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韩驰

Wells公司上海地区特聘数据库讲师

华东政法大学法律学院

2025.3.14

目录

- HeinOnline数据库收录内容及使用特点介绍
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- 如何利用数据库重要子库资源进行法学研究

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[*231] 1. INTRODUCTION

States collaborate with each **other** all the time. They train each **other's** officials, fund projects, sell weapons, and undertake joint operations. **States** forge and act within alliances, sometimes informal, sometimes institutionalized. This **collaboration** is regulated by international law.

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EDITORIAL COMMENT

CONFLICTING APPROACHES TO THE U.S. COMMON LAW OF
FOREIGN OFFICIAL IMMUNITY

By Curtis A. Bradley*

ABSTRACT

For more than a decade, U.S. courts have struggled to develop a common law immunity regime to govern suits brought against foreign government officials, and they are now divided on a number of issues, including the extent to which they should defer to the executive branch and whether to recognize a jus cogens exception. This Editorial Comment considers a more conceptual division in the courts, between an "effect-of-judgment" approach that would confer immunity only when the judgment that the plaintiff is seeking would be directly enforceable against the foreign state, and a broader "nature-of-act" approach that would confer immunity whenever the plaintiff's case is challenging conduct carried out on behalf of the state. The

[*233] **countermeasures** has also tended to be collapsed into a different, though related, question.⁹ Most **collaboration in** response to wrongs has so far **taken** place **in** the context of sanctions regimes imposed on perceived violators of fundamental rules of the international legal order. For this reason, focus has been on the permissibility of **countermeasures in** the general interest on "**States other** than the injured **State**" (**in** the sense of Article 48 of the Articles on **State** Responsibility) **taking countermeasures in** response to the violation of an

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They usher in a new phase in the long journey toward peaceful coexistence on which these two states have courageously embarked. Eritrea has indicated that it accepts the damages awarded **against** it "without any equivocation," but Ethiopia has complained that the size of that award was inadequate.⁷ Regardless of these initial views, what is now paramount is the actual payment of compensation awarded by the Commission. ...One of the most interesting and important issues raised by the awards is how the require- ment of full reparation for an internationally wrongful act is to be balanced **against** the pos- sibility that the financial burden of war damage payments may compromise a state's human ' See Michael J. ...Crook, Fact-Finding in the Fog:~ Determining the Facts of Upheavals and Wars in Inter-state Disputes, in THE FUTURE OF INVESTMENT ARBITRATION 313 (Catherine A.

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▶ The Court's Order of May 7, 2004, directed Plaintiffs to cease production immediately.

But: There is no doubt that the initial temporary restraining order was within the bound Court's discretion.

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▶ For all of the above reasons, Appellant's Petition for Rehearing ought to be granted.

Not: For all of the above reasons, Appellant's Pet. Reh'g ought to be granted.



A PRESUMPTION AGAINST EXTRAJURISDICTIONALITY

By John H. Knox*

How far does U.S. law reach beyond U.S. borders? In principle, Congress could extend its laws as far as it likes, but Congress often fails to make its intentions clear.¹ Many statutes do not specify their geographic scope, instead using general terms that have no inherent limit. Federal courts have long employed interpretive rules, or canons, to guide their construction of such statutes. The canon most commonly cited is the presumption against extraterritoriality, which states that “legislation of Congress, unless a contrary intent appears, is meant to apply only within the territorial jurisdiction of the United States.”² The simplicity of this language masks difficult questions. Does the “territorial jurisdiction of the United States” include only territory within the national boundaries, or does it extend to territory outside those boundaries but within U.S. control? How should the presumption apply to actions taken abroad that cause effects within U.S. territory, however defined? What implications does the presumption have for situations within U.S. territory but also within the jurisdiction of another country, such as foreign ships in a U.S. port? When the presumption does apply, what evidence of “contrary intent” is necessary to overcome it?

