

International Law Studies—Volume 18

International Law Documents

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.

The navigable channel is marked by six buoys, red and black, placed as follows:

One red buoy above kilometer 301 and one black buoy above the first mentioned at a distance of 400 meters.

One red buoy and a black one under the bridge between the second and third tiers (the grand opening), with a space of 100 meters between them.

One red and one black buoy at kilometer 299.

The entrance and the exit of the boats at the port of Cernavoda shall be effected by going around the black buoy situated at kilometer 299.

The red-green signal lights of the bridge piles will be extinguished.

The point of mooring of the boats coming up or down to wait for passage will be below kilometer 299, left bank, and above kilometer 302, near the island of Hinogu.

The military service pilot will examine the rudder, the engines, the mooring apparatus, and the staff of the boats.

The passage of steamboats and lighters, sailing ships, or other large craft is forbidden under the bridge of Fetesti both by day and night.

Passage will be permitted of small craft (fishing boats) by a certain route, and will be effected under the control of the chief of the marine detachment of Fetesti.

It is absolutely forbidden for fishing craft to approach either by day or by night the Ezer Lake Bridge.

Boats belonging to the royal military marine will execute the surveillance service.

RUSSIA.

SOJOURN.

Regulations governing visits by foreign warships to Russian ports and territorial waters, issued by the Imperial Russian Government, December 23, 1913/January 5, 1914.

ARTICLE 1. As regards visits by foreign warships, Russian ports and waters are divided into three classes, to wit: 1, open; 2, conditionally open; 3, closed.

ART. 2. By open ports and waters shall be understood all Russian ports and waters with the exception of those mentioned under article 3 and those which have been closed by special order.

ART. 3. The conditionally open ports and waters are:

(a) In the Baltic, Port Kaiser Alexander III, Riga, Libau, Duna-munde, Reval, Helsingfors, Sweagorg, Kronstadt, and St. Petersburg; the waters of (1) Mohnsund from Worms to Werder, including the passages of Nuko-Worms and Solasund; (2) along the coast of the Gulf of Finland from Hango to Stirs-udde, and (3) the Abo-Aland Skaren.

(b) In the Black Sea: Sebastopol, Ialta, Kertch, Batu, the Dniestre River, the Dnieper Bay Channel, the Djarilagatch Bay, the stretch of water from Cape Lukul to Cape Aja, the Straits of Kertch, and the Sea of Azof.

(c) In the Pacific: Vladivostok and the waters of Peter the Great Bay, Posietie Bay, and the Bays of America, Nilolaievsk on the Amur and de Castri.

ART. 4. Any port or waters can, by special order of the minister of marine, which order shall be made publicly known, be declared closed as far as visits by foreign warships are concerned.

ART. 5. No special permission is required for visits by foreign warships to the open ports and waters of Russia. The imperial Government must, however, be duly informed through diplomatic channels of the arrival of such ships.

ART. 6. Foreign warships desiring to visit the conditionally open ports and waters mentioned under article 3 must first obtain permission from the Russian Government through diplomatic channels. Request for such permission must distinctly specify the ports or waters that it is desired to visit and mention the ships together with the time and duration of their proposed visit.

ART. 7. Entrance of foreign warships into conditionally open ports and waters will be permitted only when duly authorized by the imperial Government and between sunrise and sunset.

ART. 8. The above regulations (articles 5, 6, and 7) do not apply to—

- (a) Ships having on board crowned heads, members of reigning houses, presidents of republics or their suites, or duly accredited ambassadors and envoys to the court of His Majesty the Emperor, and
- (b) Ships forced to seek refuge in Russian ports on account of disaster or damage.

ART. 9. Foreign warships admitted to Russian ports and waters must anchor at the place indicated by the local authorities and must observe the regulations regarding health, order, safety, the use of radio telegraphy, and any other local ordinances.

ART. 10. Foreign warships sojourning in open or conditionally open Russian ports and waters are unconditionally bound to put to sea within 10 hours after the receipt of a request to this effect from the minister of marine.

ART. 11. The privileges accorded in the foregoing regulations may be restricted and modified in the case of warships belonging to nations which subject Russian warships to less favorable conditions.

PRIZE REGULATIONS.

Supplement to Rules of Naval War, September 9/22, 1914.

EXPLANATION REGARDING ADAPTATION OF THE NAVAL PRIZE RULES WITH THE "RULES OF NAVAL WAR."

The imperial ukase dated 1st September, 1914,¹ prescribes that the Rules of Naval War, established by the London conference, with certain amendments and supplements (mentioned in the ukase), will be pro-

¹ United States, Diplomatic Correspondence with Belligerent Governments, European War, No. 1, p. 23.

visionally applied in the operations of the present war. Consequently, in regard to naval prizes, besides the Naval Prize Rules¹ (annex to p. 353 of Book X of the Code of Naval Regulations) the above-mentioned rules, amending and supplementing said navy regulations, must be applied. However, in practice, the application of such varying and not coordinated rules may create difficulties and misunderstandings.

In order to avoid such cases, on some points it will be sufficient to call the attention of officers as to which special sections of the Naval Prize Rules amend or supplement sections of the Rules of Naval War, and by which of the latter they are so modified. In this regard it is to be noted that:

(1) Section 6 of the Naval Prize Rules, prescribing the manner of searching neutral ships, under escort of war vessels, is amended and supplemented by sections 61 and 62 of the Rules of Naval War;

(2) Section 7 of the Naval Prize Rules, concerning the determination and transfer of nationality of a ship, by paragraphs 55 to 57 of the Rules of Naval War;

(3) The note to paragraph 10 of the Naval Prize Rules, concerning the property found on board of an enemy ship, by paragraphs 58 to 60 of the Rules of Naval War; and

(4) Paragraph 14 of the Naval Prize Rules, concerning the seizure of military contraband without seizing the vessel on which the same is transported, by paragraphs 44 and 54 of the Rules of Naval War.

But the principal difficulties and misunderstandings may arise on most important and constantly raised questions as to what ships and cargoes are subject to seizure and confiscation. Regarding this point, section 9, Naval Prize Rules, remains in force and directs that all ships and cargoes which are liable to be confiscated as prizes are subject to seizure. Then, after paragraph 10 (also remaining in force), establishing instances of confiscation of the enemy ships with their cargo, followed paragraph 11, foreseeing all cases of confiscation of neutral ships, and paragraph 12, foreseeing all cases of confiscation of cargoes of neutral ships. Corresponding to that and to the "Instructions"² of the admiralty council, on the order of stopping, paragraph 26 of the appendix to Naval Prize Rules, in searching and seizing ships and cargoes, paragraph 37, was concentrated all cases of seizure or confiscation of neutral ships, and also in paragraph 38, all cases of seizing or confiscating of cargoes shipped on neutral ships. Besides, the two sections of the Naval Prize Rules, 9 and 12, and the two paragraphs of the "Instruction," 37 and 38, corresponding to them, are amended and supplemented by several sentences of the Naval Prize Rules in various places of the text, and now in their turn amended and supplemented by special orders contained in the newly given imperial ukase. Besides, the contraband itself is now divided into absolute and conditional, with establishment of different reasons for the seizing and confiscation of articles under either heading. In order to facilitate the

¹ United States, Foreign Relations, 1904, p. 736.

² I *bid.*, p. 747.

practical application of these various rules, scattered about without system, contradicting and modifying one the other in most important questions, the various cases are grouped under the following general headings: (I) all cases of confiscation of neutral ships, (II) all cases of confiscation of cargoes of neutral ships, and (III) the chief principles on which are based the seizure and confiscation of articles of absolute and conditional contraband, with notes under each point of these three sections of such rules of the Naval Prize Rules, of the Rules of Naval War, and of the imperial ukase, which must be taken for guidance.

I.

Merchant ships of neutral nationality are subject to confiscation as prizes in the following cases:

(1) When they are caught in the act of transporting military contraband subject to seizure (Section III), if the same exceeds by volume, or by weight, or by value, or by amount of freight charges, the half of the whole cargo; provided it is not proved that the beginning of hostilities, or that the notification of articles declared contraband—to which the cargo or a part of the cargo may belong—was unknown to the ship; or that the captain, having learned of the beginning of military operations, or of the contraband declaration, had not yet had time to remove the contraband from his ship.—Naval Prize Rules, Article II, paragraph 1, sections *a* and *b*; Rules of Naval War, sections 40 and 43; and, bearing on them, sections 30–39.

NOTE.—A neutral ship, which, having carried contraband to the enemy under cover of false documents, is subject to seizure and confiscation for the transport of such contraband if she be met before the end of her return voyage.—Imperial ukase, paragraph 2, Rules of Naval War, section 38.

