

THE
AMERICAN JOURNAL
OF
INTERNATIONAL LAW



VOLUME 17

1923

PUBLISHED BY

THE AMERICAN SOCIETY OF INTERNATIONAL LAW

PUBLICATION OFFICE:
THE RUMFORD PRESS
CONCORD, N. H.

EDITORIAL AND EXECUTIVE OFFICE:
2 JACKSON PLACE
WASHINGTON, D. C.

COPYRIGHT, 1923
BY
THE AMERICAN SOCIETY OF INTERNATIONAL LAW

CONTENTS OF VOLUME SEVENTEEN

	PAGE
SUGGESTIONS AS TO CHANGES IN THE INTERNATIONAL LAW FOR MARITIME WAR. <i>William L. Rodgers</i>	1
THE FIRST YEAR OF THE PERMANENT COURT OF INTERNATIONAL JUSTICE. <i>Manley O. Hudson</i>	15
SOME LEGAL ASPECTS OF THE JAPANESE QUESTION. <i>Raymond Leslie Buell</i>	29
THE MANDATORY SYSTEM. <i>Mark Carter Mills</i>	50
THE NEUTRALIZATION OF THE AALAND ISLANDS. <i>Charles Noble Gregory</i>	63
THE CAPITULATIONS OF THE OTTOMAN EMPIRE AND THE QUESTION OF THEIR ABRO- GATION AS IT AFFECTS THE UNITED STATES. <i>Lucius Ellsworth Thayer</i>	207
INTERNATIONAL LAW IN ITS RELATION TO CONSTITUTIONAL LAW. <i>Quincy Wright</i>	234
TORT AT INTERNATIONAL LAW. <i>Jennings C. Wise</i>	245
RUSSIA IN THE FAR EAST. <i>S. A. Korff</i>	252
THE UNITED STATES AND THE PERMANENT COURT OF INTERNATIONAL JUSTICE. <i>Eu- gène Borel</i>	429
THE INTERNATIONAL ORGANIZATION OF THE DANUBE UNDER THE PEACE TREATIES <i>Gordon E. Sherman</i>	438
THE RHINELAND COMMISSION AT WORK. <i>Robert E. Ireton</i>	460
INTERNATIONAL TRAFFIC LAW: ITS FORMS AND REQUIREMENTS. <i>Ernst Hollander</i>	470
THE PROTECTION OF AMERICAN CITIZENS IN CHINA: CASES OF LAWLESSNESS. <i>Ben- jamin H. Williams</i>	489
OBSERVATIONS ON THE MONROE DOCTRINE. <i>Charles E. Hughes</i>	611
THE LAWS OF WAR CONCERNING AVIATION AND RADIO. <i>William L. Rodgers</i>	629
PROTECTION OF MINORITIES BY THE LEAGUE OF NATIONS. <i>Helmer Rosting</i>	641
THE COMPETENCE OF THE MIXED ARBITRAL COURTS OF THE TREATY OF VERSAILLES <i>Karl Strupp</i>	661
SOVEREIGNTY OF THE MANDATES. <i>Quincy Wright</i>	691
NEUTRALITY AND THE WORLD WAR. <i>Malbone W. Graham, Jr.</i>	704
EDITORIAL COMMENT:	
The Third Assembly of the League of Nations. <i>David Jayne Hill</i>	77
The Tacna-Arica arbitration. <i>James Brown Scott</i>	82
The marginal sea. <i>Philip Marshall Brown</i>	89
The comity of nations. <i>Theodore S. Woolsey</i>	95
Nationality of married women. <i>Jesse S. Reeves</i>	97
The Isle of Pines. <i>James Brown Scott</i>	100
The proposed consolidation of the diplomatic and consular services of the United States. <i>Robert Lansing</i>	285
United States-Norway arbitration award. <i>James Brown Scott</i>	287
The Lausanne conference. <i>Philip Marshall Brown</i>	290
The recognition of Soviet Russia. <i>James Brown Scott</i>	296
An important decision by the Permanent Court of International Justice. <i>Charles Noble Gregory</i>	298
The Solicitor for the State Department. <i>James Brown Scott</i>	307
Clearing the way for the Nicaragua canal. <i>Jesse S. Reeves</i>	309