To each of these questions, the Supreme Court has provided contradictory answers. For example, it has indicated that the presumption against extraterritoriality does, and does not, apply to situations outside the sovereign territory of the United States but within its control.³ It has sometimes overcome or avoided the presumption when extraterritorial actions cause effects in the United States, but its standard statement of the presumption makes no exception for such internal effects.⁴

* Professor of Law, Wake Forest University School of Law. I am grateful for comments from William Dodge, Ronald Wright, and the participants in forums at which I presented earlier versions of the article: the American Branch of the International Law Association, the Office of the Legal Adviser of the Department of State, and the Wake Forest faculty. Cynthia Byrne provided valuable research assistance.

¹ Congress could not, of course, exceed constitutional limits, but the Supreme Court has never clarified such limits, if they exist. See *Lea Brilmayer & Charles Norch, Federal Extraterritoriality and Fifth Amendment Due Process*,

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Abrasives industry (2)		Americana (1)	Art patronage (4)
Abscam Bribery Scandal, 1980 (7)		Americanism (Catholic controversy)	Art thefts (1)
Absence and presumption of			Art treasures in war (4)

Check All

Uncheck All

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1.

Technology development at the Federal Aviation Administration : computer and information technology challenges of the 21st century : hearing before the Committee on Science, Subcommittee on Technology, U.S. House of Representatives, One Hundred Fifth Congress, second session, August 6, 1998.
Washington : U.S. G.P.O. : 1998.
United States Congress House Committee on Science Subcommittee on Technology
MARC Record

Collections:
U.S. Congressional Documents

- Congressional Hearings

Air and Space Law

- Suborbital Space Hearings

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2.

Transforming the Federal Aviation Administration : a review of the Air Traffic Organization and the Joint Planning and Development Office : hearing before the Subcommittee on Aviation of the Committee on Transportation and Infrastructure, House of Representatives, One Hundred Ninth Congress, first session, April 14, 2005
Washington : U.S. G.P.O. : 2005.
United States Subcommittee on Aviation, Committee on Transportation and Infrastructure
House Congress
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U.S. Congressional Documents

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3.

Transition from the Federal Aviation Administration to Contractor-Operated Flight Service Stations: Lessons Learned: Hearing before the Subcommittee on Aviation of the Committee on Transportation and Infrastructure, House of Representatives, One Hundred Tenth Congress, First Session
Washington : U.S. Govt. Print. Off., 2007
United States Congress House Committee on Transportation and Infrastructure Subcommittee on Aviation
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4.

Status of and Future Plans for the FAA's Air Traffic Control System (Part 1); Hearings before a Subcommittee of the Committee on Government Operations, House of Representatives, Ninety-Seventh Congress, First Session, September 9 and 10, 1981
Washington : U.S. G.P.O., 1982-
United States Government Activities and Transportation Subcommittee, Committee on Government Operations House Congress
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A | B | C | D | E | F | G | H | I | J | K | L | M | N | O | P | Q | R | S | T | U | V | W | X | Y | Z | ALL

air traffic |

Air traffic capacity
Air traffic control
Air traffic control clearances
Air traffic controllers
Air Traffic Controllers' Strike, U.S., 1981
Air traffic rules
Air traffic rules, International
Radar **air traffic** control systems
Standard Terminal Automation Replacement System (**Air traffic** control)

Catalog Search

- HeinOnline为这种检索方式提供了检索联想，例如以Air Traffic Control为检索领域，HeinOnline将给出如上的检索结果。

20 results searching for: **subject:(Law and economics)**

Sort By: Date Oldest  



- ☐ 1. **Review of Polish Law and Economics**
Vols. 1-3 (1928-1931) All Published
MARC Record

Collections:
Law Journal Library
International & Non-U.S. Law Journals
History of International Law
• Serials

- ☐ 2. **Collected Courses / Recueil Des Cours: 39**
1932-I
par Pontes de Miranda -- par Joseph-L. Kunz par Marcel Plaisant -- par Albert Aftalion --
par W.-E. Beckett -- par Boris Nolde -- Plaisant, Marcel, Aftalion, Albert Kunz, Josef
Laurenz, Miranda, Francisco Cavalcanti Pontes de, Nol'de, B. È Hague Academy of
International Law
MARC Record

