

THE  
AMERICAN JOURNAL  
OF  
INTERNATIONAL LAW



VOLUME 17

1923

PUBLISHED BY

THE AMERICAN SOCIETY OF INTERNATIONAL LAW

PUBLICATION OFFICE:  
THE RUMFORD PRESS  
CONCORD, N. H.

EDITORIAL AND EXECUTIVE OFFICE:  
2 JACKSON PLACE  
WASHINGTON, D. C.

**COPYRIGHT, 1923**  
**BY**  
**THE AMERICAN SOCIETY OF INTERNATIONAL LAW**

## CONTENTS OF VOLUME SEVENTEEN

	PAGE
SUGGESTIONS AS TO CHANGES IN THE INTERNATIONAL LAW FOR MARITIME WAR. <i>William L. Rodgers</i> .....	1
THE FIRST YEAR OF THE PERMANENT COURT OF INTERNATIONAL JUSTICE. <i>Manley O. Hudson</i> .....	15
SOME LEGAL ASPECTS OF THE JAPANESE QUESTION. <i>Raymond Leslie Buell</i> .....	29
THE MANDATORY SYSTEM. <i>Mark Carter Mills</i> .....	50
THE NEUTRALIZATION OF THE AALAND ISLANDS. <i>Charles Noble Gregory</i> .....	63
THE CAPITULATIONS OF THE OTTOMAN EMPIRE AND THE QUESTION OF THEIR ABROGATION AS IT AFFECTS THE UNITED STATES. <i>Lucius Ellsworth Thayer</i> .....	207
INTERNATIONAL LAW IN ITS RELATION TO CONSTITUTIONAL LAW. <i>Quincy Wright</i> .....	234
TORT AT INTERNATIONAL LAW. <i>Jennings C. Wise</i> .....	245
RUSSIA IN THE FAR EAST. <i>S. A. Korff</i> .....	252
THE UNITED STATES AND THE PERMANENT COURT OF INTERNATIONAL JUSTICE. <i>Eugène Borel</i> .....	429
THE INTERNATIONAL ORGANIZATION OF THE DANUBE UNDER THE PEACE TREATIES <i>Gordon E. Sherman</i> .....	438
THE RHINELAND COMMISSION AT WORK. <i>Robert E. Ireton</i> .....	460
INTERNATIONAL TRAFFIC LAW: ITS FORMS AND REQUIREMENTS. <i>Ernst Hollander</i> .....	470
THE PROTECTION OF AMERICAN CITIZENS IN CHINA: CASES OF LAWLESSNESS. <i>Benjamin H. Williams</i> .....	489
OBSERVATIONS ON THE MONROE DOCTRINE. <i>Charles E. Hughes</i> .....	611
THE LAWS OF WAR CONCERNING AVIATION AND RADIO. <i>William L. Rodgers</i> .....	629
PROTECTION OF MINORITIES BY THE LEAGUE OF NATIONS. <i>Helmer Rosting</i> .....	641
THE COMPETENCE OF THE MIXED ARBITRAL COURTS OF THE TREATY OF VERSAILLES <i>Karl Strupp</i> .....	661
SOVEREIGNTY OF THE MANDATES. <i>Quincy Wright</i> .....	691
NEUTRALITY AND THE WORLD WAR. <i>Malbone W. Graham, Jr.</i> .....	704
EDITORIAL COMMENT:	
The Third Assembly of the League of Nations. <i>David Jayne Hill</i> .....	77
The Tacna-Arica arbitration. <i>James Brown Scott</i> .....	82
The marginal sea. <i>Philip Marshall Brown</i> .....	89
The comity of nations. <i>Theodore S. Woolsey</i> .....	95
Nationality of married women. <i>Jesse S. Reeves</i> .....	97
The Isle of Pines. <i>James Brown Scott</i> .....	100
The proposed consolidation of the diplomatic and consular services of the United States. <i>Robert Lansing</i> .....	285
United States-Norway arbitration award. <i>James Brown Scott</i> .....	287
The Lausanne conference. <i>Philip Marshall Brown</i> .....	290
The recognition of Soviet Russia. <i>James Brown Scott</i> .....	296
An important decision by the Permanent Court of International Justice. <i>Charles Noble Gregory</i> .....	298
The Solicitor for the State Department. <i>James Brown Scott</i> .....	307
Clearing the way for the Nicaragua canal. <i>Jesse S. Reeves</i> .....	309