(2) When they are caught in the act of violating blockade and it may not be proved that the establishment of the blockade was unknown to the ship.—Naval Prize Rules, paragraph 11, page 2; Rules of Naval War, paragraphs 21, 14–20.

(3) When they have resisted by force stopping, search, or seizure.—Naval Prize Rules, paragraph 11, page 3; Rules of Naval War, paragraph 63.

(4) When they have taken an active part in the enemy's military operations.—Naval Prize Rules, paragraph 11, page 4; Rules of Naval War, paragraph 46, page 1.

(5) When they are found under the command or control of an agent, placed on board of the ship by the enemy government.—Rules of Naval War, paragraph 46, page 2.

(6) When they are freighted wholly by the enemy government.—Rules of Naval War, paragraph 46, page 3.

(7) When they are, at the given moment and exclusively, occupied either in transporting enemy troops, or transmitting information in the enemy interests.—Rules of Naval War, paragraph 46, page 4.

(8) When they have been caught in a voyage undertaken especially for the transport of individual passengers, belonging to any army unit of the enemy, or in transmitting information in the enemy's interests, as well when as they have been caught in the act of transporting—with the knowledge of the ship's owner, or of the person having wholly freighted the vessel, or of the captain—a detachment of the enemy's troops, or one, or several persons who, during the voyage, have directly contributed to the war operations of the enemy, of in such cases it may not be proved that the beginning of hostilities was unknown to the ship or that the captain, having learned of the outbreak of the war, had not yet had time to land such persons from his ship.—Naval Prize Rules, paragraph 11, page 1, letter *c*; Rules of Naval War, paragraph 45.

II.

The cargo of neutral merchantships is subject to confiscation as prizes:

(1) When it consists in goods subject to confiscation as military contraband, if not proved that the beginning of hostilities, or the declaration of contraband including goods of the kind to which the whole, or part, of the ship's cargo belongs, was unknown to the ship; or that the captain having learned of the beginning of war operations, or of the declaration of contraband, had not as yet been able to discharge the contraband goods.—Naval Prize Rules, paragraph 12, page 1; Rules of Naval War, paragraphs 39, 30-37.

(2) When it belongs to the owner of contraband goods and is on board of the same ship.—Rules of Naval War, paragraph 42.

(3) When it is shipped on board of a vessel subject to confiscation on ground of page 2, section 1, or not proved that, at the time of shipping cargo, the person so shipping it did not, and could not, know of the ship's intention to violate the blockade.—Naval Prize Rules, paragraph 12, page 2; Rules of Naval War, paragraph 21.

(4) When it is shipped on board of a vessel subject to confiscation on ground of, pages 3-7, section 1, exception being however made for goods exempted from confiscation on board of enemy ships by paragraph 10 of the Naval Prize Rules, but with the appropriate application of the note to that same section and of the paragraphs 58-60 of the Rules of Naval War, and with the extension of the confiscation to goods belonging to the captain or to the owner of the ship.—Naval Prize Rules, paragraph 12, page 2; Rules paragraphs 46 and 63, 58-60.

(5) When it is shipped on a vessel, subject to confiscation on ground of page 8 of section 1, and consists of goods belonging to the shipowner.—Rules of Naval War, paragraph 45.

III.

Articles forming contraband, both absolute and conditional, are precisely enumerated in paragraph 1 of the ukaze of 1st September, 1914 (see paragraph 13 of Naval Prize Rules, and also paragraphs 22 and 24 of Rules of Naval War, which were thereby amended); the principa-

reasons for the seizure and confiscation of objects of both categories of contraband are as follows:

(1) Goods forming absolute contraband are subject to seizure and confiscation if it be established that their destination is the enemy territory, or a territory occupied by him, or by his armed forces. It is immaterial if the forwarding of such goods be made either by direct transit, by trans-shipment, or in combination with further conveyance by land.—Rules of Naval War, paragraphs 30 and 39.

(2) The destination foreseen in paragraph 1 is considered to be finally proved in the following cases: (1) When the cargo, according to documents, is destined to be unloaded in an enemy's port, or for his armed forces; (2) when the ship must enter only enemy's ports, or when she must enter an enemy's port, or meet his armed forces before entering a neutral port to which the bills of lading are made out.—Rules of Naval War, paragraphs 31 and 32.

(3) Articles of conditional contraband are subject to seizure and confiscation if it be established that they are destined for the armed forces or for the Government of the enemy, except if in this latter case, circumstances prove that in reality the given goods can not be used in the existing war; this stipulation can not be applied to goods mentioned in page 4 of section 2 of paragraph 1 of the ukaze of the 1st September, 1914.¹—Rules of Naval War, paragraphs 33 and 39; ukaze, paragraph 1.

(4) The ship's destination, as (anticipated) contemplated in paragraph 3, is presumed to be proved in the case of the cargo being addressed to enemy's officials, or to a merchant residing in the enemy's country and of whom it is known that he is the purveyor to the enemy of goods and materials of that kind; also if the goods are directed to the agent of the enemy, or for him, or to a merchant, or to any other person, in the service of the enemy, or for such merchant or such person.²

The same rule will be applied also in the case of the cargo's destination being a fortified place of the enemy, or any other locality serving as base for the enemy's armed forces; however this presumption is not applicable to the merchant ship herself, proceeding toward any such locality, in regard to which the character of the cargo is adjudged as contraband.

In the absence of such presumptions, the ship's destination will be presumed innocent.—Rules of Naval War, paragraph 34; ukaze, paragraph 3.

(5) Conditional contraband, if its destination as mentioned in paragraph 3 be proved, is subject to seizure and confiscation, without regard to what port the ship may be bound and independently of the port to which her cargo may be addressed.—Ukaze, paragraph 5; Rules of Naval War, paragraph 35.

¹ This refers to gold, silver, and money.

² Even though all these persons be residing in a neutral country.

Independently of what is stated above, it is necessary to pay special attention to the important modification of existing regulations, limiting the right to destroy neutral ships (with their cargo) on an order of naval commanders.

This amendment makes the distinction that, together with several cases contemplated by paragraph 21 of the Naval Prize Rules, paragraph 49 of the Rules of Naval War permits the destruction of a seized neutral ship exclusively when her conveyance to a proper port entails danger for the warship executing the seizure or for the success of the operations in which she may be at the time engaged; and instead of the compensation for destroyed property, established by paragraph 29 of the Naval Prize Rules; which is paid only when the vessel is judged to be entitled to liberation, sections 51-53 of the Rules of Naval War prescribed that compensation for losses in case of the destruction of a neutral ship (and her cargo) is due also when the destruction was not justified by an urgency foreseen by paragraph 49, although the vessel may have been subject to confiscation. Besides, in conformance with paragraph 54, the same rules are extended to the destruction of articles taken off such ship, which afterwards has been allowed to continue her route (comp. par. 44).¹

At the same time paragraphs 51-54 of the Rules of Naval War direct that the captor who has destroyed a neutral ship (with cargo, or portions of it) must, before any examination as to the lawfulness of the seizure, prove that he has acted so only in view of exceptional emergency, as contemplated by paragraph 49. Therefore, naval chiefs who have ordered the destruction of a neutral ship, with cargo or portions of it, must establish at the time proofs that they have acted so only under force of emergency (par. 353 of Naval Statute); and prize courts, before examining questions as to whether the property is subject to confiscation, or liberation, and as to refusal, or payment to owners of compensation for losses, must decide especially as to whether such destruction was proper, or not, and only after that will proceed to decide other pending questions.²

Appeal on such prior decisions will be allowed only after the judgment on the case as a whole, together with the appeal on this judgment, but not apart from it; this results as much as a consequence of the general rules of prize jurisdiction (in order to avoid delay in the proceedings, complaints on part decisions, without joining in the appeal,

¹ In relation to enemy ships and cargoes the paragraphs 21 and 29 of Regulations on Naval Prizes remain in force fully.

² It must be mentioned that the inclusion in paragraph 74 of the Naval Prize Rules, of rules on the judgment by the courts "ex-officio" independently of requests by persons interested (par. 87, Naval Prize Rules), in questions of confiscation or liberation, not only in cases of safekeeping of seized property, but also of its destruction by order of a naval chief, has its origin in the right of the crew to a part of the prize (apart from compensation to owners for losses); now this necessity does not exist any more, since by naval department order No. 239 and 257 (1914) the crew is no longer entitled to a part in the prize.

are allowed only in certain cases specially mentioned in the law), as of motives, forming the basis of paragraph 51 of the Rules of Naval War.

