

Green Hayworth Hackworth Papers

A Finding Aid to the Collection in the Library of Congress

Prepared by Wilhelmena Curry



Manuscript Division, Library of Congress

Washington, D.C.

2012

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Collection Summary

Title: Green Haywood Hackworth Papers

Span Dates: 1912-1973

Bulk Dates: (bulk 1944-1945)

ID No.: MSS50682

Creator: Hackworth, Green Haywood, 1883-1973

Extent: 5,000 items ; 18 containers plus 1 oversize ; 7.2 linear feet

Language: Collection material in English

Repository: Manuscript Division, Library of Congress, Washington, D.C.

Abstract: Jurist and lawyer. Correspondence, printed and near-printed publications, articles, and addresses relating chiefly to Hackworth's career as a legal advisor with the State Department and as a judge with the International Court of Justice.

Selected Search Terms

The following terms have been used to index the description of this collection in the Library's online catalog. They are grouped by name of person or organization, by subject or location, and by occupation and listed alphabetically therein.

People

Bruel, John C.--Correspondence.
Byrnes, James F. (James Francis), 1882-1972--Correspondence.
Chankalian, Armand, 1903-1970--Correspondence.
Cox, Hugh Baker, 1905-1973--Correspondence.
Crosswhite, Willis H.--Correspondence.
Dickey, John Sloan, 1907-1991--Correspondence.
Dillard, Hardy Cross, 1902-1982--Correspondence.
Douglas, William O. (William Orville), 1898-1980--Correspondence.
Doyle, Michael Francis, 1875-1960--Correspondence.
Duke, Angier Biddle, 1915-1995--Correspondence.
Fahy, Charles, 1892-1979--Correspondence.
Garnier-Coignet, Jean--Correspondence.
Hackworth, Green Haywood, 1883-1973.
Hornbeck, Stanley Kuhl, 1883-1966--Correspondence.
Hudson, Manley O. (Manley Ottmer), 1886-1960--Correspondence.
Hull, Cordell, 1871-1955--Correspondence.
Jessup, Philip C. (Philip Caryl), 1897-1986--Correspondence.
Larson, Arthur,--Correspondence.
Levie, Howard S., 1907- --Correspondence.
Noble, George Bernard, 1892-1972--Correspondence.
Oliver, Howard T.--Correspondence.
Phleger, Herman, 1890-1984--Correspondence.
Rhyne, Charles S., 1912-2003--Correspondence.
Sandifer, Durward V. (Durward Valdamer), 1900-1981--Correspondence.
Stettinius, Edward R. (Edward Reilly), 1900-1949--Correspondence.

Organizations

American Arbitration Association.
American Society of International Law.
American Society of International Law. Panel on the Future of the International Court of Justice.
Americans United for World Organization.
Conversations on International Organization (1944 : Washington, D.C.)
International Court of Justice.
Teheran Conference (1943)
United Nations Conference on International Organization (1945 : San Francisco, Calif.)
United Nations Monetary and Financial Conference (1944 : Bretton Woods, N.H.)

United Nations.
United States. Department of State.
Yalta Conference (1945)

Subjects

International law--Congresses.
International law.
International relations.
Treaties.
World War, 1939-1945.

Places

Canada--Foreign relations--United States.
United States--Foreign relations--Canada.
United States--Foreign relations.

Occupations

Jurists.
Lawyers.

Administrative Information

Provenance

The papers of Green Haywood Hackworth, jurist and lawyer, were given to the Library of Congress by his daughter, Helen Swope, in 1973.

Processing History

The papers of Green Haywood Hackworth were arranged and described in 1978. The finding aid was revised in 2012.

Transfers

Maps and photographs have been transferred to the Library's Prints and Photographs Division where they are identified as part of these papers.

Copyright Status

The status of copyright in the unpublished writings of Green Haywood Hackworth is governed by the Copyright Law of the United States (Title 17, U.S.C.).

Access and Restrictions

The papers of Green Haywood Hackworth are open to research. Researchers are advised to contact the Manuscript Reading Room prior to visiting. Many collections are stored off-site and advance notice is needed to retrieve these items for research use.

Preferred Citation

Researchers wishing to cite this collection should include the following information: Container number, Green Haywood Hackworth Papers, Manuscript Division, Library of Congress, Washington, D.C.

