

International Law Studies—Volume 17

International Law Documents

Neutrality

Breaking of Diplomatic Relations

War

With 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.

Accordingly, our Government and that of His Britannic Majesty, after full and frank communication with each other, agreed to take such measures as may be necessary for the protection of the general interests, contemplated in the agreement of alliance, and we on our part being desirous to attain that object by peaceful means commended our Government to offer with sincerity an advice to the Imperial German Government. By the last day appointed for the purpose, however, our Government failed to receive an answer accepting their advice. It is with profound regret that we, in spite of our ardent devotion to the cause of peace, are thus compelled to declare war, especially at this early period of our reign and while we are still in mourning for our lamented mother.

It is our earnest wish that by the loyalty and valor of our faithful subjects peace may soon be restored and the glory of the Empire be enhanced.

Notification, blockade of Kiao-Chau, August 27, 1914.

[London Gazette, Sept. 1, 1914, p. 6895.]

FOREIGN OFFICE, *August 29, 1914.*

The secretary of state for foreign affairs has received from his excellency the Japanese ambassador the text of a declaration issued on the 27th instant by the imperial Japanese naval authorities announcing the establishment on that date of a blockade of the whole of the littoral of the leased territory of Kiao-Chau.

The coast line affected extends from a point 120° 10' east and 35° 54' north to a point 120° 36' east and 36° 7' north.

A period of 24 hours was allowed within which vessels of allied or neutral states might leave the blockaded area.

Notification, raising of blockade of Tsing-Tao, November 10, 1914.

[Journal Officiel, Nov. 18, 1914, p. 8725; London Gazette, Nov. 17, 1914, p. 9397.]

The Imperial Government of Japan has made known that, in view of the occupation of Tsing-Tao, the blockade declared August 27, 1914, was raised on November 10, 1914.

LIBERIA.

Neutrality Proclamation, August 10, 1914.

A PROCLAMATION

BY THE PRESIDENT OF THE REPUBLIC OF LIBERIA.

Whereas the Government of the Republic of Liberia has been informed that a state of war exists in Europe in which the following powers are belligerents: Austria, Belgium, France, Germany, Great Britain, Russia, and Servia; and,

Whereas the duty and interests of the Republic of Liberia require that it shall in all sincerity and good faith, adopt and maintain a neutral and impartial conduct toward the belligerent powers;

Now, therefore, I, Daniel Edward Howard, President of the Republic of Liberia, have seen fit to declare and by these presents do declare, the strict neutrality of the Republic of Liberia toward the aforesaid powers respectively, and I do hereby exhort and warn all citizens of the Republic of Liberia to carefully avoid all acts and proceedings whatever which may in any manner violate the neutrality above declared.

And I do hereby further make known that any citizen or resident whosoever within the jurisdiction of the Republic of Liberia shall render himself liable to punishment or forfeiture under the laws of nations by:

1. Committing, aiding, or abetting hostilities against any of the said powers or by carrying to any of the articles which are deemed contraband by the laws of nations;

2. Engaging or by aiding or abetting in the engagement of men on board the armed craft of any of such powers in Liberian waters;

3. Enlisting or entering upon any service whatsoever upon the armed craft of any such belligerent powers while in Liberian waters;

4. Retaining or assisting in retaining any person, or in contributing means, for procuring assistance to any of such belligerent powers;

Or by committing any act whatsoever which under the laws of nations would be deemed a violation of the neutrality herein proclaimed.

And I do further declare and order, in keeping with the laws of nations, that no person within the territory and jurisdiction of the Republic of Liberia shall take any part directly or indirectly in said war, but shall remain in peace with each of the subjects or citizens of said belligerent States, and shall observe a strict neutrality toward each and several of the subjects or citizens of said States and shall accord no privileges whatsoever to the one of such belligerents within the Republic of Liberia which in like manner may not be accorded to the other.

And I do further warn all citizens of the Republic of Liberia and all persons residing within our territory or jurisdiction that the violation of any of the above provisions will subject them to peril; and they can in no wise obtain any protection from the Government of the Republic of Liberia against the consequences of their actions.

In witness whereof I have hereunto set my hand and caused the seal of the Republic to be fixed. Done in the city of Monrovia

this 10th day of August, A. D. 1914, and of the Independence of the Republic the Sixty-eighth.

[L. s.]

D. E. HOWARD, *President.*

By the President:

JOSEPH J. SHARP,

Acting Secretary of State.

Proclamation prohibiting trade with belligerent powers, June 20, 1916.

A PROCLAMATION

BY THE PRESIDENT OF LIBERIA.

Whereas by proclamation dated August 10, A. D. 1914, the Government of Liberia did proclaim its neutrality in the great European war and did therein enumerate certain acts which being committed would constitute a breach of neutrality; and

Whereas the Government of this Republic has endeavored by every means consistent with its honor and its international obligations to preserve inviolate and to observe strictly its said public declaration of neutrality; and

Whereas the course of events during the said war as they affect the Republic of Liberia has rendered necessary an addition to the list of acts prohibited to citizens and residents within the Republic during the present European conflict, the commission of which shall constitute a breach of neutrality.

