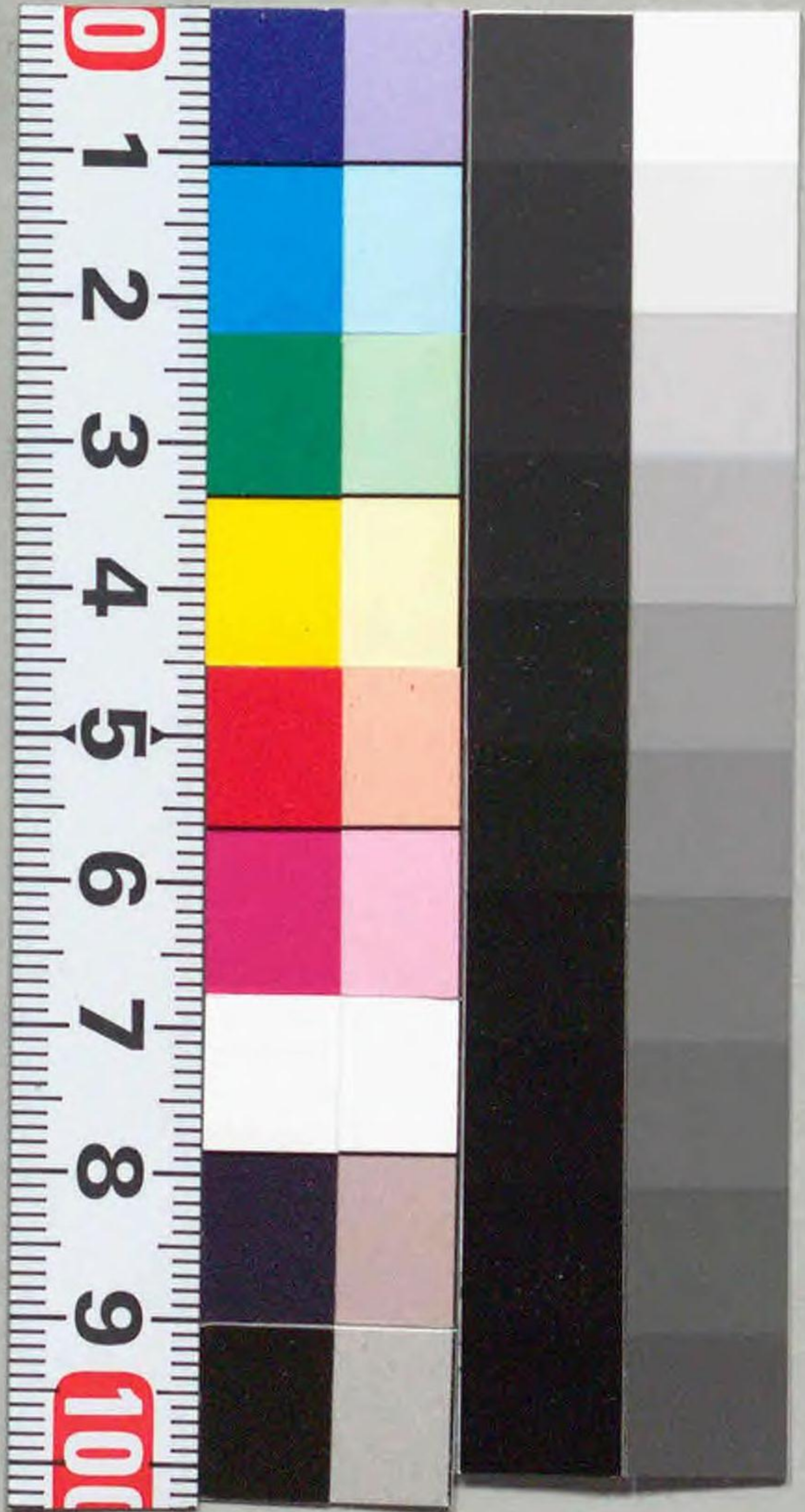


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大正六年四月



大正六年
海戰關係

各國海戰關係法令

第十



8

正天輯寄
27 贈

寄贈本

海軍大臣官房



凡例

- 一本書ハ今回ノ戦役ニ關スル各交戰國及中立國ノ法令等主トシテ海軍士官ノ參考ニ資スヘシト認メタルモノヲ纂録シタリ
- 一本書中ニ掲ケタル我國ノ法令ハ主トシテ海軍省以外ニ於テ發布セラレタルモノ、中必要ト認ムルモノニ限リタリ
- 一本輯ハ第十一輯編纂後即チ大正六年三月一日ヨリ同年四月三十日迄ニ公表セラレ又ハ海軍大臣官房ニ於テ接手シタルモノヲ集録シタリ

大正六年四月三十日

編者識

大正六年四月三十日

茲ニ公表スルニ及ハ新軍大司令官ニ付テ對テ手シテハ其ノ業務ヲ
一本體ハ第一種議定書明々大正六年三月一日ヨリ同月四月三十日
ニ至ルマデハ中絶スルヲ期スルニ期スルニ
一本書中ニ附々々ハ其ノ旨令ハ主イニ新軍官長ニ付テ發布ス
軍士官ノ參謀ニ資スルモノヲ選クニ及ビテハ其ノ業務ニ及リ
一本書ハ今回ノ對テニ關スル各交際團員中立團ノ旨令若主イニ其ノ補

大正三年
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大正三—六 年戰役 各國海戰關係法令第十二輯上

開戰及國交斷絶ノ通牒

第一 戰爭狀態ノ通牒

外務省告示第十六號(四月十日官報)

本年四月六日亞米利加合衆國議會ハ合衆國ト獨逸帝國政府トハ戰爭狀態ニ在ルコトヲ宣言シ大統領之ヲ布告セル旨本國政府ノ訓令ニ基キ四月七日附ヲ以テ在本邦米國代理大使ヨリ帝國政府ニ通告アリタリ
大正六年四月十日
外務大臣 法學博士子爵本野一郎

第二 國交斷絶ノ通牒

外務省告示第十七號(四月十三日官報)

亞米利加合衆國ト奧地利洪牙利國トハ國交ヲ斷絶シタル旨本年四月十一日附ヲ以テ在本邦米國代理大使ヨリ帝國政府ニ通牒アリタリ

大正六年四月十三日

外務大臣 法學博士子爵本野一郎

開戰及國交斷絶ノ通牒

開戦及國交斷絶ノ通牒

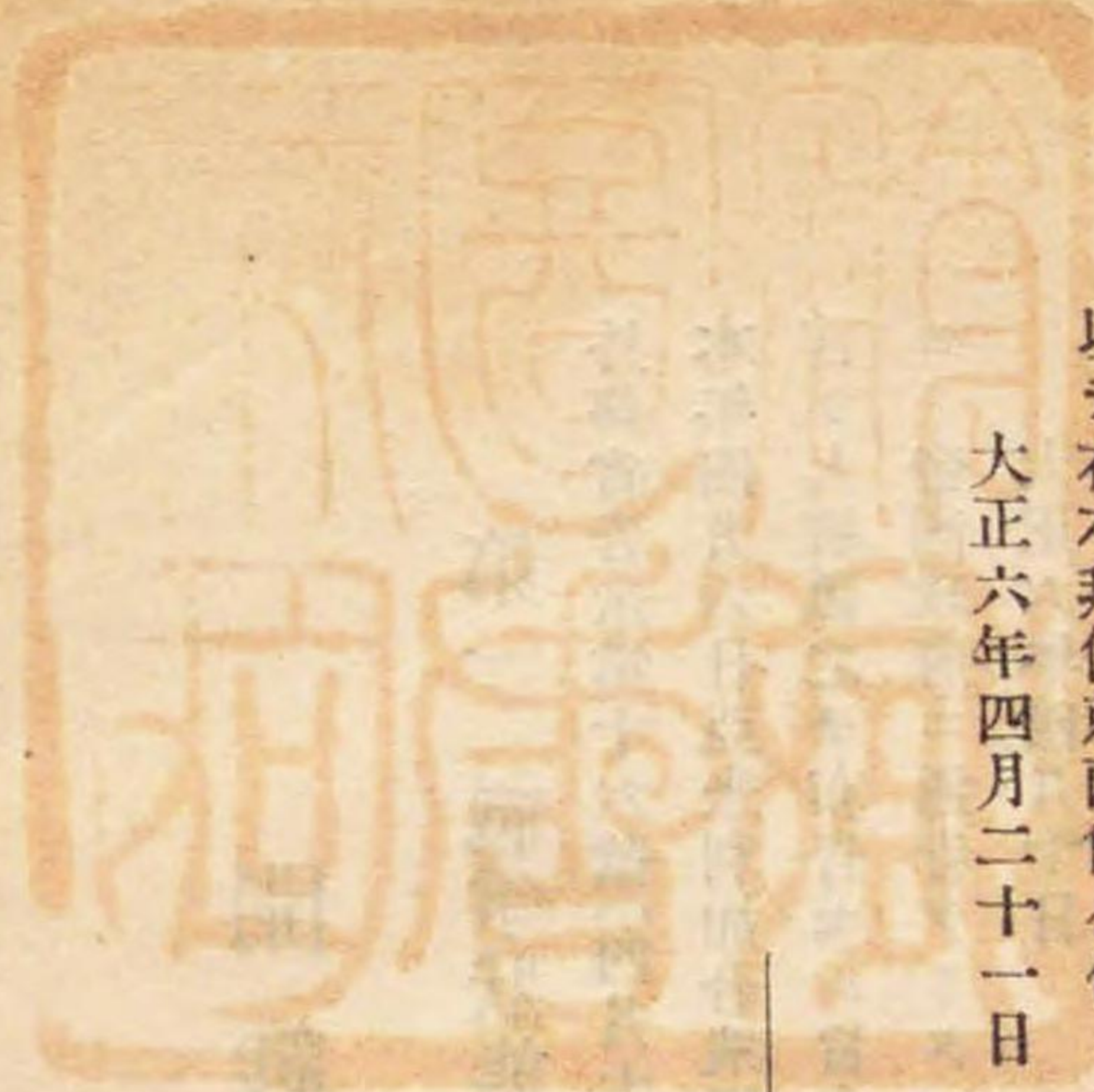
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外務省告示第二十一號(四月二十一日官報)

伯刺西爾共和國ハ獨逸國ト外交通商關係ヲ斷絶スルコトニ決シ本月十三日同國駐在獨逸公使ニ旅券ヲ交付シ同時ニ在伯林伯刺西爾公使ニ對シ旅券ヲ獨逸政府ニ請求シ該國駐在伯刺西爾領事ト共ニ獨逸ヲ退去スヘキ旨電訓ノ趣本國政府ノ訓令ニ基キ本月十五日附ヲ以テ在本邦伯刺西爾公使ヨリ帝國政府ニ通牒アリタリ

大正六年四月二十一日

外務大臣法學博士子爵本野一郎



帝國法令其他關係事項

帝國法令其他關係事項

第一 奧國在留帝國臣民及帝國在留奧國臣民ノ

利益保護ノ件

外務省告示第十九號(四月十七日官報)

亞米利加合衆國ト墺地利洪牙利國トノ外交關係斷絶セルニ付帝國ニ於ケル墺地利洪牙利國臣民ノ利益保護ハ在本邦西班牙國公使ニ於テ之ヲ擔任スル旨本國政府ノ電訓ニ基キ本月十二日附テ以テ同公使ヨリ通牒アリタリ

大正六年四月十七日

外務大臣 法學博士子爵本野一郎

外務省告示第二十號(四月十七日官報)

亞米利加合衆國ト墺地利洪牙利國トノ外交關係斷絶セルニ付帝國政府ハ今後墺地利洪牙利國ニ於ケル帝國並帝國臣民ノ利益保護ヲ西班牙國政府ニ依頼シ其ノ承諾ヲ得タリ

大正六年四月十七日

外務大臣 法學博士子爵本野一郎

第二 青島ニ於ケル取締ノ件

○青島守備軍司令官ノ軍軍令(三月三日官報) 青島守備軍司令官ハ官有土地貸下規則ノ

帝國法令其他關係事項

帝國法令其他關係事項

改正ニ關シ去月十三日左ノ軍軍令ヲ公布セリ

軍軍令第五號

官有土地貸下規則

第一條 官有土地ノ貸下ハ別ニ規定アルモノノ外本規則ニ依ル

第二條 官有土地ノ貸下ハ軍政施行區域内ニ居住シ又ハ管理人ヲ有スル者ニ限り之ヲ

許可ス

第三條 官有土地ノ貸下ヲ受ケムトスル者ハ左ノ事項ヲ具シ軍政長官ニ願出ツヘシ

一 出願者ノ住所氏名職業生年月日

二 地名地番及所在地附近略圖(梯尺二千分一以上)

三 所要坪數及豫定建設物ノ種類構造坪數又ハ事業ノ計畫

四 使用ノ目的及使用期間

五 事業著手豫定期日及竣工豫定期日

第四條 借地人ハ土地ノ引渡ヲ受ケタル日ヨリ五箇月以内ニ其ノ施設ニ著手スヘシ

季節又ハ特殊ノ事由ノ爲前項ノ期間内ニ事業ニ著手スルコト能ハサルトキハ更ニ期限

ヲ定メ軍政長官ノ許可ヲ受クヘシ但シ其ノ期限ハ土地ノ貸下ヲ受ケタル日ヨリ八箇月

ヲ超ユルコトヲ得ス

第五條 借地人ハ借地ヲ轉貸シ又ハ借地權ヲ讓渡スルコトヲ得ス但シ地上物件ヲ現存ノ

儘他人ニ讓渡セムトスルトキニ限り軍政長官ノ許可ヲ得テ其ノ借地權ヲ讓渡スルコト

ヲ得

第六條 借地人借地ノ使用目的又ハ建設物ノ豫定計畫ヲ變更セムトスルトキハ軍政長官

ノ許可ヲ受クヘシ

第七條 貸下地ノ埋築切取り其ノ他土地ノ原形ヲ變更シ又ハ電柱若ハ埋設物等ニ障碍ヲ

及ホスヘキ工事ヲ施行セムトスルトキハ軍政長官ノ許可ヲ受クヘシ

前項ノ願書ニハ設計書及圖面ヲ添附スヘシ

第八條 借地料ハ土地引渡ノ日ヨリ之ヲ官ニ返納シタル當日マテノ期間之ヲ徵收ス

第九條 借地料ハ毎年一月、四月、七月、十月ノ四期又ハ一月、七月ノ二期ニ分チ之ヲ徵收

ス借地人ハ每期ノ終了前十日以内ニ次期ノ借地料ヲ納付スヘシ

新ニ土地ノ貸下ヲ受ケタルトキハ其ノ期ニ關スル借地料ヲ即納スヘシ

第十條 貸下期間内ト雖官ニ於テ必要ト認ムルトキハ借地料ヲ更改スルコトアルヘシ

第十一條 公用ニ供シ又ハ祭祀、宗教、慈善、衛生、技藝其ノ他勸業ノ爲官有土地ヲ貸下タ

ルトキハ借地料ヲ減免スルコトアルヘシ

不可抗力又ハ官ニ於テ相當ト認ムル事由ニ因リ借地ノ全部又ハ一部ヲ使用スルコト能

ハサルトキ亦前項ニ同シ

第十二條 貸下地ハ公共事業ニ供スル爲又ハ官ノ必要上返納ヲ命スルコトアルヘシ此ノ

場合ニ於テハ借地人ハ遲滞ナク之ヲ返納シ借地上ノ建築物又ハ施設物ニ對シ官ノ査定

シタル移轉料及前納地代ノ外借地人ハ別ニ何等ノ損害賠償ヲ要求スルコトヲ得ス

帝國法令其他關係事項

帝國法令其他關係事項

六

第十三條 借地人ハ借地期間内ト雖一箇月以前ニ届出チ爲シ借地ノ全部又ハ一部ヲ返納スルコトヲ得

第十四條 左ノ各號ノ一ニ該當スルトキハ全部又ハ一部ノ借地權ヲ取消スコトアルヘシ此ノ場合ニ於テハ既納ノ借地料ハ之ヲ返還セス

一 第四條ノ期間内ニ其ノ施設ニ著手セス又ハ一年以内ニ竣工セサルトキ

二 第五條乃至第七條ノ規定ニ違反シタルトキ

三 借地人退去ヲ命セラレタルトキ又ハ居住ノ事實ナキニ至リ管理人ヲ置カサルトキ

四 借地人許可ナクシテ借地上ニ有スル地上物件ノ所有權ヲ移轉シタルトキ

五 借地料ヲ滞納シタルトキ

六 前各號ノ外本規則ニ違反シ又ハ本規則ニ基キ發スル官ノ指示命令ニ従ハサルトキ

第十五條 貸下期間ノ滿了其ノ他ノ事由ニ因リ借地權消滅シタルトキハ借地人ハ自費ヲ以テ指定セラレタル期限内ニ現存スル地上物件ヲ撤去シ土地ヲ原形ニ復スヘシ但シ官ノ許可ヲ受ケタルトキハ此ノ限ニ在ラス

前項ノ期限内ニ地上物件ヲ撤去セス又ハ土地ノ復舊ヲ爲ササルトキハ官ニ於テ適宜ノ處分ヲ爲スコトアルヘシ

第十六條 借地人ニ對シ催告又ハ通告ヲ爲スヘキ場合ニ於テ借地人若ハ其ノ管理人ノ居所不明ナルトキハ公報ニ告示ス

第十七條 許可ナクシテ官有土地ヲ侵墾シ又ハ使用シタルトキハ其ノ期間中相當借地料

ノ十倍額以内ヲ徵シ地上物件ハ官ニ於テ適宜ノカ處分ヲ爲スヘシ

第十八條 貸下地ノ境界ハ官ニ於テ石標ヲ以テ之ヲ表示シ其ノ費用ヲ借地人ヨリ徵收ス

第十九條 軍政長官土地ノ貸下ヲ許可セムトスルトキハ軍司令官ノ認可ヲ受クヘシ

第二十條 軍政長官ハ本規則ニ基キ必要ナル命令ヲ發シ又ハ處分ヲナスコトヲ得

附則

本規則ハ公布ノ日ヨリ之ヲ施行ス

大正四年八月二十八日軍軍令第六十一號官有土地貸下規則ハ本則施行ノ日ヨリ之ヲ廢止ス

第三 布哇「カフク」無線電信局ニ於ケル

公衆通信ノ件

遞信省告示第三百三十九號(四月九日官報)

北亞米利加合衆國政府ハ當分ノ内布哇「カフク」無線電信局ニ於テ公衆通信ノ取扱ヲ爲サシメサルヲ以テ同國ニ發著スル外國無線電報ハ之ヲ傳送スルコトヲ得ス

大正六年四月九日

遞信大臣 男爵田健治郎

帝國法令其他關係事項

七

帝國法令其他關係事項
仕上ケタルモノ

遞信省告示第三百二十八號(四月五日官報)

明治四十二年^{十二}月^{十二} 遞信省告示第千三百四號小包郵便ニ依リ外國ニ輸入スルコトヲ得サル
物品表中露西亞ノ項品名欄「セルロイド」及其ノ製作品ノ下ニ「木製以外ノ箱ニ納
間物及化粧具ニ限ル」ヲ加フ
大正六年四月五日

遞信大臣 男爵田健治郎

遞信省告示第三百四十九號(四月十三日官報)

明治四十二年十二月遞信省告示第千三百四號小包郵便ニ依リ外國ニ輸入スルコトヲ得サ
ル物品表中大不列顛及愛蘭聯合王國ノ項品名欄「經木眞田」ヲ削ル

遞信大臣 男爵田健治郎

遞信省告示第三百六十四號(四月十六日官報)

明治四十二年^{十二}月^{十二} 遞信省告示第千三百四號小包郵便ニ依リ外國ニ輸入スルコトヲ得サル
物品表中大不列顛及愛蘭聯合王國ノ項「正貨及其ノ地金(價格五磅ヲ超過セ)」ヲ「金貨以
外ノ正貨及其ノ地金(價格五磅ヲ超過セ)」「金及其ノ地金、銀製品珠玉其ノ他ノ貴重品」ニ
改ム