Biographical Note

<i>Date</i>	<i>Event</i>
1883, Jan. 23	Born, Prestonsburg, Ky.
1905	B.A., Valparaiso University, Valparaiso, Ind.

1908	Married Clara E. Christy
1912	LL.B., Georgetown University, Washington, D.C.
1918	Appointed assistant solicitor, Department of State
1922-1946	Counsel for the United States before the International Joint Commission under the terms of the Boundary Water Treaty of 1909 between the United States and Great Britain
1923	Went to Lausanne, Switzerland, to assist the United States delegation in drafting treaties of extradition and of friendship and commercial intercourse with Turkey
1925	Became solicitor, Department of State
1930	United States delegate to the Conference for the Codification of International Law, held at the Hague, the Netherlands
1931-1946	Legal adviser, Department of State
1937	Appointed by President Franklin D. Roosevelt to the additional post of United States member of the Permanent Court of Arbitration at the Hague, the Netherlands
1938	United States delegate to the eighth International Conference of American States, Lima, Peru
1940	United States delegate to the eighth American Scientific Congress, Washington, D.C. Author of <i>Digest of International Law</i> . Washington, D.C.: United States Government Printing Office. 8 vols.
1943	Accompanied Secretary of State Cordell Hull to the Moscow Conference, Moscow, USSR
1944	Member, American delegation at the Dumbarton Oaks Conference on international organization, Washington, D.C.
1945	Adviser to Secretary of State Edward R. Stettinius at the Mexico City Conference, Mexico City, Mexico, at which the Act of Chapultepec was signed Chairman, United Nations committee of jurists, meeting in Washington, D.C., which framed the tentative statute for the International Court of Justice under the United Nations Charter Adviser to United States delegation at the United Nations Conference on International Organization, San Francisco, Calif.
1946	Senior adviser to the United States delegation at the London Conference, London, England Elected member, International Court of Justice
1955-1958	Elected president, International Court of Justice
1973, June 27	Died, Washington, D.C.

Scope and Content Note

Many years before his death, Green H. Hackworth (1883-1973) informed the Library of Congress that he had destroyed most of his papers. Fortunately, a few of his papers were preserved. They span the years 1912-1973, with the bulk of the

material concentrated in the period 1944-1945. The collection consists chiefly of printed and near-print Department of State publications, some correspondence, and addresses and articles written by Hackworth and others. The papers are organized into four series: [General Correspondence and Related Material](#), [Subject File](#), [Speeches and Writings File](#), and [Miscellany](#).

The collection highlights Hackworth's career as a legal advisor at the Department of State and a judge of the International Court of Justice. Subjects include international law; United States treaty developments; treaty agreements between Canada and United States; and the Yalta voting formula, the provisions for voting by members of the United Nations Security Council. The collection includes material pertaining to the United Nations; American Arbitration Association; American Society of International Law; Americans United for World Organization; Panel on the Future of the International Court of Justice, American Arbitration Association; Teheran Conference, 1943; Conversations on International Organization, Washington, D.C, 1944, held at Dumbarton Oaks; United Nations Monetary and Financial Conference, Bretton Woods, N.H., 1944; United Nations Conference on International Organization, San Francisco, Calif., 1945; and the Yalta Conference, 1945.

Principal correspondents include John C. Bruel, James F. Byrnes, Armand Chankalian, Hugh Baker Cox, Willis H. Crosswhite, John Sloan Dickey, Hardy Cross Dillard, William O. Douglas, Michael Francis Doyle, Angier Biddle Duke, Charles Fahy, Jean Garnier-Coignet, Stanley Kuhl Hornbeck, Manley O. Hudson, Cordell Hull, Philip C. Jessup, Arthur Larson, Howard S. Levie, George Bernard Noble, Howard T. Oliver, Herman Phleger, Charles Sylvanus Rhyne, Durward V. Sandifer, and Edward R. Stettinius (1900-1949).

