

control of the proposed and partially constructed railway from Jiboutil to Addis-Abeba, though the directorate of this railroad shall have one member each from Great Britain, Abyssinia and Italy. The Emperor Menelik has expressed his satisfaction with the terms of the treaty.

#### THE JORIS CASE AND THE TURKISH CAPITULATIONS

On the twenty-first of July, 1905, an unsuccessful attempt was made upon the life of the Sultan at Constantinople. Among the persons arrested for this offense was Charles Edouard Joris, a Belgian subject. Joris avowed his connection with the crime, and was condemned to death by the criminal court of Constantinople; this sentence was affirmed by the criminal section of the Turkish court of cassation. Joris was assisted at the trial before the criminal court by a representative of the Belgian legation, who refused to join in the judgment of the court. After judgment the Belgian legation demanded that Joris be handed over to the Belgian government for trial before the court of assize of Brabant, which has jurisdiction, under Belgian law, "over crimes committed by Belgians in non-Christian countries." The Turkish government refused to comply with this demand, and has maintained its attitude, notwithstanding the repetition of the Belgian demand. The question at issue turns largely upon the interpretation of the Turco-Belgian treaty of August 3, 1858. The French text of this treaty supports the Belgian contention; the language of the Turkish text provides only that a Belgian diplomatic or consular officer shall assist at the trial. Prof. N. Politis, in a recent number of the *Revue de droit international privé* (2:659) criticizes the Belgian position, and asserts that neither treaties nor usage justify the denial of the jurisdiction of the Turkish courts.

#### RESOLUTIONS ADOPTED BY THE INSTITUTE OF INTERNATIONAL LAW, AT GHENT, IN SEPTEMBER, 1906

1. It is conformable to the exigencies of international law, to the loyalty which nations owe to each other in their mutual relations as well as to common interest of all states, that hostilities should not commence without previous and unequivocal notice.
2. Such notice may take the form of a declaration of war pure and simple, or that of an official ultimatum by the state desirous of beginning war.
3. Hostilities should commence only after the expiration of such a period of time that the rule of previous notice shall not be considered to have been eluded.

Whether the adoption of these rules is desirable or not is a serious question. The practice of nations is to attack and to declare later if