

International Law Studies – Volume 34  
International Law Situations with Solutions and Notes  
U.S. Naval War College (Editor)

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 navigation.....	91
Aircraft, in Panama Canal Zone.....	92
Aircraft carrier.....	42, 43
Aircraft station vessel.....	42
American solidarity.....	70
<i>Appam</i> , case of the.....	85
Areas of hostilities.....	98
Argentine, orders of, as to transfer of colors.....	7, 32
Armed merchant vessels.....	76
Attitude of United States toward.....	83
Lansing proposal as to, 1916.....	79
Neutral.....	28
And submarines.....	30
Belligerent attitude toward.....	29
(See also Merchant vessels.)	
Auxiliary vessels.....	79
<i>Baltica</i> , case of the.....	4
<i>Barbarossa</i> , the, cited.....	45
Barcelona conference:	
As to international rivers.....	90
On transit.....	88
Barcelona convention, 1921:	
As to flag of state without seacoast.....	72
Base of operations.....	95, 101
Belligerent rights.....	100
“Benevolent neutrality”.....	71
Bolivia.....	94
Brazil:	
Declaration of war, 1917.....	70
During World War.....	68, 87
Neutrality declaration of, 1933.....	94
Revocation of neutrality, 1917.....	68
Treaty of, with United States, 1828.....	55
British order in council, January 31, 1917.....	59
Burden of proof.....	22
Bynkershoek.....	66
Capture:	
And seizure.....	1, 58
Japanese regulations as to, 1914.....	56

	Page
Cargo, ownership of.....	18
Chile, as to neutral zone.....	95
China.....	99
Commission of jurists, 1923.....	93
Communications, League of Nations covenant as to.....	87
Contraband.....	27, 54
Delivery of, at sea.....	54, 56
Proportion of.....	55, 57
Conversion.....	39, 44, 73
Convoy.....	35
Exemption from visit and search under.....	25
Right of.....	23
Corporate ownership of vessels.....	6, 17
Costa Rica, in World War.....	70
Crimean War, 1854-56.....	4
<i>Dacia</i> , case of the.....	7-16
Daimler Company, Ltd., <i>v.</i> the Continental Tyre and Rubber Co., Ltd., cited.....	17
Danube River.....	90
Declaration of London:	
As to convoy.....	25, 35
As to delivery of contraband.....	52, 55
As to transfer of flag.....	5, 18
As to treatment of captured neutral vessel.....	52
Declaration of Paris, 1856.....	24, 28
Defense ( <i>see also</i> Armed merchant vessels).....	29
Delivery of goods at sea.....	52, 54, 57
Denmark, admission of belligerent war vessels to ports of..	75
Destruction of vessel.....	52
Due diligence.....	74
Egypt.....	93
Elbe River.....	90
Embargo.....	105
Enemy character of vessel.....	17, 18
Enemy goods:	
Seizure of.....	24
Transfer of.....	23, 35
Enemy origin.....	35
Ethiopia and Italy, United States proclamation as to state of war between.....	115
<i>Etsabe</i> , the, cited.....	24
Export of arms and munitions, United States act, 1935, prohibiting.....	105, 115
Far East, status quo in.....	99
<i>Farn</i> , case of the.....	79

	Page
<i>Felicity</i> , the, cited.....	53
Flag:	
Right to fly.....	19, 34
World War treaties on.....	71
Foodstuffs, sale of, in war.....	27
France:	
As to character of vessel.....	19
Attack by merchant vessel of, on submarine.....	84
Attitude of, toward transfer of flag.....	14
Freedom of transit, Barcelona convention on.....	88
Gentilis.....	64
Germany:	
Attitude of, toward armed neutral merchant vessels... ..	31
Demands of, as to transit through Holland.....	89
Proposals of, as to maintenance of status quo in Far East.....	98
Transit of aircraft over.....	91
War zone proclamation of.....	100
Goods. Seizure as prize of.....	55
Government agent, status of.....	60
Great Britain:	
As to admission of submarines to neutral ports.....	82
As to transfer of flag.....	8
As to use of neutral waters.....	45
As to visit and search.....	24
Attitude of, toward armed neutral merchant ships... ..	29
Examination of neutral vessels in ports of.....	59
Grey, Sir Edward.....	56
Grotius.....	66
Hague Conventions:	
III, as to opening of hostilities.....	3
VI, on conversion.....	43, 73
XIII, as to internment.....	46, 79
As to prize in neutral waters.....	86
Hall, J. A., on conversion.....	74
<i>Hamborn</i> , case of the.....	17
Hostile acts.....	12
Hostilities, commencement of.....	3
Inland state at war.....	63-103
Institute of International Law.....	58
Interference with ships.....	39-62
International law.....	41, 65
International Naval Conference, 1908-9.....	5, 24
<i>See also</i> Declaration of London.	