In regard to the last mention, it should be added, that the real sense of the rules, established by the London conference of 1908-1909 and accepted by the delegates of the powers in the form of "Declaration on the right of naval war," is clearly exposed in the report, submitted to the conference by the editing committee, which must therefore be taken into consideration by the prize courts in all doubtful cases, which may arise as to the exact understanding of one or other of these rules (see ed. of Min. For. Aff., 1910, pp. 38-183).

(Signed) VICE ADMIRAL RUSSIN,
Chief of Naval General Staff, and Privy counsellor.

T. STEBLIN-KAMANSKY,
*Acting Prosecutor of the High Prize Court, legal adviser (jurisconsulto)
the Minister of the Navy.*

Regulations for the appraisal of prizes, September 9/22, 1914.

Annex to paragraph 33 (note) to the Russian Regulations of Naval Prize, 1895,¹
in force with modifications September 9/22, 1914.

RULES ON THE APPRAISAL AND SALE OF PRIZES.

1. The appraisal of war vessels of the enemy's navy is made in accordance with special formulas.

All questions regarding status of the vessel as to whether it is a war vessel or not, are decided by the Admiralty council.

2. The appraisal mentioned in the preceding article includes the value of all articles forming the armament and outfit of vessels taken from the enemy, with exception of precious stones, gold, silver, paper money, and other valuables, which may form part of the cargo.

All such objects of value are appraised and may be sold separately from the ship, under general provisions. (Par. 4 and following.)

3. For the appraisal of ships according to the rules given in paragraph 1, the commander in chief, or the commandant of naval station, will appoint a board composed of naval officers, naval constructors, and engineers of the navy.

4. The appraisal of other vessels and cargo confiscated as prizes, besides those mentioned in paragraphs 1 and 2 of these rules, and of recaptured vessels and cargoes of our navy (pars. 34 and 92 of Regulations on Naval Prizes), as well as of seized property liberated but unclaimed (par. 82, Regulations on Naval Prizes) will be made by order of the chief commander in chief or of the commandant of naval stations, under supervision of a deputy appointed by him, by sworn appraisers and in case there be no such, by experts, at least two in number. The appraisal must be made in the presence of an official of the customs service.

¹ United States, Foreign Relations, 1904, p. 739.

The appraisal of goods confiscated as prize when they have been seized by trading ships (par. 15 and 43, Regulations on Naval Prizes) will be made on an order of a prize court, under supervision of a deputy appointed by the court.

5. The appraisal made according to above rules, with the opinion of the deputy and of the customs official annexed to it in such cases when it may be necessary (par. 4) will be submitted to the naval officials, or to the prize courts, who may have issued the order to execute it.

6. The sale of goods confiscated as prizes, if the naval department does not want to keep them (par. 33, Regulations on Naval Prizes), as well as of such property which was liberated from seizure but not claimed in time (par. 82, Regulations on Naval Prizes), will take place in accordance with rules established for the sale of goods confiscated for violation of custom service regulations (Code of laws, Bk. VI, Custom Service Statute, ed. 1910, pp. 1113, 1173, 1215, and 1263), with such modifications and supplements as may be further mentioned.

7. The sale will be allowed and confirmed by the authorities mentioned in paragraph 5 or by prize courts, and will take place under the supervision of deputies (as for appraisal); it can take place also, elsewhere than the customhouse precincts, but invariably in the presence of a customs official.

8. The sale of goods, subject to rapid deterioration, can be allowed with the formality of confirming the appraisal and with other exceptions from rules, if it be necessary.

9. The appraisal and sale of property seized, made before a decision as to its confiscation, and the appraisal and sale of private property recaptured, in cases foreseen by paragraphs 23, 24, 67, 71, and 92 of Regulations on Naval Prizes, will take place according to these rules, but only on an order and under approval of the authorities mentioned in said paragraphs or of the prize court and under the supervision of a deputy appointed by the court or by those authorities as may be appropriate.

10. During the course of all proceedings of appraisal and sale the persons mentioned in paragraph 23 of the Regulations on Naval Prizes may be present and submit their statements and explanations.

Decree relating to treatment of enemy cargoes in national and allied vessels, August 10/23, 1915.

Amendment and supplement of the naval prize rules, confirmed by Imperial order on 27 March, 1895.¹

His Imperial Highness' decree to the governing senate:

Recognizing it as desirable that the naval war rights ordain conditions, and rules in connection with confiscation of the enemy's cargoes transported under Russian or allied flags and to make an amendment in the imperial decree of 27th March, 1895, prescribing the regulations of naval prize, the following rules are established:

¹ United States, Foreign Relations, 1901, p. 736. See also, Naval War College, International Law Documents, 1917, p. 145.

PARAGRAPH 1. The enemy's cargoes found on Russian vessels, as well as on vessels belonging to the allies or overtaken during time of war in Russian ports or on coasts or when entering a port during war are subject to confiscation by nearest prize court.

PAR. 2. In fulfilling the duties mentioned in paragraph 1, the cargoes have a corresponding application according to the naval prize rules.

PAR. 3. The confiscated cargoes according to paragraph 1 are at disposition of the Government. The value of confiscated cargoes found transported under a flag of one of the allies, with the exception of the necessary expenses, according to instructions of the minister of foreign affairs and arrangements with competent ministers, may be turned over to the allied power, according to the agreement or understanding between the allies.

PAR. 4. When fulfilling the rules mentioned in paragraphs 1-3, it must be ascertained first of all when war was declared against the power to which the confiscated cargoes belong.

The governing senate will give instructions for the fulfillment of this order.

With the Imperial Signature,

NICOLAS.

10-23 August, 1915, Tzarskoe Selo.

*Imperial Order, 237, Supplement to Article 57 of Declaration of London of 1909, relating to enemy character of vessels, February 17/March 1, 1916.*¹

To the Governing Senate:

In accordance with the agreement with the allied French and British Governments and in modification of the imperial ukase, to the Governing Senate on September 14, 1914 (Code of Statutes, st. 2352), concerning rules of war on sea, as worked out by the London naval conference, 1908-9, we order:

To supplement the first part of statute 57 of above mentioned rules with following mentioned regulations:

If due to general combination of circumstances it appears that in a vessel sailing under the enemy's flag are actually interested subjects of neutral or allied powers, or that, on other hand, if in a vessel sailing under neutral or allied flag there are actually interested subjects of an enemy power or persons living in an enemy State, then such a vessel may in consequence be considered as neutral, allied, or enemy.

The Governing Senate will not fail to make suitable dispositions for fulfillment.

Original signed.

NICOLAI.

IMPERIAL HEADQUARTERS, 17th February, 1916.

Countersigned, President of Cabinet Council,

BORIS STUERMER.

¹ For similar British and French regulations, Oct. 20. 1915, Naval War College, International Law Documents, 1915, p. 112.

*Declaration in regard to seizure and confiscation of neutral vessels, abolishing decrees applying Declaration of London, November 8/21, 1916.*¹

To the Governing Senate:

In accordance with agreement with the allied French and British Governments, we consider it necessary to abolish the rules of war on sea, as worked out by the London naval conference, 1908-9, which with some modifications and supplements were put into force as a temporary measure by imperial ukaz of September 14, 1914² (Collection of Statutes, art. 2352), and also to abolish the modifications and supplements, made by imperial ukazes on December 21, 1914,³ and February 17, 1916⁴ (Collection of Statutes, art. 3310 and art. 237).

Approving the decision of council of ministers concerning this matter we order:

In modification of the above mentioned ukazes to apply during the present war all other orders and regulations concerning the war on sea—which are effective at the present time, together with generally acknowledged principles of international right—with the following changes and supplements:

PARAGRAPH 1. Merchant vessels of neutral nationality which transport war contraband, are confiscated, in case the latter either by value, weight, or volume or freight, amounts to more than a half of the whole cargo.

PAR. 2. Merchant vessels of neutral nationality may, according to circumstances, be not only detained but also confiscated, in the case of the following forbidden actions:

Transportation of enemy armed forces, enemy news and correspondence;

When on a voyage especially intended for transportation of individuals who form part of the enemy armed forces, or to carry news in the interests of the enemy power;

Cruising under command or control of an agent who has been placed on board by the enemy Government, and also if the latter has wholly chartered the neutral vessel.

PAR. 3. Any one forming part of the armed forces of the enemy and found on a neutral vessel (merchant) may be taken war prisoner, even if there is no reason for seizing the vessel.