Collections:
Hague Academy Collected Courses Online

- ☐ 3. **Journal of Law & Economics**
 Vols. 1-65#1 (1958-2022)
University of Chicago Law School
MARC Record

Collections:
Law Journal Library
Core U.S. Journals
SCC Online Law Journal Library

- ☐ 4. **Legal Foundations of Capitalism**
1v. Madison: Wisconsin U.P., 1959
Commons, John R.; Commons, John R
MARC Record

Collections:
Legal Classics
Taxation & Economic Reform in America Parts I & II
• Economic Reform

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I 限定检索 范围 Refine Your Search

Date

Collection/Library

PathFinder Subjects

Section Type

Location

Title

Organization

Person

Availability

Clear All Dates

From:

To:

2016 to date (86,173)

2005 to 2010 (58,619)

2000 to 2005 (43,694)

1990 to 1999 (57,855)

1980 to 1989 (42,029)

1970 to 1979 (31,013)

1960 to 1969 (25,099)

1950 to 1959 (20,750)

1900 to 1949 (65,555)

1850 to 1899 (15,393)

1800 to 1849 (1,347)

up to 1800 (2,897)

Facets Applied (0) ▼

497,612 Results for applied facets

Cancel

Apply

限定条件

- Date
- Collection/Library
- PathFinder Subjects
- Section Type
- Location
- Title
- Organization
- Person
- Availability

The image displays three overlapping screenshots of a digital library interface, likely a law library, showing various search filters and results.

Top Screenshot (Left): Shows the "Collection/Library" and "PathFinder Subjects" filters. The "Collection/Library" filter is active, showing a list of subjects with counts, such as "International Law (44,333)", "Foreign Affairs (25,242)", "Human Rights Law (24,433)", "Comparative and Foreign Law (20,498)", "International Trade and the Law (20,409)", "Business and the Law (17,119)", "War (15,755)", "Government (General) (14,717)", "Politics (General) (14,638)", "Criminal Law and Procedure (14,189)", "Intellectual Property Law (13,528)", "Countries, Areas, and Regions (13,516)", "Environmental Law (12,736)", "Dispute Resolution (12,696)", "Investment (12,142)", and "International Agencies (11,742)".

Top Screenshot (Right): Shows the "Date" filter. The "Date" filter is active, showing a list of subjects with counts, such as "Law Journal Library (224,708)", "International & Non-U.S. Law Journals (143,334)", "U.S. Congressional Documents (99,620)", "Core U.S. Journals (96,361)", "Federal Register Library (29,967)", "Foreign & International Law Resources Database (20,306)", "Intellectual Property Law Collection (20,152)", "World Constitutions Illustrated (19,042)", "Legal Classics (16,708)", "United Nations Law Collection (16,682)", "U.S. International Trade Library (16,114)", "Taxation & Economic Reform in America Parts I & II (15,269)", "World Treaty Library (13,657)", "Slavery in America and the World: History, Culture & Law (2,073)", "U.S. Supreme Court Library (1,578)", "Civil Rights and Social Justice (1,575)", "Selden Society Publications and the History of Early English Law (1,557)", "Early American Case Law (1,433)", "Hague Academy Collected Courses Online / Recueil des cours en ligne (1,390)", "Standard Federal Tax Reporter (1917-1985) (1,338)", "U.S. Statutes at Large (1,044)", "English Reports (863)", "International Law Association Reports (743)", "COVID-19: Pandemics Past and Present (676)", and "Law Library of Congress Reports (605)".

Bottom Screenshot (Left): Shows the "PathFinder Subjects" filter. The "PathFinder Subjects" filter is active, showing a list of subjects with counts, such as "Articles (131,652)", "Notes (110,340)", "Comments (65,488)", "Miscellaneous (58,095)", "Index (27,833)", "Chapter (15,522)", "Volume (15,279)", "Reviews (11,946)", "Contents (7,620)", "House Documents (5,411)", "CFR Part (4,778)", "Title (4,734)", "Congressional Record (3,518)", "House Reports (3,191)", "Cases (3,039)", "Countries (2,829)", "House Hearings (2,428)", "treaty (2,266)", "House Miscellaneous Documents (305)", "House Bills (289)", "Senate Executive Documents (247)", "Other Legislative History Docs (236)", "publiclaw (165)", "Senate Bills (145)", "Senate Journal (143)", "Senate Miscellaneous Documents (143)", "Congressional Hearings (137)", "House Journal (129)", "otheradmindocs (112)", "Senate Executive Reports (85)", "Constitutional Section (82)", "Senate Treaty Documents (79)", "Reports & Testimonies: Repor", and "Presidential Remarks (65)".