大正六年四月十六日

遞信大臣 男爵田健治郎

第五 對敵取引禁止ノ件

(一) 對敵取引禁止令

朕戦局ノ極メテ重大ナルニ鑑ミ嚮ニ巴里ニ於テ開催セシ聯合國政府經濟會議ノ決議ニ基
キ緩急ヲ慮リテ機宜ノ措置ヲ取ルノ緊切ナルヲ惟ヒ樞密顧問ノ諮詢ヲ經テ對敵取引禁止
令ヲ裁可シ茲ニ之ヲ公布セシム

御名 御璽

大正六年四月二十三日

(内閣總理大臣、内務大臣、海軍大臣、陸軍大臣、外務大臣、
司法大臣、文部大臣、遞信大臣、農商務大臣、大藏大臣副署)

勅令第四十一號(四月二十四日官報)

對敵取引禁止令

第一條 本令ニ於テ敵國トハ聯合國ニ對シ敵對行爲ヲ爲ス獨逸帝國其ノ他ノ諸國ヲ謂
フ

本令ニ於テ敵地トハ聯合國ノ占領地ヲ除キタル敵國領土及敵國ノ占領地ヲ謂フ

第二條 主務大臣ニ於テ別段ノ定ヲ爲シタル場合ヲ除クノ外左ノ各號ニ掲グル者ヲ當事
者トスル取引又ハ其ノ者ノ爲ニスル取引ハ之ヲ爲スコトヲ得ス

帝國法令其他關係事項

帝國法令其他關係事項

一 敵國

二 敵國人又ハ敵國法人

三 敵地内ニ住所若ハ居所ヲ有スル者又ハ敵地内ニ於テ事業ヲ營ムコトヲ主タル目的トスル者

四 事業ノ全部又ハ一部カ敵國人ニ依リ管理セラレ其ノ他事業カ敵ノ勢力ノ下ニ置カレルモノトシテ農商務大臣ノ告示シタル者

第三條 前條第二號若ハ第三號ニ掲クル者ノ經營スル事業又ハ全部若ハ一部カ敵國人ニ依リ管理セラレ其ノ他敵ノ勢力ノ下ニ置カレル事業ハ主務大臣ノ定ムル所ニ依リ當該官廳ヲシテ特別ノ監督ヲ爲サシムルコトヲ得

第四條 主務大臣ニ於テ別段ノ定ヲ爲シタル場合ヲ除クノ外敵地産品又ハ敵地ヨリ來ル物品ヲ輸入セムトスル者ハ主務大臣ノ許可ヲ受クヘシ

第五條 第二條ノ規定ニ違反シタル者若ハ違反セムトスル行爲ヲ爲シタル者又ハ前條ノ規定ニ違反シテ輸入ヲ爲シタル者若ハ輸入セムトスル行爲ヲ爲シタル者ハ一年以下ノ懲役又ハ二百圓以下ノ罰金ニ處ス

第六條 本令中主務大臣トアルハ朝鮮臺灣關東州又ハ樺太ニ於テハ朝鮮總督臺灣總督關東都督又ハ樺太廳長官トス

附 則

第二條ノ規定ハ本令施行前ニ生シタル原因ニ基ク取引ニシテ主務大臣ノ許可ヲ受ケタル

モノニハ之ヲ適用セス第二條各號ニ掲クル者ト爲リタル前ニ生シタル原因ニ基ク取引ニ付亦同シ

(一一) 右ニ關スル外務省令

外務省令第三號(四月二十四日官報)

支那及暹羅在留ノ帝國臣民ニ對シ對敵取引禁止令施行ニ關スル件左ノ通定ム

大正六年四月二十四日

外務大臣 法學博士子爵本野一郎

第一條 支那及暹羅在留ノ帝國臣民ニシテ對敵取引禁止令第二條第二號乃至第四號ニ掲クル者ト取引ヲ爲サムトスルモノハ外務大臣ノ許可ヲ受クヘシ

第二條 前條ノ許可ヲ受ケムトスル者ハ取引ノ種類目的物ノ價格取引ノ場所及取引ヲ必要トスル理由ヲ具シ願書ヲ所轄領事官ニ差出スヘシ

領事官ハ前項ノ願書ニ意見ヲ附シテ之ヲ外務大臣ニ進達スヘシ

第三條 第一條ノ許可ヲ得タル者其ノ許可ノ條件ニ違反シタルトキ、公益ヲ害スルノ行爲アリタルトキ、其ノ他外務大臣ニ於テ必要アリト認ムルトキハ其ノ許可ヲ取消スコトヲ得

附 則

第二條ノ規定ハ對敵取引禁止令ノ附則ニ依リ外務大臣ノ許可ヲ出願スル場合ニモ亦之ヲ適用ス

帝國法令其他關係事項

(三) 右ニ關スル大藏省令

大藏省令第十二號(四月二十四日官報)

對敵取引禁止令施行ニ關スル件左ノ通定ム

大正六年四月二十四日

大藏大臣 勝田主計

第一條 銀行業ヲ營ム者ハ對敵取引禁止令第二條第二號第三號後段又ハ第四號ニ掲グル者カ帝國内ニ現ニ居住スル場合ニ限り地方長官ノ許可ヲ受ケ之ニ對シ左ノ取引ヲ爲スコトヲ得

一 帝國内ニ於ケル日常生活若ハ營業所ノ維持ニ直接必要ナル資金ノ拂戻

二 帝國内ニ於ケル租稅其ノ他公課ノ納付ニ必要ナル資金ノ拂戻

三 帝國内ニ於ケル敵國貧民救助俘虜救恤其ノ他慈善事業ノ爲メニスル資金ノ拂戻

四 保護預品ノ返還

第二條 銀行業ヲ營ム者前條ニ規定スル場合ヲ除クノ外對敵取引禁止令第二條ノ取引ヲ爲サムトスルトキハ大藏大臣ノ許可ヲ受クヘシ

前項ノ許可ヲ受ケムトスル者ハ取引ノ種類、金額、相手方、場所及取引ヲ必要トスル事由ヲ具シ地方長官ヲ經由シテ大藏大臣ニ出願スヘシ

第三條 對敵取引禁止令第二條第二號又ハ第四號ニ掲グル者ニシテ銀行業ヲ營ム者ハ帝國内ニ現ニ居住スル場合ニ限り地方長官ノ許可ヲ受ケ第一條各號ノ取引ヲ爲スコトヲ得

前條ノ規定ハ前項ニ掲グル者ニ付之ヲ準用ス

第四條 第一條又ハ第三條ニ依ル資金ノ拂戻ニ付テハ地方長官ハ豫メ金額ヲ定メ概括的ノ許可ヲ與ヘ又ハ拂戻ノ方法ヲ命令スルコトヲ得

第五條 第一條乃至第三條ニ掲グル取引ノ許可ヲ受ケタル者ハ毎月計算書ヲ調製シ地方長官ヲ經由シテ大藏大臣ニ提出スヘシ

第六條 大藏大臣又ハ地方長官ハ必要ト認メタルトキハ何時ニテモ其ノ許可ヲ取消スコトヲ得

第七條 第五條ニ定メタル書類ノ提出ヲ怠リ又ハ本令ニ依ル命令ニ違反シタル者ハ三月以下ノ懲役又ハ百圓以下ノ罰金ニ處ス

(四) 右ニ關スル農省務省令

農商務省令第六號(四月二十四日官報)

對敵取引禁止令施行ニ關スル件左ノ通定ム

大正六年四月二十四日

農商務大臣 仲小路廉
內務大臣 男爵後藤新平

第一條 左ニ掲グル取引ハ之ヲ爲スコトヲ得

一 對敵取引禁止令第二條第二號乃至第四號ニ掲グル者ノ帝國内又ハ帝國占領地域内

ニ於ケル日常生活ニ屬スル取引

帝國法令其他關係事項

帝國法令其他關係事項

- 二 對敵取引禁止令第二條第二號乃至第四號ニ掲クル法人ノ帝國内又ハ帝國占領地域内ニ在ル事務所ノ保存ニ直接必要ナル取引
- 三 農商務大臣ノ特ニ許可シタル取引
 - 前項第三號ノ許可ヲ受ケムトスル者ハ取引ノ種類取引ノ場所及取引ヲ必要トスル理由ヲ具シテ地方長官ヲ經由シ農商務大臣ニ出願スヘシ
- 第二條 農商務大臣事業ヲ地方長官、特別ノ監督ニ付シタルトキハ其ノ旨ヲ告示ス
- 第三條 前條ノ場合ニ於テ地方長官ハ遲滞ナク事業主ヲシテ其ノ財産ノ狀態及最近六ヶ月間ノ事業ノ狀況ヲ記載シタル書類ヲ提出セシムヘシ
- 第四條 事業主ハ毎月十五日迄ニ前月ニ於ケル事業ノ報告書ヲ地方長官ニ差出スヘシ
- 第五條 地方長官ハ何時ニテモ事業主ノ業務及財産ノ狀況ヲ検査スルコトヲ得
- 第六條 地方長官必要アリト認ムルトキハ事業主ニ對シ其ノ事業ニ關シ命令ヲ爲スコトヲ得
- 第七條 第三條及第四條ニ定メタル書類ノ提出ヲ怠リ又ハ地方長官ノ検査ヲ拒ミ若ハ命令ニ違反シタル者ハ三月以下ノ懲役又ハ百圓以下ノ罰金ニ處ス
- 第八條 左ニ掲クル物品ヲ除クノ外敵地産品又ハ敵地ヨリ來ル物品ヲ輸入セムトスル者ハ其ノ積出前品名數量仕入地積出港及輸入港ヲ具シテ地方長官ヲ經由シテ農商務大臣ノ許可ヲ受クヘシ
- 一 染料、工業藥品及醫藥品

二 書籍新聞及雜誌

- 三 關稅定率法第七條第一號、第二號、第十四號又ハ第十六號ニ該當スル物品
- 四 本邦ニ派遣セラレタル外國ノ大使、公使又ハ領事ニ屬スル自用品並在本邦外國大使館、公使館又ハ領事館ニ屬スル公用品
- 第九條 本令ニ定メタル許可ヲ得タル者命令又ハ許可ノ條件ニ違反シタルトキ其ノ他農商務大臣必要アリト認ムルトキハ其ノ許可ヲ取消スコトヲ得
- 第十條 第一條第二項ノ規定ハ對敵取引禁止令ノ附則ニ依ル許可ノ出願ノ場合ニ之ヲ準用ス

附 則

第八條ノ規定ニ依リ許可ヲ受クヘキ物品ニシテ本令施行前本邦ニ到達シ未タ輸入セサルモノニ付テハ本令施行後一月以内ニ、其ノ本令施行前本邦ニ向ケ積出シ未タ到達セサルモノニ付テハ其ノ到達ノ日ヨリ一月以内ニ許可ヲ申請スヘシ

(五) 右ニ關スル遞信省令

遞信省令第十三號(四月二十四日官報)
對敵取引禁止令施行ニ關スル件左ノ通定ム

大正六年四月二十四日

遞信大臣 男爵田健治郎

第一條 船舶所有者備船者又ハ船舶賃借人ハ左ノ場合ニ於テ對敵取引禁止令第二條第二

帝國法令其他關係事項

號乃至第四號ニ掲クル者ト取引ヲ爲スコトヲ得

- 一 外國ニ於テ水先人、人夫、艀舟又ハ曳船ヲ使用セムトスルトキ
- 二 外國ニ於テ食料、燃料其ノ他船舶ノ必需品ヲ購入セムトスルトキ
- 三 船舶力救助ヲ受ケ又ハ應急修理ヲ爲サムトスルトキ
- 四 他ノ法令ノ規定ニ依リ許可セラレタル取引ノ完了ニ必要ナル運送ヲ爲サムトスルトキ

五 前各號ノ外遞信大臣ノ許可ヲ受ケタルトキ

前項第五號ノ許可ヲ受ケムトスル者ハ取引ノ事項、相手方ノ氏名並國籍及其取引ヲ必要トスル事由、其ノ運送ニ關スルトキハ船舶ノ名稱、總噸數、旅客ニ付テハ其ノ氏名、國籍乘船地及下船地、貨物ニ付テハ品名、數量、船積地、陸揚地、荷送人及荷受人ヲ詳記シ帝國ニ在リテハ乘船地又ハ船積地ヲ管轄スル遞信局長、外國ニ在リテハ最寄帝國領事館ヲ經テ遞信大臣ニ申請スヘシ

第二條 對敵取引禁止令第二條各號ニ掲クル者ヨリ船舶ヲ購入セムトスルトキ又ハ之ヲ敵地ヨリ輸入セムトスルトキハ遞信大臣ノ許可ヲ受クヘシ敵地ニ於テ製造シタル船舶ヲ輸入セムトスルトキ亦同シ

前項ノ許可ヲ受ケムトスルモノハ船舶ノ名稱、總噸數、製造地、製造年月、所有者ノ氏名並國籍、價格、受渡ノ場所及取引ヲ必要トスル事由ヲ具シ遞信大臣ニ申請スヘシ
第三條 遞信大臣ハ必要ト認ムルトキハ本令ニ依ル許可ヲ取消スコトヲ得

第四條 第一條第一項第一號乃至第四號ノ規定ニ依リ取引ヲ爲シタルモノハ航海ノ終ニ於テ遲滞ナク相手方ノ氏名並國籍、取引ノ事項、場所及其ノ年月日ヲ具シ遞信大臣ニ届出ツヘシ

第五條 對敵取引禁止令施行前ニ爲サレタル船舶ノ賃貸借、海上運送契約、船員ノ雇傭契約其ノ他航海ニ必要ナル取引ニ付同令附則ノ許可ヲ受ケムトスル者ハ遲滞ナク相手方ノ氏名並國籍及契約ノ條項ヲ具シ遞信大臣ニ申請スヘシ

第六 敵國出版物本邦へ輸入方ノ件

○敵國出版物本邦へ輸入方(四月二十三日官報) 英國政府ニ於テハ時局ノ必要ニ驅ラレ本件ニ關シ從來與へ來リタル便宜ヲ著シク減縮スルノ餘儀ナキニ至リタルヲ以テ從前ノ手續ヲ變更シタルニ付自今右新手續(本年二月十六日官報彙報欄內學事ノ部掲載在本邦英國大使通牒參照)ニ依ラル、様致サレタキ旨同國外務省ヨリ申越アリタル趣令般英國駐劄珍田全權大使ヨリ報告アリ(外務省)

第七 瓜哇行荷物ニ關スル注意

○瓜哇行荷物ニ關スル注意(三月六日官報) 本件ニ關シ香港駐在總領事代理領事高橋新治ヨリ本月二日發テ以テ左ノ如ク電報アリ(外務省)

本邦ヨリ瓜哇行荷物ニシテ往々敵國關係者宛若クハ荷受人ヲ明示セス Order 渡ト爲リ帝國法令其他關係事項

帝國法令其他關係事項

二〇

居ルモノアルカタメ是等ノ荷物ヲ搭載セル汽船ニシテ當地ヲ通過スルモノハ尠ナカラ
ス面倒アリ又場合ニ依リテハ停船セラルルコトモアルヘク船舶自身ニ取リテモ多大ノ
損害ヲ招クノミナラス彼我官憲ニ取リテモ徒ラニ手數多キコトニ付關係汽船會社ニ於
テ篤ト注意ヲ要ス

第八 講和提唱ニ關スル往復文書

(外事彙報大正六年第四號)

(第十一輯第三一頁以下參照)

(一) 米國ノ講和提唱ニ對スル諸國ノ公文

(イ) 米國ノ講和提唱ニ對スル聯合諸國ノ

回答覺書ニ就キ駐米大使ニ與ヘタル

英國外務大臣ノ訓令譯文

(大正六年一月二十日附報告)

米國ノ平和提唱ニ對シ曩ニ巴里ニテ交付シタル聯合諸國ノ回答覺書ノ英譯文ヲ駐米英國
大使ニ送付スルニ當リ英國外務大臣バルフォア氏ハ之ニ敷衍的説明ヲ加ヘ之ヲ米國政府
ハ通達方ヲ訓令シタルカ同大使ハ一月十七日其趣旨ヲ米國政府ヘ轉致シタリ英國政府ハ
該訓令ヲ「白書」ヲ以テ發表シタルカ毫モ感情ニ制セラレタル痕ナク雄勁明晰ノ筆力ヲ

以テ聯合國側ノ目的立場ヲ直截ニ闡明シタルモノナルヲ以テ中外ニ對シ極メテ良好ナル
反響ヲ與ヘタルモノノ如ク現ニ英國新聞ノ論評ハ孰レモ之ヲ以テバルフォア氏獨特ノ文
才辯力ニ依リテ成レル近時ノ重大ナル外交文書ナリト稱揚シ聯合諸國ノ理想ヲ遺憾ナク
論述シ盡セルニ満足ヲ表シタリ又佛國ヲ始メ聯合諸國ハ勿論中立國ニ於テモ皆之ヲ重視
シ就中米國ニ在リテハ官邊モ言論界モ右文書ノ至極誠實公明ナルヲ歡迎シタルカ如ク殊
ニ聯合回答書中開示ノ講和條件ハ之ニ依リ一層明瞭トナリ同國民ノ聯合側ニ對スル理解
ヲ啓發スル上ニ效果鮮ナカラサルヘシト推測セラル又獨逸ニ對シテ與ヘタル印象ニ至リ
テハ極メテ痛烈ナルモノアリ有力ナル新聞ニシテ或ハバルフォア氏ノ所論ヲ以テ史實ヲ
誣フルモノトナシ之ニ答フルノ途ハ唯戰勝之アルノミト喝破シタルモノアル等何レモ憤
激ノ意ヲ洩ラシ居タリ次ニ米國新聞ノ論調ヲ瞥見スヘシ

該説明書ハ聯合軍側共同回答書ニ比シ歐洲平和ノ爲メ土耳其ヲ歐洲ヨリ逐ヒ獨逸軍國
主義ヲ滅絶セシムルノ要ヲ一層細說セル外講和條件ノ一トシテアルサリス、ローレンチ
佛國ニ回復シ埃洪領伊太利人種住居地域ヲ伊太利國ニ編入スルコトヲ明言シ且將來ノ國
際平和保障同盟ノ件ニ關シ意見ヲ詳述セルハ注意ヲ要スル點ナルカ米國全體ヲ通シ多數
ノ新聞紙ハ國際平和保障問題ニ對シ贊意アルヲ表示セルハ米國行政部ノ満足スル所ナル
ヘシト述ヘ行政部機關紙ト目セラル「紐育「ウガールド」ハ英國ニ於テ再ヒ斯ク淡泊ニ講
和條件ヲ披瀝セルハ平和促進ニ貢獻スル所尠少ナラサルヘシト讚シタル後所謂舊伊領恢
復ニ依リ埃洪國領土ヲ海上ヨリ閉塞シ又コンスタンチノーブルヲ聯合國ノ隣人トシテ餘

帝國法令其他關係事項

二一

リ好マレサル露國ニ與フルハ歐洲平和維持ノ爲メ其可ナルヲ疑フト論シ紐育「タイムス」ハ右追加説明書所述ノ次第ニ因リ獨逸ハ益々其立場ヲ的確ニ公表セサル可カラスト述ヘ平素現行政部ニ對シ反對ノ態度ヲ以テ臨ム新聞紙中紐育「サン」ハ大統領提唱ノ平和保障國際聯合成立ノ困難ナル事情ハバルフォア卿ノ公文ニ依リ一層明白トナレリトテ米國行政部ノ三省ヲ促シ紐育「ヘラルド」ハ該公文ニ因ルニ聯合軍側ノ立場ハ公正ナリ獨逸ハ最早其國民ニ對シテモ聯合軍交戦ノ目的カ攻略的ナリト誣言スルヲ得サルヘシト論シ華盛頓「ポスト」ハ歐洲平和ノ爲メ土耳其カ歐洲ヨリ逐ハルヘキヲ賀シタリ尙「ウガールド」ハ一月十九日ノ社説欄ニ於テ大統領カ平和維持ノ國際聯合ニ參加ノ意ヲ表示セルニ對シ「モンロー」主義ノ關係上反對黨側ニ大ニ異存アルヲ駁センカ爲メ米國民タルモノ世界ノ進展ニ鑑ミ今ヤ孤立政策ヲ墨守スヘカラサル現狀ニ立至レルヲ自覺セサルヘカラスト述ヘ彼ノ「モンロー」主義其ノ者モ亦米國ニ於テ充分ナル武力アルニ非サレハ之ヲ維持スルニ由ナク而シテ歐亞兩大陸ヨリノ聯合的侵略ニ對抗シ得ル武力ヲ有スルコトハ到底米國ノ能クセサルトコロナルヲ以テ寧ロ該主義ヲ國際化スルヲ以テ優レリスト主張セリ