PAR. 4. If under the general circumstances of the case it appears that in a vessel sailing under the enemy's flag are actually interested subjects of neutral or allied powers, or that, on the other hand, in a vessel sailing under neutral or allied flag there are actually interested subjects of an enemy power or persons living in an enemy State—then

¹ For British and French orders, of July 7, 1916, see United States, Diplomatic Correspondence, European War, No. 4, pp. 69, 72.

² *Ibid.*, European War, No. 1, p. 23.

³ *Ibid.*, European War, No. 1, p. 25.

⁴ *Supra*, p. 129.

such a vessel may in consequence be considered as neutral, allied, or enemy.

The Governing Senate will not fail to make suitable dispositions for fulfillment.

Original signed.

NICOLAI.

IMPERIAL HEADQUARTERS, 8/21 November, 1916.

MINE FIELDS AND NAVIGATION REGULATIONS.

Regulations for navigation in Gulf of Finland, August 11, 1914.

On July 31, 1914, the Gulf of Finland was closed to navigation. Since then the following orders have been issued.

Circular of the Principal Hydrographic Board of August 11, 1914, No. 420, Supplement to Nos. 410 and 417 of 1914.

TEMPORARY RULES CONCERNING NAVIGATION OF MERCHANT SHIPS IN THE GULF OF FINLAND, APPROVED BY THE COMMANDER IN CHIEF OF BALTIC FLEET.

(1) The Finnish Gulf is closed for exterior commerce during the period of war operations.

(2) All sea marks removed and lights extinguished westward of the meridian of lighthouse Kokskaer.

(3) In the Finnish Gulf all late ships, not informed of the beginning of the war or going on their own venture with cargoes will be embargoed by war vessels by day and by night and forwarded to places according to instructions received by them.

(4) Navigators are warned that ships which may enter the gulf unperceived, risk destruction on the mines, or of being fired on in thick weather.

(5) Until modification only the fairway from Raumo is reserved for communication between Finland and Sweden.

(6) Ships detained on declaration of war must obtain permission to leave port from the commander of the fleet and must follow the route indicated by him.

(7) Eastward of the line between Colcovik Gulf and Soederskaer lighthouse navigation between the ports of the eastern part of Finnish Gulf is permitted.

(8) The ships may enter Cronstadt, Viborg, and in case of special permission Reval and Helsingfors only in clear weather.

(9) In case that any vessels have obtained permission to leave the eastern part of Finnish Gulf, they must enter the bay Paponvik and then take the route indicated by the guard ship under charge of a designated pilot.

(10) It is absolutely prohibited to navigate amongst the low rocky islands near Utelight, from Baresund to the entrance near Utelight.

house. During clear weather small row and canvas boats may sail amongst islands outside fairways.

(11) Entering and leaving amongst skerries (low rocky islands) between Soedersund and Baresund is prohibited (special permission for Helsingfors).

(12) Within the district from Baresund to Helsingfors traffic in interior shallow water is permitted vessels serving as communications between the local skaer inhabitants, but only by day and according to instructions of the director of sailing and lighthouse department in Finland and chief of skaer district.

(13) In skerries eastward of Helsingfors the longitudinal traffic is only permitted vessels serving as local communication between skerry inhabitants, and only in clear weather.

(14) Traffic from eastward to indicated meridian, Colcovik-Soedersund and vice versa is permitted in the gulf, but not among the skerries.

(Signed) LT. GENERAL ZHDANKO.

LT. COLONEL GLASOFF.

Regulations relating to floating mines in Black Sea, February 9, 1915.

Circular of the Principal Hydrographic Boards of February 9, 1915, Nos. 6, 2.

Circular No. 62 is published for information of navigators by the staff of Black Sea fleet commander on January 30, 1915.

CONCERNING MINES ADRIFT.

By order of the commander of Black Sea fleet; the staff gives notice or general information, that to avoid accidents on meeting with floating mines, mines adrift and stranded on the shore or near the shore, globe shaped or otherwise, whether our own or of the enemy, the following precautions must be observed:

1. It is prohibited to touch floating or stranded mines to avoid an explosion;
2. To inform the nearest Naval Service Post or the cordon of coast guard of every mine found;
3. If possible to establish observation on the mine;
4. To inform immediately the head office of Black Sea fleet at Sevastopol;
5. According to law the inhabitants of coast districts will be rewarded by the navy department for each mine found.

(Signed) LT. GENERAL ZHDANKO.

LT. COLONEL GLASOFF.

Notice of mine laying by Sweden, July 5, 1915.

Circular of the Principal Hydrographic Board of July 5, 1915, Nos. 74, 19.

Navigators are notified of the laying of mines by the Swedish Government in the Aoland Sea and in the Southern Kvarken.

To avoid mines in the Southern Kvarken, Aoland Sea, and in the offing of Stockholm skerries, navigators are recommended to go through

internal skerry fairway and the internal skerry fairway between Arholm and Landsort.

For information concerning mining along the Swedish coast, and rules for entrance of these ports, and information on lights, see "Information for Navigators."

(Signed) LT. GENERAL ZHDANKO.
LT. COLONEL GLASOFF.

Notice of floating mines in the White Sea, July 10, 1915.

Circular of July 10, 1915, Nos. 81, 2.

FLOATING MINES.

It is made known for information of navigators that in the Gorla (strait in the White Sea) and in the basin of White Sea have been observed floating mines. The local naval authorities give instructions concerning observation, information, and measures of precaution on meeting with mines.

(Signed) LT. GENERAL ZHDANKO.
LT. COLONEL GLASOFF.

Regulations relating to prohibited area in White Sea and frozen ocean, April 10, 1916.

Circular of Principal Hydrographic Board, April 10, 1916.

RULES CONCERNING NAVIGATION—WARNING OF MINES.

In view of the dangerous navigation in White Sea and frozen ocean near the Russian coast caused by mine fields established by the enemy following notice is published:

(1) In the White Sea and in its entrance southward of the line Kanin Ness and Lighthouse Kharloff (Seven Islands, latitude 68° 49' N., longitude 37° 21' east from meridian Greenwich) and also in all waters of the frozen ocean within the custom zone (12 miles from the coast and the outlying coast islands, and exposed rocks), navigation is forbidden of all merchant trading and other vessels of all kinds under any flag, with exception of such vessels as may have obtained special permission. Vessels entering without permission into prohibited zone risk destruction on the mines and may be detained by guard ships for searching and further disposition.

(2) Vessels which have obtained permission to enter the prohibited zone must observe all rules which are established for navigation in named waters.

(3) Rules mentioned in point 2, and also the order for obtaining permission for entering the prohibited waters are prescribed by the commander in chief of Archangel and White Sea district.

Charts Nos. 1060, 1518, 1655.

(Signed) LT. GENERAL ZHDANKO.
LT. COLONEL GLASOFF.

Notice of mine laying by Sweden and Denmark, 1916.

NOTICE TO MARINERS—CIRCULAR OF PRINCIPAL HYDROGRAPHIC BOARD.

In addition to previous published information on mines and obstacles No. 783/770 (R-51, 1916), notice is given that at the following places in Swedish waters anchorage is prohibited.

(A) Within the district on the north limited by a line from the eastward of Cape Engholm, near northeast end of Biorkoe, to Soedra Roedskaer, and therefrom southeast to the coast. On the south from Tummen westward to Bioerkoe.

(B) On the north within the district limited by a line from Hiuvik to the southward of Cape Lilla Varholm, therefrom to the northward of Cape Groetoe and to Heden on Hoenoë. On the south from the southward of Cape Porsholm to Svatskaer and therefrom to the southward of Cape Hoenoë.

(C) On the north within a district limited by a line from the eastward of Cape Asperoe to Johnshomar, and therefrom eastward to the coast. On the south by a line from the northward of Cape Koepstadsoe to Roedskaer, and therefrom to the island about 300 yards to northeast from Lyngskaer; also in all waters between Koepstadsoe and Braennoë, and between Kaensoe and Vargoe.

(D) On the north from Siludden near the north end of Donsoe, to Oestra Foeroe and therefrom to Haengsten. On the south from Lilla Donsoe to Knalteskaer, and therefrom to Klockskaer.

The districts are marked by signs with warnings.

Further is given notice that there are mine fields in the southern entrance of Sund.

(I) MINE FIELDS SOUTHEAST FROM THE LIGHTSHIP "DROGDEN."

(a) MINES.

Warning: There are mines across the fairway southeast from the lightship *Drogen* within a district limited by—

Latitude $55^{\circ} 33' 00''$ N, longitude $12^{\circ} 45' 00''$ E.

Latitude $55^{\circ} 31' 30''$ N, longitude $12^{\circ} 46' 30''$ E.