Bottom Screenshot (Right): Shows the "Location" filter. The "Location" filter is active, showing a list of subjects with counts, such as "United States of America (255,294)", "New York (60,868)", "Washington (56,327)", "California (41,482)", "Japan (36,162)", "Washington, D.C. (29,772)", "Europe (27,601)", "America (27,408)", "Texas (26,767)", "Russia (25,146)", "France (23,509)", "Canada (23,014)", "India (22,080)", "Germany (21,567)", "Soviet Union (20,505)", "United Kingdom (18,133)", "Ohio (16,792)", "Florida (15,495)", "Netherlands (6,760)", "Geneva (6,455)", "Spain (6,307)", "Pakistan (6,256)", "UK (6,116)", "Korea (6,106)", "Middle East (6,103)", "Iowa (5,734)", "Philippines (5,608)", "Poland (5,555)", "Turkey (5,514)", "Latin America (5,455)", "Singapore (5,350)", "Argentina (5,208)", "Moscow (5,145)", "South Korea (5,134)", "Missouri (5,132)", and "Indonesia (5,110)".

Each screenshot includes a "Facets Applied (0)" button and a "Cancel" button.

PathFinder Subjects

- HeinOnline为所有跨学科研究的文章都划定了研究层级，并按照一定的方式进行排列，这种研究层级就是PathFinder，研究者可以根据自己的需要，对各种主题进行限定。
- 比如，美国的制定法解释是一个相当复杂的问题，它从属于多个学科，但问题是目前只需要与国际法有关的问题，那就可以使用PathFinder功能。

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1. Administrative Law
2. Courts
 - i. Statutory Interpretation
3. Jurisprudence
4. Legal History

b. Philosophy and Ethics

1. Jurisprudence

B. Social Sciences

a. Government and Politics

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2. Courts
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3. Legislation
 - i. Legislative History

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II 排序方式 Sort by

497,612 results searching for (China and International Law) in All Data

Sort by: Relevance     



☐ 1. **China and International Law [article]**

Grotiana, Vol. 8, pp. 37-41

Qizhi, He (Cited 44 times)

8 *Grotiana* (n.s.) 37 (1987)

 **PathFinder Subjects:** International Law; Politics (General)

[Turn to page](#)

The introduction of **international law** into **China** did achieve some re- sults. In 1864, in the midst of the Prussian-Danish War, a Prussian warship seized a Danish ship in Bohai (**China's** Inner Sea), for which the Govern- ment of Chin Dynasty lodged a protest to the Prussian Government in accordance with the rule of territorial sea as stated in Wheaton's book, **and** secured its release. ...However, the application of **international law** in **China** was not to be welcomed in the Western circles. Some of them were hostile to such a development in the fear that **China** could make use of **international law** to oppose **and** abolish the illegal privileges they enjoyed. In fact, for more than a century, from the Opium War in 1840 to the founding of the People's Republic of **China** in 1949, the imperialist powers had never conducted their relations with **China** in accordance with the principles **and** rules of **international law**. ...The victory of the Chinese people's revolution brought an end to the semi-feudal **and** semi-colonial history of **China** **and** led to a fundamental change of its **international** position. ...Its practice after its existence testifies that it did take a correct attitude towards **international law**.

 **All Matching Text Pages (5)**

☐ 2. **China and International Law [article]**

American Law Review, Vol. 35, Issue 1 (January-February 1901), pp. 56-62

35 *Am. L. Rev.* 56 (1901)

 **PathFinder Subjects:** International Law; Sovereignty; Government (General)

Results 1-10 of 497,612 items searching for (China and International Law) in All Databases.

