

International Law Studies—Volume 36

International Law Solutions

The thoughts and opinions expressed are those of the authors and not necessarily of the U.S. Government, the U.S. Department of the Navy or the Naval War College.

# INDEX

---

	Page
Aerial warfare, restrictions on.....	39
Aggressor.....	90
Air, freedom of the.....	44
Aircraft:	
analogy of, to submarines.....	66
attached to vessel.....	79
belligerent, in neutral jurisdiction.....	98
dropping of bombs by.....	31
effect on, on conduct of war.....	39
in distress.....	73, 80
in neutral jurisdiction.....	75, 80, 85
internment of.....	35, 74, 80, 98
personnel of.....	79
rules as to.....	44, 75
United States, over Mexico, 1919.....	72
visit by.....	35, 63 ff., 65, 67
Aircraft carriers.....	74
Air power, use of, in war.....	38
<i>Anna Maria</i> , The, 1817.....	62
Armed merchant vessels.....	58
Armed Neutralities, 1790 and 1800.....	93
Arms and munitions of war:	
exportation of.....	99, 109, 117
to Spain, 1936.....	131
Geneva Convention of 1925 as to.....	113
importation of, into China.....	112
neutral trade in, 1915.....	107
sale of.....	89, 103, 114
“At their own risk”.....	116, 129
Balloons, discharge of projectiles from.....	38, 40, 41, 42
Base of operations.....	86
Belligerency:	
and political revolt.....	3, 4
recognition of.....	3, 22
Belligerent rights.....	53, 85, 91
Belligerent troops, in neutral territory.....	97
Belligerent vessel:	
in neutral ports.....	24, 97, 88
travel of neutrals on.....	116, 128
Belligerents, restriction on aid to.....	89
Blockage, of insurgent ports.....	8
1820—37——10.....	137

	Page
Bolivia:	
recognition of provisional government of, 1899.....	17
recognition <i>de facto</i> .....	10, 11
war with Paraguay, 1933.....	94
Brazil:	
Neutrality decree, 1933.....	94
Rules of neutrality, 1933.....	95
Brussels protocol, 1908.....	111
Bullets, expanding.....	40
Cargo, destination of.....	53
Carranza, General.....	21
Chaco arms embargo, 1934.....	114
China, importation of arms into, 1919.....	112
Civil strife, Convention concerning rights and duties of states in the event of, Habana, 1928.....	6
Civil war, recognition of the existence of.....	7
Clearance, restrictions on.....	105
Closure of ports.....	28
Coaling.....	88
Collective action.....	11, 90, 112
Colombia: attitude toward insurgents, 1885.....	19
Commission of jurists, 1923:	
as to internment of belligerent aircraft.....	74
as to use of radio.....	78
as to visit and search by aircraft.....	63, 66, 68
Consul of Spain <i>v.</i> The Conception, 1819.....	7
Continuous voyage.....	102
Contraband.....	47, 53, 85, 89, 95, 101
conditional.....	56, 57, 101
neutral trade in.....	99, 104, 109, 110
Conversion.....	59
Costa Rica:	
recall of recognition of.....	11
strained relations of, with Panama.....	13
Crozier, General.....	40
Declaration of London, 1909.....	46, 58, 95
Declaration of Paris, 1856.....	58, 83, 95
Detention, of ships.....	50, 55, 76
Deviation of vessels.....	79
by aircraft.....	65, 69
Spaight on.....	70
Diversion:	
of neutral cargoes.....	45

## Diversion—Continued.

	Page
of vessels:	
by aircraft.....	69
German Prize Ordinance.....	54
Japanese regulations.....	50
Dominican Republic.....	17, 23, 24
Economic sanctions.....	92
Egypt, British protectorate.....	21
Embargo on arms.....	100, 108
United States.....	114, 117, 120
Enlistment, in neutral territory.....	86, 96
Ethiopia, war with Italy.....	118
Fish, Secretary, as to recognition <i>de facto</i> .....	16
Fitting out or arming.....	87, 97
<i>Fordney, Joseph W.</i> , case of the.....	55
Fueling.....	88, 96
Geneva Convention, 1925.....	113
Germany:	
Prize code, 1916.....	57
Prize ordinance, 1909.....	57
Warning as to <i>Lusitania</i> .....	129
<i>Glitra</i> , the.....	46
Great Britain:	
as to blockade of insurgents.....	8
Interference with American shipping.....	45, 46, 49, 102
Grey, Sir Edward, as to British policies, 1914-18.....	48
Hague conference:	
1899.....	40
1907.....	42
Hague Convention:	
III, 1907.....	134
V, 1907.....	78, 79
Hall, J. A., as to visit and search.....	53
Hall, W. E., as to resistance to search.....	59
Holland, Sir Thomas.....	60
Hospital ships.....	97
Hull, Secretary:	
as to American trade with belligerents.....	116
as to U. S. embargo on arms.....	120
Insurgency:	
admission of existence of.....	5
blockade and recognition of.....	8
laws of war and.....	32
recognition of.....	3, 32