Latitude $55^{\circ} 29' 12''$ N, longitude $12^{\circ} 46' 54''$ E.

Latitude $55^{\circ} 29' 12''$ N, longitude $12^{\circ} 44' 36''$ E.

Latitude $55^{\circ} 32' 00''$ N, longitude $12^{\circ} 41' 48''$ E.

(b) MINES IN KJOEGE BUGT (DENMARK).

Warning: There are mines in Kjoege bugt southwest from the lightship *Drogen* westward to the meridian $12^{\circ} 40' 30''$ between the 3 miles frontier of Danish territorial waters and the parallel $55^{\circ} 29' 30''$ N.

Between these obstacles and mine beacons southeast from the lightship *Drogen*, mentioned in Paragraph I, navigation is allowed, the entrance being marked by two lightships.

(II) MINES NEAR SKANOER.

Warning: Mines are laid near the Swedish coast outside territorial waters between the parallels $55^{\circ} 18'$ north and $55^{\circ} 26'$ north and meridians $12^{\circ} 42'$ and $13^{\circ} 00'$. Vessels must take the course within 3 miles from the coast or outermost skerries not submerged during low water.

(III) MINES IN CADET CHANNEL AND NEAR GIEDSER REEF.

Warning: There are mines in the channel southeast from lightship Giedser Reef (latitude $54^{\circ} 27' 54''$ N., longitude $12^{\circ} 09' 42''$ E). There is a free fairway between the frontier of Danish territorial waters and the German coast, the way being along the German coast.

(IV) MINES SOUTHEAST FROM RIXHOEFT.

Warning: There are laid mines southeast from Rixhoeft (latitude $54^{\circ} 47' 54''$ N, longitude $18^{\circ} 39' 06''$ E.) a green barrel-shaped buoy is placed 100 yards north from the field.

Notice of mine fields in the Baltic Sea, August 18, 1916.

Naval Ministry.—Circular of the Chief Hydrographic Department, No. 100, 50 Aug. 18, 1916.

NOTICE TO MARINERS ABOUT THE LAYING OF MINES.

It is announced for the information of mariners that with a view of securing free traffic for commercial ships in the Gulf of Bothnia, the Imperial Government considered itself obliged to lay mines and other obstacles on the night of August 30 to 31, in the Baltic Sea, in a district limited to the west by the 3-mile boundary limit of Swedish territorial waters: on the north, by parallel $59^{\circ} 52'$ N., and on the south by parallel $59^{\circ} 40'$ N.

The Imperial Government is without responsibility for accident that may occur to any ship entering the above prohibited water areas

(Signed) GENERAL JDANKO.
COLONEL GLASOFF.

Notice of mine fields near Swedish coast, September 1, 1916.

MINISTRY OF FOREIGN AFFAIRS,
SECOND DEPARTMENT,
October 20, 1916.

No. 13757/D 11.

The imperial ministry of foreign affairs has the honor to inform the embassies and legations accredited to the imperial court that the Imperial Government has judged it necessary, on account of military reasons, to place mines in the zone following in an easterly direction the Swedish coast at a distance of 3 maritime miles extending from 59° to $52'$ north and 59° to $40'$ north.

The imperial ministry would also add that the Imperial Government declines all responsibility for accidents which might occur in connection with vessels entering the zone thus indicated, entrance to which was declared forbidden since 18/31, last.

PETROGRAD, *August 19/September 1, 1916.*

Notice of mine fields in Gulf of Bothnia, October 11/24, 1916.

Marine Ministry.—Circular of the Principal Hydrographic Board, Oct. 11/24, 1916, No. 126, 63.

NOTICE TO MARINERS ON MINE LAYING.

Mariners are notified that in order to secure the navigation of merchant ships in the Gulf of Bothnia the Imperial Government was compelled to lay mines and other obstacles in the Gulf of Bothnia within the district limited to the northward by the parallel $63^{\circ} 35'$ northern latitude, to eastward by the meridian 21° east longitude from Greenwich, to the southward by the parallel $63^{\circ} 15'$ north latitude, and to the westward by the meridian 20° east longitude and then by the limiting line of Swedish territorial waters (at a distance of 3 miles from Skerriës Suedostbroten and all coast skerries not continually under water) until the intersection of this line with the parallel $63^{\circ} 35'$ of north latitude.

Anchorage prohibitions, Eastern Ocean and mouth of Amur River, January 10/23, 1917.

Naval Ministry.—Circular of the Principal Hydrographic Board.

DETAILS CONCERNING THE DISTRICT WHERE ANCHORAGE IS PROHIBITED.

Below are given the range marks, defining the district where anchorage is prohibited.

I. Upper marks (on the river).

(1) Two range marks at the promontory of Meo in the approximate latitude $53^{\circ} 06'$, 2 N, longitude $140^{\circ} 49'$, 9 E from Greenwich.

(2) Two range marks on the left bank of Amur River in the approximate latitude $53^{\circ} 08'$, L N, longitude $140^{\circ} 49'$, 9 E from Greenwich.

II. Lower marks (on the river).

(1) Two range marks at the promontory Nalle, in the approximate latitude $52^{\circ} 54' 7$ N, longitude $141^{\circ} 09'$, 0 E from Greenwich.

(2) Two range marks on the left bank of the Amur River in the approximate latitude $52^{\circ} 59'$, 9 N, longitude $141^{\circ} 09'$, 0 E from Greenwich.

Approximate direction of range marks (1) Upper— $51\frac{1}{2}^{\circ}$ — $231\frac{1}{2}^{\circ}$;
(2) Lower— 36° — 216° .

Signed

GENERAL ZHDANKO.
COLONEL GLASOV.

NOTE.—Sketch accompanying.

Regulations for navigation in Gulfs of Baltic Sea, May 13, 1918.

Principal Hydrographic Board.—Circular of May 13, 1915, No. 42, 8.

Published as information for navigators "Rules concerning navigation of merchant ships in Gulfs of Baltic Sea in 1915, approved by Commander of Baltic Fleet."

A. FINNISH GULF.

1. According to Government notice of 1914, the Finnish Gulf is closed for exterior navigation during the period of the war, and sailing of merchant ships westward the route Helsingfors-Reval is prohibited with exception for coasting and fishing vessels as follows:

2. Eastward of the line Soederskaer-Unamunde beacons are in their places, lights are kept burning (but may be extinguished without special warning), and navigation is permitted between ports of the gulf either day or night for all vessels of Russian commercial fleet.

3. Vessels on the way to Reval, Helsingfors, or places between these ports and line Soederskaer-Unamunde, must observe the following conditions: Near the southern coast to enter bay of Monvik, and near the northern coast to enter the skerries near lighthouse Soederskaer and roadstead Tzarevna.

After delivery of documents (ship papers) to the guard ship and after revision, these ships will be forwarded in clear weather to designated ports or may sail alone, according to orders of the guard ship.

Vessels after having been visited by the guard ship in Monvik and taking route toward Reval, must, for the second time, pass the guard ship near island Wulf for delivery of permission of the previous mentioned guard ship and then continue their route, according to orders of this guard ship.

4. Vessels sailing between Reval and Helsingfors (only permitted by day and in clear weather) may go from Helsingfors to Reval by the following route: At the time fixed by the interior guard ship they go under pilots by the skerries through Soederskaer Channel and approach the guard ship near island Wulf (in clear weather) to show their papers. From Reval, after receipt of permission of the guard ship, they pass Soederskaer and approach the roadstead Tzarevna, and they will be forwarded to Helsingfors.

5. Within district of Helsingfors, exterior roadstead, the sailing of private small vessels, motor boats, and yachts is prohibited; in internal roadstead only in clear weather, according to order of the port guard.

6. Within skerry district of Helsingfors (from harbor Sundvik to town Ekness), continued sailing of vessels serving as communication between skerry inhabitants is permitted only by day and they must follow the shallow-water route, according to directions and permissions of the sail and lighthouse directions at Finland (Helsingfors).

7. Similar directions and permissions for sailing in interior waters of Aobo and Aoland skerries must be obtained from naval authorities at Aobo.

8. Within the western district of Finland and Aobo skerries, the sailing of amateur yachts and motor boats is permitted only by day—the issue to the sea is prohibited at places where foreigners are permitted to live. (r. circular of the commander of fleet of April 7, 1915.)

9. Navigation of vessels of any kind in main channel along shore and in all approaches from Helsingfors to Aolandshaff is prohibited.

10. Entrance and departure from the skerries in the eastern part of the gulf is permitted in fairways forming approaches to Bjoerk-Oe, Pitkopas, Asp-Oe, Oeregrund, and Soedersaker.