	Page
International rivers. <i>See</i> Rivers.	
International Traffic in Arms Act, U. S., 1935.....	115
Internment.....	14, 20, 46, 78
Italy:	
And Ethiopia, United States proclamation as to state of war between.....	115
As to marginal air-belt.....	94
As to marginal sea.....	76
<i>Jan Frederick</i> , case of the.....	22
Japan:	
Proposals of, to Germany, 1914.....	99
Regulations of, as to capture at sea.....	56
Kiaochow.....	99
<i>Kronprinz Wilhelm</i> , the.....	45
<i>Kronprinzessin Margareta</i> , case of the.....	23
Lansing, Secretary.....	79
Lausanne Conventions, 1923.....	91
League of Nations covenant, as to communications.....	87
Licensing system for control of arms.....	107
Limburg.....	89
London Naval Conference, 1908-9. <i>See</i> International Naval Conference.	
London Naval Conference, 1930, as to submarines.....	47, 49
London Naval Treaty, 1930.....	36, 43, 46, 49, 54
Manual of Naval Prize Law, British Admiralty.....	24
Marginal air zone.....	93
Marginal jurisdiction:	
Six-mile limit.....	76
Three-mile limit.....	76
<i>Maria</i> , the, cited.....	24
Merchant vessels. ( <i>See also</i> Armed merchant vessels and submarines).....	30, 36, 48
Armed for defense.....	30
Armed for offense.....	84
Convoy of.....	28
Sinking of.....	51, 80
Stiffening the decks of.....	74
Military aircraft.....	92
<i>Mississippi</i> , S. S.....	83
Navigable waterways.....	90
Netherlands, The.....	
Closure of ports by, to armed merchant vessels.....	33
Regulations of, as to vessels assimilated to warships.....	76
Transit through.....	89

	Page
Neutral ports:	
Admission of submarines to.....	82, 109
Admission of vessels of war to.....	21, 46, 75
Belligerent vessels in.....	109
Prizes in.....	53, 79, 84
Sequestration in.....	53
Neutral rights.....	28, 29, 86, 100
Neutral waters:	
Armed neutral merchant vessels in.....	32
As base of operations.....	95, 101
Mining of.....	101
Netherlands proclamations as to, 1914.....	76
Use of.....	45
"Vessels of war or vessels assimilated thereto" in.....	74
Neutral zone.....	95
Neutrality:	
Brazilian declaration of, 1933.....	94
Brazilian rules as to.....	87
Breach of.....	82
Laws of.....	2, 65
Proclamation, 1793 ( <i>see also</i> International Traffic in Arms).....	66
Revocation of.....	68
What it is.....	66
Neutralization of maritime areas.....	95
Niemen River.....	90
Norway:	
Ordinance of, as to neutral vessels.....	100
Ports of:	
Admission of belligerent warships to.....	75
Use, of, by armed merchant vessels.....	32
Oder River.....	90
Offensively armed merchant vessels.....	84
Pan American Union.....	96
Panama Canal, United States proclamation as to.....	92
Paraguay.....	94
Peru.....	97
Piracy.....	29
Pirates, armed neutral merchant vessels as.....	31
"Place of safety".....	36, 49, 52, 80, 81
Ports of call.....	59
Privateering.....	28
Prize, in neutral waters.....	53, 79, 84
"Proceed as directed".....	58, 60