外務大臣ノ訓令ハ左ノ如シ

聯合國共同回答ノ英譯ヲ貴下ニ送付スルニ當リ余ノ所思ヲ披瀝スルコト左ノ如シ貴下ハ其趣旨ヲ合衆國政府ニ轉致セラルヘシ

大統領ハ速ニ平和ヲ恢復セサルヘカラス又平和克復ノ場合ニハ其ヲシテ永久的ナラシメ

アルヘカラストノ痛切ナル希望ヲ懷抱セラレルト同時ニ氏ハ少クモ現在ニ於テハ平和協定條件ヲ念トセサルコトハ大統領通牒ノ本旨ヨリ余ノ推想スルトコロナリ英國政府ハ大統領ノ所懷ニ滿腔ノ賛意ヲ表スルモノナリト雖モ平和ノ永續ハ其ノ性質ニ依ルノ大ナルコト及安固ナル國際關係ハ本質的ニシテ匡救ノ望ナキ缺陷ヲ有スル基礎ノ上ニ建設スル能ハサルモノナルヲ感スルコト深シ

若シ吾人ニシテ世界カ目下困苦シツ、アル災厄ヲ釀成セル主要ナル事情ヲ考察スレハ瞭然之ヲ明知スルコトヲ得國防上ノ準備充分ナラス、浩瀚ナル國際法規備ハレトモ其ヲ強行スル機關ヲ有セス又諸國間ノ境界モ其内部ノ組織モ其組織分子タル人種ノ希望ト調和セス且其等人種ニ正當ニシテ平等ナル待遇ヲ保證セサル事實ヲ以テ弱點トスル諸國家ノ一團ノ中間ニ領土蠶食ニ餘念ナキ大國ノ存在スルコト之即チ此等ノ事情ニ外ナラス

若シ聯合國ニシテ其共同回答ニ綱要ヲ掲記シタル如ク歐洲地圖ノ變改ヲ爲スヲ得ルニ於テハ前記ノ弊竇ハ大ニ匡正セラルヘシ之ハ明々瞭々ノ事實ニシテ余ノ爰ニ呶々スルヲ要セサルトコロナリ

歐洲ヨリ土耳其ヲ驅斥スルコトハ此一般計畫ノ一部トシテ適當ニシテ論理的ナルモノニアラサルコトハ從來主張セラレタルトコロナリ世界的權威タル政治家ハ多年土耳其帝國ノ存置ヲ以テ歐洲平和ノ維持ニ必要缺クヘカラサルモノト認メタリ此ニ於テ問ハントス現在ニ於ケル平和ノ機因ハ何故ニ此傳說的政策ノ轉覆ニ隨伴セサルヘカラサルカト

此質問ニ對スル回答ハ狀勢ノ變轉之ナリトス土耳其國ヲ革新シ之ヲシテ近東ニ於ケル眼目ノ諸人種間ニ介在セシムルノ案ハ若シ「サルタン」ニシテ誠意アリ諸強國ニシテ結合セハ夙ニ得テ實現セラレタルヘキ計畫ナリシカ否カヲ考料スルハ現下必要ニアラス蓋シ現在ニ於テハ其ハ實現スル能ハサルコト確實ナレハナリ進歩統一黨時代ノ土耳其ハ少ナクモサルタン、アブダルハミッド時代ノ土耳其ト等シク野蠻ニシテ又其ヨリモ遙ニ挑鬪的ナリ獨逸ノ掌中ニ陥リテハ土耳其ハ平和保障ノ外觀スラモ撤去シ公然征服ノ器具トシテ使用セラル土耳其軍人ハ永ク驅斥セラレ居ル地方ニ於テ現下獨逸士官ノ指揮ノ下ニ戰鬪ニ從事シ又獨逸ノ制束手蒙リ補助金ヲ仰キ援助ヲ受ケル土耳其政府ハアルメニア及シリヤニ於テ虐殺ヲ敢テセリ其虐殺ノ慘酷ナル其等不幸ナル國ノ歴史ニ於テスラモ千古未曾有ノ事件ナリキ平和ノ利益ヨリ見ルモ民族主義ノ主張ヨリスルモ土耳其シテ異種族ノ支配ヲ行ハシムルコトハ成ルヘク之ヲ終焉トセサルヘカラサルコト明瞭ナリ是歐洲ヨリ土耳其驅逐スルコトカ平和ニ貢獻スルノ大ナルコトアルサス、ローレンチ佛國ニ恢復シ Italia Irredenta ナイ太利ノ掌中ニ歸屬セシメ若クハ其他聯合國ノ回答ニ明記シタル領土の變更ヲ行フト等シカルヘキヲ信シ之ヲ希望スル所以ナリ然レトモ斯カル領土ノ分合ハ戰爭起生ノ機會ヲ減スヘシト雖其再發ヲ防止スルニ足ル保證ヲ供スルモノニアラサルコト明白ナリ若シ獨逸カ否獨逸ニ於テ其ノ意思ヲ形成シ其ノ運命ヲ支配スル者カ再ヒ世界征服ノ暴舉ニ其手ヲ染ムルコトアラハ其領土ノ分合ハ冒險ノ困難ヲ大ニセルヲ彼等ニ感知セシムヘシト難モ其ノ不可能ト成レルコトヲ悟ラシムル

ハ未ダシ彼等ハ其政治組織ヲ形成スルニ徹頭徹尾軍國主義ヲ基礎トスルニ至ルナキヲ保セス又無量ノ軍需品ヲ蓄積スルナキヲ保セス又彼等ハ其攻撃方法ヲ完成スルナキヲ保セス其爲ニ比較的平和的ナル隣國ハ未タ防禦準備ヲ整全セサルニ先チ粉蓋セラル、虞ナキニアラス果シテ然ラハ戰爭終了セルニ當リ歐洲ハ其勃發以前ニ比シテ遙ニ人員資金及相互ノ好感ノ缺乏ヲ來シ然モ決シテ憂如チ期スルヲ得サルヘク大統領ノ抱懷セラル、世界ノ將來ニ對スル希望ハ實現スルノ期ナカルヘシ國際條約及國際法ハ此患害ニ對スル充分ナル匡救手段タリ得ヘキコトヲ思惟スル者アリ然レトモ斯カル人々ハ近世史上ノ明瞭ナル教訓ヲ誤解シタル者ナリ他ノ國民殊ニ亞米利加合衆國及英國カ仲裁條約ヲ締結シ恒久的ナルト願フ平和ヲ攬亂スル何等ノ鬭端ヲモ發生セシメサランカ爲ニ努力シツ、アリシ際ニ當リ獨逸ハ之ニ一顧ヲモ與ヘサリキ獨逸ノ歴史家及哲學者等ハ戰爭ノ花々シキヲ説キ勢力ハ之ノ國家ノ眞ノ目的ナリト宣言セラレ參謀本部ハ孜孜拮々トシテ武器ノ製作ニ努メ命令一下之ヲ以テ勢力ヲ得ントセリ此等ノ事實ハ平和維持ヲ目的トスル條約上ノ協定モ伯林ニ於テハ多クノ歡迎ヲ受ケヘクモアラサリシコトヲ明證セリ然レトモ條約ニシテ一度締結セラレタル以上全然無効ニ歸スヘキコトハ明證セサリキ之ハ戰爭ノ勃發シタル時ニ始メテ明瞭トナレリ然モ其實證ノ發現ハ驚倒スヘキモノナリキ獨逸カ自ラ擁護スヘキヲ誓約シタル一國ヲ何等正當ノ理由ナク蹂躪シ殘忍酷虐ナル待遇ヲ爲ス獨逸タル間ハ尊嚴ナル條約ヨリモ尙有效ナル保護方法ヲ有セサル以上如何ナル國家モ其權利ヲ確實ナルモノト看ル能ハサルナリ

故意ニ出テタル此等ノ慘酷ナル方法ハ交戰國ヲ粉碎スル爲ノミナラス又尙平和的ニ所在スル國家ヲモ威嚇スル爲ニ中歐二國ノ企畫セル所ニ係ルコトヲ考慮スレハ余カ立言ノ益々空虚ナラサルヲ知ルヘシ自耳義ハ唯一ノ犠牲ニアラス其ノ一例タルニ過キス中立諸國ハ征服ニ伴フ劫掠、占領ニ踵起スル人心ノ恐怖、一部人民ノ追放及在任人民ノ殘酷ナル壓迫ヲ注視セシメラレタリ而シテ英國ノ艦隊或ハ自國艦隊ニ依リテ獨逸軍隊ニ對シ保護ヲ受ケタル諸國ヲシテ獨逸ノ劫掠ヲ蒙ラサルモノト思惟セシメサラシカ爲ニ獨逸ノ潜水艇ハ其宣言範圍内ニ於テ孜孜トシテ其姉妹軍ノ野蠻ナル行動ヲ模倣シタリ中歐兩國ノ軍事當局ハ世界ヲ驚動セシメ同時ニ之ヲ畏怖セシメテ以テ満足セリ

然ラハ中歐二國ニシテ成功セハ其成功ノ由來スル所ハ斯クノ如キ手段ニ因ルモノト云フヘシ國際關係ノ改革ハ如何ソクシテ得タル平和ニ依據シテ成就スルヲ得ンヤ斯カル平和ハ戰爭ヲシテ必然ナラシメ之ヲシテ殘酷ナラシムル一切勢力ノ凱旋ヲ表明シ又斯用ヲ公示スルモノナリ獨逸及奧地利ハ一小國ノ權利ヲ蹂躪シ以テ現戰爭ヲシテ避クヘカラサルモノト爲シタリ又此等二國ハ條約上ノ保護アル他國領土ヲ侵犯シ以テ彼等ノ發意ニ基ク勝利ヲ得タリ小邦ハ此等兩國ヲ以テ彼等ノ將來ノ保護者トナシ彼等ノ締結シタル條約ヲ以テ攻撃ニ對スル保護トナサントスルカ陸上海上ニ於ケル凶暴ハ畢竟勝利ノ手段タリシコトトナルヘシ勝利者カ中立國ノ抗議ニ依リ凶暴ヲ廢止スルヲ期待シ得ヘキカ若シ現行條約ハ反古ニ過キストスレハ新ナル條約ハ吾人ノ平和ニ資スル所アルヘキカ

若シ國際法上ノ最も根本的ナル法則ノ破壞カ成功ノ冠冕ヲ加ヘラルルニ於テハ諸國家ノ集會ヲ以テ其法典ヲ改正スルノ企圖ハ無益ナルニハアラサルカ破壞スル國以外ニハ其規則ニ因リテ利益ヲ享クルモノハアラサルヘシ害ヲ被ル者ハ其規則ヲ守ル者ニ過キサルナリ

其故ニ我國ノ人民ハ飽ク迄モ大統領ノ平和ノ希望ニ同感スルモノナリト雖モ聯合國側ノ勝利ニ依リ招徠シタル平和ニ非サレハ永續スルヲ得ヘシト信セサルナリ如何トナレハ恒久的平和ハ次ノ三條件ヲ充スニ非サレハ殆ト之ヲ期待スル能ハサレハナリ其第一ハ國際的不安ノ現存原因ハ成ル可ク之ヲ除去シ若クハ之ヲ削弱セサルヘカラサルコト之ナリ第二ハ中歐二國ノ侵略目的及不法ナル手段ハ其國民ノ嫌惡スル所トナラサル可カラサルコト之ナリ第三ハ國際法ノ背後及戰爭ヲ妨ケ之ヲ制限スルヲ目的トスル一切ノ條約的協定ノ背後ニハ最も頑強ナル侵略者ヲ制束スヘキ或形式ノ國際的科罰手段ヲ講セサルヘカラサルコト之ナリ此條件ハ實施困難ナルセモ知ルヘカラス然レトモ吾人ハ此等ノ條件ヲ以テ概シテ大統領ノ思想ト調和スヘキモノナリト信ス且吾人ハ聯合國ノ回答ニ明記シタル(歐洲ニ關スル限り)一般方針ニ基キ平和ヲ樹立スルニ非サレハ此等條件ハ不完全ニスラモ一モ満足セシムル能ハサルヲ信スルモノナリ我國力歴史上比類ナキ血下財寶トテ致テ犠牲ニ供シ又供セントシツツアルハ此理由アレハナリ我國力此等ノ非常ナル負擔ヲ忍耐スルハ斯クシテ我國力條約上ノ義務ヲ履行シ尙又國家ノ一方團體カ他方團體ニ對シ勝利ノ空名ヲ博センカ爲ノミニハアラサルナリ新世界ノ最高ノ思想家カ舊世界ノ最

高ノ思想家ト等シク吾人現在ノ災厄ノ終止ノ後ニ來ランコトヲ敢テ希望スル平和の文明及國際的改革ノ望ミハ聯合諸國ノ成功ノ上ニ繫屬スルコトヲ確信スルカ故ニ此大負擔ヲ忍耐スルナリ

一九一七年一月十三日

アーサー、ジエームス、バルフォア

(ロ) 米國講和提唱支持ニ關スル瑞典政府ノ

通牒譯文

(大正六年一月四日附報告)

瑞典政府ハ米國大統領ノ講和ニ關スル提議ヲ支持スル旨ノ十二月二十九日附通牒ヲ帝國政府ニ傳達センコトヲ在瑞典日本公使ニ依頼シタリ其公文譯ハ左ノ如シ
王國政府ハ合衆國大統領力恒久的の平和樹立ヲ目的トスル手段ヲ容易ニセンカ爲ニ爲スニ至レル提議ヲ非常ナル興味ヲ以テ查閱セリ王國政府ハ適法ナル感情ヲ消滅スルニ至ルカ如キ事項ニハ全然關係ヲ避クヘキ希望ヲ有スルコト依然タルヲ以テ増大シテ止ムヲ知ラサル道德的物質的苦痛ト損失トヲ終熄スルニ貢獻アル盡力ニ對シテ深厚ナル同情ヲ發表セサルニ於テハ國民ト一切人類トニ對スル義務ニ悖ルモノト思惟ス王國政府ハ大統領ウキルソン氏ノ提議カ王國政府ノ感銘措カサル高尚ナル精神ヨリ好結果ヲ奏スルニ至ランコトヲ熱心ニ希望スルモノナリ

千九百十六年十二月二十六日

於ストツクホルム

カー、アー、ワルレンベルク

(ハ) 米國講和提唱支持ニ關スル諾威ノ通牒

諾威政府ハ十二月二十八日瑞典政府ノ通牒ト同文ノ通牒ヲ在諾威各國使臣ニ致セリ

(ニ) 米國講和提唱ニ對スル西國政府ノ回答

譯文

(大正六年一月四日附報告)

舊臘十二月二十三日西國駐在米國代理大使ハ西國政府ニ對シ曩ニ米國政府力講和斡旋ノ爲メ各交戰國ニ發シタル通牒ヲ送致シ且ツ右ニ關シ米國政府ハ西國政府ノ援助ヲ希望スル旨ヲ開陳セリ
依リテ西國政府ハ其後內閣會議ニ於テ數次右ニ關スル西國政府ノ態度ヲ凝議シ慎重ナル審議ヲ遂ケタル結果西國政府力開戰以來專心嚴正中立ノ維持ニ努メタル態度ハ交戰國雙方ノ等シク感謝スル所ナレハ今ニ至リテ輕舉事ヲ圖リ交戰國一方ノ感情ヲ害スルカ如キコトアラハ是九俛ノ功ヲ一篋ニ缺クモノナリトナシ最モ婉曲ナル辭令ヲ以テ回答文ヲ作成シ十二月二十八日之ヲ在西米國代理大使ニ手交シタリ全文左ノ如シ

帝國法令其他關係事項

米國大統領ノ通牒ニ對スル西國政府ノ回答

西班牙國皇帝陛下ノ政府ハ米國大統領力交戰諸強國ニ提出シタル通牒寫ヲ貴大使館ヨリ
接受セリ
該通牒ハ交戰諸國ニ對シ現戰爭ヲ終結セシムルノ基礎トナルヘキ事項ニ付キ交戰諸國ノ
意見ヲ近ク發表セシコトノ米國大統領ノ希望ヲ表明シタルモノナリ
尙該通牒ト同時ニ西國政府ハ十二月二十二日附閣下ノ公文ヲ接受セリ該公文ヲ査閱スル
ニ貴大使館ハ若シ西國政府力米國大統領ノ執リタル態度ヲ適當ト認ムルニ於テハ之ヲ援
助センコトヲ希望ス之カ交渉ヲ開始スルニハ今ヤ正ニ其時機ナリト思考スル旨ヲ閣下ノ
政府ヨリ受ケタル訓令ニ準據シ開示セラレタルモノナリ
平和回復ニ關スル提議ニ一臂ノ助力ヲ與フヘシトノ米國政府ノ賞讃スヘキ希望ニ對シ
西國政府ハ米國大統領ノ該提議ヲ考量シタリ然レトモ之ニ關シテ各國間ニ諸稅紛湧シ
米國ヲ援助シテ之カ交渉ヲ開始スルモ目下全ク無效タルヘキヲ虞レシムルノミナラス中
央帝國力講和ノ條件ニ關シテハ全ク交戰國間ノミニ於テ之ヲ協定セントノ意嚮ヲ表示シ
タルヲ知ルニ及ヒテ愈々右交渉ハ目下尙其時機ヲ得タルモノニ非サルヲ確認セリ
此ニ於テ西國皇帝陛下ノ政府ハ米國大統領ノ崇高ナル希望力各國民ノ感謝ヲ博スヘキコ
トヲ信スルヲ以テ現戰爭ヲ終結セシムヘキ有ユル人道的事業ニ關與シ之カ交渉協定ニ任
スルヲ欲セサルニハアラサルモ唯其斡旋ヲシテ尙一層有效ナラシムヘキ時機ノ到來スル
ニ至ルマテ之ヲ保留スルコトニ決シタリ

西班牙國皇帝陛下ノ政府ハ其時機ノ早晚到來スヘキコトヲ期待スルモノナルカ現下ニ於
テハ中立諸國カ現戰爭ニ依リテ受クル物質的損害ヲ防護スル爲メニ中立諸國相協商シ以
テ此等ノ損害ヲ回復又ハ輕減スルノ方法ヲ講スルニ努ムヘキ好時期ナリト信スルコトヲ
表明スルモノナリ

(二) 瑞西ノ講和提唱及之ニ對スル獨、

奧、勃國ノ回答

(イ) 瑞西ノ講和提唱本文譯文

亞米利加合衆國大統領ハ協商諸國政府及中歐諸國ニ對シ講和提議ヲ爲シタルカ瑞西聯邦
議會ニ對シテモ之ヲ通牒セラレタリ瑞西聯邦議會ハ急速ニ戰爭ヲ熄止セシメントノ熱心
ナル希望ニ促サレ既ニ五週間以前ヨリ大統領ト同一歩調ヲ執リツヽアリシナリ該通牒ヲ
査閱スルニ大統領ウキルソン氏ハ諸國民力現時蒙ラサルヘカラサル如キ患害ヲ恒久的ニ
且ツ確實ニ除却センカ爲ニ國際的協調ヲ爲スノ手段ニ出ツルコトノ希望ヲ唱說シ現戰爭
ヲ終熄セシムル必要ヲ主張ス氏ハ自身ニ何等平和條件ヲ提出セス又何等仲裁案ヲ提起セ
ス唯人類力幸福ナル平和ノ樹立ヲ冀望シ得ルカヲ知ランカ爲ニ交戰國ノ意嚮ヲ測知セン
トスルモノニ過キサリキ

