handed to the secretary, without comment, a paper which the latter began to read. It turned out to be a correspondence which had taken place, just before the conference, between the Queen of the Netherlands and the Pope.

The Queen's letter — written, of course, by her ministers, in the desire to placate the Catholic party, which holds the balance of power in the Netherlands — dwelt most respectfully on the high functions of his Holiness, etc., etc., indicating, if not saying, that it was not the fault of her government that he was not invited to join in the conference.

The answer from the Pope was a masterpiece of Vatican skill. In it he referred to what he claimed was his natural position as a peacemaker on earth, dwelling strongly on this point.

The reading of these papers was received in silence, and not a word was publicly said afterwards regarding them, though in various quarters there was very deep feeling. It was felt that the Dutch Government had taken this means of forestalling local Dutch opposition, and that it was a purely local matter of political partisanship that ought never to have been intruded upon a conference of the whole world.

I had no feeling of this sort, for it seemed to me well enough that the facts should be presented ; but a leading representative of one of the great Catholic powers, who drove home with us, was of a different mind. This eminent diplomatist from one of the strongest Catholic countries, and himself a Catholic, spoke in substance as follows : " The Vatican has always been, and is to-day, a storm center. The Pope and his advisers have never hesitated to urge on war, no matter how bloody, when the slightest of their ordinary worldly purposes could be served by it. The great religious wars of Europe were entirely stirred up and egged on by them ; and, as everybody knows, the Pope did everything to prevent the signing of the treaty of Münster, which put an end to the dreadful Thirty Years' War, even going so far as to declare the oaths taken by the plenipotentiaries at that congress of no effect.

" All through the Middle Ages and at the Renaissance period the Popes kept Italy in turmoil and bloodshed for their own family and territorial advantages, and they kept all Europe in turmoil, for two centuries after the

Reformation, — in fact, just as long as they could, — in the wars of religion. They did everything they could to stir up the war between Austria and Prussia in 1866, thinking that Austria, a Catholic power, was sure to win; and then everything possible to stir up the war of France against Prussia in 1870 in order to accomplish the same purpose of checking German Protestantism; and now they are doing all they can to arouse hatred, even to deluge Italy in blood, in the vain attempt to recover the temporal power, though they must know that they could not hold it for any length of time even if they should obtain it.

“They pretend to be anxious to ‘save souls,’ and especially to love Poland and Ireland; but they have for years used those countries as mere pawns in their game with Russia and Great Britain, and would sell every Catholic soul they contain to the Greek and English churches if they could thereby secure the active aid of those two governments against Italy. They have obliged the Italian youth to choose between patriotism and Christianity, and the result is that the best of these have become atheists. Their whole policy is based on stirring up hatred and promoting conflicts from which they hope to draw worldly advantage.

“In view of all this, one stands amazed at the cool statements of the Vatican letter.”

These were the words of an eminent Roman Catholic representative of a Roman Catholic power, and to them I have nothing to add.

In looking back calmly over the proceedings of the conference, I feel absolutely convinced that it has accomplished a great work for the world.

The mere assembling of such a body for such a purpose was a distinct gain; but vastly more important is the positive outcome of its labors.

First of these is the plan of arbitration. It provides a court definitely constituted; a place of meeting easily accessible; a council for summoning it always in session; guarantees for perfect independence; and a suitable procedure.

Closely connected with this is the provision for "international commissions of inquiry," which cannot fail to do much in clearing up issues likely to lead to war between nations. Thus we may hope, when there is danger of war, for something better than that which the world has hitherto heard — the clamor of interested parties and the shrieks of sensation newspapers. The natural result will be, as in the Venezuelan difficulty between the United States and Great Britain, that when a commission of this sort has been set at work to ascertain the facts, the howling of partisans and screaming of sensation mongers will cease, and the finding of the commission be calmly awaited.

So, too, the plans adopted for mediation can hardly fail to aid in keeping off war. The plans for "special mediation" and "seconding powers," which emanated entirely from the American delegation, and which were adopted unanimously by the great committee and by the conference, seem likely to prove in some cases an effective means of preventing hostilities, and even of arresting them after they have begun. Had it been in operation during our recent war with Spain, it would probably have closed it immediately after the loss of Cervera's fleet, and would have saved many lives and much treasure.

Secondly, the extension of the Geneva rules, hitherto adopted for war on land, to war also on the sea is a distinct gain in the cause of mercy.

Thirdly, the amelioration and more careful definition of the laws of war must aid powerfully in that evolution of mercy and right reason which has been going on for hundreds of years, and especially since the great work of Grotius.

In addition to these gains may well be mentioned the declarations, expressions of opinion and utterance of wishes for continued study and persevering effort to make the instrumentalities of war less cruel and destructive.

It has been said not infrequently that the conference missed a great opportunity when it made the resort to arbitration voluntary and not obligatory. Such an objection can come only from those who have never duly considered the problem concerned. Obligatory arbitration between states is indeed possible in various petty matters, but in many great matters absolutely impossible. While a few nations were willing to accept it in regard to these minor matters, — as, for example, postal or monetary difficulties and the like, — not a single power was willing to bind itself by a hard-and-fast rule to submit all questions to it — and least of all the United States.

The reason is very simple: to do so would be to increase the chances of war and to enlarge standing armies throughout the world. Obligatory arbitration on all questions would enable any power, at any moment, to bring before the tribunal any other power against which it has, or thinks it has, a grievance. Greece might thus summon Turkey; France might summon Germany; the

Papacy, Italy ; England, Russia ; China, Japan ; Spain, the United States, regarding matters in which the deepest of human feelings — questions of religion, questions of race, questions even of national existence — are concerned. To enforce the decisions of a tribunal in such cases would require armies compared to which those of the present day are a mere bagatelle, and plunge the world into a sea of troubles compared to which those now existing are as nothing. What has been done is to provide a way, always ready and easily accessible, by which nations can settle most of their difficulties with each other. Hitherto, securing a court of arbitration has involved first the education of public opinion in two nations ; next, the action of two national legislatures ; then the making of a treaty ; then the careful selection of judges on both sides ; then delays by the jurists thus chosen in disposing of engagements and duties to which they are already pledged — all these matters requiring much labor and long time ; and this just when speedy action is most necessary to arrest the development of international anger. Under the system of arbitration now presented, the court can be brought into session at short notice — easily, as regards most nations, within a few weeks at the farthest. When to these advantages are added the provisions for delaying war and for improving the laws of war, the calm judgment of mankind will, I fully believe, decide that the conference has done a work of value to the world.

There is also another gain — incidental, but of real and permanent value ; and this is the inevitable development of the Law of Nations by the decisions of such a court of arbitration composed of the most eminent jurists from all countries. Thus far it has been evolved from the



writings of scholars often conflicting, from the decisions of national courts biased by local patriotism, from the practices of various powers, on land and sea, more in obedience to their interests than to their sense of justice ; but now we may hope for the growth of a great body of international law under the best conditions possible, and ever more and more in obedience to the great impulse given by Grotius in the direction of right reason and mercy.