

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

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

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

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

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

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

been active discussion and modification of the proposed measures by the legislative branch. On some measures there has been criticism of delays; but on the whole there has been an impressive body of constructive legislation enacted.

Some measures passed before the present year have had a direct bearing on the conduct of the war. Among these may be mentioned the war risks insurance act of 1914, and the national defense act, the army appropriations act and the shipping board act of 1916, while the federal reserve banks established in 1913 have also been important agencies in financial matters.

Among the measures passed at the special session of congress beginning April 2, 1917, may be noted: the joint resolution of April 6, declaring a state of war to exist between the German government and the government and people of the United States; the war loan acts; the appropriation acts; the selective draft act, of May 18; acts of May 22 to increase the naval forces; an act of June 12 to amend the war risks insurance act; the exports and espionage act of June 21; the foods and fuel regulation acts of August 10; the trading with the enemy act; and the war revenue act.

Executive Orders and Proclamations. The increase of executive authority in time of war is partly indicated by the number and importance of executive orders and proclamations issued by the President. Most of these issued thus far in the present war have been definitely authorized by acts of congress; but, while there has been no such striking illustration of the inherent war powers of the President as the Emancipation Proclamation of President Lincoln, there have been some acts of the President done "by virtue of the powers vested in me as such." Such, for example, were the proclamations of April 6, May 24 and July 13, with reference to German insurance companies and letters patent. The executive order of April 13 creating a committee on public information, and the proclamation of May 23 establishing rules and regulations for the Panama Canal appear to have no statutory authority.

Among the orders and proclamations issued under acts of congress may be noted the executive orders of April 5 and 14, establishing defensive sea areas; the proclamation of April 6 declaring a state of war and defining the status of alien enemies; the proclamation of April 16 relating to treason and misprision of treason; proclamations fixing dates for army registration, and calling the national guard into the service of the United States; and executive orders relating to exports and food administration.

Administrative Agencies. In addition to the great expansion of activities in the older government departments and bureaus, many new administrative agencies have been organized. A considerable number of these are in the previously established departments. In the department of state a new division of foreign information has been established. In connection with the department of war the new national army has required the organization of thousands of local exemption boards, and of district boards of appeal, as well as the establishment of training camps. Three medical training camps have also been provided, and three new medical divisions have been created in the office of the surgeon general. Other new army and navy agencies are the commissions on training camp activities and the joint boards on aircraft. In the department of agriculture, two new assistant secretaries have been appointed; and a joint labor committee of the departments of agriculture and labor has been established. An emergency fleet corporation has been organized by the United States shipping board for the construction of new ships.

Other agencies have been established outside of the former governmental organizations. Among these may be noted the council of national defense, the committee on public information, the war trade board, the food and fuel administrators, and the war industries board.

Council of National Defense. Section 2 of the army appropriation act of August 29, 1916, established a council of national defense, for the coördination of industries and resources for the national security and welfare, to consist of the secretaries of war, the navy, interior, agriculture, commerce, and labor. It is the duty of this council "to supervise and direct investigations and make recommendations to the President and the heads of executive departments" as to the location and coördination of railways and highways for military purposes; "the utilization of waterways; the mobilization of military and naval resources . . . ; the increase of domestic production of articles and materials essential to the support of armies and of the people during the interruption of foreign commerce; the development of sea-going transportation; data as to . . . military supplies; . . . and the creation of relations which will render possible in time of need the immediate concentration and utilization of the resources of the nation."

The act also provided for an advisory commission of not more than seven persons, nominated by the council and appointed by the President, to serve without compensation. The commission consists of

Daniel Willard, chairman, Howard E. Coffin, Hollis Godfrey, Julius Rosenwald, Bernard M. Baruch, Samuel Gompers and Franklin H. Martin. The active work of the council and commission is done under the supervision of the director, Walter S. Gifford.

In connection with this council there has been organized an elaborate series of boards and committees. Directly under the council there have been an aircraft production board, a general munitions board, a munitions standards board, a commercial economy board, an inter-departmental committee, coöperative committees on purchase of army supplies, committees on shipping, women's defense work and coal production, the national research council, and a section on coöperation with states.

Under the advisory commission there have been organized committees on transportation and communications, munitions, engineering and education, supplies, raw materials, labor, and medicine and surgery—and in connection with these a long list of divisional and sub-committees. The members of these committees are experienced business men, serving without compensation.