大統領ウキルソン氏統裁ノ崇高ナル提案ハ瑞西ニ於テ果シテ深大ナル反響ヲ惹起セス

帝國法令其他關係事項

ハ止マサリキ最モ嚴正ナル中立ヲ恪守スルノ義務ニハ秋毫ノ違背ナク兩交戰國側ニ對シテ同一ナル友好ノ情ヲ表シツ、驚天ノ爭鬪ニ從事スル諸國民間ニ孤在シ精神的、物質的利益ニ甚大ナル打擊ヲ蒙リ我祖國ハ今ヤ平和ヲ憧憬スルヤ切ナリ之ヲ以テ瑞西國ハ慘重傷者及追放者ト共ニ常ニ戰爭ヲ終熄セシメント欲シテ止マサルモノナルヲ以テ戰爭ノ苦痛ヲ熄止セシメンカ爲ニハ有ユル微力ヲ捧クルニ吝ナラサル者ナリ尙又瑞西ハ此目的ヲ果サンカ爲ニ諸國民ノ有力ナル協力ノ基礎ヲ設クルノ決意ヲ爲セリ

之瑞西聯邦議會カ此機會ニ於テ喜ンテ亞米利加大統領ノ努力ニ後援ヲ與ヘ又覺束ナキ乍ラモ交戰諸國民ノ和解ト恒久的の平和ノ樹立トニ努ムルコトヲ得ルヲ以テ幸福ナリト思惟スル所以ナリ

一九一六年十二月二十二日ベルンニ於テ

瑞西政務省
ホツフマン

各交戰國政府宛

(ロ) 獨逸ノ回答譯文

(大正五年十二月二十九日附報告)

獨逸國外務大臣ハ十二月二十三日附瑞西國公文ニ對スル回答トシテ十二月二十七日伯林駐劄瑞西公使ニ次ノ回答ヲ交付セリ

瑞西國聯邦議會カ曩ニ亞米利加大統領ト協調ヲ爲シタル後交戰國民間ノ和議ト恒久的の平和ノ設立トニ盡力セントスルニ至レル事實ハ帝國政府ノ諒知スルトコロナリ瑞西聯邦議會ヲシテ該措置ニ出テシメタル眞ノ人道的精神ハ帝國政府ノ正ニ認ムルヲ愆マラサルトコロナリ帝國政府ハ冀望スル結果ニ到達センカ爲ニハ意見ノ直接交換ヲ以テ最モ適當ナル方法ナリト認ムル旨ヲ合衆國大統領ニ開陳セリ帝國政府ハ十二月十二日平和商議ノ提案ヲ爲シタルト同一思想ニ驅ラレ最モ急速ニ中立地ニ於テ一切交戰國代表者ノ會合ヲ開催センコトヲ提議ス

帝國政府ハ將來ノ戰爭ヲ防止スル爲ニ企劃セラレヘキ大事業ナルモノハ現戰爭終了ノ後ニ於テノミ之ヲ開始スルコトヲ得ルモノナリトノ意見ヲ抱懷スルコト亞米利加大統領ト異ナルナシ其時期カ到來セル時ニ於テハ喜ンテ其高尚ナル事業ニ努力セントスルモノナリ高尚ナル傳說ヲ墨守シ現戰爭ノ苦痛ヲ輕減スルニ偉大ナル貢獻ヲ爲シタル瑞西國カ世界ノ平和ヲ確保センカ爲ニ若シ一臂ノ力ヲ假スアラハ獨逸人民及帝國政府ノ幸福之二過キサルナリ

(ハ) 塹洪國ノ回答譯文

(大正五年十二月二十八日附報告)

十二月二十三日在 ヴイアンヌ 瑞西公使ヨリ交付セル瑞西聯邦議會ノ通牒ニ對スル回答トシテ同二十七日塹洪國外務大臣ヨリ同公使ニ交付シタル公文ハ次ノ如シ

帝國法令其他關係事項

奧洪國外務大臣タル下名者ハ十二月二十三日瑞西國特命全權公使ドクトル、シヤール、
ダニエル、ブルクバルト閣下ヨリ尊敬スヘキ通牒ヲ受領スルノ光榮ヲ有セリ該公文
ヲ査閱スルニ北米合衆國大統領カ現戰爭ヲ終熄シ且將來永久ニ一切戰爭ヲ避クル目的ヲ
以テ交戰國政府ニ對シテ致シタル提議ヲ援助セント欲スル瑞西聯邦議會ノ希望ヲ命令ニ
依リ同公使ヨリ吾人ニ通知セルモノナリキ奧洪國政府ハ最モ深厚ナル同情ヲ以テ大統
領ウキルソン氏ノ尊ムヘキ努力ニ贊意ヲ表スルニ吝ナルモノニアラサルヲ以テ昨日
ヴァイアンヌ駐劄米國大使ニ交付シタル通牒中ニハ其ノ意ヲ表明シタリ吾人ハ茲ニ其ノ
寫文ヲ添附シ該文書ヲ瑞西國聯邦議會ノ高閣ニ供センコトヲ瑞西國公使閣下ニ懇請スル
モノナリ

奧洪國外務大臣タル下名者ハ奧洪國政府カ平和ノ目的ヲ以テスル大統領ウキルソン
氏ノ盡力ニ對シ聯邦政府ヨリ與ヘタル援助ニ於テ高尙ニシテ人道的ナル感情ノ發露ヲ
見ル其感情ハ瑞西國カ戰爭開始以來一切交戰國ニ對シテ之ヲ表明シ又頗ル大ナル頗ル
有益ナル手段ヲ以テ之ヲ實現シタルコトハ奧洪國ノ能ク了解スル所ナリ

(二) 勃牙利ノ回答

(十二月二十八日ソフイア發)

在ハルルマ勃牙利公使ラテツフ氏ハ瑞西政府ノ通牒ニ對シ勃牙利政府ノ回答ヲ水曜日
ニ聯邦議會ニ轉致セリ其回答ハ爾餘ノ同盟國政府ノ回答ニ同シ

(三) 對獨聯合國共同回答ニ對シ獨奧兩國政府ヨリ
中立諸國代表者ニ送リタル公文

(大正六年一月十三日附報告大正六年外事彙報第四號)

(對獨聯合國共同回答ニ關シテハ第十一輯第四五頁以下參照)

(イ) 獨逸ノ公文譯文

(一月十二日伯林發)

戰爭ノ發端及目的

獨逸國政府ハ次ノ通牒ヲ諸中立國政府代表者ニ交付セリ
帝國政府ハ曩ニ與國ト協議ノ上速カニ媾和商議ヲ開催センコトヲ提言セル十二月十二日
附通牒ニ對シ亞米利加合衆國政府、西班牙王國政府、瑞西聯邦政府ノ仲介ニ依リ敵國ヨ
リ回答ヲ受領セリ敵國ハ該提議ヲ以テ誠意ニ出テタルモノニアラス從テ考料ノ價值ナシ
ト做シ該提議ヲ拒絕セリ敵國ノ採レル通牒形式ハ之ニ對シテ回答ヲ發スルヲ要セサラシ
ムルモノナリト雖帝國政府ハ其ノ事態ニ關スル見地ヲ中立諸國ニ解明スルヲ重要ナリト
思惟ス

中歐諸國ハ世界的ナル現戰爭ノ起因ニ就キ更ニ論爭ヲ試ムヘキ理由ヲ有セス何國カ戰
爭ノ起因ニ關スル震驚スヘキ責任ヲ負擔スヘキカハ歴史能ク之ヲ判斷スヘシ英國ノ

Encirclement)ノ政策、佛蘭西ノ復讐政策、露國ノコンスタンチノープル併呑策、塞耳比ノ陰謀、サラエヴォノ暗殺、露國ノ大動員等ノ事實ハ孰レモ歴史ノ宣告ノ看過セサルトコロナルヘシ此等ハ獨逸ニ對スル戰爭ヲ惹起スルニ與リテ力アリタルモノナリ

獨逸ノ意嚮ハ誤認セラレタリ

獨逸及其與國ハ其自由ト其存在トノ防護ノ爲ニ干戈ヲ執ラサルヘカラサルニ至レルモノナルカ此戰爭ノ目的即チ獨逸及其ノ與國ノ目的ヲ達成シタルモノト思惟ス敵國ノ狀勢ハ正ニ之ニ反ス責任アル敵國政府當局者ノ宣言ニ依レハ敵國ハアルサス、ローレン及普國數州ノ攻略、奧洪國ノ屈服及削勢、土耳其ノ分裂並勃牙利ノ分割ヲ豫見スルカ如キモ其計畫ノ實現ハ漸ク空夢ト化シ去リツ、アリスカル戰爭ノ目的ニモ拘ラス敵國カ和議、恢復及保證ヲ口ニスルハ實ニ意外ノ感アルニアラスヤ同盟四國ノ平和提議ハ戰爭上ノ詐謀ニ外ナラストハ敵國ノ主張スルトコロナリ眞摯卒直ニ發表シタル講和提議ノ動機ニ對スル敵國側ノ斯カル誣言ニ對シ獨逸及其ノ與國ハ最モ強硬ナル抗議ヲ提出ス正當ニシテ總テノ交戰國ノ受諾シ得ル平和ヲ招徠スルノ可能ナルコト、斯カル平和ハ意見ノ直接交換ニ依リテ之ヲ實現シ得ルコト、從ツテ戰期ノ延長ニ就キ責任ヲ有セサルコトハ同盟四國ノ信念ナリキ同盟四國カ交渉開始以來其ノ提案ヲ解明スル爲ニ腹藏ナク吐露シタル意向ハ其ノ誠意ニ關スル疑念ヲ氷解スルニ足ル

協商國ニ對スル不平

吾人ノ提言ノ内容ヲ詮考スルコトハ之ヲ敵國ニ委シタルモ敵國ハ全然之ヲ爲スヲ拒絕シ何等ノ對抗提言ヲモ爲サスシテ却テ侵犯セラレタル權利ト自由トヲ回復シ且國民主義ノ原則ト諸小國ノ獨立トノ承認ヲ確實ニセサル限り平和克復ハ全然不可能ナリト宣言ス敵國ハ同盟四國ノ提案ノ誠意ヲ云々然レトモ愛蘭人民ノ掣壓、「ボニア」共和國ノ自由ト獨立トノ覆滅、英、佛、伊國ノ北部亞弗利加蠶食、露國ノ他國民虐待ノ事實アリ又終リニ希臘國ニ加フルヲ敢テシタル歴史上比類ナキ暴逆ノ事實アル以上世界ハ敵國ノ要求ヲ承認スル能ハサルヘシ同様ニ戰爭開始以來法律及法律ノ根原タル條約ヲ蹂躪シテ顧ミサル諸國ハ同盟四國ヲ以テ國際公法ヲ破壞シタリト傲シ之ヲ批難攻撃スル資格ヲ有セス

開戦後幾モナク英國ハ倫敦宣言ヲ改刪セリ其規程ハ價值アル國際法ノ規則ナリトシテ英國側委員ノ承認シタルモノナリキ其後英國ハ由々數モ巴里宣言ヲ破壞シテ憚ラサリキ斯カル放恣ナル舉措ニ因リ海戰ハ法律ノ規程ノ制束ヲ受ケスシテ行ハルニ至レリ獨逸困窮ノ戰爭、英國ノ利益ノ爲ニスル中立國ノ壓迫ハ顯著ナル人道破壞ナルト同時ニ又國際法違反タラスンハアラス之下等シク亞弗利加殖民地ニ戰爭ヲ擴張スルハ現行條約違反ニシテ且同地ニ於ケル白色人種ノ特權ヲ刪滅スルモノナルカ歐洲ニ於ケル黑人軍ノ使用ハ共ニ國際法及文明ノ原則ニ悖戾スルノ甚タシキモノナリ加之俘虜ノ非人道的待遇ノ事實アリ殊ニ亞弗利加及露國ニ於テ甚タシトス且又アルサス、ローレン、ガリシー、プロヴィナ及東部普魯士ニ於テハ非軍事員ノ追放アリ之等ハ凡テ敵國カ文明ヲ尊重セサ

帝國法令其他關係事項

ル證據ヲ新ニ提供セルモノナリ

白耳義ニ關スル措置

十二月三十日附敵國通牒ノ終リニ於テ敵國ハ特ニ白耳義ノ狀況ニ關説ス帝國政府ハ白耳義政府ヲ以テ常ニ中立義務ヲ格守セルモノト認ムル能ハス既ニ戰爭以前ニ於テ英國ノ威壓ヲ受ケ軍事上ノ見地ニ於テ英國及佛蘭西ニ傾ケリ斯クシテ其獨立ト中立トヲ確保セサルヘカラサル條約ノ精神ニ自ラ背反セリ帝國政府ハ敵トシテハ白耳義ニ侵入セサルヘキコトヲ宣言シ同國ニ戰爭ノ慘禍ヲ及ホスヲ避クヘキコトヲ約束スルコトニ及ヘリ其際ニ於テ獨逸政府ハ又王國ノ存在トヲ獨立トヲ確實ニ保證スルコト且獨逸軍隊ノ通過ニ依リテ惹起セラレ得ヘキ一切損害ヲ賠償スヘキコトヲ約セリ一八八一年ニ於テ英帝國政府ハ白耳義通過權ニ反對セサルコトヲ決議シ其保證ヲ與ヘタリ白耳義政府ハ帝國政府ノ再三ノ提議ヲ拒絶シタルコトハ人ノ能ク知ル所ナリ白耳義懲罰ノ處置ハ白耳義ノ自身及其態度ヲ執ルコトヲ決定セル諸國ニトリテハ自業自得ナリトス

確實ナル權利ナリト信ス

獨逸國及其與國ハ戰爭ヲ終熄セシメ交戰國間ニ和議ヲ整ヘンコトヲ眞摯ニ試ミタリ平和招徠ノ爲ニ盡力スルカ、セサルカハ一ニ繫リテ敵國ノ意嚮ニ存スルコトハ帝國政府ノ確實

知スル所ナリ敵國政府ハ此講和ノ道ニ出ツルコトヲ拒絶セリ戰爭繼續ノ全責任ノ歸スル所ハ敵國ニ在リ然レトモ同盟四國ハ各自ノ國民ニ名譽ト存在及發達ノ自由トヲ保證スル所ノ平和且又大ナル文化問題ノ解決ニ共通ナル相互ノ尊敬ト平等ナル權利トヲ以テスル勞働ノ利益其他ノ歐洲諸國民ニ與フル所ノ平和ヲ干戈ニ依リテ獲得スルニ至ル迄ハ沈着ニ且確實ナル權利ヲ信シテ戰爭ニ從事スヘシ

(ロ) 奧國ノ公文譯文

(二月十一日ヴィアンヌ發)

外務大臣ツェルニン伯ハ昨日ヴィアンヌ駐劄亞米利加合衆國、歐洲ノ諸中立國及羅馬法皇ノ代表者ニ一通牒ヲ交付セリ該通牒ニ於テ奧國政府ハ其ノ平和提唱ニ對スル敵國ノ拒絶ニ因リ生シタル事態ニ就キ其意見ヲ開陳シタルモノナリ

該通牒ハ次ノ如シ
一月五日奧國政府ハ亞米利加合衆國政府ノ懇切ナル仲介ニ依リ十二月十二日附通牒ニ對スル相手交戰國ノ回答ヲ受領スルノ光榮ヲ有セリ該通牒ニ於テハ奧國政府ハ其與國ト同シク平和商議ヲ開始スルノ意アルコトヲ宣言セルモノナリ
奧國政府ハ與國諸政府ト一致シテ敵國諸政府ノ回答ヲ精細ニ査閱スルヲ忘レザリキ其要旨ニ依レハ同盟四國ノ提議ハ誠意ナク考料スルノ價值ナシトノ口實ノ下ニ敵國政府ハ該提議ヲ承認スルコトヲ拒絶セルモノナリ敵國政府方交付シタル該回答ノ形式ハ之ニ對

帝國法令其他關係事項

帝國法令其他關係事項

四〇

シ復牒ヲ發スルヲ不要事トナスモノナリ然レトモ奧洪國政府ハ中立國政府ニ其見解ヲ開陳スルノ要アルヲ見ル

敵國政府ノ回答ハ戰爭ヲ終熄セシムルノ可能ナリヤ否ヤヲ考料スルヲ要セサラシムルモノナリ又該回答ハ現戰爭ヲ惹起シタル事件敵國特殊ノ戰勢ヨリ判斷シタル兵力及平和提唱ニ至ラシメタル動議ニ關スル僻說ヲ新ニ論議スルニ止ム奧洪國政府ハ實際戰爭ノ起因ニ就キ今更新ニ論戰ヲ開始スルヲ欲セス公平無私ニ判斷スレハ戰爭開始ノ責任ハ何レノ側ニ存在スルカハ總テノ人類ノ前ニ既ニ遺憾ナク確實ニ證據立テラレタルコトヲ確信ス殊ニ塞耳比ニ對スル奧洪國ノ最後通牒ニ關シテハ奧洪國ハセラエゾガニ於ケル殘忍ナル暗殺ニ因リ全ク寬假スル能ハサルニ至ル迄該通牒ニ先タツ數年間日二月ニ激烈ニ赴カントスル敵對的ニシテ攻撃的ナル塞耳比ノ意向ト陰謀トニ對シ遺憾ナキ迄ニ忍耐ノ證據ヲ示シタリ

戰局ハ孰レノ側ヲ以テ有利トスルカノ問題ニ關スル論争ハ無益ナリト思ハルヲ以テ安ンシテ輿論ノ判斷ニ其ヲ一任シテ可ナリ加之、兩交戰側ノ戰爭目的ヲ比較スレハ該問題ニ對スル解答ハ既ニ明瞭ナリ事實上奧洪國及ヒ其與國ハ戰爭開始以來領土獲得ノ目的ヲ以テ戰鬪ヲ企畫シタルコトナキニ敵國ノ所爲ハ之ト相反ス敵國ノ戰爭目的ノ一端ヲ揭ケシニ敵國ハ奧洪國ノ破壞及衰滅アルサス、ローレンノ獲得、土耳其ノ分裂及勃牙利ノ削勢ヲ目的トス其故ニ四國政府ハ全然防禦的ナル戰爭ノ目的ヲ既ニ達成シタルモノト考フルコトヲ得ルニ反シ敵國ハ其計畫ノ實現ハ益々之ヲ期シ難キニ至ラントス

終リニ敵國政府ハ四與國ノ提議ヲ戰爭ノ詐謀ナリト做シ又其ヲ無誠意ニシテ何等ノ意義モナシト貶スレトモ平和商議ヲ開始シ吾人ノ平和條件ヲ知悉スル以前ニアリテハ全ク專斷的ナル主張ニシテ毫モ根據ナキ主觀的ナル假想ナリト云フヘシ奧洪國政府及其與國政府ハ誠意ヲ傾ケ赤心ヲ吐露シテ平和商議ヲ準備スルノ提言ヲナシタルモノナリ蓋シ平和商議ノ開始アルヤ直ニ平和條件ヲ公示セントノ暗示ヲ採納セラルヘキヤ否ヤヲ豫見セサルヘカラサルカ故ナリ敵國側ヨリ反對提言ヲナスコトモナク提言ノ内容ヲ知ラシムルコトヲ拒絕シタルハ寧ろ敵國ナリトス

敵國ハ就中侵害セラレタル權利ト自由トノ回復、民主主義及小國ノ自由存在ノ原則ノ承認ヲ要求ス此ニ於テ愛蘭及芬蘭ノ悲劇的運命、「ボリア」共和國ノ自由ト獨立トノ破壞、英佛伊國ノ亞弗利加北部ノ蠶食及最後ニ歷史上比類ナキ希臘ニ於ケル暴虐等ヲ回憶スルニ足ル

奧洪國政府ハ與國政府ト等シク敵國政府ト意見ノ直接交換ニ依リテ戰爭ヲ終熄スルノ意アルコトヲ宣言シタルコト及平和準備ヲナスヲ要スルモ將タ要セサルモ夫ハ單ニ敵國ノ決意如何ニ依ルコトヲ確信ス戰爭繼續ニ關スル責任ヲ負擔スルコトハ同盟四國ノ斷然拒絕セントスルトコロナリ然レトモ奧洪國及其與國ハ自國人民ニ存在ト名譽ト發達ノ自由トヲ保證スル平和、總テノ歐洲諸國ニ全ク平等ナル權利ヲ與ヘ文明的ノ大事業ノ解決ニ協力スルコトヲ許ス平和ヲ得ルニ至ル迄ハ確乎タル希望ヲ抱持シ強固ナル權利ニ信念ヲ置キ戰爭ニ從事スルモノトス

帝國法令其他關係事項

四一

第九 亞米利加合衆國ノ戰爭參加ニ對スル御親電及
其ニ對スル合衆國大統領ノ御答電

(外事彙報大正六年第四號)

○御親電 四月八日天皇陛下ヨリ亞米利加合衆國大統領閣下へ左ノ通御親電發送アラ
セラレタリ

亞米利加合衆國大統領閣下へ御親電
朕ハ合衆國カ共ニ人道ノ大義ヲ擁護セムカ爲聯合諸國ニ與ミシ進テ戰爭ニ加ハルニ至
レルヲ見深ク欣快ニ勝ヘス閣下ノ眞摯ナル提唱ニ基ク合衆國ノ斯ノ舉措ハ亦以テ貴我
兩國間ノ渝ラサル友情ヲ益々緊密ナラシムルニ至ラムコトヲ冀フ

御名

亞米利加合衆國大統領閣下

○御答電 亞米利加合衆國ノ戰爭參加ニ對セラレ本月八日天皇陛下ヨリ同國大統領閣
下へ御親電御發送アラセラレタルニ對シ同十五日左ノ御答電アリタリ

米國大統領閣下御答電

予ハ茲ニ陛下ノ熱誠ナル祝詞ヲ歡迎シ且ツ予ハ夙ニ吾人ノ民權ヲ擁護シテ吾人ノ自由
ナル共和國ノ神聖ナル構造ヲ維持スルコトニ努力セル我國民ニ代リテ陛下ニ感謝ス西
世界ニ於ケル吾人ハ今ヤ總テノ人類ニ依リテ尊重セラレ自由及正義ノ大道ニ對スル
チ兩國ノ永久ナル提携ノ吉兆ナリ

ワッドロー、ウキルソン

日本國皇帝(御名)陛下

第十 武装商船取扱ニ關スル米國、西班牙、玖瑪、諾威、
蘭國ノ態度ニ關スル調

UNITED STATES GOVERNMENT MEMORANDUM ON THE
STATUS OF ARMED MERCHANT VESSELS.

