THE

AMERICAN JOURNAL

OF

INTERNATIONAL LAW



VOLUME 10

1916

Reprinted with the permission of The American Society of International Law

JOHNSON REPRINT CORPORATION NEW YORK AND LONDON

COPYRIGHT, 1916

BY

THE AMERICAN SOCIETY OF INTERNATIONAL LAW

First reprinting, 1962, Johnson Reprint Corporation

TABLE OF CONTENTS, VOLUME TEN

[No. 1, January, 1916, pp. 1–210; No. 2, April, 1916, pp. 211–466; No. 3, July, 1 pp. 467–687; No. 4, October, 1916, pp. 688–972.]	916,
THE OUTLOOK FOR INTERNATIONAL LAW. Elihu Root	1
Some Questions of International Law in the European War. $James W$. Garner:	
Destruction of neutral merchant vessels Treatment of enemy merchant vessels in belligerent ports at the outbreak	12
of war	238 749
NAVAL WARFARE: LAW AND LICENSE. T. Baty	42
Some Phases of the Law of Blockade. Alexander Holtzoff	53
THE RELATIONS BETWEEN THE UNITED STATES AND PORTO RICO. Part II. Pedro Capó-Rodríguez	312
SHOULD THE MONROE POLICY BE MODIFIED OR ABANDONED? Robert D. Arm- strong	77
The Declaration of the Rights and Duties of Nations Adopted by the American Institute of International Law. <i>Elihu Root</i>	211
The Negotiations Between Japan and China in 1915. S. N. D. North	22 2
THE ORIGIN OF THE HAGUE ARBITRAL COURTS. II. The Proposed Court of Arbitral Justice. Denys P. Myers	270
THE SANCTION OF INTERNATIONAL LAW. Amos J. Peaslee	328
THE SALE OF MUNITIONS OF WAR. William C. Morey	467
The Legality of the Blockades Instituted by Napoleon's Decrees and the British Orders in Council, 1806–1813. Archibald H. Stockder	492
THE NEUTRALITY OF HONDURAS AND THE QUESTION OF THE GULF OF FONSECA. Salvador Rodríguez González	509
NEUTRALITY AND THE SALE OF ARMS. Charles Noble Gregory	543
UNJUSTIFIABLE WAR AND THE MEANS TO AVOID IT. Heinrich Lammasch	689
THE LEGAL NATURE OF TREATIES. Quincy Wright	706
ALBERICO GENTILI AND HIS ADVOCATIO HISPANICA. Frank Frost Abbott iii	737

TABLE OF CONTENTS

THE RELATIONS BETWEEN CHINA, RUSSIA AND MONGOLIA. E. T. Williams	798
THE CASE OF THE APPAM. James Brown Scott	809
BOARD OF EDITORS	832
EDITORIAL COMMENT:	
The right of prize and neutral attitude toward admission of prizes	104
Days of grace for merchant vessels of the enemy	
Armed merchant ships	
The consequences of the severance of diplomatic relations	
The seizure of enemy subjects upon neutral vessels upon the high seas	
Some popular misconceptions of neutrality	
The American Institute of International Law.	
A recent deployment of the Latin Americas in support of a diplomatic and	
humanitarian policy initiated by the American Government	
The Second Pan-American Scientific Congress.	
The annual meeting of the Society	
The American punitive expedition into Mexico	
Instructions to French naval officers	340
The right of neutrals to protest against violations of international law	
The treaty with Nicaragua granting canal and other rights to the United	
States	344
The entry of Portugal into the European War	351
Jurisdiction over persons on board interned belligerent vessels	355
The recognition of the de facto government in Mexico	357
The Japanese law of nationality	367
The status of the Frye case	369
The Grotius Society	372
The Chinese Social and Political Science Association	
The correspondence regarding the S. S. Sussex	556
British Orders in Council and international law	
The International High Commission on Uniformity of Laws	
The Secretary of State on violations of international law as they affect	
neutrals	
The study and teaching of international law	
Mexico, the United States and arbitration	
The so-called inviolability of the mails	
The case of Virginia against West Virginia	
The von Igel case	
Some adumbrations as to European peace	
Concerning prisoners of war	
The proposed amendments to the neutrality laws of the United States	
The blacklist of Great Britain and her Allies.	
The withdrawal of the Declaration of London Orders in Council	
The economic conference of the Allied Powers	
The Deutschland	
The purchase of the Danish West Indies by the United States of America	
The treaty between the United States and Haiti of September 16, 1915	859