Sort by **Relevance** Results     

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- Volume Date (Newest First)
- Number of Times Cited by Articles
- Number of Times Accessed (Past 12 Months)
- Most Cited Author

☐ 1. **China and International Law [article]**
Grotiana, Vol. 8, pp. 37-41
Qizhi, He (Cited 44 times)
8 *Grotiana* (n.s.) 37 (1987)
 **PathFinder Subjects:** [International Law](#); [Politics \(General\)](#)

    
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Relevance

Volume Date (Oldest First)

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Number of Times Cited by Articles

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Most Cited Author

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重要性！

权威性！

14,5
"467
Tim

Relevance
Volume Date (Oldest First)
Volume Date (Newest First)
Document Title
Sort by ✓ Number of Times Cited by Articles
Number of Times Accessed (Past 12 Months)
Most Cited Author

Check All Check All My Item Options Save/Email

1. **Presidential Administration [article]**
Harvard Law Review, Vol. 114, Issue 8 (June 2001), pp. 2245-2385
Kagan, Elena (Cited 2162 times)
114 Harv. L. Rev. 2245 (2000-2001)

🔍 **PathFinder Subjects:** Bankruptcy Law; Bankruptcy; Clemency; Penology; Criminal Law and Procedure; Executive Branch; Sentencing and Punishment; Administrative Law

[Turn to page](#)
., Hampton, 426 U.S. at 113 n.46 ("[I]n view of the consequences of the rule it would be appropriate to require a much more explicit directive from either Congress or the President before accepting the conclusion that the political branches of Government would consciously adopt [the] policy.."). 485 **467 U.S. 837** (1984). 486 463 U.S. 29 (1983).

+ All Matching Text Pages (5)

467 U.S. 837" OR "467 U.S. Rep. 837" OR "467 U.S. Reports 837" OR
.usreports/usrep467.44)) in Law Journal Library. , sorted by "Number of

📄 📥 📧 📌 👍
Cited by 1308 Articles
Cited by 35 Cases
Accessed 206 Times

不同子库中排序的方式也不同
如果限定在*Law Journal Library*子库进行检索时
还可以使用Number of Times Cited by Articles排序
这一排序的意义在于确定某一文章在学术界的影响力

III 匹配内容 Toggle All Matching Text Pages

14,249 results searching for ("Supreme Court" AND "extraterritoriality") in All Databases. , sorted by "Most Cited Author"

Sort by:     

☐ 1.

Chevron as Law [article]

Georgetown Law Journal, Vol. 107, Issue 6 (August 2019), pp. 1613-1684

Sunstein, Cass R. (Cited 31830 times)

107 Geo. L.J. 1613 (2018-2019)

 **PathFinder Subjects:** Jurisprudence; Statutory Interpretation; Courts; Administrative Law; Legal History; Legislation; Legislative History

[Turn to page](#)

The basic idea is that if agencies are to apply their rules retroactively, it must be because Congress has expressly permitted them to do exactly that.³¹⁷ Or consider the presumption against **extraterritoriality**, which means that agencies may not apply statutes outside of the territorial boundaries of the United States without clear congressional authorization.³¹⁸ 313. ...Oil Co., 499 U.S. 244, 248 (1991) ("We assume that Congress legislates against the backdrop of the presumption against **extraterritoriality**."

All Matching Text Pages (12)

[Turn to page 1620](#)

Revealingly, no one on the **Supreme Court** itself read the provision that way. The fourth claim is that in these circumstances, the argument for overruling *Chevron* is weak-in part because of the power of stare decisis, and in part because an entirely new start, with respect to judicial review of agency interpretations of law, would introduce a high degree of uncertainty.

[Turn to page 1623](#)

That court had long been aggressively reviewing agency action, especially in the environmental context, and had been pressing agencies in directions favored by environmental groups.³³ The **Supreme Court** offered its framework in that context.