Department of State,

Washington, March 21th, 1916

I.

The status of an armed merchant vessel of a belligerent is to be considered from
two points of view: FIRST, from that of a neutral when the vessel enters its ports;
and, SECOND, from that of an enemy when the vessel is on the high seas.

帝國法令其他關係事項

FIRST—AN ARMED MERCHANT VESSEL IN NEUTRAL PORTS.

(1) It is necessary for a neutral Government to determine the status of an armed merchant vessel of belligerent nationality which enters its jurisdiction, in order that the Government may protect itself from responsibility for the destruction of life and property by permitting its ports to be used as bases of hostile operations by belligerent warships.

(2) If the vessel carries a commission or orders issued by a belligerent Government and directing it under penalty to conduct aggressive operations, or if it is conclusively shown to have conducted such operations, it should be regarded and treated as a warship.

(3) If sufficient evidence is wanting, a neutral Government, in order to safeguard itself from liability for failure to preserve its neutrality, may reasonably presume from the facts the status of an armed merchant vessel which frequents its waters. There is no settled rule of international law as to the sufficiency of evidence to establish such a presumption. As a result a neutral Government must decide for itself the sufficiency of the evidence which it requires to determine the character of the vessel. For the guidance of its port officers and other officials a neutral Government may therefore declare a standard of evidence, but such standard may be changed on account

of the general conditions of naval warfare or modified on account of the circumstances of a particular case. These changes and modifications may be made at any time during the progress of the war, since the determination of the status of an armed merchant vessel in neutral waters may affect the liability of a neutral Government.

SECOND—AN ARMED MERCHANT VESSEL ON THE HIGH SEAS.

(1) It is necessary for a belligerent warship to determine the status of an armed merchant vessel of an enemy encountered on the high seas, since the rights of life and property of belligerents and neutrals on board the vessel may be impaired if its status is that of an enemy warship.

(2) The determination of warlike character must rest in no case upon presumption but upon conclusive evidence, because the responsibility for the destruction of life and property depends on the actual facts of the case and cannot be avoided or lessened by a standard of evidence which a belligerent may announce as creating a presumption of hostile character. On the other hand, to safeguard himself from possible liability for unwarranted destruction of life and property the belligerent should, in the absence of conclusive evidence, act on the presumption that an armed merchantman is of peaceful character.

(3) A presumption based solely on the presence of an armament on a merchant

vessel of an enemy is not sufficient reason for a belligerent to declare it to be a warship and proceed to attack it without regard to the rights of the persons on board. Conclusive evidence of a purpose to use the armament for aggression is essential. Consequently an armament which a neutral Government, seeking to perform its neutral duties, may presume to be intended for aggression, might in fact on the high seas be used solely for protection. A neutral Government has no opportunity to determine the purpose of an armament on a merchant vessel unless there is evidence in the ship's papers or other proof as to its previous use, so that the Government is justified in substituting an arbitrary rule of presumption in arriving at the status of the merchant vessel. On the other hand, a belligerent warship can on the high seas test by actual experience the purpose of an armament on an enemy merchant vessel, and so determine by direct evidence the status of the vessel.

SUMMARY.

The status of an armed merchant vessel as a warship in neutral waters may be determined, in the absence of documentary proof or conclusive evidence of previous aggressive conduct, by presumption derived from all the circumstances of the case.

The status of such vessel as a warship on the high seas must be determined only upon conclusive evidence of aggressive purpose, in the absence of which it is to be

presumed that the vessel has a private and peaceable character and it should be so treated by an enemy warship.

In brief, a neutral Government may proceed upon the presumption that an armed merchant vessel of belligerent nationality is armed for aggression, while a belligerent should proceed on the presumption that the vessel is armed for protection. Both of these presumptions may be overcome by evidence—the first by secondary or collateral evidence, since the fact to be established is negative in character; the second by primary and direct evidence, since the fact to be established is a positive in character.

II.

The character of the evidence upon which the status of an armed merchant vessel of belligerent nationality is to be determined when visiting neutral waters and when traversing the high seas having been stated, it is important to consider the rights and duties of neutrals and belligerents as affected by the status of armed merchant vessels in neutral ports and on the high seas.

FIRST—THE RELATIONS OF BELLIGERENTS AND NEUTRALS AS AFFECTED
BY THE STATUS OF ARMED MERCHANT VESSELS IN NEUTRAL PORTS.

帝國法令其他關係事項

(1) It appears to be the established rule of international law that warships of a belligerent may enter neutral ports and accept limited hospitality there upon condition that they leave, as a rule, within 24 hours after their arrival.

(2) Belligerent warships are also entitled to take on fuel once in three months in ports of a neutral country.

(3) As a mode of enforcing these rules a neutral has the right to cause belligerent warships failing to comply with them, together with their officers and crews, to be interned during the remainder of the war.

(4) Merchantmen of belligerent nationality, armed only for purposes of protection against the enemy, are entitled to enter and leave neutral ports without hindrance in the course of legitimate trade.

(5) Armed merchantmen of belligerent nationality under a commission or orders of their Government to use, under penalty, their armament for aggressive purposes, or merchantmen which, without such commission or orders, have used their armaments for aggressive purposes, are not entitled to the same hospitality in neutral ports as peaceable armed merchantmen.

SECOND—THE RELATION OF BELLIGERENTS AND NEUTRALS AS AFFECTED
BY THE STATUS OF ARMED MERCHANT VESSELS ON THE HIGH SEAS.

(1) Innocent neutral property on the high seas cannot legally be confiscated, but is subject to inspection by a belligerent. Resistance to inspection removes this immunity and subjects the property to condemnation by a prize court, which is charged with the preservation of the legal rights of the owners of neutral property.

(2) Neutral property engaged in contraband trade, breach of blockade or unneutral service obtains the character of enemy property and is subject to seizure by a belligerent and condemnation by a prize court.

(3) When hostile and innocent property is mixed, as in the case of a neutral ship carrying a cargo which is entirely or partly contraband, this fact can only be determined by inspection. Such innocent property may be of uncertain character, as it has been frequently held that it is more or less contaminated by association with hostile property. For example, under the Declaration of London (which, so far as the provisions covering this subject are concerned, has been adopted by all the belligerents) the presence of a cargo, which in bulk or value consists of 50 per cent contraband articles, impresses the ship with enemy character and subjects it to seizure and condemnation by a prize court.

(4) Enemy property, including ships and cargoes, is always subject to seizure and condemnation. Any enemy property taken by a belligerent on the high seas is

a total loss to the owners. There is no redress in a prize court. The only means of avoiding loss is by flight or successful resistance. Enemy merchant ships have, therefore, the right to arm for the purpose of self-protection.

(5) A belligerent warship is any vessel which, under commission or orders of its Government imposing penalties or entitling it to prize money, is armed for the purpose of seeking and capturing or destroying enemy property or hostile neutral property on the high seas. The size of the vessel, strength of armament, and its defensive or offensive force are immaterial.

(6) A belligerent warship has, incidental to the right of seizure, the right to visit and search all vessels on the high seas for the purpose of determining the hostile or innocent character of the vessels and their cargoes. If the hostile character of the property is known, however, the belligerent warship may seize the property without exercising the right of visit and search which is solely for the purpose of obtaining knowledge as to the character of the property. The attacking vessel must display its colors before exercising belligerent rights.

(7) When a belligerent warship meets a merchantman on the high seas which is known to be enemy owned and attempts to capture the vessel, the latter may exercise its right of self-protection either by flight or by resistance. The right to capture

and the right to prevent capture are recognized as equally justifiable.

(8) The exercise of the right of capture is limited, nevertheless, by certain accepted rules of conduct based on the principles of humanity and regard for innocent property, even if there is definitely knowledge that some of the property, cargo as well as the vessel, is of enemy character. As a consequence of these limitations, it has become the established practice for warships to give merchant vessels an opportunity to surrender or submit to visit and search before attempting to seize them by force. The observance of this rule of naval warfare tends to prevent the loss of life of non-combatants and the destruction of innocent neutral property which would result from sudden attack.

(9) If, however, before a summons to surrender is given, a merchantman of belligerent nationality, aware of the approach of an enemy warship, uses its armament to keep the enemy at a distance, or after it has been summoned to surrender it resists or flees, the warship may properly exercise force to compel surrender.

(10) If the merchantman finally surrenders, the belligerent warship may release it or take it into custody. In the case of an enemy merchantman it may be sunk, but only if it is impossible to take it into port, and provided always that the persons on board are put in a place of safety. In the case of a neutral merchantman, the

right to sink it in any circumstances is doubtful.

(11) A merchantman entitled to exercise the right of self-protection may do so when certain of attack by an enemy warship, otherwise the exercise of the right would be so restricted as to render it ineffectual. There is a distinct difference, however, between the exercise of the right of self-protection and the act of cruising the seas in an armed vessel for the purpose of attacking enemy naval vessels.

(12) In the event that merchant ships of belligerent nationality are armed and under commission or orders to attack in all circumstances certain classes of enemy naval vessel for the purpose of destroying them, and are entitled to receive prize money for such service from their Government, or are liable to a penalty for failure to obey the orders given, such merchant ships lose their status as peaceable merchant ships and are to a limited extent incorporated in the naval forces of their Government, even though it is not their sole occupation to conduct hostile operations.

(13) A vessel engaged intermittently in commerce and under a commission or orders of its Government imposing a penalty, in pursuing and attacking enemy naval craft, possesses a status tainted with a hostile purpose which it cannot throw aside or assume at will. It should, therefore, be considered as an armed public vessel and receive the treatment of a warship by an enemy and by neutrals. Any person taking

passage on such a vessel cannot expect immunity other than that accorded persons who are on board a warship. A private vessel, engaged in seeking enemy naval craft, without such a commission or orders from its Government, stands in a relation to the enemy similar to that of a civilian who fires upon the organised military forces of a belligerent, and is entitled to no more considerate treatment.

PROCEDURE FOR DEFENSIVELY ARMED MERCHANT VESSELS VISITING SPANISH PORTS.

When a defensively armed merchant vessel visits a Spanish port, it is necessary for the Captain, Proprietor, or Agent of the vessel, within the first 24 hours of his arrival at that port, to make written declaration (with the intervention of the British Consul, if there is one at the port).—

- (a) That the vessel is destined exclusively to commerce;
- (b) That it will not be transformed into a ship of war, or auxiliary cruiser before returning to this country;
- (c) That the armament on board will be used only for the defence of the vessel in case of attack.

OFFICIAL BULLETIN OF THE DEPARTMENT OF STATE
RESPECTING DEFENSIVELY ARMED
MERCHANT VESSELS.

DECREE No. 404.

April 1916.

For the better interpretation and application of the Decree issued on 10th August 1914, as regards the rules drawn up on the subject of neutrality, with reference to the present European war, I have ordered the publication of the following rules with relation to the legal position of armed merchant vessels arriving in Cuban ports.—

- (a) Merchant vessels of belligerent nationality may carry armament and ammunition, for the purpose of self-defence only, without acquiring the character of a war vessel.
- (b) The presence on board a merchant vessel of armament and ammunition creates the presumption that she is thus armed for offensive purposes, but the

owners or agent can furnish proofs to the contrary, to demonstrate that the ship is carrying the said armament for the sole purpose of self-defence.

- (c) The proof necessary to establish the fact that the armament is destined solely for defensive and not for offensive purposes, whether it is mounted in its proper position or whether stowed in the hold, should in every case be established independently of the official investigation. The result of this investigation should prove fully that the armament is not destined for offensive operations and will not be used for such. The following are indications that the armament is not intended for offensive operations.—

- (1) That the calibre of the gun carried does not exceed 6-inches.
- (2) That the guns and small arms carried are few in number.
- (3) That no guns are mounted on the forward part.
- (4) That the amount of ammunition on board is small.
- (5) That the ship carries its ordinary crew and that the officers are the same that would have been borne before the declaration of war.
- (6) That the ship intends sailing for, and actually does clear for, a port on its usual trading route, or for a port which indicates her intention of carrying on the same traffic in which she was engaged before the

declaration of war.

- (7) That the ship does not take more fuel or supplies than are necessary to reach the port of destination, or substantially the same quantity that she was accustomed to carry for the same voyage before the declaration of war.
- (8) That the ship's cargo consists of articles of commerce unsuitable for the use of a war vessel engaged in active operations.
- (9) That the ship carries passengers of character unsuitable for naval or military service of the belligerent country whose national flag the ship flies, or of any of its allies, particularly if the passenger list includes women and children.
- (10) That the ship is of slow speed.
- (d) On the arrival at a Cuban port of an armed ship of belligerent nationality, purporting to be a merchant vessel, the Port Authorities will immediately make an investigation (on the lines indicated above), as to the proposed employment of the armament and will inform the State Department, with a view to determining whether there is sufficient proof to negative the presumption that the ship is, and should be treated as, a war vessel.

Clearance will not be granted unless authorised by the "Secretaria de Hacienda," and the captain on arrival will be informed of this.

- (c) The transformation of a merchant vessel into a war vessel is a question of fact which must be established by direct or circumstantial proof that the intention exists of employing the ship as a war vessel.

This decree will come into force from the date of its publication in the Official Gazette, the Secretariats of "Estado, Gobernacion" and "Hacienda," in so far as it concerns them, being charged with its observance.

Given at Havana, in the Presidential Palace, on the 3rd day of March 1916.

(signed) M. G. MENOCAL.

PRESIDENT.

Pablo Desvernine,

Secretary of State.

NORWAY.

The following are among details which have to be reported by Commanders of Guardships examining armed merchant vessels calling at Norwegian ports:--

帝國法令其他關係事項

- (1) Details regarding ship speed, tonnage, dimensions, engine-power, etc.
- (2) Owner, present and past charterers.
- (3) Last, present, and proposed voyages, with nature or respective cargoes.
- (4) Number and nationality of officers and crew and WHETHER CREW IS, BOTH

AS REGARDS PERSONNEL AND NUMBER, THE SAME AS BEFORE THE WAR.

- (5) Whether any officer or crew are naval or naval reserve men; rating of men who operate gun and whether their duties are confined to gun, or whether they have other and ordinary duties on board.
- (6) Technical matters regarding gun or guns; whether mounted or unmounted; where posted when mounted; where stowed if it is at the time unmounted; number of rounds carried; number discharged during present voyage and with what object.
- (7) Any unusual features in construction or plating of vessel which might indicate that it is not an ordinary merchant vessel.
- (8) Examining officer's opinion as to whether vessel can be regarded otherwise than as a merchant vessel fitted with a gun or guns for purely defensive purposes.

HOLLAND.

Under the Dutch regulations defensively armed merchant vessels are treated in the same manner as warships. Such vessels therefore should not call at ports in Holland or the Dutch Colonies.

DEFENSIVELY ARMED MERCHANT VESSELS.

MEMORANDUM.

A.—Defensively Armed Vessels may visit Ports of any neutral except Holland to which they are allowed to proceed under the existing permissible voyages issued under the Government War Risk Scheme.

B.—In order to enable a Defensively Armed Merchant Vessel to obtain clearance from a United States Port including ports in the Panama Canal Zone, it is necessary for the nearest British Consular Officer to furnish the local authorities with a formal assurance in writing that the gun will be used only for defensive purposes; the Master should ask the British Consular Officer to do so. Certain questions will also be put to the Masters of Ships by the Port Authorities. If any difficulty arises the Master

should appeal to the nearest British Consular Officer (see F. below).

C.—On a Defensively Armed Vessel at a Spanish Port, the Captain, Proprietor or Agent of the vessel, should, within the first 24 hours of his arrival at the Port, make a written declaration, with the intervention of the British Consul, if there is one at the Port:—

1. That the vessel is destined exclusively to commerce.
2. That it will not be transformed into a ship of war or auxiliary cruiser before returning to this country.
3. That the armament on board will only be used for the defence of the vessel in case of attack.

D.—On the arrival at a Cuban port of an armed ship of belligerent nationality, purporting to be a merchant vessel, the Port Authorities will immediately make an investigation as to the proposed employment of the armament, and will inform the State Department, with a view to determining whether there is sufficient proof to negative the presumption that the ship is, and should be treated as, a war vessel.

Clearance will not be granted unless authorised by the "Secretaria de Hacienda," and the Captain on arrival will be informed of this.

E.—On arrival at a Norwegian Port to which voyages are permitted under the

Government War Risk Scheme, the Master will be asked by the Commander of the Guardship to give details as to the ship's speed, dimensions, armament, &c., her last, present, and proposed voyage, number and nationality of officers and crew, &c.

F.—In the case of any difficulty occurring with the neutral authorities, the Master should be instructed to apply to the nearest British Consular Officer.

(M. 011595/16)

1st March 1917.