TABLE OF CONTENTS

Editorial Comment-Continued	
The execution of Captain Fryatt	865
The escape of paroled members of the crews of interned cruisers in the	
United States	877
The Bryan peace treaties	882
The American-Mexican Joint Commission of 1916	
Another special supplement to the Journal	
CHRONICLE OF INTERNATIONAL EVENTS. Kathryn Sellers	898
PUBLIC DOCUMENTS RELATING TO INTERNATIONAL LAW. George A. Finch	
154, 389, 624,	906
JUDICIAL DECISIONS INVOLVING QUESTIONS OF INTERNATIONAL LAW:	
Supreme Court of the United States:	
Truax and Arizona v. Raich	158
Heim v. McCall.	
Mackenzie v. Hare	
British Court of Appeal:	100
Ex parte Weber	167
British Prize Court:	101
The Antares (and Four Other Vessels)	160
The Ophelia	
The Southfield	
The Alwina.	
The Tubantia, the Gelria, and the Hollandia	
Judicial Committee of the Privy Council:	001
The Roumanian	397
The Odessa and The Woolston	
The Zamora	
The Gutenfels, The Barenfels, and The Derfflinger	
The Pindos, The Helgoland, and The Rostock	
The Concadoro	
The Ophelia	
Imperial Supreme Prize Court in Berlin:	
The Fenix	909
The Elida	
The Glitra.	
The Maria	
The Indian Prince	
Book Reviews:	
Picciotto: The Relation of International Law to the Law of England and of	100
the United States of America.	180
Borchard: The Diplomatic Protection of Citizens Abroad	
Liscano: Las Doctrinas Guerreras y El Derecho	
Clapp: Economic Aspects of the War Vivas: El Protocolo Venezolano-Francés de 1913	
Fullerton: Germany of Today.	
Henriquez y Carvajal: El Derecho Publico Internacional y La Guerra	191

TABLE OF CONTENTS

BOOK REVIEWS—Continued	
Roxburgh: The Prisoners of War Information Bureau in London	198
Diplomatist: Nationalism and War in the Near East	199
Lobo: O Brasil e seus principios de neutralidade	
Van Praag: Jurisdiction et Droit International Public	445
Geny: Science et Technique en Droit Privé Positif	446
Foraker: Notes of a Busy Life	451
Satow: The Silesian Loan and Frederick the Great	457
Stockton: Outlines of International Law	656
Stowell: The Diplomacy of the War of 1914	657
Wheaton: Elements of International Law	662
Beale: Treatise on the Conflict of Laws, Part I	665
Maliniak: Andreas Fricius Modrevius.	669
Manning: Early Diplomatic Relations between the United States and	
Mexico	670
Kuhn: Grundzüge des Englisch-Amerikanischen Privat-und Prozessrechts	674
Crandall: Treaties, their Making and Enforcement	675
Strupp: Der Streitfall zwischen Schweden und Norwegen	676
Williams: Anglo-American Isthmian Diplomacy, 1815–1915	678
Diena: Per un Irredentismo in fatto di Scienze Giuridiche	679
Horowitz: l'Organisme des états-tampons gardiens de la paix	680
Boye: De vaebnede Neutralitets-Forbund: Et avsnit av Folkerettens	
historie	936
Bajer: Nordens, sarlig Danmarks, Neutralitet under Krimkrigen	938
Nicholson: War or a United World	939
Kaufmann: Kriegführende Staaten als Schuldner und Gläubiger feindlicher	
Staatsangehöriger	940
Planas Suarez: Tratado de Derecho Internacional Publico	941
Grotius: The Freedom of the Seas	
Pyke: The Law of Contraband of War	
Johnson: America's Foreign Relations.	945
PERIODICAL LITERATURE OF INTERNATIONAL LAW. Kathryn Sellers205, 461,	
682,	950
Index	959

SUPPLEMENT-IMPORTANT TEXTS OF AN INTERNATIONAL CHARACTER

THE AMERICAN JOURNAL OF INTERNATIONAL LAW is supplied to all members of the American Society of International Law without extra charge, as the memberof the American Society of International Law without extra charge, as the member-ship fee of five dollars per annum includes the right to all issues of the JOURNAL published during the year for which the dues are paid. (Members residing in foreign countries pay one dollar extra per annum to cover foreign postage.) The annual subscription to non-members of the Society is five dollars per an-num (one dollar extra is charged for foreign postage), and should be placed with the publishers, Baker, Voorhis & Company, 45 and 47 John Street, New York City. Single copies of the JOURNAL will be supplied by the publishers at \$1.25 per copy. Applications for membership in the Society, correspondence with reference to the JOURNAL, and books for review should be sent to James Brown Scott, Editor in Chief, 2 Jackson Place, Washington, D. C.

vi