11. Sailing within skerry district is permitted in all fairways from Bjoerk-Oe to roadstead Tzarevna, although near Bjoerk-Oe (island) and within district of Viborg, fortress, only in clear weather, according to rules, published by the commandant of Viborg Fortress.

NOTE.—Small vessels, serving as communications between the rocky islands eastward of Helsingfors, may by day pass the channel Oestnen, and approaching on the route to Helsingfors the guard ship of the roadstead Tzarevna.

12. Vessels going to Kronstadt must approach the guard ship located $7\frac{1}{2}$ miles west from lighthouse Tolbuchin, therefrom they will be forwarded by a pilot to Kronstadt roadstead only during clear weather. In leaving Kronstadt they must observe requirements established by local patrol of these water districts. For entry at Bjoerk-Oe they pass the guard ship in clear weather and then continue their route according to orders.

B. GULF OF BOTHNIA.

13. Some harbors of the Gulf of Bothnia will be open for vessels of neutral powers. Directions concerning these ports and rules for entrance and leaving of them may be obtained from pilot and lighthouse stations in Finland and from commandants of landing places of these ports.

14. Movements through the approaches in the skerries in the eastern part of the Gulf of Bothnia for small vessels serving for needs of local inhabitants is permitted by day, but at their own risk, because beacons will not be in place.

15. Within western-northern and northern-eastern districts of Aoland Islands to castle Lek-oe all navigation along shore is prohibited.

C. GULF OF RIGA AND MOONSUND.

16. The Gulf of Riga is closed for exterior navigation.

17. Within the gulf the navigation is permitted on own risk by day; beacons withdrawn. Permission may be obtained from the office of commandant of port Emperor Peter the Great and Dunamunde.

18. Navigation from the parallel lighthouse Worms to parallel of lighthouse Laidunen is permitted in clear weather. Permission may be obtained from the office of commandant of port Emperor Peter the Great (Reval).

C. GENERAL NOTES.

20. On all places closed for navigation in general the inhabitants of islands are not prohibited from communication between themselves and the nearest landing places; exclusively on small row and canvas boats and during clear weather.

21. Eastward of meridian 25° 30' (line of Soederskaer-Unamunde) fishery is permitted by day and night under usual conditions.

Within districts of Kronstadt and Viborg fortresses on basis of instructions of commandants of these fortresses.

Westward of the indicated meridian along the southern coast, according to regulations concerning fisherers by the commandant of port Emperor Peter the Great.

Westward of this line along the northern coast fishery is only permitted within skerry district, not entering the gulf and only in clear weather. Within district of Sveaborg and Dunamunde fortresses according to orders of their proper commanders.

Along the remaining coast of Baltic Sea only by day, not exceeding 2 miles from the coast.

22. Depending on circumstances, the navigation and fishing in the permitted districts may be temporarily stopped on order of proper authorities.

23. For information and explanations concerning these rules, apply either to the office of commander of port Emperor Peter the Great (Reval) or to pilot and lighthouse stations in Finland (to whom it may concern).

24. Vessels having a special permission for sailing or when sailing without it must absolutely observe all requirements of naval authorities or commanders of guard ships according to these rules.

(Signed) LT. GENERAL ZHDANKO.
LT. COLONEL GLASOFF.

TRADE RESTRICTIONS.

*Rules for making applications to export embargoed goods from Russia,
May 4/17, 1915.¹*

SECTION 1. Owing to war conditions the export of goods abroad as per lists herewith is prohibited (I-III). Goods mentioned in List I are forbidden to be exported over any of the frontiers of the Empire, and those in the remaining lists are not allowed to be exported over the frontiers mentioned in said lists.

(NOTE.—The export of goods in general is altogether prohibited via ports on the Baltic Sea, situated in the confines of the Governments (Provinces) of Petrograd, Estland, Lifland and Curland.)

¹ A protocol of agreement for the exportation of embargoed goods was concluded with the United States Sept. 23, 1915, U. S. Treaty Series, No. 618. For embargo regulations of other belligerent States, see Naval War College, International Law Topics, 1915, p. 57.

SEC. 2. The export of goods to Finland, such as mentioned in the lists, attached to section 1, is permitted. The export of goods from Finland to foreign countries is effected according to the special regulations in force in the Grand Duchy of Finland.

SEC. 3. Goods the export of which owing to war conditions (sec. 1) is not allowed, may, however, be exported by permission of the minister of finance to allied or neutral countries.

SEC. 4. Persons desiring to obtain permission for the export of goods abroad of any of such goods as are prohibited from export (sec. 1), must hand in a petition to the department of customs; in this petition must be stated:

(a) Calling (profession), Christian name, father's name and surname, as well as country of which the applicant is a subject or citizen, his permanent place of residence, as well as address to which the department is to send him the reply to his petition.

(b) The kind of goods for which the permission is desired, as well as quantity, also to which country the permission for export is wanted, to which point and for whom the goods are required.

(c) The place where the applicant expects to buy the goods or where (mention point, railway station, river pier or port) the goods, if already bought, are situated.

(d) Through which customhouse the applicant expects to ship the goods, and if he intends exporting them by sea, to which port the goods will be sent, also by which steamer and under which flag (should the applicant be in possession of this information).

(e) Will the goods be exported direct to that country to which they are addressed? And if transshipment is expected to take place, then should be stated via which countries and frontier points in such countries the goods in question are expected to be dispatched.

(NOTE.—Applicants with petitions as mentioned in section 4 concerning the export of prohibited goods abroad may refer to the department of customs only in connection with the export of such goods as are mentioned in the lists per section 1 and such additional lists as may be issued by the ministry of finance. But if at the points via which goods are to be dispatched abroad there are in force regulations or orders issued by the local military authorities concerning the prohibition of export of any or certain articles or goods, not mentioned in the lists referred to above and possible additional lists, then permission for their export must be obtained by applicants from the respective military authorities.)

SEC. 5. Persons acting on behalf of persons whose authority they have to do so, must hand in with the petition original notarial power of attorney from persons on whose behalf they are acting, or notarial copies of such powers of attorney.

SEC. 6. The quantity of goods, for the export of which permission is required, must be shown in the petition (sec. 4 *b*, by weights, numbers, or other measures, corresponding to the kind of goods. The

indication of goods in measures or quantities not fully definite (bags, bales, barrels, wagons, etc.) is not permitted.

SEC. 7. In the event of the ministry of finance finding it possible, after examining the information given by the applicant (sec. 4), to permit the export from the Empire of the goods which it is desired to export, the applicant on being so informed by the department of customs must take steps to obtain a diplomatic guaranty to the effect that the goods in question whilst on the way to the country of destination will not be deviated en route and will not be forwarded to a hostile market either from the country of destination or from such neutral countries through which said goods may go or be transshipped. For the obtaining of such guaranty the applicant must refer direct to the corresponding embassy or mission. The submission of such necessary guaranty from an embassy or mission must be effected to reach the ministry of finance through the ministry of foreign affairs.

SEC. 8. On receipt of the guaranty (sec. 7), the ministry of finance gives its final decision in connection with the petition, and in the event of the petition being affirmatively granted the applicant receives a special certificate to that effect from the department of customs; said certificate may not be transferred to another person and may be made use of only during two months from the day of its issue.

(NOTE.—For goods the export of which has been granted by the minister of finance previous to the present rules coming into force, the department of customs will give a certificate, as per section 7, on the respective persons interested taking the necessary steps, after preliminary examination as to what quantity of goods according to the permission granted have actually not yet been shipped abroad; without such certificate, on the expiry of two weeks from the day of receipt by the customs of the present rules, the export of goods will not be permitted. The certificate will be given by the department in such cases where steps have been taken for the issue thereof not later than two months from the day of the confirmation and coming into force of the present rules, but at the expiration of this period a certificate will only be granted after receipt of new permission obtained in the manner indicated in the present rules.)

SEC. 9. For goods the export of which is permitted on the basis of the present rules, must be given the fixed export and transport information (Law of 1914, No. 157, St. 1788), together with the certificate mentioned in section 8.

SEC. 10. In the event of the whole lot mentioned in the certificate being exported, the certificate submitted, together with the transport information, is taken away and immediately handed by the customs, to the department of customs, with an indication as to the time and date when the goods were dispatched, and, if shipped by sea, then with indication of the vessel and the flag under which same is.

SEC. 11. In cases where the goods are exported in lots, a remark is made by the customs on the certificate handed in with the trans-

port information as to the amount and quantity of goods exported and the date of export, and the department is informed as to this export; on the export of the last portion the certificate is taken away and handed to the department in accordance with section 10.