State and Local Organizations. Official state councils of defense have been established in every state and in the District of Columbia. In twelve states, the councils have been created by act of the legislature; and in the other states councils have been appointed as official agents of the governor. The size, composition and powers of these state councils vary widely. The number of members ranges from 6 or 8 to 100 or more. In a few states they are composed entirely of state officials; in other states some state officers are members *ex officio*; but in most states most or all of the members are not public officials. About twenty states have made appropriations for these councils.

Forty states have reported a state-wide system of county or other local defense councils.

War Industries Board. This was created by the council of national defense on July 28, to act as a clearing house for the war-industry needs of the government; determine the most effective ways of meeting them, and the best means and methods of increasing production, including the creation or extension of industries demanded by the emergency; the sequence and relative urgency of the needs of the different government services; consider price factors, and, in the first instance, the industrial and labor aspects of problems involved, and general questions affecting the purchase of commodities. It also assumed the functions of the general munitions board.

It is composed of F. A. Scott, chairman; Lieutenant-Colonel Palmer E. Pierce, representing the army; Rear-Admiral Frank F. Fletcher, representing the navy; Hugh Frayne, B. M. Baruch, for raw materials; Robert S. Brookings, for finished products; and Robert S. Lovett for matters of priority. The three latter, in association with food administrator Hoover, so far as foodstuffs are involved, have been constituted a commission to arrange purchases in accordance with the general policies formulated and approved.

Espionage and Exports. One of the most important measures is the act of June 15, "to punish acts of interference with the foreign relations, the neutrality and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes." This deals with espionage, vessels in United States ports, seizure of arms or other articles intended for export, unlawful exports, disturbance of foreign relations, passports, counterfeiting government seals, search warrants and the use of mails.

By executive order of June 21, the secretary of commerce was vested with the executive administration of the provisions relating to exports; and an exports council was established, composed of the secretaries of state, agriculture and commerce and the food administrator, to formulate policies and make recommendations. Later an advisory board was established; and this was later constituted as an exports administrative board, and on October 12 formed into a war trade board, with Vance McCormick as chairman, and representatives from the departments of state, treasury, agriculture and commerce, the food administration and the shipping board; to issue licenses and carry out the export and import regulations. By proclamation the export of a considerable list of commodities has been prohibited, except under license.

Food and Fuel Regulation. Two important acts of August 10 deal with food supply problems. One provides for gathering authoritative information concerning the food supply, and authorizes educational measures for increasing production, preventing waste and promoting conservation. This act is to be administered by the secretary of agriculture. The other act confers, during the war, wide police powers for encouraging the production, conserving the supply and controlling the distribution of food products and fuel. This authorizes the President to license the importation, manufacture, storage, mining or distribution of any necessities; to requisition, for the army or navy, foods, fuels, and other supplies, and any factory, packing house, oil pipe line, mine, or other plant; to purchase, store and sell wheat,

flour, meal, beans and potatoes; to regulate the practices of exchanges or boards of trade; to fix a guaranteed price for wheat; to require producers of coal and coke to sell their products only to the United States, and to fix prices for such commodities. It also prohibits the use of foods, fruits, food materials or feeds in the production of distilled spirits for beverage purposes; prohibits the importation of distilled spirits; and authorizes the President to limit, regulate or prohibit the use of food materials in the production of malt or vinous liquors for beverage purposes.

In carrying out this act the President is authorized to make a reements, to create and use any agency or agencies, to utilize any department or agency of the government, and to coördinate their activities. Under this provision H. C. Hoover has been appointed as food administrator and H. A. Garfield as fuel administrator.

Committee on Public Information. This committee, established by executive order on April 14, consists of the secretaries of state, war and navy and George Creel, chairman, who is charged with the executive direction of its work. It was created to perform the combined functions of censorship and publicity; and has been organized with divisions on external communications, civic and educational coöperation, publicity, visé, foreign correspondence and foreign language publications, pictures and official bulletin. It publishes a daily *Official Bulletin*; and has issued an annotated edition of the President's *War Message and Facts Behind It*, a national service handbook, and a series of shorter pamphlets. All outgoing cables are censored; and newspapers are informed as to matter whose publication is deemed dangerous.

By proclamation of October 12, a censorship board was established, composed of representatives of the secretary of war, the secretary of the navy, the postmaster general, the war trade board and the chairman of the committee on public information. J. A. F.

British War Administration. In the conduct of the present war there have been striking developments and contrasts in the forms and agencies of governmental action by Great Britain, as compared both with peace conditions and with the methods and machinery employed in former wars. In the contest with Spain during the reign of Queen Elizabeth, the management both of the war and the internal administration of the country was exercised chiefly, and almost entirely, by the privy council. There was no parliamentary legislation, except for the levy of new taxes; and there were few specialized administrative