

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.

*Statement by Italian Premier Orlando of attitude toward Czecho-Slovaks, October 3, 1918.*¹

[New York Times, Current History 9 (pt. 1): 496.]

As early as April 21, 1918, the Italian Government concluded an agreement with the Czecho-Slovak National Council for the creation of a legion to fight on our front, a step which implied the recognition of a de facto government. Since then our relations with this heroic people have been uniformly friendly, and the fraternal bonds between us have been strengthened and hallowed by the blood which its generous sons have shed in the Alps for the defense of Italy as well as of their own land. I believe I am a faithful interpreter of the soul of the whole Italian nation when I say that the union between these two people will continue sincere and indissoluble and will be prolonged through fruitful, economic, and intellectual relations after the war.

JAPAN.

Notification of Sasebo defensive sea area, August 23, 1914.

Navy Department Notification No. 5, August 23, 1914.

From August 23, 1914, the following place will be the Sasebo defense sea area:

ROFURO YASHIRO,
Minister of the Navy.

The sea area within the line connecting Sai-no-hana, south extremity of Imoto-jima, Otate-jima, Shishiki-zaki, and Kanzake-hana. However, Omura Bay is not included in the area.

Regulations for Sasebo defensive sea area, August 23, 1914.

The commander in chief of the Sasebo naval station has promulgated the following rules for the control of the Sasebo defense sea area and of vessels navigating therein:

RULES RELATING TO THE SASEBO DEFENSE SEA AREA AND VESSELS NAVIGATING THEREIN.

ARTICLE 1. The general control over the water within the naval port is in charge of the harbor master of Sasebo and that over the entrance to the port and the waters outside of the entrance is in charge of the commander of defense of the entrance of Port Sasebo.

ART. 2. Any vessel other than those belonging to the army or the navy, which desires to enter or leave the port or to pass it, must obtain the permission of the commander in chief of the Sasebo naval station beforehand. However, vessels less than 20 tons, gross, or vessels less than 200 "koku" capacity, or boats or any other vessels wholly or principally driven by oars, shall, in spite of these rules, stop near the

¹ Italy recognized the Czecho-Slovak National Council by a concluding convention, June 30, 1918; giving them exterritorial rights in Italy.

entrance of the port and receive directions from the commander of defense of port entrance.

ART. 5. Vessels which desire to enter, leave, or pass the defense sea area or to anchor therein, must first stop at a stopping place and receive, directions from the watch vessel specially stationed there or from a pilot vessel with regard to their movements, beacons, signals, etc.

ART. 4. The stopping places of vessels are as follows:

When entering:

About 1 mile west of Kanzaki-hana.

About 1 mile west of Mitoko-hana.

About 1 mile south of Shishiki-zaki.

Southern part of Terajima-suido.

When leaving:

South of Iwo-zaki within the naval port.

ART. 5. A specially stationed watch vessel or a pilot vessel will always be near the stopping places.

ART. 6. The pilot vessels which shall guide vessels which enter, leave, or pass the defense sea area, hoist the following signal:

Daytime, pilot flag (square flag, upper part white, lower part red.)

Night, two white lights.

ART. 7. Vessels navigating the defense sea area shall not steam at a speed higher than 8 knots.

ART. 8. With regard to vessels belonging to persons living on the coast of the defense sea area, in daytime the prohibition of article 4 shall not be enforced and article 2 shall not be applied.

ART. 9. Fishing, taking seaweeds, swimming, etc., are prohibited within the defense sea area, unless with permission of the commander in chief of the naval station.

Notification of Bako defensive sea area, August 23, 1914.

Navy Department Notification No. 6, August 23, 1914.

From August 23, 1914, the following place will be the Bako defense sea area.

ROKURO YASHIRO,

Minister of the Navy.

The sea area within the line connecting Litsitah Point, south extremity of Kosei-cho and Ko-kaku.

Regulations for Bako defensive sea area, August 23, 1914.