SEC. 12. For goods permitted to be exported abroad through Finland the owners thereof must submit to the customs through which the goods are going before they are sent into Finland, in addition to the respective certificates and transport information, also railway waybills for such goods or duplicates thereof, indicating the transito route of the goods through Finland to that country to which the permission for export has been given. If the waybill (or copy thereof) corresponds in every way to the permission granted for export, then the customs put a stamp on said document of a special description, with the seal of the customs and signature of the manager or his representative, stating that permission is given for the goods mentioned on the railway documents to be exported abroad. If on the waybill or copy there is no indication as transito forwarding of the goods abroad via Finland, then the goods will be considered as forwarded to Finland and no stamp will be placed on the waybill or copy thereof by the customs.

(NOTE.—For goods forwarded from station Petrograd-Novyport all documents concerning their outgoing must be submitted to the Petrograd port customs, for goods forwarded from station Petrograd-Finlandsky (or Kulikovo Pole) to the Petrograd customs house attached to the Finland Railway, and for goods forwarded from a station in the interior of Russia to the White Island customs house.)

SEC. 13. The export to England of game, dead birds, eggs, and pigs' bacon is permitted by obtaining special permission on each separate occasion and without the certificate demanded according to section 8 if the goods are sent to that country by direct Scandinavian sea connections.

SEC. 14. On the direct waybills for transport to England of the goods mentioned in section 13 a stamp such as mentioned in section 12 is put on by the Petrograd customs house attached to the Finland Railway, if in connection with the proposed transport the following rules for the Scandinavian direct sea connection to England are observed: If on the waybills is indicated that the goods are destined for an English port (London, Hull, Newcastle, Granton, or Grangemouth) for such and such a receiver in England and if in other respects the waybill corresponds to the regulations pertaining to the particular goods in question. (Tariff of Russian Railways, 1914, No. 236, St. 20651.)

SEC. 15. During the navigation season of 1915 the export is permitted without prohibition to north Norway on sailing vessels and steamers belonging to Russians on the Archangel sea coast, of timber, certain articles of food, and articles connected with the deer (reindeer) industry according to the list attached hereto, on the condition that the skipper of the vessel on his return from Norway submits a certificate from the Russian consular authorities, and if there are no such authori-

ties at the place where the goods have been unloaded, then a certificate from the local Norwegian authorities that the goods have actually arrived in Norway.

SEC. 16. The customs house through which the goods mentioned in sections 13-15 are exported will inform the department of each shipment of goods, indicating the quantity of the goods exported and the country of destination.

SEC. 17. The export is permitted, without special permission being obtained in each instance and without the issue of the certificate required according to section 18, direct to allied countries on Russian vessels or vessels under an allied flag, of the goods mentioned in the list attached hereto. The customs house will inform the department in all instances of the export abroad and permission to proceed abroad of vessels on the basis of this paragraph, indicating the name of the vessel, the flag under which same sails, the kind and quantity of goods, and port of destination.

SEC. 18. The fact of a steamer carrying coal in her bunkers necessary for steaming purposes is not to be considered as an objection to a steamer proceeding to leave a port and go to sea; the question as to what quantity of coal is necessary for the steamer will be decided by the local port authorities, and in such places where there are no port authorities, by the local customs authorities. The steamer has the right to take with her the coal which she brought with her to a Russian port, and vessels are not bound to unload that quantity which might be considered as surplus over and above what is required for navigation.

SEC. 19. On the export abroad by sea of goods, the export of which is not allowed according to general rules, but which has been permitted on the basis of the conditions mentioned above, the port customs authorities must furnish skippers with certificates regarding the goods being exported on the respective vessels, indicating the date and port of loading, quantity and description of goods, and port of destination.

(Signed) DIRECTOR S. SHATELEN,

Chief of the Department, S. Antonov.

Confirmed 4/17 May, 1915, by the minister of finances.

P. BARK.

LIST OF GOODS THE EXPORT OF WHICH ABROAD IS PROHIBITED OWING TO CIRCUMSTANCES ARISING FROM THE WAR.

I. The following goods are not allowed to be exported abroad by any whatever of the frontiers of the Empire:

[A list of goods three pages long follows.]

II. The export is forbidden over the Persian Afghanistan frontiers of camels.

III. The export abroad of every description of goods is prohibited from the ports situated in the confines of the governments of Petrograd, Estland, Lifland, and Curland.

(Signed) DIRECTOR S. SHATELEN,

Chief of Department, S. Antonov.

Addition to sec. 15.—List of goods, the export of which is allowed to north Norway by sea vessels during the 1915 season of navigation:

All kinds of timber and wood, tea, cream butter, salmon, venison (deer meat), tongues, deer wool, deerskins.

(NOTE.—The quantity of cream butter permitted in each separate instance for export to northern Norway is decided by the governor of Archangel.)

Addition to sec. 17.—List of goods permitted to be exported direct to allied countries on Russian vessels or on vessels under allied flags:

Maize, bran, all kinds of oil cakes and residues, pigs' bacon, cream butter, dead game and poultry, live poultry, eggs, entrails, fish, tobacco of superior quality (the question of quality to be decided by the excise authorities), all kinds of timber, oil seeds, seeds of clover and other grass foods, all kinds of furs, except lambskins, sheepskins, and goat-skins.

CHANGE OF GOVERNMENT.

Proclamation of abdication issued by Tsar Nicholas, March 15, 1917.

[The Annual Register, 1917, p. 243.]

By the Grace of God, We, Nicholas II, Emperor of all the Russias, Tsar of Poland, Grand Duke of Finland, etc., to our faithful subjects be it known:

In the days of a great struggle against a foreign enemy, who has been endeavoring for three years to enslave our country, it pleased God to send Russia a further painful trial. Internal troubles threatened to have a fatal effect on the further progress of this obstinate war. The destinies of Russia, the honor of her heroic army, the happiness of the people, and the whole future of our beloved country demand that the war should be conducted at all costs to a victorious end. The cruel enemy is making his last efforts, and the moment is near when our valiant army, in concert with our glorious allies, will finally overthrow the foe.

In these decisive days in the life of Russia we have thought that we owed to our people the close union and organization of all its forces for the realization of rapid victory, for which reason, in agreement with the Imperial Duma, we have recognized that it is for the good of the country that we should abdicate the crown of the Russian State and lay down the supreme power. Not wishing to separate ourself from our beloved son, we bequeath our heritage to our brother, the Grand Duke Michael Alexandrovitch, with our blessing for the future of the throne of the Russian State. We bequeath it to our brother to govern in full union with the National Representatives sitting in the legislative institutions and to take his inviolable oath to them in the name of our well-beloved country.

We call upon all faithful sons of our native land to fulfill their sacred and patriotic duty in obeying the Tsar at the painful moment of na-

tional trials and to aid him, together with the representatives of the nation, to conduct the Russian Empire in the way of prosperity and glory.

May God help Russia.

PSKOV, *March 15, 1917.*

ARMISTICE.

Terms of armistice with Germany, Austria-Hungary, Turkey, and Bulgaria, signed at Brest-Litovsk December 15, 1917.¹

[London Times, Jan. 5, 1918.]

PREAMBLE.

The following is the text of the agreement concluded for an armistice between the plenipotentiary representatives of the chief army commands of Germany, Austria-Hungary, Bulgaria, and Turkey, of the one part, and of Russia, of the other part, for bringing about a lasting and honorable peace for all the parties:

TEXT.

ARTICLE I. The armistice takes effect from December 17, 1917, at noon (Dec. 4, 1917, at 2 p. m., Russian time), and is to remain in force until January 14, 1918, at noon (Jan. 1, 1918, at 2 p. m., Russian time.) The contracting parties have the right on the 21st day of the armistice to give seven days' notice to terminate it, and if this be not done, then the armistice will automatically remain in force until one of the contracting parties gives such seven days' notice.

ART. II. The conditions of the armistice shall apply to all the land and air fighting forces of the said powers, on the land front comprised between the Black Sea and the Baltic, and they shall likewise apply to the Russo-Turkish theaters of war in Asia.

The contracting parties undertake, for the period that the armistice is in force, not to reinforce the troops on the said fronts or on the islands in the Moon Sound, and this also refers and applies to their formation into military units. No regrouping in preparation for an offensive is permitted.

Further, the contracting parties undertake that until January 14, 1918, they will not put into operation any transfer of troops from the front between the Black Sea and the Baltic; that is to say, such transfers as had not been begun before the time when the armistice agreement was signed.