	Page
Prussia, treaty of, with United States, 1799.....	85
Reprisals.....	58
Rivers, international.....	90
Roosevelt, President Franklin D., approval of neutrality legislation.....	111, 113
Sale ( <i>see also</i> Transfer of flag):	
Of interned ships.....	10
Or war supplies by citizens of neutral state.....	67
Seacoast, state having no.....	71
Seadromes.....	42, 43
Seizure:	
And capture, differentiation between.....	58
Of vessels.....	51
Under convoy.....	24
“Sending in” of vessels.....	51
Sequestration.....	53
<i>Somers</i> , the.....	47
South American states, in World War.....	70
Propositions of, as to neutral zones.....	97
<i>Southfield</i> , the, cited.....	22
Spain, restrictions of, as to use of ports by armed merchant vessels.....	32, 33
Stowell, Lord.....	53
Straits, regime of.....	91
Submarine warfare.....	80
Submarines.....	54
Abolition of.....	48
Admission of, to neutral ports.....	82, 109
And merchant vessels.....	30, 36, 48
In neutral waters.....	101
London Naval Conference as to.....	49
United States attitude toward:	
1916.....	83
1930.....	47
Use of.....	79, 81
Suez Canal.....	93
Sweden:	
Admission of belligerent warships to ports of.....	75
Proclamation of, as to convoy.....	28
Use of ports of, by armed merchant vessels.....	33
Switzerland:	
United States attitude toward neutrality of.....	98
Ten-mile air zone.....	93

	Page
Territorial waters ( <i>see also</i> Marginal jurisdiction):	
Entrance of submarines to.....	109
Extent of.....	76
Norwegian Ordinance as to.....	100
Three-mile limit. <i>See</i> Marginal jurisdiction.	
Transfer of flag.....	1
After opening of hostilities.....	5
Before war.....	34
<i>Bona fide</i> .....	9, 13, 16
<i>In transitu</i> .....	4
Time element in.....	6
United States instructions as to.....	7
Transfer of goods <i>in transitu</i> .....	21, 23
Treaties:	
Denunciation of.....	42
International law and.....	41
Types of.....	41
Treaty of Lausanne.....	72
Treaty of Neuilly.....	72
Treaty of Saint-Germain-en-Laye.....	72
Treaty of Trianon.....	72
Treaty of Versailles.....	71, 90, 91
Treaty of Washington, 1871, principles of.....	41
Troops and munitions, passage of.....	89
Turkey:	
As to status of Suez Canal.....	93
Freedom of transit in.....	91
Twenty-four-hour rule.....	21
United States:	
Act prohibiting export of arms, ammunition, etc.....	105
Attitude of:	
As to convoy.....	27
As to armed merchant vessels.....	32, 83
As to mining of neutral waters.....	101
As to submarines.....	47, 83
Instructions, as to foreign vessels in its ports.....	32, 44
Instructions regarding transfer of flag.....	7
Neutrality proclamation, 1793.....	66
Neutrality proclamation, 1935.....	115
Note as to revocation of neutrality by Brazil.....	69
On sale to belligerents by neutral citizens.....	67
Rules regarding Panama Canal Zone.....	92
Treaty of, with Brazil, 1828.....	55
Treaty of, with Prussia, 1799.....	85

	Page
Unneutral act.....	10
Use of force.....	29
<i>Vaterland</i> , the.....	45
Vessels:	
Aircraft station.....	42
Armed merchant. <i>See</i> Armed merchant vessels.	
Auxiliary.....	79
Belligerent, travel of American citizens on.....	110, 115
Character of.....	18, 19
Corporate ownership of.....	6, 17
Destruction of neutral.....	52, 54
Interned.....	11
Interference with.....	39-62
Merchant. <i>See</i> Armed merchant vessels; Merchant vessels.	
Ownership of.....	6, 17, 20
Seizure of.....	51
Sending in of.....	51
War:	
Admission of, to neutral ports.....	21, 74
Vessels assimilated to.....	74, 75
Visit and search.....	24, 36, 81
Refusal to stop for.....	36, 49
Resistance to.....	36, 50, 58
Right of, under convoy.....	25
<i>Vrow Margaretha</i> , case of the.....	22
War:	
Brazilian declaration of, 1917.....	70
Economic pressure during.....	12
Inland state at.....	63
International Traffic in Arms Act as to.....	105
Laws of.....	65
State of.....	3, 64, 116
War zone, German.....	100
Washington, President, neutrality proclamation of, 1793..	66
Washington Treaty, 1922.....	43, 46, 73
Wilson, George Grafton, service of, at Naval War College..	III
World War, transfer of flag during.....	6