英吉利國法令

第一 海戰法規改正ノ件

(一) 一月十日附改正樞密院令譯文

○報復ニ關スル千九百十七年一月十日ノ英國樞密院令(三月二十八日官報) 大正四年三月十五日公布セラレタル「對獨宣言實行ニ關スル英國樞密院令」ニ關シテハ同年四月六日日本欄内ニ於テ公示スル所アリタルカ英國政府ニ於テハ更ニ本年一月十日日本令ヲ以テ前記樞密院令ノ擴張ヲ公布シタリ其内容左ノ如シ

千九百十五年三月十一日樞密院令ヲ以テ千九百十五年三月一日以後其ノ發航港ヲ出發シタル總テノ船舶ニシテ敵國產ノ貨物又ハ敵國ヲ仕向先トスル貨物若ハ敵貨ヲ搭載スル場合ニハ英國又ハ其ノ同盟國ノ港ニ該貨物ノ陸揚ヲ要求セラルルコトアルヘシト定メラレタルニ因リ

又該樞密院令ノ發布ハ獨逸國政府カ戰爭ノ諸慣例ニ違反シテ英國周圍ノ水域ヲ交戰區域ト宣言シ該區域内ニ於テハ英國及其ノ同盟國ノ一切ノ商船ハ乘客及船員ノ生命如何ヲ顧ミス總テ之ヲ破壞スヘク而シテ中立國船舶ト雖海戰ノ變轉極マリナキニ顧ミ該區域内ニ於テハ同一ノ危險ニ遭遇スヘシトノ主旨ヲ以テ發布シタル命令ノ結果ナルニ因リ

又乗客及船員ノ生命如何ヲ顧ミス且戦争ノ諸慣例ニ違反シテ英國及其ノ同盟國並中立國商船ヲ撃沈スルノ行爲カ獨リ英國周圍ノ水域ニ限ラルルコトナク海軍ノ行動區域ノ大部分ニ於テ行ハルルニ至レルニ因リ

又斯ノ如キ不法行爲ハ音ニ獨逸國軍艦ノミナラス各敵國國旗ヲ掲揚スル軍艦ニ依リテモ行ハレシニ因リ

又前記獨逸國法令ノ下ニ實行セラレタル不法行動ノ範圍擴大シタル爲及之ニ對スル報復トシテ前記樞密院令ノ各條項ニ基キ敵國產ノ貨物又ハ敵國ヲ仕向先トスル貨物若ハ敵貨ヲ搭載スル船舶ニ對シテハ該貨物ノ積出地及仕向地タル敵國ノ何レタルヲ問ハス將又該貨物所有者ノ住居地タル敵國ノ何レタルヲ問ハス總テ英國又ハ其ノ同盟國ノ港ニ該貨物ノ陸揚ヲ要求セラレタリシニ因リ

又前記樞密院令第三條及第四條中ニ用キラレタル「敵」ナル文字ハ獨逸國以外ノ敵國ヲ包含スルヤ否ヤノ疑ヲ生シタルニ因リ

朕ハ樞密院ノ諮詢ヲ經テ茲ニ左ノ命令ヲ裁可シ之ヲ公布セシム

- 一、前記千九百十五年三月十一日樞密院令第三條及第四條ニ規定セル「敵國ヲ仕向先トスル」及「敵國產」ナル字句ハ其ノ敵國ノ何レタルヲ問ハス苟クモ仕向先又ハ產地地方敵國ナル貨物ニ適用セララルヘク又「敵貨」ナル字句ハ其ノ敵國ノ何レタルヲ問ハス苟クモ敵國ニ居住スル者ニ屬スル貨物ニ適用セララルヘシ
- 二、獨逸國以外ノ敵國ヲ仕向地又ハ產地若ハ所屬地トセル貨物ニシテ本令ノ日附前

(二) 右原文

AT THE COURT AT BUCKINGHAM PALACE,

THE 10TH DAY OF JANUARY, 1917.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY IN COUNCIL.

英國又ハ其ノ同盟國ノ港ニ陸揚セラレタルモノニ對シテ千九百十五年三月十一日樞密院令ヲ適用スルニ當リ本令ハ其ノ效力ヲ有ス從テ前記諸貨物ハ千九百十五年三月十一日樞密院令ノ規定ニ從ヒ抑留且處理セララルヘシ

WHEREAS on the 11th day of March, 1915, an Order was issued by His Majesty in Council directing that all ships which sailed from their ports of departure after the 1st day of March, 1915, might be required to discharge in a British or Allied port goods which were of enemy origin or of enemy destination or which were enemy property:

And whereas such Order in Council was consequent upon certain Orders issued by the German Government purporting to declare, in violation of the usages of war, the waters surrounding the United Kingdom a military area, in which all British and Allied merchant vessels would be destroyed, irrespective of the lives of passengers and

crew, and in which neutral shipping would be exposed to similar danger, in view of the uncertainties of naval warfare:

And whereas the sinking of British, Allied, and neutral merchant ships, irrespective of the lives of passengers and crews, and in violation of the usages of war, has not been confined to the waters surrounding the United Kingdom, but has taken place in a large portion of the area of naval operations:

And whereas such illegal acts have been committed not only by German warships but by warships flying the flag of each of the enemy countries:

And whereas on account of the extension of the scope of the illegal operations carried out under the said German Orders, and in retaliation therefor, vessels have been required under the provisions of the Order in Council aforementioned to discharge in a British or Allied port goods which were of enemy origin or of enemy destination or which were enemy property, irrespective of the enemy country from or to which such goods were going or of the enemy country in which was domiciled the person whose property they were:

And whereas doubts have arisen as to whether the term "enemy" in articles 3 and 4 of the said Order in Council includes enemy countries other than Germany:

Now, THEREFORE, His Majesty is pleased, by and with the advice of His Privy

Council, to order, and it is hereby ordered, as follows:—

1. In articles 3 and 4 of the said Order in Council of the 11th March, 1915, aforementioned, the terms "enemy destination" and "enemy origin" shall be deemed to apply and shall apply to goods destined for or originating in any enemy country, and the term "enemy property" shall be deemed to apply and shall apply to goods belonging to any person domiciled in any enemy country.

2. Effect shall be given to this Order in the application of the said Order in Council of the 11th March, 1915, to goods which previous to the date of this Order have been discharged at a British or Allied port, being goods of destination or origin or property which was enemy though not German, and all such goods shall be detained and dealt with in all respects as is provided in the said Order in Council of the 11th March, 1915.

J. C. LEDLIE.

(三) 二月十六日附改正樞密院令

(第十一輯第一八〇頁以下參照)

AT THE COURT AT BUCKINGHAM PALACE,

THE 16TH DAY OF FEBRUARY, 1917,

英吉利國法令

六七

P R E S E N T,
THE KING'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by an Order in Council dated the 11th day of March, 1915, His Majesty was pleased to direct certain measures to be taken against the commerce of the enemy :

AND WHEREAS the German Government has now issued a memorandum declaring that from the 1st February, 1917, all sea traffic will be prevented in certain zones therein described adjacent to Great Britain and France and Italy, and that neutral ships will navigate the said zones at their own risk :

AND WHEREAS similar directions have been given by other enemy powers :

AND WHEREAS the orders embodied in the said memorandum are in flagrant contradiction with the rules of international law, the dictates of humanity, and the treaty obligations of the enemy :

AND WHEREAS such proceedings on the part of the enemy render it necessary for His Majesty to adopt further measures in order to maintain the efficiency of those previously taken to prevent commodities of any kind from reaching or leaving the enemy countries, and for this purpose to subject to capture and condemnation vessels carrying goods with an enemy destination or of enemy origin unless they afford unto

the forces of His Majesty and His Allies ample opportunities of examining their cargoes, and also to subject such goods to condemnation ;

His Majesty is therefore pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, that the following directions shall be observed in respect of all vessels which sail from their ports of departure after the date of this Order :

1. A vessel which is encountered at sea on her way to or from a port in any neutral country affording means of access to the enemy territory without calling at a port in British or Allied Territory shall, until the contrary is established, be deemed to be carrying goods with an enemy destination, or of enemy origin, and shall be brought in for examination, and, if necessary, for adjudication before the Prize Court.

2. Any vessel carrying goods with an enemy destination, or of enemy origin, shall be liable to capture and condemnation in respect of the carriage of such goods ; provided that, in the case of any vessel which calls at an appointed British or Allied port for the examination of her cargo, no sentence of condemnation shall be pronounced in respect only of the carriage of goods of enemy origin or destination, and no such presumption as is laid down in Article 1 shall arise.

3. Goods which are found on the examination of any vessel to be goods of enemy origin or of enemy destination shall be liable to condemnation.
4. Nothing in this Order shall be deemed to affect the liability of any vessel or goods to capture or condemnation independently of this order.
5. This Order is supplemental to the Orders in Council of the 11th day of March, 1915, and the 10th day of January, 1917, for restricting the commerce of the enemy.

ALMERIC FITZROY.

(四) 英國ハリフックス港ヲ以テ歐洲ニ向フ中立船ノ
検査港トスルコトヲ發表シタル件

(二月十六日ニニューヨーク・タイムス)

BRITISH OPEN WAY FOR NEUTRAL SHIPS.

SEARCH AT HALIFAX WILL PERMIT SCANDINAVIAN AND
DUTCH LINES TO AVOID DANGER ZONE.

UNDER NEW PLAN VESSELS FOR EUROPEAN NEUTRAL PORTS WILL
NOT GO TO KIRKWALL AND FALMOUTH

OTTAWA, Feb. 15.—Official announcement was made here tonight that Halifax is to be made an examining port for neutral vessels crossing the Atlantic eastbound. Whether or not ships coming west also will have to call at Halifax has not been determined.

The fact that the Scandinavian-American liner Frederik VIII, with Count von Bernstorff on board, will stop at Halifax for examination by the British authorities, is believed here to mean that an agreement has been reached between the British Admiralty and various Scandinavian and Dutch lines, which will allow them to send their vessels into Halifax instead of taking them through the German submarine zone into either Kirkwall or Falmouth, the present ports of examination.

This would greatly lessen their danger, because by skirting the northern boundary set by Germany as a blockade zone the vessels would be able to keep out of the sphere of submarine activities. It will also release several Dutch and Scandinavian ships that have been held in American ports awaiting some decision in the matter.

The lines affected are the Holland-America, Scandinavian-America, Norwegian-America, and Swedish-American.

It was said here yesterday that the British authorities were gathering an adequate inspection force at Halifax so that neutral vessels could be examined without unnecessary delay.

The first vessel to get away under this new arrangement will be the Swedish-American liner Stockholm, which was to have left for Gothenburg on Feb. 10. She will take out 50 passengers. Of those originally booked for passage on this vessel more than 200 were transferred to the Frederik VIII. The Holland-America liner Ryndam, which got almost across the Atlantic and then returned because of the U-boat menace, probably will sail for Rotterdam on Saturday. Whether she would call at Halifax the line's officials would not say definitely yesterday. The Noordam, which has been tied up here a week, also will sail. Two Dutch freighters, the Soesdijk and the Zuilderdijk, sailed from Newport News and their sailing means a general outward movement of neutral shipping that will go a long way to relieve export congestion at this and other Atlantic ports. The Scandinavian-American liner Hellig Olav, which has been held in Hoboken, will get away within the next three days. Two liners, the Kristianiafjord and the Bergensfjord, now at Bergen, will be

released for service, and will sail for this port.

The International Mercantile Marine Company, which controls the American Line, announced yesterday that in the future no advance information as to the time of sailing of its steamships would be given to the public. Passengers will be notified by private when they must be on board. The lines affected by the order are the American, the Atlantic Transport, the White Star, the Red Star, and the Leyland.

(五) ハリファックス港歐洲行貨物船検査實施

○ハリファックス港歐洲行貨物船検査實施(四月二日官報) 本件ニ關シガタラ駐在總領事沼野安太郎ヨリ本年二月二十七日附ヲ以テ左ノ如ク報告アリ(外務省)

最近英國ノ對敵封鎖一層嚴重ト爲リ米國ヨリ歐洲ニ向フ中立國船舶ハ英國官憲ノ嚴重ナル検査ヲ一律必要トシ而シテ一方ニ於テ本月初以來英國及歐洲沿海ニ於ケル獨逸潛航艇襲撃ノ實害著シキモノアルヨリ英國政府ハ米國ヨリ歐洲諸國ニ向フ一切ノ船舶ニシテハリファックスヘ寄港スルモノハ同港ニ於テ検査ヲ受ケ得ルコトニ決定シ加拿陀政府ト打合セノ結果最近之方實行ヲ見ルニ至リ現ニ本月十七日前駐米獨逸大使カラーフ、フォン、ベルンストルフ一行ノ搭乘セル丁抹船「フレデリック」八世號ノ寄港スルアリ爾來引續キ之ヲ實施シ居レリ

本件ニ關シ當地海軍當局カ本官ニ語レル所ニ依ルニ右ハ目下 Eastbound 貨物船ニ限リ實施シ居ル次第ニシテ追テ歐洲ヨリ當大陸へ來航スル船舶ニ對シテモ之ヲ施行スルニ至ルヤハ未タ確言シ難シ而シテ此措置ハ英國ニ拉致セラレテ検査ヲ受クルタメニ生スル潜航艇戰域通過ノ危險ヲ免レ反テ中立國船舶ニ對シ多大ノ安全ト便宜トヲ供與スルモノナルモ右ノ規則ハ決シテ強制的ナルニアラスシテ自ラ進ミテ前記危險ヲ冒スヲ辭セサルモノハ必スシモハリフアックスヘ寄港スルヲ要セサル趣ヲ續述セリ要スルニ右ノ措置ハ英國ノ對敵封鎖ヲ益々嚴密ニシ併セテ米國ヨリ北歐ニ向フ船舶ヲ悉ク検査セントスル趣意ニ基クモノナルコト、思考セラル尙ホ本件ハリフアックス港ニ於ケル検査竝ニ查證交付ノ手續ハ加拿陀關稅省當局之ヲ鞅掌シ居レルモ其權限ハ總テ英國海軍省ノ所管ニ屬スル趣ナリ

第二 海戦法規ノ適用ニ關スル件

- (一) 北海ニ於ケル危險區域設定ニ關シ一月二十五日告示ノ改正ニ關スル二月十三日附英國政府ノ對米國通牒

(第十一輯第一九四頁以下參照)

(二月十七日ニューヨーク、タイムス)

BRITISH REPLY TO BLOCKADE.

NEW ADMIRALTY DECREE SUGGESTS INTENSIFIED ACTION IN NORTH SEA.

"DANGEROUS AREA" IS SMALLER THAN THAT COVERED IN JAN.

25 PROCLAMATIONS.

WASHINGTON, Feb. 16.—Action has been taken by the British Admiralty in modifying its danger zone in the North Sea, which suggests the probability that plans are making for more vigorous operations directly off the coast of Germany. At the same time the modification of the danger zone, as proclaimed in the decree of Jan. 25 will be of material aid to the commerce of neutrals, especially Holland and Denmark.

Notice of the proclamation of the new zone was received at the State Department today from Ambassador Page in London. The document frankly indicates that the British action was taken in consequence of Germany's declaration of unrestricted U-boat warfare.

Ambassador Page's dispatch reads:

英吉利國法令

Following revised notice dated Feb. 13 received from the Foreign Office respecting dangerous area in North Sea, which is intended to replace notice of Jan. 25, 1917.

“North Sea.

“Caution with regard to dangerous area.

“In view of the unrestricted warfare carried on by Germany at sea by means of mines and submarines not only against the Allied powers but also against neutral shipping, and the fact that merchant ships are constantly sunk without regard to the ultimate safety of their crews, his Majesty's Government give notice that on and after the 7th of February, 1917, the undermentioned area in the North Sea will be rendered dangerous to all shipping by operations against the enemy, and it should therefore be avoided.

“Dangerous Area.—The area comprising all the waters, except Netherland and Danish territorial waters, lying to the southward and eastward of a line commencing four miles from the coast of Jutland in latitude 56 degrees north, longitude 8 degrees east, and passing through the following positions: Latitude 56 degrees north, longitude 6 degrees east, and latitude 54 degrees 45 minutes north, longitude 4 degrees 30 minutes east; thence to a position in latitude 53 degrees 27 minutes north, longitude 5

degrees east, seven miles from the coast of the Netherlands.

“To meet the needs of the coastal traffic which cannot strictly confine itself to the territorial waters, owing to navigational difficulties, it will be safe to navigate between the coast of Jutland and a line passing through the following positions: Latitude 56 degrees north, longitude 8 degrees east, and latitude 55 degrees 40 minutes north, longitude 8 degrees east; latitude 55 degrees 36 minutes north, longitude 7 degrees 15 minutes east; latitude 55 degrees 32 minutes north, longitude 7 degrees 15 minutes east; latitude 55 degrees 22 minutes north, longitude 7 degrees 45 minutes east; latitude 55 degrees 19 minutes north, longitude 8 degrees 4 minutes east; latitude 55 degrees 22 minutes north, longitude 8 degrees 19 minutes east, which is three miles from the coast of Fano Island.

“Also a safe passage will be left along the Netherland coast southward of a line joining the following positions: Latitude 53 degrees 27 minutes north, longitude 5 degrees east; latitude 53 degrees 31½ minutes north, longitude 5 degrees 30 minutes east; latitude 53 degrees 34 minutes north, longitude 6 degrees east; latitude 53 degrees 39 minutes north, longitude 6 degrees 23 minutes east.”

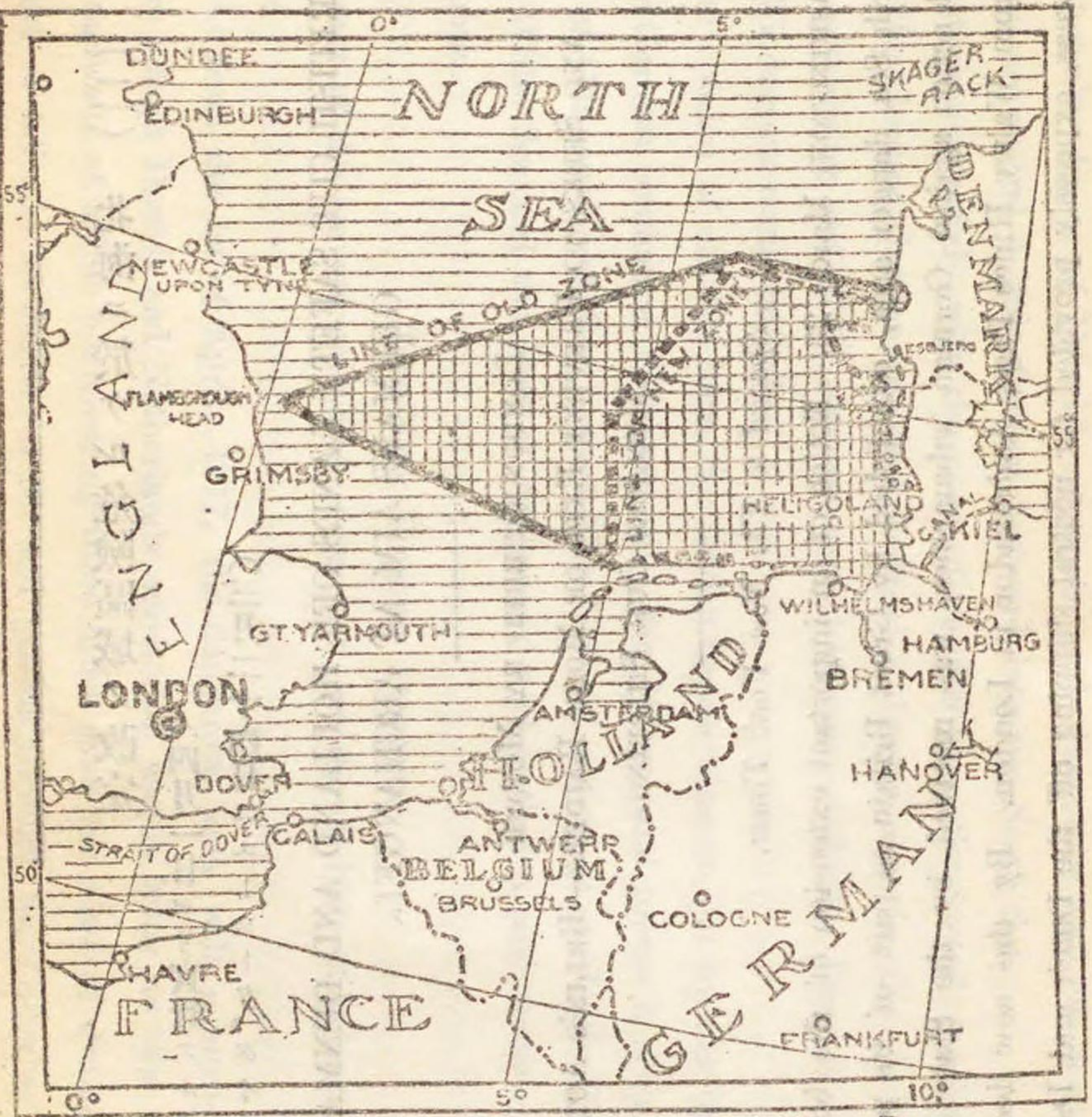
The new zone makes important concessions to neutrals. The zone, laid out in the proclamation of Jan. 25, extended in a fan-like shape from off Flambor-

ough Head on the east coast of England to the Dutch and Danish coasts, and covering the entire North Sea coast of Germany.

After this vast area had been proclaimed by England as dangerous, Germany established its submarine blockade, the eastern boundary of which in the North Sea extended along the line of 4 degrees 50 minutes east longitude from Terschilling Lightship to Udsire Lightship on the Norwegian coast. Later Germany moved part of the eastern boundary of its North Sea danger area to the line marked by 4 degrees east longitude.

The original British danger area, which was established so as to extend much further west of 4 degrees east longitude, has been changed so that none of it is now west of that line.