Arrangement of the Papers

The collection is arranged in four series:

- [General Correspondence and Related Material, 1919-1972](#)
- [Subject File, 1912-1973](#)
- [Speech and Writings File, 1935-1972](#)
- [Miscellany \(Oversize\), 1912-1945](#)

Description of Series

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BOX 17-18	<u>Speech and Writings File, 1935-1972</u> Speeches and articles by Hackworth and others. Arranged alphabetically by title.
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BOX 1	<i>American Bar Association Journal</i> Apr. 1945 May 1945 American Society of International Law, constitution Apr. 1971 July 1972 Apr. 1973 Americans United for World Organization, statements of national organizations relating to international organizations Borchgrave case, death of Belgian diplomat, 1938
BOX 2	Bretton Woods proposals and the president's message to Congress, Feb. 1945 Canada and the United States Convention and protocol, double taxation, Mar. 1942 Convention between, double taxation, estate taxes and succession, June 1944 Convention on income, 1950, 1951, 1956 Treaty agreements Columbia River, Jan. 1961 Construction of remedial works at Niagara Falls, Sept. 1954 Economic assistance, expansion of Port of Dammam, May 1958 Relocation of Roosevelt Bridge, Oct. 1956 St. Lawrence Seaway June 1952 Tariff of tolls, Mar. 1959 St. Lawrence River Joint Board of Engineers, Nov. 1953 Convention on privileges and immunities of the United Nations, Feb. 1946 Daily summary of statements by political leaders of foreign policy, Oct. 1944 Department of State

Subject File, 1912-1973

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- Documents on German foreign policy, 1918-1945
- Press release, July 1949
- Foreign affairs, Oct. 1944
- Appropriation bill for
 - 1931, hearing 1930
 - 1938, hearings 1937
- Bulletin
 - Aug.-Oct. 1944
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- Dumbarton Oaks Conference
 - Arrangement for Pacific settlement of disputes, International Court of Justice, July 1944
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 - Biographical sketches and delegates, Aug. 1944
 - Proposals for a general international organization, basic questions and comparisons, Aug. 1944
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 - Washington conversations on international organizations, minutes and documents, Aug. 1944
 - (2 folders)
 - Documents on international organizations
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- Current developments and comments, Vandenberg, Arthur H., and others, Jan. 1945
- Department of State, radio broadcasts, Feb.-Mar. 1945
- European government views, Jan. 1945
- Latin American governments' summary of principal comments and suggestions, Dec. 1944
- National Lawyers Guild views, Feb. 1945
- Press statements, addresses, and questions and answers, June-Dec. 1944
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Executive assumption of war-making power, Jan. 1928
Exemption of consular officers from taxation, treaties in force between the United States and foreign countries, Oct. 1940
Events leading up to World War II, chronological history, 1931-1944
General Assembly resolution, review of the role of the International Court of Justice, Dec. 1970
Georgetown Law Journal, May 1932
Headquarters of the United Nations, June 1947
Honduras v. Nicaragua, Dec. 1906
Institut de Droit International, Apr. 1966

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Inter-American Juridical Committee, Charles G. Fenwick's criticism of Dumbarton Oaks proposals (in part, photocopy), Dec. 1944-Jan. 1945
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Aerial incident, Israel v. Bulgaria, preliminary objects, July 1955
Appeal relating to the jurisdiction of the ICAO Council, India v. Pakistan, Aug. 1971
Biographical information on members, 1973
Case concerning the Barcelona Traction, Light and Power Co., reports of judgements, advisory opinions, and orders
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Cases concerning sovereignty over certain frontier lands, Belgium v. Netherlands, Mar. 1959
Cases pending, Apr. 1958
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Miscellaneous subjects, undated
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North Sea Continental Shelf case, reports of judgements, advisory opinions, and orders
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Pension plan for members, June 1958-Oct. 1960
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Reports of judgements, advisory opinions and orders
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- Requests for advisory opinion, July 1970-July 1972
- Right of passage over Indian territory, Portugal v. India, preliminary objections, 1956-1959
- South West Africa cases, reports of judgements, advisory opinions, and orders
- Mar. 1965
- Nov. 1965
- Special agreement, Feb. 1967
- United Arab Republic, written statement, Dec. 1960
- International organization, minutes, New York meeting, Dec. 1944
- Israel, forces only 30 km east of Suez, Oct. 1956
- Japanese aggression and the Nine Power Conference at Brussels, 1937
- Judgements of the Administrative Tribunal of the International Labor Organization upon complaints made against Unesco, Oct. 1956
- BOX 7** Legal consequences for States of the continued presence of South Africa in Namibia (South West Africa) notwithstanding Security Council Res. 276 (1970)
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- Memorandum of the French government on international organization and text of proposed French amendments to the Dumbarton Oaks proposals, undated
- Miscellaneous items and fragments, Mar.-June 1945
- Moot International Court of Justice, Washington, D.C., Apr. 1962
- National Catholic Welfare Conference, archbishop and bishops of the Administrative Board, Apr. 1944
- Panel on the future of the International Court of Justice
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- Draft program of work, undated
- Minutes and comments, Feb.-Oct. 1971
- Minutes of the meeting, Nov. 1971
- Participants, Feb. 1971
- Report of the Sixth Committee, Dec. 1970
- Recommendations of the American Bar Association, Dumbarton Oaks proposals, Apr. 1945
- Report of the Committee on Progressive Development of International Law and Its Codification, 1964
- Report on the international juridical status of individuals as "war criminals," Aug. 1945
- Republic of Liberia, draft of repealing act of concessionary grants, undated
- BOX 8** Request for advisory opinion on the legal consequences for states of the continued presence of South Africa in Namibia (South West Africa) notwithstanding Security Council Res. 276 (1970), Jan. 1971 *See also Container 7, Legal consequences*
- Right to protect citizens in foreign countries by landing forces, 1934
- Rules of land warfare, articles of war, for army, Sept. 1972
- St. Lawrence Seaway and power project, a chronology of important developments, 1949
- St. Lawrence Seaway manual, 1955
- Section of International and Comparative Law Bulletin*, July 1961