	Page
Insurgency—Continued.	
status of .....	6
Insurgent vessels, as pirates .....	18
Insurgents:	
as pirates .....	2
blockade of .....	8
seizure by .....	18
Internment:	
of aircraft .....	35, 74, 80, 98
of persons .....	97, 98
Intervention, non .....	132
Italo-Ethiopian war .....	92, 118
Jellicoe, Sir John .....	51
<i>Kane</i> , U. S. destroyer .....	31
Kellogg-Briand pact, 1928 .....	93
Liberia, civil strife in .....	24
Lieber's Code (General Orders 100) .....	37
Litvinoff, M., on neutrality .....	133
Loans. ( <i>See</i> War loans.)	
London Naval Conference, 1930 .....	75
London Naval Treaty, 1930, as to submarines .....	43, 62
Loubet award .....	13
<i>Lusitania</i> , the .....	127, 129, 130
Mandated areas, traffic in arms and .....	113
<i>Maria</i> , the, 1799 .....	60
Maritime Neutrality, convention on, Habana, 1928 .....	93, 95
Merchant vessels	
and aircraft .....	66
armed for defense .....	57
British interference with .....	46
sinking of .....	75, 61
treatment of, by submarines .....	43
visit and search:	
by aircraft .....	35, 63, 66, 68
escape from .....	61
resistance to .....	57 ff.
Mexico .....	11, 20
Moore, John Bassett, as to visit and search .....	68
Netherlands American Steam Navigation Co. <i>v.</i> H. M. Procurator General, 1925 .....	77
Neutral cargoes .....	45, 46
Neutral commerce:	
Brazilian decree as to, 1933 .....	95
in war materials .....	99, 106, 107

	Page
Neutral commerce—Continued.	
interference with.....	44 ff.
Pinckney, Marshall, and Gerry, as to, 1798.....	85
Spaight as to future of.....	70
U. S. attitude toward, 1935.....	121
Neutral destination.....	45
Neutral jurisdiction:	
aircraft in.....	74, 75, 80, 85
arming or equipping of vessels in.....	84
Neutral persons.....	91, 129
Neutral ports:	
belligerent use of.....	97
closure of.....	28
repairs in.....	97
Neutral prize sinking of.....	60
Neutral property.....	60
Neutral rights.....	84, 91, 93
U. S. championing of.....	51, 134
Neutral shipping, treatment of, 1914.....	48
Neutral territory:	
belligerent aircraft in.....	74, 98
enlistment in.....	86, 96
U. S. Penal Code, 1909, as to.....	86
wireless stations of belligerents in.....	79
Neutral territorial waters.....	74, 87
Neutral travel, on belligerent ships.....	116, 128
Neutrality:	
1914-36.....	82-135
abandonment of.....	91
and civil war.....	8
Brazilian attitude toward, 1933.....	95, 96
changing attitudes on.....	92-3
domestic regulation of.....	82
in war between Bolivia and Paraguay.....	94
U. S. attitude toward.....	51, 83, 134
Neutrality laws.....	98
Neutrality proclamation:	
Brazil, 1933.....	94
U. S., 1914.....	85
Nicaragua.....	27
Non-intervention, Spanish situation and.....	132
Oetjen v. Central Leather Co., 1918.....	29
Page, Walter Hines, as to British policy in World War.....	48