There has thus been established, by England's action as well as by Germany's recent modification, an irregular lane, the narrowest neck of which is thirty miles wide, through which shipping may pass between the Danish, Norwegian, and Holland coasts without skirting their respective coasts. This newly established lane restores an open sea route to and from Holland through an irregularly shaped zone, which lies between the German danger area on the west and the British danger area on the east.



Britain's Newly Proclaimed Zone of War Danger.

(二) 北海ニ於ケル危險區域ノ改定

(四月一日ヨリ實行スルモノ)

(三月二十四日ニニューヨーク、タイムズ)

BRITISH CUT SAFETY LANES OFF HOLLAND AND DENMARK—
GERMANS AIM AT ARCHANGEL.

LONDON STIRRED BY MOEWIE

AND SHEERS TO PREVENT EXIT OF MORE RAIDERS—BRITAIN'S ACTION

MENACES OUR SHIPPING.

Special to The New York Times.

WASHINGTON, March 23.—Notice of an important extension of the boundaries of the North Sea danger area, established by Great Britain as part of its plan for intensified action against German submarines, was received by the State Department today from Walter Hines Page, Ambassador in London. By the new decree certain safety areas, expressly provided for neutral shipping off the Dutch and Danish coasts

in the Admiralty decree of Feb. 13, are again made dangerous, and the western limits of the zone are moved a little further westward into the North Sea.

Almost simultaneously with the news of the British action word reached officials here that the German Government had declared a danger zone in the Arctic Ocean, taking in everything east of 24 degrees east longitude, (off the Russian coast,) and south of 75 degrees north latitude.

In the opinion of officials here, the British decree aims to put up the bars against any more German commerce destroyers like the Möwe, and means a very stringent blockade of German North Sea ports. The German action is evidently intended to close the White Sea and the Port of Archangel, and is thus a new menace to American shipping.

THE NEW BRITISH DECREE.

The text of the announcement as given out by the British Admiralty reads as follows:—

As from the 1st of April, 1917, the dangerous area will comprise all the waters except Danish and Netherlands territorial waters lying to the southward and eastward of a line commencing three miles from the coast of Jutland on the parallel of latitude 56 degrees north and passing through the following positions:

英吉利國法令

- One—Latitude 56 degrees north, longitude 6 degrees east.
- Two—Latitude 54 degrees 45 minutes north, longitude 4 degrees 20 minutes east.
- Three—Latitude 54 degrees 23 minutes north, longitude 5 degrees 1 minute east.
- Four—Latitude 53 degrees 25 minutes north, longitude 5 degrees 5½ minutes east, and thence to the eastward, following the limit of Netherlands territorial waters.

The North Sea danger area, as first established by the Admiralty announcement of Jan. 27, extended in a cone-like shape from Flamborough Head on the British coast to the territorial waters of Denmark and Holland, and included all the waters off the North Sea coast of Germany.

NEW SAFETY AREAS WIPED OUT.

On Feb. 13 the Admiralty, by a new decree, materially lessened the danger area by cutting off the western portion and leaving an irregularly shaped zone off the Danish, Dutch, and German coasts. The western limit of this new zone was so located as to leave a safety lane between the British and German danger areas. At the same time the danger limits along the Dutch and Danish coasts were moved out so as to leave wider sea ways for neutral shipping.

Off the coast of Denmark is a great sand shoal known as Horn Reef, which extends outside of Danish territorial waters. The original British danger area extended to within three miles of the coast here. On account of the projection of Horn Reef vessels had to pass outside the three-mile limit into the danger area. The decree of Feb. 13 mapped out a diamond-shaped safety strip around this reef. The same decree widened the strip of safe waters off the Dutch coast eastward from the Terschelling Lightship.

The changes now to be made in the danger area include the wiping out of these safety areas and leaving only the Dutch and Danish territorial waters available for neutral shipping to the east and south of the sea limits of the zone.

The shift of the western limit of the danger area ten minutes westward along the parallel of 54 degrees 45 minutes to 4 degrees 20 minutes east will not close the safety channel left between the British and German danger areas. The eastern boundary of the German submarine zone around England runs along 4 degrees of longitude northward to 56 degrees north latitude, thence to a point marked by the intersection of 56 degrees north latitude with 5 degrees east longitude, and thence northward along the meridian of 5 degrees east longitude to Udsire Lightship on the Norwegian coast. Thus there is still a distance of 20 minutes of longitude between the eastern boundary

of the German danger area and the western limit of the British danger area.

The changes now made by the Admiralty are evidently intended to tighten the net which the British Navy is endeavoring to cast about this corner of the North Sea to prevent German U-boats, sea raiders, and other war vessels emerging from their bases at Emden, Wilhelmshaven, Bremerhaven, Cuxhaven, and Brunsbutte into the North Sea.

Announcement of the modification of the British danger area comes simultaneously with the German official report of the safe return of the commerce raider *Möwe*. The British danger area of Jan. 27 was established after it became known that the raider had found its way into the Atlantic. It was hoped then to bar her return, as she was believed to have made her exit from German waters by sailing close to the coast of Schleswig and Denmark.

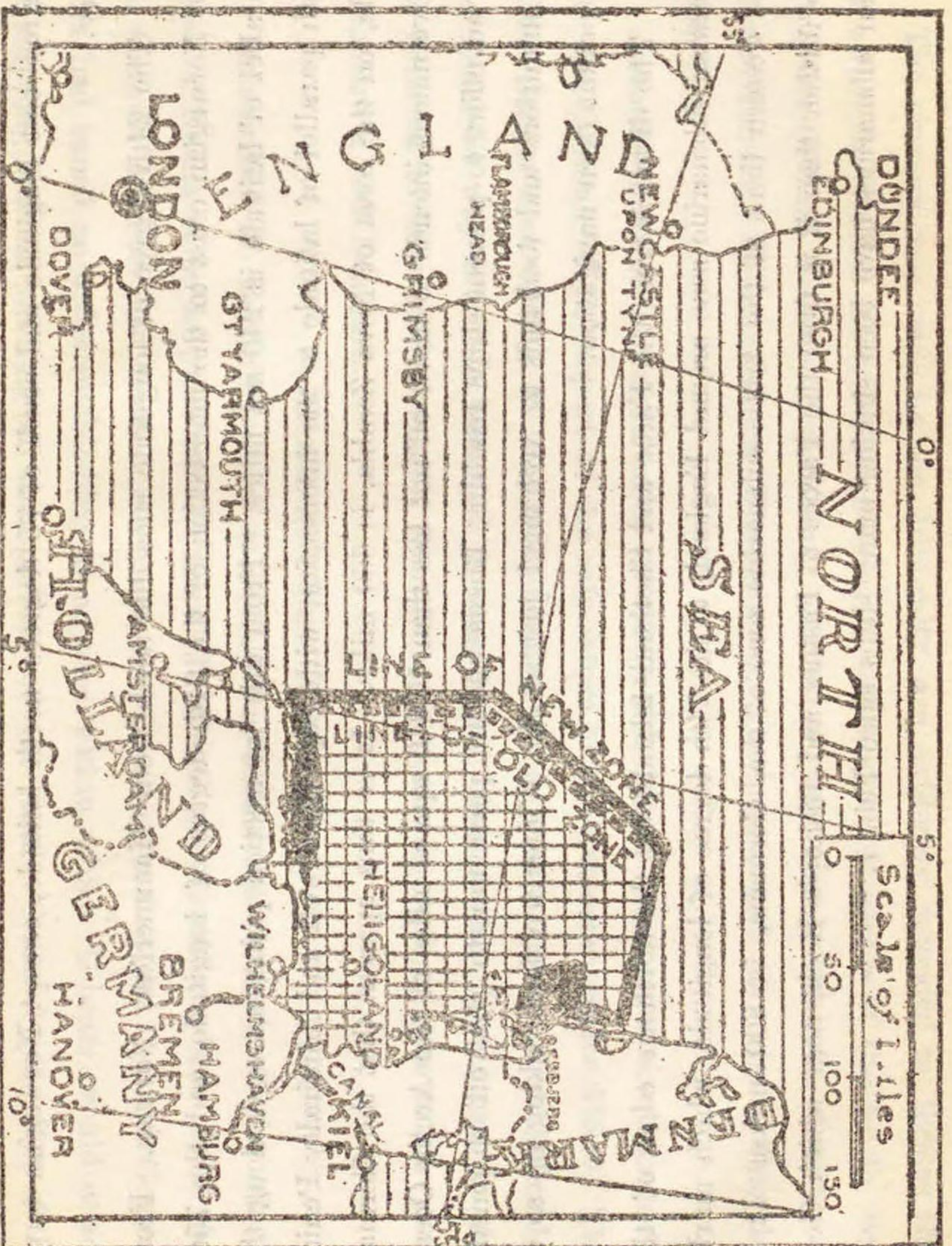
GERMANY'S NEW BLOCKADE.

Information of Berlin's purpose to establish a submarine blockade of the Arctic Coast of Russia came in press advices from Christiania via London, which stated that the German Minister had notified the Norwegian Government that the German Government had issued an order establishing as an area within which U-boats would attack all shipping without warning all that portion of the Arctic Ocean lying east of 24 degrees east longitude and south of 75 degrees north latitude, except Norwegian territory.

The 24th degree of longitude runs due north from Hammerfest, Norway. From the Norwegian coast to the intersection of the 24th degree of longitude and the 75th parallel of latitude is 240 sea miles. From this intersection point eastward along the 75th parallel of latitude to the intersection with Cape Speedwell and Admiralty Peninsula, on the coast of Nova Zembla, is 660 miles. It is thus apparent that the German Government intends to mark off not less than 15,840 square miles of the Arctic Ocean in an effort to prevent ships reaching Russia and in particular to shut off shipments of munitions and foodstuffs to Archangel just as the Winter ice is breaking up so as to permit open navigation.

The distance from the Faroe and Shetland Islands, on the northern edge of the German submarine zone around England, to the 24th degree of longitude, which marks the western limit of the Arctic submarine zone of the Germans, is 800 miles. It is no farther than it is from the Faroes to Fastnet and Bishop's Rock, near which German submarines have been sinking many ships since Feb. 1.

BRITAIN'S MODIFIED DANGER AREA IN NORTH SEA.



The black sections of the Danish and Dutch coasts mark safety lanes, provided by the Admiralty decree of Feb. 13, now to be abolished. The only safe area after April 1 in the waters east and south of the sea limits of the new zone (marked by a solid black line) are the three-mile strip along the coasts of Holland and Denmark. There is still left for neutral shipping a narrow safety lane between the British and German danger areas. This extends from the Dutch coast northward through the North Sea toward Denmark and Norway.

(三) 病院船撃沈ニ關スル獨國ノ宣言ニ對シ

英國ハ報復手段ヲ執ルコトアルヘキ旨
米國ヲ通シテ通牒スル件

(第十一輯第六二八頁以下参照)
(二月一日ロンドン、タイムス)

GERMANS' NEW BARBARIY.

HOSPITAL SHIPS TO BE SUNK.

BRITISH REPRISALS.

The Foreign Office issued the following statement last evening :—

The German Government announce that “they have conclusive proof that in several instances enemy hospital ships have often been misused for the transport of munitions and troops.”

They also state that they have placed these proofs, through diplomatic channels, before the British and French Governments, and have, at the same time, declared that traffic of hospital ships on the military routes for the forces fighting in France and Belgium, within a line drawn between Flamborough Head and Terschelling on the one hand and from Ushant to Land's End on the other, will no longer be tolerated.

His Majesty's Government have received no such communication through diplomatic channels, or otherwise, from the German Government, as is alleged, and they most emphatically deny that British hospital ships have been used for the transport of munitions and troops, or in any way contrary to The Hague Convention for the adaptation of the principles of the Geneva Convention to maritime war.

Under the Convention belligerents have the right to search hospital ships, and the German Government have therefore an obvious remedy in case of suspicion—a remedy which they have never utilized.

From the German Government's statement that hospital ships will no longer be tolerated within the limits mentioned, only one conclusion can be drawn—namely, that it is the intention of the German Government to add yet other and more unspeakable crimes against law and humanity to the long list which disgraces their record.

In these circumstances his Majesty's Government have requested the United States Government to inform the German Government that his Majesty's Government have decided that if the threat is carried out reprisals will immediately be taken by the British authorities concerned.

(四) 小包郵便物及郵便物ノ檢閲ニ關シ千九百十六年五月二十四日附米國政府通牒ニ對スル同年十月十二日附英佛兩國政府ノ回答覺書

(英國外交文書)

MEMORANDUM ADDRESSED BY THE FRENCH AND BRITISH GOVERNMENTS TO
THE UNITED STATES GOVERNMENT REGARDING THE EXAMINATION
OF PARCELS AND LETTER MATTS.

1. PAR sa lettre du 24 mai dernier, le Secrétaire d'Etat des Etats-Unis a bien voulu faire connaître les vues du Gouvernement américain relativement au mémorandum des Gouvernements alliés concernant la correspondance postale trouvée sur les navires de commerce en haute mer.

2. Les Gouvernements alliés ont constaté que leurs vues s'accorderaient avec celles du Gouvernement des Etats-Unis en ce qui concerne : la Convention d'Union postale, qui est reconnue, de part et d'autre, étrangère aux questions actuellement examinées ; les colis postaux, respectivement reconnus comme soumis au régime commun des marchandises sujettes à l'exercice des droits des belligérants dans les termes du droit international ; la visite de la correspondance postale privée à l'effet de vérifier si elle ne contient pas des articles de contrebande, et, au cas où elle est transportée sur un navire ennemi, si elle ne contient pas des articles de propriété ennemie. Il est clair que cette visite, qui comporte nécessairement l'ouverture des plis afin de vérifier leur contenu, ne saurait être faite à bord sans entraîner une grande confusion, sans entraîner de graves retards pour les courriers, les passagers et les cargaisons, et sans causer pour les plis transmis des erreurs, des pertes ou tout au moins de grands risques d'égarements. C'est la raison pour laquelle les Alliés font procéder au débarquement des sacs-

postaux et à leur envoi dans des centres pourvus du personnel et du matériel nécessaires à des manipulations promptes et régulières. En tout ceci, les Gouvernements alliés n'ont pas en vue d'autre but que de restreindre autant qu'il leur est possible les inconvénients pouvant résulter, pour les correspondances neutres inoffensives et pour les navires neutres, de l'exercice légitime de leurs droits de belligérants vis-à-vis des correspondances hostiles.

3. Le Gouvernement des Etats-Unis se reconnaît d'accord avec les Gouvernements alliés quant aux principes, mais il exprime certaines divergences de vues et certaines critiques quant aux méthodes suivies par les Alliés pour appliquer ces principes.

4. Ces divergences de vues et ces critiques sont les suivantes :

5. Tout d'abord, d'après le Gouvernement des Etats-Unis, la pratique des Gouvernements alliés serait contraire à leur propre déclaration en ce que, tout en déclarant ne pas vouloir saisir et confisquer la correspondance véritable en haute mer, ils obtiendraient le même résultat en dérotant de gré ou de force les navires neutres vers les ports alliés, pour y pratiquer les saisies et confiscations dont il s'agit, et pour exercer ainsi sur ces navires un droit de belligérant plus étendu que celui dont ils disposent en haute mer. D'après le Gouvernement des Etats-Unis, il n'y aurait, en droit, aucune distinction à faire entre la saisie des correspondances en haute mer, que les Alliés ont

déclaré ne pas vouloir appliquer pour le moment, et la même saisie pratiquée à bord des navires se trouvant volontairement ou involontairement dans un port allié.

6. Sur ce premier point et en ce qui concerne les navires semoncés en haute mer et détournés obligatoirement sur un port allié, les Gouvernements alliés ont l'honneur de faire connaître au Gouvernement des Etats-Unis qu'ils n'ont jamais traité différemment la correspondance selon qu'elle a été trouvée sur un navire neutre en haute mer ou sur un navire neutre obligatoirement détourné vers un port allié. Ils ont toujours reconnu qu'une visite effectuée dans un port à la suite d'un détournement par force doit être à cet égard assimilée à une visite en haute mer, et la critique formulée par le Gouvernement des Etats-Unis ne leur paraît donc pas justifiée.

7. Quant aux navires qui, de leur plein gré, touchent dans les ports alliés, il importe de faire remarquer qu'il s'agit bien pour eux d'une escale réellement "volontaire." En touchant dans un port allié, le capitaine agit, non pas sur injonction quelconque des autorités alliées, mais uniquement en exécution des instructions de son armateur. Ces instructions ne sont pas davantage imposées à celui-ci. En considération de certains avantages que lui procure l'escale faite dans un port allié, et dont il a la pleine liberté de s'assurer ou de refuser le bénéfice, l'armateur donne l'instruction à son capitaine de relâcher dans tel ou tel port. Il ne subit en vérité aucune con-

trainte. En droit c'est dans l'opinion des Gouvernements alliés une règle généralement reconnue, notamment aux Etats-Unis (*United States contre Dickelman*, Cour suprême des Etats-Unis, 1875; 92 U. S. Rep. 520; *Scott's Cases*, 264) que les navires de commerce qui entrent dans un port étranger se soumettent ainsi aux lois en vigueur dans ce port et ceci aussi bien en temps de guerre qu'en temps de paix et lorsque dans ce port la loi martiale est en vigueur. Il est donc légitime que lorsqu'un navire de commerce neutre entre dans un port allié, les autorités des Gouvernements alliés s'assurent, avant de donner au navire la libre sortie, qu'il ne transporte rien qui soit hostile aux intérêts de leur défense nationale. Il faut ajouter que l'usage adopté par les Allemands d'abuser des courriers neutres et d'expédier des correspondances hostiles, voire même des communications officiels ayant trait aux hostilités, sous le couvert de plus d'apparence inoffensive, expédiés par des neutres à des neutres, a rendu nécessaire de contrôler les correspondances de provenance ou à destination de pays voisins de l'Allemagne dans les mêmes conditions que les correspondances de provenance ou à destination de l'Allemagne elle-même. Mais il va de soi que la correspondance de neutre à neutre qui ne couvre pas de semblables abus n'a pas à être inquiétée.

8. En second lieu, d'après le Gouvernement des Etats-Unis, la pratique actuellement suivie par les Gouvernements alliés serait contraire à la règle de la Convention

II de La Haye, 1907, qu'ils déclarent vouloir appliquer, et constituerait en outre une violation de la pratique antérieurement suivie par les nations.

9. En ce qui concerne la valeur à attribuer à la Convention II de La Haye, 1907, on doit, tout d'abord, faire observer qu'elle se réfère seulement aux correspondances trouvées en mer, et qu'elle est entièrement étrangère aux courriers postaux trouvés à bord des navires dans les ports. En second lieu, au point de vue des circonstances particulières de la guerre actuelle, le Gouvernement des Etats-Unis n'ignore pas que cette convention, comme l'a rappelé le mémorandum des Alliés, n'a pas été signée ou ratifiée par six des Puissances belligérantes (Bulgarie, Italie, Monténégro, Russie, Serbie, Turquie), que précisément pour cette raison l'Allemagne s'est prévaluée de l'article 9 de ladite convention et a nié, en ce qui la concerne, le caractère obligatoire de ses stipulations, et que, pour ces diverses raisons, la convention ne présente, à vrai dire, qu'une valeur légale assez douteuse. Malgré tout, les Gouvernements alliés s'inspirent, quant aux correspondances trouvées à bord des navires dans les ports, des intentions expressément manifestes à la Conférence de La Haye, consacrées dans le préambule de la Convention II, et tendant à protéger seulement le commerce pacifique et inoffensif. Les correspondances ayant ce caractère sont acheminées aussi rapidement que les circonstances le permettent. En ce qui concerne les correspondances

trouvées sur les navires en mer, les Gouvernements alliés ne se sont pas, pour le moment, refusés à observer les termes de la convention, raisonnablement interprétée; mais ils n'ont pas admis, et ils ne sauraient admettre, qu'il y ait là pour eux une obligation légale définitive, dont il ne leur serait pas possible de se départir; les Gouvernements alliés se réservent expressément la faculté de le faire, au cas où les abus et les fraudes de l'ennemi, ses dissimulations ou ses tromperies rendraient cette mesure nécessaire.