Finally, the contracting parties undertake not to assemble troops in the Baltic ports east of 15° longitude east of Greenwich and in the

¹ A treaty of peace was signed at Brest-Litovsk, Mar. 3, 1918. (New York Times, Current History, 8 (pt. 1), 54.)

ports of the Black Sea during the period in which the armistice remains in force.

ART. III. On the European front the most advanced entanglements on each side of the positions of each of the contracting parties shall be considered as the lines of demarkation. At such places where no closed-in positions exist the lines of demarkation on both sides shall be considered as existing midway between the most advanced occupied points on each side, and the intervening zone shall be considered as neutral. Moreover, navigable rivers which separate opposing positions shall be considered as neutral, and they shall not be navigated, except for previously agreed traffic of a mercantile nature. In sectors where positions are separated from each other by a great distance lines of demarkation shall be agreed upon by armistice commissions without delay, and they shall be made distinguishable.

In the Russo-Turkish theaters of war in Asia the lines of demarkation, as well as traffic over them, shall be regulated by agreement between the high commands on both sides.

ART. IV. For the development and strengthening of friendly relations between the nations of the contracting parties organized intercourse between troops shall be permitted under the following conditions:

1. Intercourse is permissible for pourparlers and for members of armistice commissions and their representatives. Each one of them having this object in view must be in possession of an order made out by a corps commander or a corps committee at least.

2. On every sector of a Russian division organized intercourse may take place at from two to three points. For this purpose centers for intercourse on divisional fronts are to be established between the lines of demarkation and are to be distinguished by white flags. Intercourse there is only to be allowed by day between sunrise and sunset. At the intercourse centers there must not be present at any one time more than 25 unarmed persons from each side. The exchange of news and newspapers is to be permitted. Open letters may be handed in for dispatch. The sale and exchange of wares of everyday use is to be permitted at the intercourse centers.

3. The interment of the dead in the neutral zone is permissible. More precise details are to be arranged in each case by the divisional commanders on both sides or by the higher service field posts.

4. As regards the return of men who have been discharged from military service in one country and who have their homes beyond the lines of demarkation of the other country, this question can only be the subject of discussion at the negotiations for peace. This also applies to men belonging to Polish detachments.

5. All persons, who, contrary to the conditions contained in clauses 1 to 4, shall cross the line of demarkation of the opposite side will be placed under arrest and will be delivered up again only at the conclusion of peace or at the end of the period of armistice.

6. The contracting parties undertake to bring to the notice of their respective troops by strict orders and detailed explanation the necessity for the observance of the conditions of intercourse and the consequences resulting from their contravention.

NAVAL PROVISIONS.

ART. V. With regard to naval operations, the following conditions were agreed to:

1. The armistice extends to the whole Black Sea and the Baltic Sea to the east of the meridian 15° east of Greenwich, namely, to all sea and air forces belonging to the contracting parties within these regions.

With regard to the extension of the armistice to the White Sea and to Russian coastal waters in the northern Arctic Ocean, a special agreement will be established after consultations between the naval staffs of the contracting parties.

All attacks upon mercantile and naval vessels belonging to the contracting parties in the above-named seas shall cease at once as far as possible. In this agreement shall be included a special condition concerning the prohibition of naval attacks upon each other by the contracting parties in other seas.

2. Attacks by sea and by air upon ports and coasts belonging to the contracting parties in all naval war zones shall be prohibited. Similarly ships of one of the contracting parties are prohibited from entering the ports and from approaching the coasts occupied by another contracting party.

3. Flights are prohibited over the ports or over the coasts of both contracting parties in all the naval war zones. Flights over the line of demarkation are also prohibited.

4. The line of demarkation is established as follows:

In the Black Sea, the line—Olinka Lighthouse, mouth of St. Georges Channel of the Danube, Cape Geros.

In the Baltic Sea, Rogeul, on the western coast of the Island of Worms, Bogsher Island, Wenika, Hegarne.

A detailed line of demarkation in the region between the islands of Worms and Bogsher must be established by the special commission for the armistice in the Baltic Sea.

Russian warships have the right of free navigation to the Aaland Islands in all weathers and under all ice conditions.

Russian warships may not pass the indicated demarcation line to the south, and the warships of the four central powers may not pass it to the north.

The Russian Government gives a guaranty that all the allied warships which are in or will enter the indicated region will be submitted to the conditions of this agreement.

5. Commercial navigation is permitted in the region indicated in clause 1. The establishment of safe navigation for merchant ships in

this region is to be left to the special commission for the armistice in the Baltic and Black Seas.

6. The contracting parties undertake during the armistice in the Baltic and the Black Seas not to prepare active naval operations directed against each other.

SPECIAL STIPULATIONS.

ART. VI. In order to avoid accidents and misunderstandings on the front infantry firing practice is prohibited nearer than 5,000 yards from the demarcation line. The use of land mines shall be stopped. The air forces and observation balloons shall be kept 10,000 yards distant from the demarcation line. Work on positions behind the front line entanglements is to be allowed, with the exception, however, of such work as might serve as preparation for an attack.

ART. VII. In order to give effect to their agreement and for the correct observance of the same from the moment of its application special commissions are established in the following places:

- (1) At Riga for the Baltic.
- (2) At Dvinsk for the front from the Baltic to the Dvina.
- (3) At Brest-Litovsk for the front from the Dvina to the Pripet.
- (4) At Berditcheff for the front from the Pripet to the Dniester.
- (5) At Koloczvar, and (6) at Focsani, for the front from the Dniester to the Black Sea.

(The boundaries in the regions of the front between sections 5 and 6 are fixed by mutual agreement.)

- (7) At Odessa for the Black Sea.

The right of unimpeded and uncontrolled communication by telegraph is reserved to the commissions. Both contracting parties will construct cables to the middle of the neutral zone between the lines of demarcation.

In the Russo-Turkish theater of war such commissions will also be established after an agreement by the commanders in chief on both sides.

ART. VIII. The agreement for the cessation of hostilities dated December 5, 1917, and all other agreements concluded up to the present on separate sectors of the front, with regard to an armistice or a cessation of hostilities, are considered as annulled from the moment that the present agreement becomes effective.

ART. IX. The contracting parties immediately after the signature of the present armistice agreement will begin peace negotiations.

ART. X. Taking their stand upon the freedom and independence and territorial inviolability of the neutral portion of the Persian Empire, the Turkish and Russian high commands are both prepared to withdraw their troops from Persia. They will immediately enter into communication with the Persian Government in order to arrange details for their evacuation and also for the guaranteeing of the above-mentioned principle and for the establishment of other necessary measures.

SUPPLEMENT.

Supplementary to, and in extension of, the armistice agreement, the contracting parties have agreed on the most speedy settlement for the immediate exchange of civilian prisoners and of prisoners of war who are unfit for further military service. The first question to be considered is the sending back to their homes of women, and of children under 14 years of age. The contracting parties will at once institute practical means for the amelioration of the condition of prisoners of war on both sides. This must be one of the most agreeable tasks in which the Governments will engage.

In order to promote the negotiations for peace, and in order to heal the grievous wounds inflicted upon civilization by the war, measures will be devised for the reestablishment of cultural and economic relations between the contracting parties. To this end the following will contribute: The reestablishment of postal and commercial intercourse, the sending of books and newspapers and the like within the limits allowed by the armistice.

For the settlement of the details, a mixed commission consisting of representatives of all the contracting parties shall shortly meet in Petrograd.

BREST-LITOVSK, *December 15, 1917.*

Accepted in principle, under reserve of final formulation.

(Signed) &c., &c., &c.

SWEDEN.

*Royal proclamation relating to hospital ships, June 16, 1911.*¹

His Majesty's gracious proclamation regarding protection of certain marks which denote that the ship is intended for the help of the wounded and sick during the war. Given at Royal Palace at Stockholm, June 16, 1911.

We Gustav, by the grace of God, King of Sweden, etc., etc., make known: That after and in accordance with an international convention concluded on October 18, 1907, and acceded to by Sweden, an agreement has been made whereby military hospital ships shall be distinguished by being painted on the outside white with a horizontal green border about half a meter wide, and also that ships commissioned by private or certain officially acknowledged societies for medical attendance during war, shall be painted on the outside white with a horizontal red border of the same width.

We have in application of paragraph 5 in the law for the protection of certain international designations of medical attendance of June 2, instant, found for good and herewith graciously command that what in said law is stipulated in regard to the mark of "Red Cross" shall also be in force in regard to the use on board ships designated as stated above.

This proclamation is put into operation on January 1, 1912.

GUSTAV.

¹ A law of June 2, 1911, related to the protection of the Red Cross and other hospital and sanitary corps designations. A Roumanian law of similar effect was passed May 17/30, 1913.