The commander of the Bako secondary naval station has promulgated the following rules for the control of the Bako defense sea area and of vessels navigating therein:

RULES RELATING TO THE BAKO DEFENSE SEA AREA AND VESSELS NAVIGATING THEREIN.

ARTICLE 1. These rules are applicable to vessels other than those belonging to the army or the navy which desire to enter, leave, or pass the defense sea area when Bako has been designated as such.

ART. 2. No vessels other than those belonging to the army or the navy shall be permitted to enter or leave the defense sea area without permission of the commander of the station.

ART. 3. Vessels which desire to obtain the permission of the preceding article shall apply for it beforehand and receive permit for passage to and from the defense sea area. This permit shall not be loaned or transferred to another.

ART. 4. Vessels which desire to enter or leave the defense sea area (including vessels of the preceding article which are required to obtain permission) shall stop at one of the following places, and shall wait for a pilot, showing the signals prescribed in article 5:

1. When entering:

A place not less than $1\frac{1}{2}$ miles from the Kitsushibi (Litsitah) Lighthouse of Gyoo-to between the lines drawn southwest and southwest by south from the same lighthouse.

2. When leaving:

Within the line drawn between Fukibi-kaku and Kaikan-gan.

ART. 5. Vessels which have stopped at the above places shall display their signal letters and also the following signals:

In steamers, flag asking for a pilot, and steam whistle shall be sounded repeatedly.

In sailing vessels, flag asking for a pilot, and horn shall be blown.

ART. 6. When the pilot vessel has recognized vessels of the preceding article, it shall hoist in answer the answering pennant of the international code, and shall guide the vessels. However, with regard to vessels which ask for the permission of article 2, instruction from the station must be waited for.

When the pilot vessel permits free movements to the vessels, the answering pennant of the preceding article shall be hauled down.

ART. 7. The pilot vessel shall display in daytime the pilot flag (upper part white, lower part red) of the special signals to be used for British vessels of the international code, and at night two white lights abreast from the foremast.

ART. 8. Vessels navigating the defense sea area are liable to inspection by the watch or pilot vessel and must give clear answers to inquiries from them.

ART. 9. Steamers in entering or leaving port shall steam at a speed not more than 5 knots.

ART. 10. In following sea areas and channels, arrival or passage of all vessels is forbidden except with special permission of the commander of the station: The sea areas 3 miles around Boko Island, Kosei-cho, Gyoo-to, Hakusa-to, Kitsubai-cho, and Mokuto-cho.

ART. 11. When passage of vessels is totally prohibited within the defense sea area, the N flag of the international code shall be displayed at the signal station at Litsitah Point.

ART. 12. From sunset to sunrise the passage to and from the defense sea area of vessels, except those specially permitted, is prohibited.

ART. 13. With regard to oar-driven vessels belonging to residents of the defense sea area, the prohibition of article 4 shall not be enforced in daytime.

ART. 14. Fishing and taking seaweeds are prohibited within the defense sea area unless with permission of the commander of the station.

ART. 15. Vessels less than 20 tons gross, or those less than 200 "koku," or those driven principally or wholly with oars may pass the defense sea area in spite of the rules of articles 1, 2, and 3. However, passage of such vessels may temporarily be restricted or prohibited.

ART. 16. In case any vessel coming under the preceding article passes at night the defense sea area, in violation of article 3 of regulations governing defense sea area, it may be fired at from the patrol or watch vessels.

*Declaration relating to treatment of German merchant vessels in or bound for Japanese ports at the beginning of hostilities, August 24, 1914.*¹

We sanction regulations relating to exemption of vessels of the German Empire from capture and cause them to be promulgated.

[IMPERIAL SIGNATURE. IMPERIAL SEAL.]

This 23d day of August, 1914.

COUNT SIGENOBU OKUMA,
Minister President of State.
ROKURO YASHIRO,
Minister of the Navy.

Imperial Ordinance No. 163, of August 23, 1914.