	PAGE
The Central American conference. <i>James Brown Scott</i>	313
The settlement of the British debt to the United States. <i>George A. Finch</i>	319
The judicial settlement of disputes between states of the American Union. <i>James Brown Scott</i>	326
Japanese and Hindu naturalization in the United States. <i>James Brown Scott</i>	328
The Supreme Court decision in the ship liquor cases. <i>Theodore S. Woolsey</i>	504
Foreign language teaching in the United States. <i>James Brown Scott</i>	507
The cancellation of the Lansing-Ishii agreement. <i>James Brown Scott</i>	510
The payment of the costs of the American army of occupation on the Rhine. <i>George A. Finch</i>	513
The fifth international conference of American states. <i>James Brown Scott</i>	518
The United States and the Permanent Court of International Justice. <i>George A. Finch</i>	521
The legality of the occupation of the Ruhr Valley. <i>George A. Finch</i>	724
President Harding. <i>Charles Noble Gregory</i>	734
Suits brought by foreign states with unrecognized governments. <i>Quincy Wright</i>	742
The Hague Academy of International Law. <i>James Brown Scott</i>	746
The Institute of International Law. <i>James Brown Scott</i>	751
CURRENT NOTES:	
The Institute of International Law. <i>James Brown Scott</i>	105
Courts-martial and the laws of war. <i>Elbridge Colby</i>	109
The financial reconstruction of Austria. <i>J. A. Saller</i>	116
Participation of the United States in the Permanent Court of International Justice:	
Message of the President to the Senate. <i>February 24, 1923</i>	331
Letter of the Secretary of State to the President. <i>February 17, 1923</i>	332
Letter of the President to the Foreign Relations Committee. <i>March 2, 1923</i>	339
Letter of the Secretary of State to the President. <i>March 1, 1923</i>	339
The annual meeting of the American Society of International Law. <i>George A. Finch</i>	527
President Harding's address on the Permanent Court of International Justice. <i>June 21, 1923</i>	533
The Academy of International Law at The Hague	536
The Carnegie Endowment Fellowships in International Law	537
In memoriam: James Bryce, Harry Shepard Knapp, Ruy Barbosa	539
Renewal of diplomatic relations between the United States and Mexico	758
The Haitian claims commission	758
The Platt amendment	761
Third international sociological congress	765
The American peace award	766
CHRONICLE OF INTERNATIONAL EVENTS. <i>M. Alice Matthews</i>	129, 344, 543, 769
PUBLIC DOCUMENTS RELATING TO INTERNATIONAL LAW. <i>George A. Finch</i>	147, 357, 558, 783
JUDICIAL DECISIONS INVOLVING QUESTIONS OF INTERNATIONAL LAW:	
<i>Supreme Court of the United States:</i>	
<i>Takao Ozawa v. The United States</i>	151
<i>Cunard Steamship Company v. Secretary of the Treasury</i>	563
<i>United States v. Bhagat Singh Thind</i>	572
<i>United States-Peruvian Arbitral Commission:</i>	
Award in the matter of the Landreau claim against Peru	157

	PAGE
<i>Permanent Court of Arbitration at The Hague:</i>	
Award of the tribunal of arbitration between the United States and the Kingdom of Norway under the special agreement of June 30, 1921	362
Letter of the Honorable Chandler P. Anderson, American arbitrator, to the Secretary General of the Permanent Court of Arbitration	399
Statement made in open court by Mr. William C. Dennis, agent of the United States	399
<i>Supreme Court of New York:</i>	
Vanderbilt et al. v. Travelers Insurance Company	578
<i>Walker D. Hines, Arbitrator:</i>	
In the matter of the cessions by Germany to France under Article 357 of the Treaty of Versailles	786
BOOK REVIEWS AND NOTES:	
Bau: The foreign relations of China	174
Belaunde: The treaty of Ancon in the light of international Law	176
Berdahl: War powers of the Executive in the United States	177
Herlich: Theorie des Staatsgebeites entwickelt aus der Lehre von den lokalen Kompetenzen der Staatsperson	180
Herbert: Nationality and its problems	181
Keynes: A revision of the treaty	184
Körling: Die Rechtsnatur des Völkerbundes	185
Pierson: Our changing constitution	186
Ralston: Democracy's international law	190
Reinsch: An American diplomat in China	192
Salter: Allied shipping control	197
Treat: Japan and the United States 1853-1921	198
Warren: The Supreme Court in United States history	186
Wilson: International law	200
Cobbett: Leading cases on international law	400
Cresson: The Holy Alliance	401
Dennett: Americans in Eastern Asia	402
Katz: Der internationale rechtshof	404
Kawakami: Japan's Pacific policy	405
Kosters and Bellemans: Les conventions de la Haye de 1902 et 1905 sur le droit internationale privé	407
Loeb: The legal status of American corporations in France	408
Magvary: Die internationale schiedsgerichtbarkeit im Völkerbunde	404
Neumeyer: Internationales verwaltungsrecht	411
Oppenheim: International law	412
Rowell: The British Empire and world peace	416
Spiropulos: Expulsion and internment of enemy nationals	417
Travers: Le droit penal international et sa mise en oeuvre en temps de paix et en temps de guerre	419
Westlake: A treatise on private international law	420
Wright: The control of American foreign relations	422
Baker: Woodrow Wilson and world settlement	582
Cárdenas: La política de los Estados Unidos en el continente americano	584
Churchill: The world crisis	590
Hadjiscos: Les sanctions internationales de la Société des Nations	591
Keith: War Government in the Dominions	593
McBain and Rogers: The new constitutions of Europe	595
Niemeyer: Völkerrecht	597