	PAGE
The Central American conference. <i>James Brown Scott</i> . . . . .	313
The settlement of the British debt to the United States. <i>George A. Finch</i> . . . . .	319
The judicial settlement of disputes between states of the American Union. <i>James Brown Scott</i> . . . . .	326
Japanese and Hindu naturalization in the United States. <i>James Brown Scott</i> . . . . .	328
The Supreme Court decision in the ship liquor cases. <i>Theodore S. Woolsey</i> . . . . .	504
Foreign language teaching in the United States. <i>James Brown Scott</i> . . . . .	507
The cancellation of the Lansing-Ishii agreement. <i>James Brown Scott</i> . . . . .	510
The payment of the costs of the American army of occupation on the Rhine. <i>George A. Finch</i> . . . . .	513
The fifth international conference of American states. <i>James Brown Scott</i> . . . . .	518
The United States and the Permanent Court of International Justice. <i>George A. Finch</i> . . . . .	521
The legality of the occupation of the Ruhr Valley. <i>George A. Finch</i> . . . . .	724
President Harding. <i>Charles Noble Gregory</i> . . . . .	734
Suits brought by foreign states with unrecognized governments. <i>Quincy Wright</i> . . . . .	742
The Hague Academy of International Law. <i>James Brown Scott</i> . . . . .	746
The Institute of International Law. <i>James Brown Scott</i> . . . . .	751
<b>CURRENT NOTES:</b>	
The Institute of International Law. <i>James Brown Scott</i> . . . . .	105
Courts-martial and the laws of war. <i>Elbridge Colby</i> . . . . .	109
The financial reconstruction of Austria. <i>J. A. Saller</i> . . . . .	116
Participation of the United States in the Permanent Court of International Justice:	
Message of the President to the Senate. <i>February 24, 1923</i> . . . . .	331
Letter of the Secretary of State to the President. <i>February 17, 1923</i> . . . . .	332
Letter of the President to the Foreign Relations Committee. <i>March 2, 1923</i> . . . . .	339
Letter of the Secretary of State to the President. <i>March 1, 1923</i> . . . . .	339
The annual meeting of the American Society of International Law. <i>George A. Finch</i> . . . . .	527
President Harding's address on the Permanent Court of International Justice. <i>June 21, 1923</i> . . . . .	533
The Academy of International Law at The Hague . . . . .	536
The Carnegie Endowment Fellowships in International Law . . . . .	537
In memoriam: James Bryce, Harry Shepard Knapp, Ruy Barbosa . . . . .	539
Renewal of diplomatic relations between the United States and Mexico . . . . .	758
The Haitian claims commission . . . . .	758
The Platt amendment . . . . .	761
Third international sociological congress . . . . .	765
The American peace award . . . . .	766
<b>CHRONICLE OF INTERNATIONAL EVENTS.</b> <i>M. Alice Matthews</i> . . . . .	129, 344, 543, 769
<b>PUBLIC DOCUMENTS RELATING TO INTERNATIONAL LAW.</b> <i>George A. Finch</i> . . . . .	147, 357, 558, 783
<b>JUDICIAL DECISIONS INVOLVING QUESTIONS OF INTERNATIONAL LAW:</b>	
<i>Supreme Court of the United States:</i>	
<i>Takao Ozawa v. The United States</i> . . . . .	151
<i>Cunard Steamship Company v. Secretary of the Treasury</i> . . . . .	563
<i>United States v. Bhagat Singh Thind</i> . . . . .	572
<i>United States-Peruvian Arbitral Commission:</i>	
Award in the matter of the Landreau claim against Peru . . . . .	157