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 1 Jan. 1960
 1 Jan. 1961
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 Cumulative list of documents received from the Preparatory Commission, Oct. 1945
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 Convention for the establishment of a central American court of justice, Apr. 1945
 Draft of statute of an international court of justice referred to in the Dumbarton Oaks proposals, Apr. 1945
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 Statute of the Permanent Court of International Justice, comparative text, Apr. 1945
 Statute of the proposed international court of justice, Apr. 1945
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	Credentials Committee's report, Apr.-June 1945
	Denmark delegation, June 1945
	Deputy Secretaries General, June 1945
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	Enforcement arrangements, May 1945
	Executive Committee, voting procedure, May 1945
	First plenary session of Commission IV, May 1945
	General Assembly, functions and powers, May-June 1945
	General Assembly, principles governing disarmament and regulation of armaments, May 1945
	General Assembly and the Security Council, May-June 1945
	General meetings, May 1945
	Guide to amendments, comments, and proposals concerning Dumbarton Oaks, May 1945
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	International Court of Justice
	Compulsory jurisdiction of the court, May 1945
	United States delegation, Apr. 1945
	List of documents issued
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	Meeting of Commission IV, Committee 2, May-June 1945
	Meetings of the heads of delegations, Apr.-May 1945
	Notes on meeting of Subcommittee "A," May 1945
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	Progress report of work in commissions and committees
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- Structure and procedure of the General Assembly, May 1945
- Suggested rearrangement in charter language, Dumbarton Oaks proposals, May 1945
- Suggested measures to expedite the work of the conference, May 1945
- Telephone directory, May 1945
- Trusteeship, United States exploratory draft, June 1945
- Trusteeship questions, June 1945
- Trusteeships, Apr.-June 1945
- United States delegation, charter, June 1945
- United States delegation, advisers, technical experts assignments, Apr.-May 1945
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 - Uruguay delegation, undated
 - Voting procedure in the Security Council, May 1945
 - United Nations General Assembly
 - Provisional agenda of the fifteenth regular session, July 1960
 - Review of the role of the International Court of Justice, Dec. 1970-Sept. 1971
 - (2 folders)
 - United Nations Joint Staff Pension Fund, annual report, General Assembly, Dec. 1952
 - United Nations Korean Reconstruction Agency, third addendum to the report of the agent general, General Assembly, June 1953
 - United Nations Weekly Bulletin*, Dec. 1947
 - United States and peace, Atlantic Charter-Declarations of Moscow, Teheran, Dumbarton Oaks, and Mexico City, 1941-1945
 - United States and the United Kingdom, agreements, Oct. 1946
 - United States Senate, Committee on Foreign Relations, questions and answers on the St. Lawrence Seaway, Jan. 1960
 - United States treaty developments (1794-1948), with index and appendix, 1947-1949
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 - United States treaty developments, 1947-1948
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 - War claims, report of the Law Committee of the National Foreign Trade Council, 1944
 - War Department, Bureau of Public Relations, International Military Tribunal, press release, Oct. 1945

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Written statement submitted by the Government of Belgium, undated

Yalta Voting formula

Interpretation, suggested changes, draft, May 1945

Security Council, May 1945

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Speech and Writings File, 1935-1972

Speeches and articles by Hackworth and others.