	Page
Panama:	
strained relations with Costa Rica.....	13
U. S. recognition <i>de facto</i> of.....	17
Panama Canal Zone, use of radio in World War....	79
Paraguay:	
recognition of.....	11
war with Bolivia, 1933.....	94
Passports.....	127
Peru:	
recognition of.....	21
U. S. convention with.....	84
Petroleum.....	103
Phillips, William, as to Spanish situation, 1936.....	131
Pirates.....	2, 8, 18, 19
“Place of safety”.....	61, 62
Political revolt and belligerency.....	4
Ports:	
closure of.....	28
insurgent.....	33
Portugal, recognition of.....	20
Private property.....	30
Privateering.....	83
“Proceed as directed”.....	71, 79
Protectorate, over Egypt.....	21
Radio, in war.....	78, 79
Recognition:	
legitimacy of new governments.....	3, 14, 16, 22
by concurrent action.....	10
collective recall of.....	11
<i>de facto</i> .....	9, 16, 20
<i>de jure</i> .....	20, 29
joint delay in.....	11
retroactive.....	29
use of term.....	14
(See also Belligerency, recognition of.)	
Renault, L.....	41
Repairs, in neutral ports.....	88, 96
Retaliation.....	76, 129
Revolution, right of.....	2
Revolutionary government, status of.....	29
Richmond, Admiral.....	75
Rubber.....	104
Russia, U. S. recognition of Kerensky government, 1917..	28
(See also U. S. S. R.)	

	Page
Russo-Japanese war .....	41
St. Germain-en-Laye, convention of, 1919 .....	111
<i>Salvador</i> , The, case of .....	5
<i>Sapphire</i> , The, case of .....	15
Seizure .....	59, 77
of goods .....	55
<i>Sommelsdijk</i> , The, case of .....	77
Spaight, J. M.:	
as to aircraft and merchant vessels .....	67
as to aircraft and neutral jurisdiction .....	75
as to deviation .....	70
Spain:	
non-intervention in .....	132
recognition of, 1870 .....	16
revolution in, 1936 .....	30, 131
Spanish Instructions, 1898 .....	58
Stone, Senator, as to neutral trade .....	100 ff.
Submarines:	
and aircraft .....	75
London Naval Treaty, 1930, as to .....	62
rules as to .....	43
Summons .....	70, 79, 71
<i>Three Friends</i> , case of .....	4, 5
Traffic in arms, and mandated territory .....	113
Transport of belligerent soldiers .....	89
Travel:	
government restrictions on .....	126
in time of war .....	116, 121, 127, 128
Treaty of Versailles .....	14, 22
Twenty-four hour rule .....	28, 87
United States:	
Act, 1912, as to export of arms .....	99
Act, 1917, as to export of arms .....	110
as champion of neutrality .....	51, 134
as mediator in Panama-Costa Rica dispute .....	14
as to declaration of war by Panama, 1921 .....	13
attitude toward Spanish insurgents, 1936 .....	30, 131
Chaco arms embargo .....	114
circular as to neutral trade .....	99
commerce, British interference with .....	45, 47, 49, 102
Joint Resolution, February 29, 1936 .....	82, 93, 126, 130, 136
Neutrality Act, 1794 .....	83
Penal Code, 1909 .....	86



	Page
United States—Continued.	
policy as to recognition <i>de facto</i> .....	16
proclamation, as to export of arms, 1935 .....	115
proclamation, as to export of arms, 1936 .....	117
Resolution as to clearance of vessels .....	105
Russian recognition of, 1809 .....	15
United States <i>v.</i> Curtis Wright Export Corporation et al. . .	115
United States <i>v.</i> Palmer, 1818 .....	7
U. S. S. R., recognition of .....	15, 29
Van Dyke, Henry .....	45
Vessels:	
bringing into port .....	49, 50, 52, 53, 78, 63
sending into port .....	63
seizure by insurgents of .....	19
Visit and search:	
at sea .....	48, 77, 51, 70
British attitude toward, 1916 .....	51
by aircraft .....	35, 63, 66, 68
by submarine .....	43
effect of modern conditions on .....	51
in port .....	49, 51, 52, 77
practices during American civil war .....	49
resistance to .....	57 ff.
right of .....	47, 53
U. S. attitude toward, 1916 .....	60
<i>Visite sur place.</i> (See Visit and search, at sea.)	
War:	
Bolivia and Paraguay, 1933 .....	95
declaration of .....	32, 135
Panama and .....	13
airpower and conduct of .....	38, 39
existence of .....	134
insurgency and laws of .....	32
laws of .....	32, 37, 38, 40
War loans .....	122, 123, 124, 126
War material, export of .....	96, 106, 111, 116, 132
(See also Arms and munition of war.)	
War profits .....	92
Washington Treaty, 1922 .....	66
Wharton, Francis, as to insurgents .....	18
White award .....	13
Wilson, Woodrow .....	91
Yugoslavia, recognition of .....	26