Cited by 65 Articles
Cited by 2 Cases
Accessed 74 Times

IV 阅读文献

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Constitutional Anti-Theory Jordan, Andrew Page 1515
Financial Immigration Federalism Sarkar, Shayak Page 1567
Chevron as Law Sunstein, Cass R. Page 1613
Diversity as a Trade Secret Bowman Williams, Jamillah Page 1685
The Great Bulwark of - Political Liberties: The Decline of Jury Power and the Rise of Slave Interests in the Early American Republic Note Shymansky, Ryan Page 1733

1615 More Like This Pathfinder

This will be a lengthy discussion, and it will be useful, or perhaps a form of mercy, to offer the central claims at the outset. First, an investigation of the historical context shows that *Chevron* is not incompatible with the original meaning of the governing provision of the Administrative Procedure Act (APA).² (This is contrary to a widespread view.) Second, there is no constitutional problem if Congress has instructed courts to defer to reasonable agency interpretations of genuinely ambiguous law. Third, *Chevron* should not be overruled. Fourth, its critics do have legitimate claims, which can and should be accommodated by insisting on (a) the primacy of the statutory text, (b) the legal prohibition on arbitrariness, and (c) the use of canons of construction that cabin agency discretion, serve separation-of-powers functions, and trump *Chevron*. As we shall see, a defense of these claims will require exploration of some of the largest issues in legal theory, including the best understanding of the system of checks and balances, the appropriate approach to legal interpretation, and the legitimacy of the administrative state.

A. THE SPECTER OF TYRANNY

Chevron's foundations are cracking. Justice Neil Gorsuch objects that *Chevron* "[t]ransfer[s] the job of saying what the law is from the judiciary to the executive."³ Justice Clarence Thomas argues that *Chevron* is inconsistent with the Constitution.⁴ In his view, the decision "wrests from Courts the ultimate interpretive authority to 'say what the law is,' and hands it over to the Executive."⁵ Chief

1. 467 U.S. 837 (1984).

2. See 5 U.S.C. § 706 (2012).

3. *Gutierrez-Brizuela v. Lynch*, 834 F.3d 1142, 1152 (10th Cir. 2016).

4. See *Michigan v. EPA*, 135 S. Ct. 2699, 2712 (2015) (Thomas, J. concurring).

5. *Id.* (quoting *Marbury v. Madison*, 5 U.S. (1 Cranch) 137, 177 (1803)).

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Chevron as Law [article]

Georgetown Law Journal, Vol. 107, Issue 6 (August 2019), pp. 1613-1684

Sunstein, Cass R. (Cited 31830 times)

107 Geo. L.J. 1613 (2018-2019)

PathFinder Subjects: Jurisprudence; Statutory Interpretation; Courts; Administrative Law; Legal History; Legislation; Legislative History

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Shymansky, Ryan	
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Oyez		
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Chevron As Law

CASS R. SUNSTEIN*

Chevron, U.S.A., Inc. v. National Resources Defense Council, Inc., the foundation for much of contemporary administrative law, is under siege. The central objection, connected with longstanding challenges to the legitimacy of the modern regulatory state, is that the decision amounts to an unwarranted transfer of interpretive authority from courts to the Executive Branch. Skeptics think that the transfer is inconsistent with the proposition that it is the province of the Judiciary to say what the law is. To assess such objections, the starting point is simple: whether courts should defer to agency interpretations of law depends largely on legislative instructions. Under the Constitution, Congress has broad power to require courts to defer to agency interpretations (in the face of ambiguity), or to forbid them from doing so. If congressional instructions are the touchstone, and if the Administrative Procedure Act is the guiding text, then it is far from clear that Chevron was wrong when decided, especially if the text of the APA is considered in its context. Though the argument for overruling Chevron is unconvincing, its critics have legitimate concerns. Those concerns should be addressed by (1) insisting on a fully independent judicial role in deciding whether a statute is ambiguous at

CHEVRON U. S. A. v. NATURAL RES. DEF. COUNCIL 837

Syllabus

CHEVRON U. S. A. INC. v. NATURAL RESOURCES
DEFENSE COUNCIL, INC., ET AL.

CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR
THE DISTRICT OF COLUMBIA CIRCUIT

No. 82–1005. Argued February 29, 1984—Decided June 25, 1984*

The Clean Air Act Amendments of 1977 impose certain requirements on States that have not achieved the national air quality standards established by the Environmental Protection Agency (EPA) pursuant to earlier legislation, including the requirement that such “nonattainment” States establish a permit program regulating “new or modified major stationary sources” of air pollution. Generally, a permit may not be issued for such sources unless stringent conditions are met. EPA regulations promulgated in 1981 to implement the permit requirement allow a

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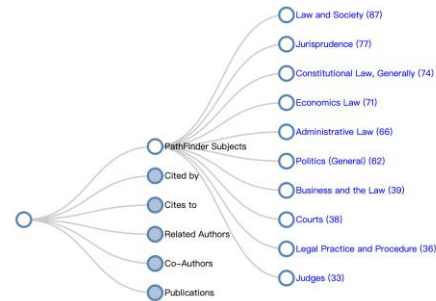
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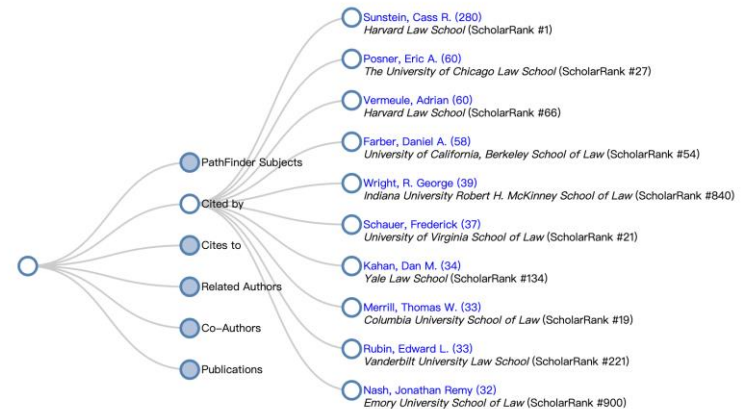
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Abridgement of All Sea-Lawes; Gathered Forth of All Writings and Monuments,
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1 v. London: Printed by Humfrey Lownes for Thomas Man, 1613



Abrogation of Gold-Clauses in International Loans and the Conflict of Laws

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History of International Law

- 国际法史专题研究子库，也是HeinOnline重磅推出的一项检索工具。虽然这一子库中的资源多与国际法本身或其制度的发展历程有关，但对于mooters而言，了解一项国际法制度的发展历史，甚至整个国际法原理的发展历程十分必要。从历史资料中我们可以看到许多有关历史性权利、习惯国际法的广泛实践等等，其中当然也不乏许多权威公法学家的学说。这一子库中包括战争与和平专题（War & Peace）、海洋法专题（Law of the Sea）、海牙和会与海牙公约专题（the Hague Conference & Conventions）、国际仲裁专题（International Arbitration）等。

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"Etiamsi Daremus" of Hugo Grotius; a Study in the Origins of International Law.
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Mr. Conger to Mr. Hay.

LEGATION OF THE UNITED STATES,
Pekin, China , December 7, 1899 .
No 289.]Sir: I regret to report a very critical state of affairs among the missionaries and their converts in certain parts of Shantung.

The season has been a poor one—crops have failed on account of the drought; great poverty and want prevail. An unusual amount of looting is a result, and naturally the foreigners or their followers come in for the larger share of grief.

Early in October last a secret society called “Boxers,” in the neighborhood of Ch’ih Ping, assembled with the avowed purpose of driving out foreigners and of extirpating Christians, but, upon aid being requested by the missionaries, soldiers were sent and, on October 18, a conflict ensued which resulted in the killing of some fifty or more of the Boxers and in dispersing them.

The trouble then seemed to be over, but unfortunately a number of citizens of the village where the affair occurred were killed or wounded, in consequence of which the governor arrested the officer commanding the troops and memorialized the Throne for his impeachment, because, the governor says, of the mistake in killing others than the Boxers.

This action of the governor encouraged the Boxers, and they have since rallied again and are doing much damage to the Christian converts, extorting money from them, threatening the missions, and giving ample cause for serious alarm.

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CHINA.

UPRISING AGAINST FOREIGNERS.

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No 289.]

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