Therefore I, Daniel Edward Howard, President of the Republic of Liberia, by virtue of constitutional authority in me vested, do hereby notify to all persons interested in the premises that from and after the date of these presents—

(a) It is prohibited to any citizen of Liberia for the duration of the European war to import or cause to be imported, export or cause to be exported, either directly or indirectly, personally or by another, any article or articles of commerce or merchandise whatever, for and in behalf of any citizen or subject of either of the belligerent States, or to authorize or permit the use of his name for the purpose and in the behalf hereinbefore mentioned.

(b) It is further declared prohibited to any citizen of Liberia, for the period aforesaid to act as the commercial agent of any subject, firm, or business house of the nationality of any of the belligerent States.

(c) It is also prohibited to any citizen, subject, firm, or business house of any of the belligerent States, or to any agent of such firms or business houses resident in Liberia, for the said period, to import or cause to be imported, to export or cause to

be exported, either directly or indirectly, personally or by another, any merchandise or article of commerce in the name of or under cover of the name of a Liberian citizen.

And I do enjoin upon all citizens of the Republic of Liberia, and upon all other persons resident within the borders of the same, a strict observance of the provisions of this proclamation. Any person violating the provisions hereof shall be deemed guilty of a breach of neutrality and shall be subject to imprisonment for a period not exceeding two years or to a fine not exceeding \$5,000 and to confiscation of the goods so imported or sought to be exported.

The bona fides of every claimant, shipper, importer or exporter, consignee or consigner, shall be established by affidavit, and no delivery order or shipping permit shall be issued by the customs officials until they have been fully satisfied by the oath or affidavit of a shipper, consignee, or claimant that goods claimed have not been imported nor attempted to be shipped in violation of provisions of this proclamation.

Every false declaration in the premises shall subject the affiant to the penalty prescribed by this proclamation and in addition thereto to prosecution for perjury.

Given under my hand and seal of this Republic at the city of Monrovia this 20th day of June, A. D. 1916, and of the Republic the sixty-ninth:

[L. S.]

D. E. HOWARD.

By the President:

C. D. B. KING,

Secretary of State.

Note breaking diplomatic relations with Germany, May 5, 1917.¹

[United States Official Bulletin, No. 51, p. 4.]

Mr. King, Liberian Secretary of State, to the German Consul at Monrovia.

MAY 5, 1917.

SIR: As the policies of a nation must always be adjusted to meet new conditions affecting its vital interests, as they arise from time to time, so the transpiring of certain events, in connection with the great European war which has staggered humanity in its ruthless operations and stupendous financial output, have rendered necessary a change of Liberia's attitude of strict neutrality, hitherto assumed and consistently maintained. I refer to the new German submarine program, drawn up by the Imperial German Government and put into execution on the 1st day of

¹Liberia declared war upon Germany Aug. 4, 1917, United States Official Bulletin No. 76, p. 4.

February of the present year, the detailed operations of which you are very well conversant with and informed.

While Liberia has endeavored to stand aloof from a conflict, the original causes of which were of purely European concern and interest, yet the method adopted by the Imperial German Government and its allies to vindicate what they conceive to be their national rights and honor and to bring to their arms a speedy and successful victory by such means as the sinking of unarmed ships of their enemies and neutrals without warning, the bombardment of undefended towns and villages, and the violation of the rights of small neutral States, are such flagrant violations of the rules of civilized warfare as to justly create on the part of Liberia grave apprehensions and fears of the eventual permanent establishment of the doctrine of "might" over "right" in the realms of international relations, which doctrine, if allowed to obtain, can only result in the complete subjugation and elimination from the sisterhood of nations of all small and weak States.

Hence the Government and people of Liberia can not any longer, in their own interest, continue to view with indifference and unconcern the present world's cataclysm, especially since the new German submarine program seriously threatens the lives of Liberian citizens traveling on the high seas as passengers and crew on allied or neutral ships.

Although Liberia is fully conscious of her utter inability to enforce upon any of the belligerent nations respect and due regard for the rights and safety of her citizens, yet that fact will not deter her from protesting, by the most effective means at her disposal, against any attempt to infringe upon her sacred international rights—in spite of the veiled threats made by the acting Imperial German consul in his published statement of "war news," issued and circulated in this city, under the official seal of his Imperial Government on the 21st of April, to the effect that powers of the third and last importance will be held to strict accountability for all damage done to German interest, the bill for which will be presented and payment thereof enforced after the happy issues of the war.

The Liberian Government is therefore constrained, as an earnest protest against the continued enforcement of the new German submarine program, which threatens the lives of Liberian citizens, as well as grave financial and economic embarrassments to the Republic, to sever relations with the Imperial German Government, and to revoke the exequatur granted to Germany's official representative at this capital.

With assurances of my high esteem and profound respect, I have the honor to subscribe myself.

Your obedient servant,

C. D. B. KING,
Secretary of State.