

THE
AMERICAN JOURNAL
OF
INTERNATIONAL LAW



VOLUME 9

1915

Reprinted with the permission of The American Society of International Law

JOHNSON REPRINT CORPORATION

NEW YORK AND LONDON

COPYRIGHT, 1915
BY
THE AMERICAN SOCIETY OF INTERNATIONAL LAW

First reprinting, 1962, Johnson Reprint Corporation

TABLE OF CONTENTS, VOLUME NINE

[No. 1, January, 1915, pp. 1-296; No. 2, April, 1915, pp. 297-582; No. 3, July, 1915, pp. 583-792; No. 4, October, 1915, pp. 793-1046.]

WAR AND THE LAW OF NATIONS IN THE TWENTIETH CENTURY. <i>Louis Renault</i>	1
INTERNATIONAL LAW AS APPLIED BY ENGLAND IN THE WAR. <i>Norman Bentwich.</i>	
Maritime Capture	17
Trading with the Enemy	352
The Treatment of Alien Enemies	642
THE ORGANIZATION OF INTERNATIONAL FORCE. <i>Arthur W. Spencer</i>	45
SOME QUESTIONS OF INTERNATIONAL LAW IN THE EUROPEAN WAR. <i>James W. Garner:</i>	
The Violation of Neutral Territory	72
The Use of Submarine Mines	86
Aerial Bombardment of undefended Towns	93
Destruction of Towns and of Institutions Devoted to Religion, Education, Science and Art, as Punitive Measures	101
Contraband, Right of Search, and Continuous Voyage	372
War Zones and Submarine Warfare	594
Blockades	818
PRIVATE PECUNIARY CLAIMS ARISING OUT OF WAR. <i>Edwin M. Borchard</i>	113
THE A. B. C. MEDIATION. <i>James L. Slayden</i>	147
TRAINING IN UNIVERSITIES FOR CONSULAR AND DIPLOMATIC SERVICE. <i>C. A. Duniway</i>	153
AN ANGLO-AMERICAN PRIZE TRIBUNAL. <i>Simeon E. Baldwin</i>	297
THE THEORY OF THE INDEPENDENCE AND EQUALITY OF STATES. <i>Philip Marshall Brown</i>	305
INTERNATIONAL ASPECTS OF THE TITANIC CASE. <i>Arthur K. Kuhn</i>	336
THE DIPLOMATIC CORRESPONDENCE LEADING UP TO THE WAR. Part I. <i>William Cullen Dennis</i>	402
THE DOCTRINE OF CONTINUOUS VOYAGES IN THE EIGHTEENTH CENTURY. <i>Harmodio Arias</i>	583
THE DOCTRINE OF SERVIDUTES IN INTERNATIONAL LAW. <i>Pitman B. Potter</i>	627
	iii

THE "CONTINUOUS VOYAGE" DOCTRINE DURING THE CIVIL WAR, AND NOW. <i>Simeon E. Baldwin</i>	793
PACIFIC AND ASIATIC DOCTRINES AKIN TO THE MONROE DOCTRINE. <i>Albert Bushnell Hart</i>	802
THE NICARAGUAN MIXED CLAIMS COMMISSION. <i>Otto Schoenrich</i>	858
THE NEW BRITISH IMPERIAL LAW OF NATIONALITY. <i>Richard W. Flounroy, Jr.</i>	870
THE RELATIONS BETWEEN THE UNITED STATES AND PORTO RICO. Part I. <i>Pedro Capó-Rodríguez</i>	883
BOARD OF EDITORS.....	167, 443, 659, 913
EDITORIAL COMMENT:	
The regulations governing the use of the Panama Canal by belligerents..	167
Secretary Bryan's peace plan.....	175
The purchase of vessels of war in neutral countries by belligerents.....	177
The status of armed merchant vessels.....	188
Merchant vessels suspected of carrying supplies to belligerent vessels....	190
Some technical points regarding the Hague conventions.....	191
The transfer of war vessels from belligerents to neutrals.....	195
The sanctity of treaties.....	198
The status of the Declaration of London.....	199
Egypt a British protectorate.....	202
Annexation of Cyprus by Great Britain.....	204
The British mission to the Vatican.....	206
Guido Fusinato—In memoriam.....	208
Contraband of war.....	210
American neutrality.....	443
Seizure and detention of neutral cargoes—Visit and search—Continuous voyage.....	456
Mines, submarines and war zones—The absence of blockade.....	461
The use of neutral flags on merchant vessels of belligerents.....	471
Postponement of the annual meeting of the Society.....	473
The diplomatic correspondence between the United States and other Powers concerning the war.....	474
The effect of the war on international law.....	475
The Department of State and the war—Admission to the diplomatic service	478
Violations of neutral waters.....	481
The internment of German vessels in the United States.....	486
The joint resolution of Congress to empower the President to better enforce and maintain the neutrality of the United States.....	490
The effect of Mr. Bryan's peace treaties upon the relations of the United States with the nations at war.....	494
In memoriam—Pasquale Fiore.....	496
The William P. Frye case.....	497, 703
The resignation of Mr. Bryan as Secretary of State.....	659