ARTICLE 1. A vessel of the German Empire which is, at the time of the enforcement of this ordinance, staying at a port of anchorage within the Japanese Empire or within districts governed by Japan, may, by September 5, 1914, land her cargo at the port or anchorage, and may finish business which was negotiated with good faith before the opening of the war and is being actually transacted, and requesting the Japanese authorities for a passport and obtaining it, may sail direct for the port of her destination or the port designated in the passport.

ART. 2. A German vessel which has left the last port of call before August 23, 1914, and arrived at a port or anchorage within Japan or districts governed by Japan, not knowing the fact of the opening of war, may immediately land her cargo at the port or anchorage and may take in goods which are not contraband of war, and may finish her transactions, and requesting the Japanese authorities for passport and obtaining it, may sail direct to the port of her destination or the port designated in the passport. In this case the vessel must sail within two weeks from her arrival at the port or anchorage at a date to be designated by the Japanese authorities.

ART. 3. A German vessel which has left a port or an anchorage in Japan or in districts governed by Japan in accordance with the pro-

¹ For documents relating to treatment of enemy vessels at outbreak of war by other countries, see Naval War College, *International Law Documents*, 1915, pp. 19 et seq., 1917, pp. 200, 246.

visions of the preceding two articles, shall not be captured while she is en route to the port of her destination or the port designated in the passport. However this rule does not apply to a vessel which has touched at another port or anchorage of Japan or of districts governed by Japan, or a port or an anchorage of the country to which the vessel belongs, or of districts governed by that country.

ART. 4. A German vessel which, on account of force that can not be resisted, has not been able to leave a port or an anchorage of Japan or of districts governed by Japan within the period provided in article 1 or 2, or a German vessel which was not permitted to leave, may be detained under the obligation that it shall be returned after the war without paying any damages, or may be requisitioned under the obligation that damages shall be paid.

ART. 5. A German vessel which has left the last port of call before the opening of war and which does not know the fact of the opening of war when she encounters Japanese men-of-war, shall not be captured.

A vessel coming under the preceding paragraph may be detained under the obligation that she shall be returned after the war without paying damages, or may be requisitioned or destroyed under the obligation that damages shall be paid, safety of persons on board guaranteed, and ship's papers preserved.

A vessel coming under paragraph 1 shall be treated according to rules and customs of maritime warfare after she has touched at a port of her own country or a port of a neutral country.

ART. 6. The enemy goods on board a vessel coming under article 1, article 2, article 4 or the preceding article, may be detained under the obligation that they shall be returned after the war without paying damages, or may be requisitioned together with, or separate from, the vessel under the obligation to pay damages.

ART. 7. This ordinance is not applicable to a German vessel of which it is very clear from its construction that it can be converted into a man-of-war.

ART. 8. In case Germany gives to Japanese vessels and goods treatments different from those prescribed in this ordinance, the whole or part of this ordinance may not be enforced.

SUPPLEMENTARY CLAUSE.

This ordinance takes effect from the date of promulgation.

Instructions of the minister of the navy, issued April 28, 1916, respecting the procedure for boarding merchant ships.

During the continuance of the present war, His Imperial Majesty's ships shall, in visiting and searching merchant ships, follow the special procedure mentioned hereunder:

1. By day:

The warship will hoist a large-sized pennant at a conspicuous position and fire two rockets.¹ This is to signify that the merchant ship is to close the boat lowered by the warship, whether the warship remains near the boat or not.

¹ See footnote, p. 114.

2. By night:¹

The warship will fire two port fires at a conspicuous position. This is to signify that the merchant ship is to close the boat lowered by the warship: The warship shall, where possible, illuminate the boat by a searchlight.

When the weather precludes the lowering of a boat, the warship will likewise fire two port fires which will be the signal for the merchant ship to lie-to till daylight.

3. In the event of the merchant ship disregarding the orders given under the preceding two clauses, it may be fired on by the warship.

4. For the time being, if it is found that the meaning of the signals above mentioned is not understood, His Imperial Majesty's ships will communicate with merchant ships in the international code of signals. The procedure hitherto followed in other respects remains unchanged.

