

Underhill v. Hernandez (1897)

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In 1892, General Hernandez -- a military leader of the revolutionary Crespo faction -- entered Bolivar and forcefully required George F. Underhill (U.S. citizen) to remain and keep the waterworks (which he had built) functioning.

Underhill then brought an action for damages caused by the wrongful detention and alleged assaults and affronts.

How did the court gain jurisdiction over General Hernandez?

Would the detention of Underhill be viewed as a violation of his human rights today?

What is the holding of the Court, and why?

What should Underhill do next?

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“Every sovereign State is bound to respect the independence of every other sovereign State, and **the courts of one country will not sit in judgment on the acts of the government of another done within its own territory.**

Redress of grievances by reason of such acts must be obtained through the means open to be availed of by sovereign powers as between themselves.” (Emphasis added.)

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