	PAGE
<i>Permanent Court of Arbitration at The Hague:</i>	
Award of the tribunal of arbitration between the United States and the Kingdom of Norway under the special agreement of June 30, 1921 . . . . .	362
Letter of the Honorable Chandler P. Anderson, American arbitrator, to the Secretary General of the Permanent Court of Arbitration . . . . .	399
Statement made in open court by Mr. William C. Dennis, agent of the United States . . . . .	399
<i>Supreme Court of New York:</i>	
Vanderbilt et al. v. Travelers Insurance Company . . . . .	578
<i>Walker D. Hines, Arbitrator:</i>	
In the matter of the cessions by Germany to France under Article 357 of the Treaty of Versailles . . . . .	786
<b>BOOK REVIEWS AND NOTES:</b>	
Bau: The foreign relations of China . . . . .	174
Belaunde: The treaty of Ancon in the light of international Law . . . . .	176
Berdahl: War powers of the Executive in the United States . . . . .	177
Henrich: Theorie des Staatsgebeites entwickelt aus der Lehre von den lokalen Kompetenzen der Staatsperson . . . . .	180
Herbert: Nationality and its problems . . . . .	181
Keynes: A revision of the treaty . . . . .	184
Körling: Die Rechtsnatur des Völkerbundes . . . . .	185
Pierson: Our changing constitution . . . . .	186
Ralston: Democracy's international law . . . . .	190
Reinsch: An American diplomat in China . . . . .	192
Salter: Allied shipping control . . . . .	197
Treat: Japan and the United States 1853-1921 . . . . .	198
Warren: The Supreme Court in United States history . . . . .	186
Wilson: International law . . . . .	200
Cobbett: Leading cases on international law . . . . .	400
Cresson: The Holy Alliance . . . . .	401
Dennett: Americans in Eastern Asia . . . . .	402
Katz: Der internationale rechtshof . . . . .	404
Kawakami: Japan's Pacific policy . . . . .	405
Kosters and Bellemans: Les conventions de la Haye de 1902 et 1905 sur le droit internationale privé . . . . .	407
Loeb: The legal status of American corporations in France . . . . .	408
Magvary: Die internationale schiedsgerichtbarkeit im Völkerbunde . . . . .	404
Neumeyer: Internationales verwaltungsrecht . . . . .	411
Oppenheim: International law . . . . .	412
Rowell: The British Empire and world peace . . . . .	416
Spiropulos: Expulsion and internment of enemy nationals . . . . .	417
Travers: Le droit penal international et sa mise en oeuvre en temps de paix et en temps de guerre . . . . .	419
Westlake: A treatise on private international law . . . . .	420
Wright: The control of American foreign relations . . . . .	422
Baker: Woodrow Wilson and world settlement . . . . .	582
Cárdenas: La politica de los Estados Unidos en el continente americano . . . . .	584
Churchill: The world crisis . . . . .	590
Hadjiscos: Les sanctions internationales de la Société des Nations . . . . .	591
Keith: War Government in the Dominions . . . . .	593
McBain and Rogers: The new constitutions of Europe . . . . .	595
Niemeyer: Völkerrecht . . . . .	597

	PAGE
Roman: Répertoire général de législation et de jurisprudence en matière de dom- mages de guerre . . . . .	598
Satow: A guide to diplomatic practice . . . . .	599
Sun: The international development of China . . . . .	601
Bemis: Jay's treaty: A study in commerce and diplomacy . . . . .	809
Dickinson: War: Its nature, cause and cure . . . . .	810
Fauchille: Traité de droit international public . . . . .	812
Fuller: Bismarck's diplomacy at its zenith . . . . .	813
Holt: The elementary principles of modern government . . . . .	816
Iswolsky: Recollections of a foreign minister . . . . .	817
Korff: Russia's foreign relations during the last half century . . . . .	818
Le Roy: L'Abrogation de la neutralité de la Belgique . . . . .	819
Miliukov: Russia today and tomorrow . . . . .	823
Torriente: Actividades de la Liga de las Naciones . . . . .	827
Viviani: Réponse au Kaiser . . . . .	828
Wilhelm II: The Kaiser's memoirs . . . . .	828
Wistrand: La diplomatie et les conflits de nationalités . . . . .	834
Notes . . . . .	836
<b>PERIODICAL LITERATURE ON INTERNATIONAL LAW SUBJECTS. Hope K.</b>	
<i>Thompson</i> . . . . .	204, 424, 606, 843
<b>INDEX</b> . . . . .	<b>847</b>