EDITORIAL COMMENT—*Continued*

The controversy between the United States and Germany over the use of submarines against merchant vessels	666
The questions in dispute between the United States and Great Britain with reference to interference with neutral trade	680
The sale of arms and ammunition by American merchants to belligerents	687
The appointment of Mr. Robert Lansing as Secretary of State	694
The use of poisonous gases in war	697
The special supplement of diplomatic correspondence of the United States concerning the war	698
Porfirio Diaz	700
The neutrality of Belgium	707
The quotation from the Journal in the decision of the British Prize Court in the Chicago Meat Packers' Cases	913
The Ninth Annual Meeting of the Society	915
The Pan-American Scientific Congress	919
The American Institute of International Law	923
The attitude of journals of international law in time of war	924
The sale of munitions of war	927
The recall of Ambassador Dumba	935
The German Imperial and State citizenship law	939
Dual citizenship	942
The binding effect upon the German Empire of the treaty of London of 1867 neutralizing Luxemburg	948
The Hague conventions and the neutrality of Belgium and Luxemburg . .	959
CHRONICLE OF INTERNATIONAL EVENTS. <i>Kathryn Sellers</i>	221, 503, 721, 963
PUBLIC DOCUMENTS RELATING TO INTERNATIONAL LAW. <i>George A. Finch</i>	230, 514, 730, 973
JUDICIAL DECISIONS INVOLVING QUESTIONS OF INTERNATIONAL LAW:	
Award in arbitration between the Netherlands and Portugal concerning boundary in Island of Timor	240
Brig "Sally." United States Court of Claims	521
British Prize Court decisions:	
The Chile	528
The Marie Glaeser	531
The Tommi—The Rothersand	539
The Aldworth (Part Cargo ex.)	544
The Berlin	544
The Möwe	547
The Miramichi	739
The Schlesien	745
The Roumanian	746
The Juno	754
The Odessa; The Cape Corso	754
The Tergesteia	758
The Cumberland	759

JUDICIAL DECISIONS INVOLVING QUESTIONS OF INTERNATIONAL LAW—*Continued*

The Kim, The Alfred Nobel, The Bjornsterjne Bjornson, and the Fridland	979
The Zamora	1005
French Prize Council decision: The Dacia	1015

BOOK REVIEWS:

Dunning: The British Empire and the United States	269
Hershey: The Essentials of International Law	272
Foote: Private International Law	276
Carnegie Endowment: The Report of the International Commission to inquire into the Causes and Conduct of the Balkan Wars	279
Baty: Polarized Law	281
Phillips: The West in the Diplomacy of the American Revolution	283
Salviole: Le doppie imposte in diritto internazionale	284
Schoenborn: Die Besetzung von Veracruz	285
Hill: History of Diplomacy in the International Development of Eu- rope	286
Tittoni: Italy's Foreign and Colonial Policy	554
Strupp: Das Internationale Landkriegsrecht	557
Thurn: Die Funkentelegrafie im Recht	559
Büchi: Die Geschichte der Pan-Amerikanischen Bewegung mit besonderer Berücksichtigung ihrer völkerrechtlichen Bedeutung	560
Harris: Intervention and Colonization in Africa	562
Figgis: The Divine Right of Kings	568
Ehrlich: Grundlegung der Soziologie des Rechts	569
Borchard: The Bibliography of International Law and Continental Law	572
Einicke: Rechte und Pflichten der Neutralen Mächte im Seekrieg nach dem Haager Abkommen vom 18 Oktober, 1907	573
Arcaya: Proyecto de Ley de Aplicación del Derecho Internacional Privado	574
Nijhoff: War Obviated by an International Police	760
Updyke: The Diplomacy of the War of 1812	762
Hodges: The Doctrine of Intervention	765
Zitelmann: Internationales Privatrecht	767
Westlake: Collected Papers on Public International Law	770
Geny: Science et Technique en droit privé positif	772
Marinoni: Della Condizione Giuridica Delle Societa Commerciali Straniere Brown: Foreigners in Turkey: Their Juridical Status	775
Huberich and King: The Prize Code of the German Empire	777
Huberich: Das Englische Prisenrecht in seiner neuesten Gestalt	1028
Goethals: Government of the Panama Canal Zone	1028
Hall: Outline of International Law	1030
Huberich and Nicol-Speyer: German Legislation for the Occupied Terri- tories of Belgium	1032
	1033

BOOK REVIEWS—*Continued*

Nijhoff: Conventions and Declarations between the Powers concerning War, Arbitration and Neutrality	1034
Borchard and Palmer: Guide to the Law and Legal Literature of Spain	1035
PERIODICAL LITERATURE OF INTERNATIONAL LAW. <i>Kathryn Sellers</i>	290, 576, 782, 1037
INDEX	1047

 SUPPLEMENT—IMPORTANT TEXTS OF AN INTERNATIONAL CHARACTER

THE AMERICAN JOURNAL OF INTERNATIONAL LAW is supplied to all members of the American Society of International Law without extra charge, as the membership fee of five dollars per annum includes the right to all issues of the JOURNAL published during the year for which the dues are paid. (Members residing in foreign countries pay one dollar extra per annum to cover foreign postage.)

The annual subscription to non-members of the Society is five dollars per annum (one dollar extra is charged for foreign postage), and should be placed with the publishers, Baker, Voorhis & Company, 45 and 47 John Street, New York City.

Single copies of the JOURNAL will be supplied by the publishers at \$1.25 per copy.

Applications for membership in the Society, correspondence with reference to the JOURNAL, and books for review should be sent to James Brown Scott, Editor in Chief, 2 Jackson Place, Washington, D. C.