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BOX 17

Address at University of California United Nations Convocation, Berkeley, Calif., 25 June
1955, by Dag Hammarskjöld

Address by Hackworth, president of the International Court of Justice, at a meeting at the
University of California, Berkeley, Calif., 25 June 1955

Address on international and comparative law Hackworth, 1945

“Annual Reports of the International Court of Justice to the General Assembly,” by Salo Engel

“Arbitration in International Controversy,” by Francis Kellor and Martin Domke

Article on the “Contribution of International Legal Reviews to the Development of
International Law”

“Boundary Waters Problems in the East,” by G. V. La Forest

“By What Tribunal Shall War Offenders Be Tried,” by Sheldon Glueck

“Canadian, United States Commercial Relations and International Law: The Cuba Affair as a
Case Study,” by Edward McWhinney

“The Changing Role of the International Court of Justice,” by Martin Jarvard, Apr. 1972

“Criminal Responsibility of Individuals and International Law,” by Albert G. D. Levy

BOX 18

“The Decade Ahead: The Society's Role in the Nation's Service,” by Charles E. Martin

“Differences of Procedure between International and National Tribunals,” by Sture Petren

“The Doctrine of Quasi-Territoriality of Vessels and the Admiralty Jurisdiction Over Crimes
Committed on Board National Vessels in Foreign Ports,” by Alexander N. Sack, 1935

“Enhancing the Advisory Jurisdiction of the World Court,” by Paul C. Szasa, 1971

“Ensuring Compliance with Judgements of the International Court of Justice,” by Ernest L.
Kerley, Apr. 1972

“The French System of Administrative Justice: A Model for American Law?” by Stefan
Riesenfeld

“General Aspects of Canadian, United States Treaty Relations and Their Import for the
Conduct of Relations between Nations on the Basis of Respect for Law and Mutual
Interests,” by Hackworth

“The International Court of Justice: Consideration of Requirements for Enhancing Its Role in
the International Legal Order,” by Leo Gross, 1971

“The International Court of Justice,” by Hackworth

“International Law: An Inventory,” by Edwin D. Dickinson, 1945

“International Water Problems in the West,” by Charles E. Martin, June 1961

“Intervention in Proceedings before the International Court of Justice,” by John T. Miller, Jr.,
Oct. 1972

“Metals, Oil, and Natural Gas: Some Problems of Canadian-American Cooperation,” by
Wesley L. Gould, June 1961

Opening speech at the first public sitting in the right of passage case, by Hackworth

“Pluralism and the Law,” by Miriam Theresa Rooney, Oct. 1939

Speech and Writings File, 1935-1972

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- “Politics, Strategy, and the Commitments of a Middle Power,” by Theodore Ropp, June 1961
- “Responsibility of States for Damages Caused in Their Territory to the Person or Property of Foreigners,” by Hackworth, July 1930
- “Review of the Role of the International Court of Justice,” by Leo Gross, July 1972
- “The Role of the International Court of Justice in the United Nations System, 1946-1971,” by Guenter Weissberg, Mar. 1972
- “Some Observations on the International Court of Justice after Twenty-Five Years,” by Edward Hambro
- “State Parties to the Statute of the International Court of Justice,” by Salo Engel, Apr. 1972
- “Twenty-One Years of Canadian-American Military Cooperation,” by C. P. Stacey
- “United Nations Capacity to Bring an International Claim against the Responsible Government, Opinion,” by Hackworth
- “University of Jurisdiction over War Crimes,” by Willard B. Cowles, June 1945
- “Will the Revised Rules of Court Lead to a Greater Willingness on the Part of Prospective Clients?,” by Edward Hambro, Nov. 1972

BOX OV 1

Miscellany (Oversize), 1912-1945

Academic degree, presidential appointments, and diplomas.
Arranged according to type of material.

BOX OV 1

Degree, 1912
Presidential appointments, 1926-1940
Diploma, National Association of Lawyers of Mexico, 1945