	PAGE
Roman: Répertoire général de législation et de jurisprudence en matière de dom- mages de guerre	598
Satow: A guide to diplomatic practice	599
Sun: The international development of China	601
Bemis: Jay's treaty: A study in commerce and diplomacy	809
Dickinson: War: Its nature, cause and cure	810
Fauchille: Traité de droit international public	812
Fuller: Bismarck's diplomacy at its zenith	813
Holt: The elementary principles of modern government	816
Iswolsky: Recollections of a foreign minister	817
Korff: Russia's foreign relations during the last half century	818
Le Roy: L'Abrogation de la neutralité de la Belgique	819
Miliukov: Russia today and tomorrow	823
Torriente: Actividades de la Liga de las Naciones	827
Viviani: Réponse au Kaiser	828
Wilhelm II: The Kaiser's memoirs	828
Wistrand: La diplomatie et les conflits de nationalités	834
Notes	836
PERIODICAL LITERATURE ON INTERNATIONAL LAW SUBJECTS. Hope K.	
<i>Thompson</i>	204, 424, 606, 843
INDEX	847

BOARD OF EDITORS OF THE AMERICAN JOURNAL OF
INTERNATIONAL LAW

CHANDLER P. ANDERSON, New York, N. Y.
EDWIN M. BORCHARD, Yale Law School.
PHILIP MARSHALL BROWN, Princeton University.
WILLIAM C. DENNIS, Washington, D. C.
EDWIN D. DICKINSON, University of Michigan Law School.
CHARLES G. FENWICK, Bryn Mawr College.
JAMES W. GARNER, University of Illinois.
DAVID JAYNE HILL, Washington, D. C.
MANLEY O. HUDSON, Harvard Law School.
CHARLES CHENEY HYDE, Columbia University.
ARTHUR K. KUHN, New York, N. Y.
JESSE S. REEVES, University of Michigan.
ELLERY C. STOWELL, American University.
LESTER H. WOOLSEY, Washington, D. C.
QUINCY WRIGHT, University of Chicago.

Honorary Editor-in-Chief

JAMES BROWN SCOTT, Washington, D. C.

Editor-in-Chief

GEORGE GRAFTON WILSON, Harvard University.

Managing Editor

GEORGE A. FINCH, 2 Jackson Place, Washington, D. C.

THE AMERICAN JOURNAL OF INTERNATIONAL LAW is supplied to all members of the American Society of International Law without extra charge, as the membership 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 outside the domestic postal zone pay one dollar extra per annum for foreign postage; Canada fifty cents extra.)

The annual subscription to non-members of the Society is five dollars per annum (plus the above mentioned sums for foreign postage) and should be placed with the American Society of International Law, 2 Jackson Place, Washington, D. C.

Single copies of the JOURNAL will be supplied by the Society at \$1.50 per copy.

Applications for membership in the Society, correspondence with reference to the JOURNAL, and books for review should be sent to GEORGE A. FINCH, Recording Secretary and Managing Editor, 2 Jackson Place, Washington, D. C.

IMPORTANT NOTICE

The present number completes Volume 20 of the JOURNAL and SUPPLEMENT. Separate title pages, tables of contents, and indexes will be found in the back of each, as the two volumes are separately pagged for separate binding.

The Society will bind your copies in full library buckram, handsewed, gold lettering on the back, for \$1.75 per volume (the SUPPLEMENT is charged for as a separate volume). Any standard color of binding can be furnished, and the color should be indicated in the order.

JOURNALS should be securely wrapped and mailed prepaid to the AMERICAN JOURNAL OF INTERNATIONAL LAW, No. 2 Jackson Place, Washington, D. C. Each package should contain the name and address of the sender, and a check in payment of binding at the above rate should accompany the order. The Society will pay the return postage.