Imperial Ordinance No. 171, relating to transfer of national vessels, September 29, 1917.

ARTICLE 1. No Japanese vessels shall, except with permission of the minister of communications, be sold, chartered, tendered as security, or transferred to any person who is not entitled to own a Japanese vessel. This rule is also applicable to vessels building.

ART. 2. No vessel shall be, except in the case where there is permission of the minister of communications, built to order of a person who is not entitled to own a Japanese vessel.

ART. 3. Japanese vessels may not, except where there are orders of the Government or permission of the minister of communications, engage in traffic between foreign ports only.

ART. 4. The minister of communications may forbid or restrict a Japanese vessel in the transport of passengers or cargo from one foreign port to another foreign port.

ART. 5. The minister of communications may order a Japanese vessel to make voyages on certain routes or to transport specially designated passengers or cargo.

ART. 6. The minister of communications may restrict transportation fares with regard to Japanese vessels.

ART. 7. The minister of communications may appropriate or use, designating a suitable remuneration, any Japanese vessel, shipbuilding yard or material, tools and machinery required for shipbuilding. This rule is applicable also to vessels building.

In the case of the preceding clause, the minister of communications may requisition the crew or workmen together with the vessel or the yard.

¹ Instructions of the minister of the navy, issued on the 17th May, 1916, respecting the boarding of merchant ships:

The following alterations in the instructions issued on the 28th April, 1916, respecting the boarding of merchant ships will come into effect from the 20th May, 1916:

1. In the clause respecting the signals by day for ordering the merchant ship to close the boat lowered by the warship, the words "two rockets" to be altered to "a rocket."

2. The entire clause respecting signals by night to be struck out.

The provisions of clauses 3 and 4, article 11, of the ocean traffic subsidy law will be applicable with regard to those who are not satisfied with the remuneration mentioned in clause 1.

ART. 8. The minister of communications may frame special rules with regard to the qualifications of vessels to be used on routes subsidized under the ocean traffic subsidy law

ART. 9. The minister of communications may give orders to Japanese vessels with regard to matters he considers necessary for the protection of their crews or with regard to their equipments.

ART. 10. A person who has infringed article 1, 2, or 3, or disobeyed the orders issued under article 5, or refused the appropriation or use (of material) or furnishing (of personnel) under article 7 shall be punished with penal servitude not exceeding two years.

ART. 11. A person who has infringed the prohibition or restriction under article 4 or the orders issued under article 9, shall be punished with penal servitude not exceeding one year or a fine not exceeding 5,000 yen.

In the case of the preceding clause, the part charged beyond the limit shall be forfeited. In case it is impossible to forfeit the whole or part thereof, value thereof shall be collected.

ART. 13. The authority of the minister of communications under this ordinance shall be exercised in Korea, Formosa, and Kwantung, by the governor general of Korea, governor general of Formosa, and governor of Kwantung, respectively, under the supervision of the minister of communications.

SUPPLEMENTARY CLAUSES.

This ordinance shall be enforced from October 1, 1917.

With regard to Japanese vessels being chartered, or tendered as security, to persons not entitled to own Japanese vessels, or engaged in traffic between foreign ports only, the permission of the minister of communications shall be requested without delay upon the enforcement of this ordinance. The same is the case with vessels building which are to be tendered as securities to persons who are not entitled to own Japanese vessels, or with vessels to be built to orders of such persons.

This ordinance will cease to be in force after one year from the date of the signing of a treaty of peace.

MOROCCO.

Neutrality regulations, July 18, 1917.

Adjoined to the royal order circular No. 607. Dahir dictating regulations concerning the treatment to be accorded to belligerent and neutral submarines in waters under the jurisdiction of the zone of Spanish influence in Morocco, and corresponding decree, July 18, 1917.

Praise to the only God.
Only His Empire is eternal.
Place of sea.

Let it be known by this document that we by the grace of God, His force and power, taking into account the necessity of fixing concrete rules to which the authorities and functionaries of this zone must adjust