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International Trade

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SIGNIFICANT LAW REVIEW ARTICLES

which value reached is subject to doubt as to its binding effect on the Commissioner of Internal Revenue are appraisal and arbitration. Proper planning can achieve a figure conclusive for federal estate tax purposes. The more accurate the method used, that is, the closer it comes to reaching the true fair value, the more likely will be its acceptability to the Commissioner.

ROBERT A. ROMERO, JR.
Casenote Editor

INTERNATIONAL TRADE

A UNIFORM LAW FOR INTERNATIONAL SALES by John Honnold, 107 U. of Pa. L.R. 299 (January 1959)

During the last quarter century, a commission of European lawyers has been drafting a yet uncompleted uniform law to cover international sales. Despite the extent of the foreign trade of the United States and its importance in the maintenance of favorable international relations, this country has not participated in the work. Both the treaty-making powers and the power to regulate foreign commerce furnish the constitutional bases for the adoption of the proposed law, either as a treaty or legislation.

The draftsmen have sought to eliminate the peculiar technicalities engrafted in the sales law codifications of both common and civil law countries, one noteworthy instance being in the area of warranties. Risk of loss has been approached neither from the viewpoint of the property concept of the Uniform Sales Act, nor of the allocation of risk theory of the Uniform Commercial Code, but through a concept new to Anglo-American law embraced in the French term *délivrance* which deals with the handing over of goods conforming to the contract. The result of the use of this concept is a formulation more consistent with mercantile understanding in overseas trade than those found in our domestic sales laws. Salvage is treated so as to provide an even more efficient disposition of goods that have been rightly rejected, than under the Uniform Commercial Code.

The work of the draftsmen was progressed to the point where United Nations sponsorship appears desirable for completion and formulation. Professor Honnold concludes with an expression of hope for a greater national participation in cooperative endeavors to meet day-to-day needs of trade as a step in the development of an international legal order.

ROBERT DOIA

LABOR

REFLECTIONS UPON LABOR ARBITRATION by Archibald Cox, 72 Harv. L. Rev. 1482 (June 1959)

In this article Professor Cox concerns himself with the conflict between arbitral awards and judicial decisions, and seeks to find