10. Quant à la pratique antérieurement suivie par les Puissances au temps des anciennes guerres, il est difficile d'y voir une règle générale quelconque interdisant aux belligérants d'exercer en haute mer, vis-à-vis de la correspondance postale, le droit de surveillance, de contrôle, de visite, d'arrêt et, cas échéant, de saisie et confiscation, que le droit international leur reconnaît au regard de tout transport en dehors des eaux territoriales et de la juridiction des Puissances neutres.

11. En haute mer, d'après le droit international, c'est aux belligérants qu'il appartient de rechercher et d'empêcher les transports ou autres actes, par lesquels des navires neutres peuvent prêter leur concours et leur assistance aux opérations hostiles de l'ennemi. Or, comme on l'a fait depuis longtemps remarquer (entre autres, Lord Stowell, dans "The Atalanta," 6 Robinson 440, 1. English Prize Cases, 607; Scott's

Cases, 780), quelques lignes d'une lettre portée à l'ennemi peuvent être aussi utiles, ou mêmes plus utiles, à ses opérations de guerre qu'une cargaison d'armes et de munitions. L'assistance rendue en pareil cas par le navire qui transporte une semblable lettre est aussi dangereuse pour l'autre belligérant que l'assistance résultant du transport de la cargaison militaire. En fait l'expérience a, au cours de la présente guerre, démontré la vérité de cette observation. Des actes hostiles ont échoué qui avaient été projetés dans des correspondances. Des complots dangereux, que l'ennemi n'épargne même pas aux pays neutres, ont été découverts dans des correspondances et déjoués. Enfin les destinataires de certaines lettres, que les Alliés avaient cru devoir respecter, ont témoigné d'une satisfaction dont le caractère hostile ne laissait aucun doute sur la portée de ces lettres.

12. Le Rapport adopté par la Conférence de La Haye, à l'appui de la Convention 11, laisse peu de doutes sur la pratique antérieure en pareille matière: "La saisie, l'ouverture des sacs, le dépouillement, au besoin la confiscation, dans tous les cas le retard ou même la perte, sont le sort ordinairement réservé aux sacs de dépêches voyageant par mer en temps de guerre. (Deuxième Conférence de la Paix, Actes et Documents, vol. i. p. 266.)

13. La note américaine du 24 mai, 1916, invoque la pratique suivie par les Etats-Unis pendant la guerre avec le Mexique et pendant la guerre civile, la pratique suivie par la France en 1870, par les Etats-Unis en 1898, par la Grande-Bretagne pendant la guerre sud-africaine, par le Japon et par la Russie en 1904, et actuellement par l'Allemagne.

14. En ce qui concerne les procédés de l'Empire allemand relativement à la correspondance postale pendant la présente guerre, les Gouvernements alliés ont, entre autres renseignements, fait connaître au Gouvernement des Etats-Unis le nom de quelques-uns des paquebots postaux dont les sacs de dépêches ont été, non pas visités, il est vrai, mais purement et simplement détruits en mer par les autorités navales allemandes. D'autres noms pourraient facilement y être ajoutés. On peut citer encore tout récemment le paquebot "Hudikswall" (suédois), avec 670 sacs postaux.

15. Les Gouvernements alliés ne pensent pas que l'habitude criminelle de couler les navires, les passagers et les chargements, ou d'abandonner en haute mer les personnes qui survivent à un tel sinistre, soit aux yeux du Gouvernement des Etats-Unis une justification de la destruction des sacs postaux se trouvant à bord, et il ne leur paraît pas utile d'établir une comparaison entre ces procédés allemands de destruction et les actes des Alliés tendant à la surveillance et au contrôle des correspondances ennemies.

16. Quant à la pratique de la Russie et du Japon, il est permis de douter qu'elle ait été en opposition avec la manière de faire des Gouvernements alliés au cours de la guerre actuelle.

17. Le décret Impérial russe du 13/25 mai, 1877, sur l'exercice du droit de visite et de capture dispose (paragraphe 7) : "Sont assimilés à la contrebande de guerre les actes suivants, qui sont interdits aux neutres : le transport . . . de dépêches et de la correspondance de l'ennemi." Le décret Impérial russe du 14 février, 1904, reproduit la même disposition. Les procédés suivis au regard des paquebots et les décisions de prise témoignent de la visite, du débarquement et, le cas échéant, de la saisie des correspondances publiques ou privées trouvées à bord des navires neutres.

18. C'est ainsi que, en mai et juillet 1904, la correspondance postale, transportée sur les paquebots "Osiris" (britannique) et "Prinz Heinrich" (allemand), fut visitée par la croisière russe pour rechercher si elle contenait des correspondances japonaises. C'est ainsi encore qu'en juillet 1904, le paquebot "Calchas" (britannique), capturé par la croisière russe, vit saisir à son bord et débarquer seize sacs de dépêches qui avaient été embarquées à Tacoma, par l'administration postale des Etats-Unis, et dont la Cour des Prises de Vladivostock fut reconnue avoir, à bon droit, contrôlé le contenu. ("Russian Prize Cases," p. 139.)

19. En ce qui concerne la pratique du Japon, les règlements japonais sur les prises du 15 mars, 1904, assimilaient, sauf certaines exceptions, la correspondance officielle ennemie à la contrebande de guerre : ils prescrivaient de visiter les sacs postaux embarqués sur les paquebots, à moins qu'il n'y ait eu à bord un agent des postes donnant une déclaration par écrit et sous serment que les sacs ne contenaient aucun article de contrebande ; ils ajoutaient même qu'il devait être passé outre à cette déclaration, s'il y avait de graves soupçons. D'autre part, les règles des cours de prises japonaises reconnaissaient le pouvoir de ces juridictions, pour l'instruction des affaires de prises, d'inspecter les lettres et correspondances trouvées à bord des navires neutres. (Takahashi, "International Law applied to Russo-Japanese War," p. 568.)

20. La pratique française au cours de la guerre de 1870 se trouve indiquée dans les instructions navales du 26 juillet, 1870, d'après lesquelles les dépêches officielles étaient en principe assimilées à la contrebande, et les lettres officielles ou particulières trouvées à bord des navires capturés devaient être adressées immédiatement au Ministre de la Marine. Par la suite les circonstances de la guerre ont permis de prescrire, dans des instructions complémentaires, que si le navire à visiter était un paquebot ayant à bord un agent postal du Gouvernement dont il portait le pavillon, l'officier visiteur pouvait se contenter de la déclaration de cet agent relativement à la nature

des dépêches.

21. Pendant la guerre sud-africaine, le Gouvernement britannique a pu limiter son intervention dans l'acheminement des correspondances et courriers postaux autant que le permettraient les circonstances de cette guerre, mais il n'a pas cessé d'exercer son contrôle sur les correspondances destinées à l'ennemi.

22. Quant à la pratique suivie par le Gouvernement des Etats-Unis pendant la guerre civile américaine, notamment à propos de l'affaire du "Peterhoff" citée par le mémorandum américain du 24 mai, 1916, les instructions suivantes données au sujet de cette affaire par le Secrétaire d'Etat des Etats-Unis ne semble pas impliquer autre chose que l'acheminement des correspondances dont le caractère inoffensif a été reconnu : "I have, therefore, to recommend that in this case, if the District Attorney has any evidence to show the mails are simulated and not genuine, it shall be submitted to the Court; if there be no reasonable grounds for that belief, then that they be put on their way to their original destination." (Lettre de Mr. Seward, Secrétaire d'Etat, à Mr. Welles, Secrétaire de la Marine, du 15 avril, 1863; VII Moore's Dig., p. 482.)

23. En ce qui concerne enfin le libre passage accordé à la correspondance postale par les Etats-Unis pendant la guerre contre le Mexique, il sera permis de rappeler dans quelles circonstances ce procédé a été suivi. Par une lettre en date du 20 mai,

1846, notifiée le 10 juillet suivant, le commandant du croiseur des Etats-Unis "St. Mary" annonça le blocus du port de Tampico. Bien que cette mesure autorisât sans aucun doute à saisir et confisquer toute correspondance pour le port bloqué, l'autorité navale américaine, apprenant la raison des circonstances, déclara "Neutral noncommercial mail packets are free to enter and depart," et l'on ajouta même que : "Mexican boats, engaged exclusively in fishing will be allowed to pursue their labour unmolested." (British State Papers, vol. 35, 1846-1847.)

24. Il paraît difficile de comparer ce blocus du port de Tampico en 1846 avec les mesures prises par les Alliés au cours de la présente guerre, pour réduire la économique de l'Empire d'Allemagne et de voir dans la manière d'agir alors adoptée par le Gouvernement des Etats-Unis un précédent condamnant la pratique actuellement suivie par les Gouvernements alliés.

25. Abandonner le droit de visiter les paquebots postaux et les sacs postaux destinés à l'ennemi, avait paru autrefois (Dr. Lushington, "Naval Prize Law," Introduct., p. xii) un sacrifice qu'il était difficile d'attendre des belligérants. Les Gouvernements alliés ont rappelé dans leur précédent mémorandum comment et pourquoi, confiants dans certaines déclarations allemandes, ils avaient cru au cours de la seconde Conférence de la Paix en 1907 pouvoir faire cet abandon. Ils ont aussi tiré l'attention

du Gouvernement des Etats-Unis sur l'usage frauduleux que l'Allemagne s'était empressée de faire de la renonciation aux anciennes pratiques, cidessus rappelées.

26. Après avoir signalé un certain nombre de cas particuliers, où des intérêts américains se seraient trouvés lésés du fait du contrôle postal effectué par les autorités britanniques, et qui sont l'objet du mémorandum spécial du Gouvernement de Sa Majesté en date du 20 juillet, 1916, le Gouvernement des Etats-Unis a bien voulu faire connaître ses vues sur ce qui doit ou non être reconnu comme n'ayant pas le caractère de correspondance postale.

27. A cet égard le Gouvernement des Etats-Unis admet que les actions obligatoires, coupons et autres valeurs, les mandats de paiements, les chèques, traites, billets et autres effets négociables pouvant passer comme équivalents de la monnaie, lorsque ces articles se trouvent compris dans des envois postaux, peuvent être considérés comme ayant la même nature que des marchandises et autres articles de propriété être, en conséquence, également soumis à l'exercice des droits belligérants.

28. En revanche, le mémorandum américain ajoute que les correspondances comprenant les documents maritimes les listes de mandats de paiement et les documents de ce genre, même lorsqu'ils se réfèrent à des envois ou à des exportations de l'ennemi doivent être traités comme correspondances et passer librement, à moins de se référer à des marchandises saisissables se trouvant sur le même navire.

29. En ce qui concerne les documents maritimes et correspondances commerciales trouvés même sur les navires neutres dans un port allié, ne présentant aucun intérêt sérieux pour la guerre, les Gouvernements alliés ont donné à leurs autorités l'instruction de ne pas les arrêter, mais de pourvoir à leur acheminement avec le moins de délai possible. Ces sortes d'envois postaux doivent être acheminés sur leur destination, autant que faire se peut, par le paquebot même à bord duquel ils sont trouvés ou par une autre voie plus rapide, comme c'est le cas pour certains courriers visités en Grande-Bretagne.

30. Quant aux listes de mandats de paiement, auxquelles le Gouvernement des Etats-Unis attribue le caractère de simple correspondance, les Gouvernements alliés croient devoir attirer l'attention du Gouvernement des Etats-Unis sur les considérations pratiques suivantes.

31. En fait, les listes de mandats de paiement adressées des Etats-Unis en Allemagne et en Autriche-Hongrie correspondent à des versements de fonds effectués aux Etats-Unis et payables par les administrations des postes allemandes et austro-hongroises. Ces listes font connaître à ces administrations les sommes qui ont été versées et qu'elles ont, en conséquence, à payer aux destinataires. Pratiquement ce paye-

ment est à la disposition de ceux-ci et leur est effectué directement, dès que ces listes sont arrivées et sans que le mandat individuel soit parvenu entre les mains de l'intéressé. Ces listes sont ainsi en réalité de véritables mandats de paiement, transmis en bloc en faveur de plusieurs destinataires. Rien, dans l'opinion des Gouvernements alliés, ne paraît justifier une liberté donnée au pays ennemi de recevoir ainsi des fonds destinés à alimenter pour autant sa puissance de résistance financière.

32. Le mémorandum américain croit devoir rappeler avec fermeté que les droits des neutres et les droits des belligérants sont également sacrés et doivent être strictement observés. Les Gouvernements alliés partagent entièrement, en ce que les concerne, cette manière de voir. Ils font leurs efforts sincères pour éviter que l'exercice de leurs droits de belligérants empiète sur l'exercice légitime des droits du commerce neutre inoffensif. Mais ils considèrent qu'il est de leur droit de belligérant d'exercer en haute mer le contrôle que le droit international leur reconnaît pour s'opposer à tout transport destiné à assister leur ennemi dans la conduite de la guerre et à soutenir sa résistance. Le droit des Etats-Unis, en tant que Puissance neutre, ne saurait, dans leur opinion, comporter la protection donnée par le Gouvernement fédéral en faveur d'expéditions, d'envois, de correspondance ou de communications sous quelque forme que ce soit, ayant un caractère hostile manifeste ou dissimulé et une destination hostile, directe ou

indirecte, et que les particuliers américains ne peuvent effectuer qu'à leurs risques et périls personnels. C'est le principe même qui a été expressément rappelé par le Président des Etats-Unis dans ses proclamations de neutralité.

33. Aussi bien, dans le cas où quelque abus, faute ou erreur graves, commis par les autorités alliées chargées de la visite des courriers postaux seraient révélés aux Gouvernements de France et de Grande-Bretagne, ceux-ci sont disposés, comme ils l'ont toujours été, à en régler la responsabilité, conformément aux principes de droit et de justice, auxquels il n'a jamais été et il n'est pas dans leur intention de se dérober.

Le 12 Octobre, 1916.

1. THE Secretary of State of the United States, in his letter of the 24th May last, was good enough to communicate the views of the United States Government in regard to the memorandum of the Allied Governments concerning postal correspondence found on board merchant vessels on the high seas.

2. The Allied Governments note that their views agree with those of the United States Government in regard to; the Postal Union Convention, which is recognised on both sides to be foreign to the questions now under examination; parcels post, mutual-

ly recognised as subject to the ordinary treatment accorded to that class of merchandise over which belligerents are entitled to exercise rights under international law; the examination of private postal correspondence with a view to ascertain whether it contains contraband, and, when it is carried on enemy ships, whether it contains enemy property. It is evident that this examination, which necessarily entails the opening of the covers in order to ascertain their contents, could not be carried out on board without involving a great deal of confusion, without causing serious delay to the mails, passengers, and cargo, and without great risk of error, loss, or miscarriage. It is for these reasons that the Allies direct the removal of the mail-bags and their despatch to points provided with the staff and material requisite for prompt and regular handling. In all this the Allied Governments have no other object in view than to diminish by all means in their power the inconvenience which the legitimate exercise of their belligerent rights in regard to enemy mail might cause to inoffensive neutral correspondence and to neutral vessels.

3. The United States Government acknowledges that it agrees with the Allied Governments as far as principles are concerned, but has expressed certain differences of view and certain criticisms in regard to the methods adopted by the Allies in applying these principles.

4. The differences of view and the criticisms in question are as follows:—

5. First of all, according to the United States Government, the practice of the Allied Governments is contrary to their own declaration in that, while disclaiming any desire to seize and confiscate *bond fide*, correspondence on the high seas, they would attain the same result by causing neutral ships, by force or otherwise, to divert their course to Allied ports in order there to exercise the seizures and confiscations in question, and so to apply to these vessels a wider belligerent right than they can exercise on the high seas. According to the United States Government, no legal distinction can be made between the seizure of mails on the high seas, a practice which the Allies have disclaimed any desire to exercise for the present, and the same seizure practised on vessels which are voluntarily or involuntarily in an Allied port.

6. On this first point, and as far as concerns vessels encountered on the high seas and compelled to divert their course to an Allied port, the Allied Governments have the honour to inform the United States Government that they have never differentiated between their treatment of mails on board a neutral vessel on the high seas and those on board a neutral vessel compulsorily diverted to an Allied port. They have always recognised that visit carried out in a port to which a vessel has been compulsorily diverted must in this respect be assimilated to visit on the high seas, and the criticism

put forward by the United States Government does not therefore appear to them to be justified.

7. In regard to vessels touching of their own accord at Allied ports, it must be pointed out that for such vessels the case is one of a genuinely "voluntary" call. In touching at an Allied port, the captain does not act upon any order from the Allied authorities, but solely carries out the instructions of his owner. Nor are these instructions imposed upon the owner. For the sake of certain advantages procured by calling at an Allied port—of which he is at perfect liberty to avail himself or not—the owner instructs his captain to put in at that port. He is in no way compelled to do so. In the opinion of the Allied Governments, it is a rule of law generally recognised, and notably in the United States (*United States versus Dickelman*, Supreme Court of the United States, 1875; 92 United States Rep. 520; *Scott's Cases*, 264) that merchant vessels by entering a foreign port place themselves under the jurisdiction of the laws in force at that port; this holds good as well in time of war and when martial law prevails as in time of peace. When, therefore, a neutral merchant vessel enters an Allied port, it is legitimate for the authorities of the Allied Governments, before giving her clearance, to satisfy themselves that the vessel is carrying nothing hostile to the interests of their national defence. It must be added that the German custom of

abusing neutral mails, and of forwarding enemy correspondence, even official correspondence bearing upon hostilities, under apparently inoffensive covers, sent from one neutral to another, has rendered necessary the supervision of mails in transit to or from countries adjacent to Germany, exactly as in the case of mails in transit to or from Germany itself. But it need hardly be said that, in the case of correspondence between neutrals, which is not used as a cloak for such abuses, there are no grounds for apprehension.

8. In the second place, according to the view of the Government of the United States, the practice actually followed by the Allied Governments is contrary to the rule of the Hague Convention No. 11, 1907, which they declare their willingness to apply, and further, would constitute a violation of the practice previously followed by nations.

9. In so far as concerns the validity to be attributed to the Hague Convention No. 11, of 1907, it must in the first place be observed that this convention deals solely with mails on the high seas, and that it in no way relates to mails found on board ships in port. In the second place, from the point of view of the special circumstances of the present war, the Government of the United States is aware that this convention, as was observed in the memorandum of the Allies, has not been signed or

ratified by six of the belligerent Powers (Bulgaria, Italy, Montenegro, Russia, Serbia, Turkey); that for this very reason Germany has taken advantage of article 9 of the said convention, and has denied, as far as she is concerned, the obligatory character of its stipulations; and that, for these various reasons, the convention can only properly be considered as of doubtful legal validity. In spite of all this, the Allied Governments, in dealing with mails on board vessels in port, are guided by the intentions clearly expressed at the Hague Conference, embodied in the preamble to Convention No. 11, and designed solely for the protection of peaceful and innocent commerce. Mails of this character are forwarded as rapidly as circumstances permit. In regard to mails on board vessels at sea, the Allied Governments have not, for the time being, refused to be guided by a reasonable interpretation of the terms of the Convention, but they have not admitted, and they cannot admit, that this imposes upon them a definite legal obligation of which they cannot divest themselves; and they expressly reserve to themselves the liberty to do so, in the event of such a step proving necessary owing to abuses, fraud, and acts of dissimulation and deceit on the part of the enemy.

10. With regard to the practice hitherto followed by the Powers in former wars, it is difficult to perceive in any such practice a general rule prohibiting belligerents from exercising on the high seas, in respect of postal correspondence, the right of examination, control, visit, arrest, and, if necessary, of seizure and confiscation which is accorded to them by international law in respect of all transport outside territorial waters and the jurisdiction of neutral Powers.

11. On the high seas, according to international law, it is for the belligerents to search for and to prevent operations of transport or other services by which neutral vessels can give co-operation and assistance to the hostile operations of the enemy. Again, as was long ago pointed out (see, *inter alia*, Lord Stowell, in "The Atalanta," 6 Robinson 440, 1, English Prize Cases, 607; Scott's Cases, 780), a few lines of a letter conveyed to the enemy may be as useful, or even more useful, to his war-like operations than a cargo of arms and ammunition. The assistance given in such case by the ship which carries a letter of this nature is as dangerous for the other belligerent as the assistance resulting from the transport of military cargo. Experience in the course of the present war has, in fact, demonstrated the truth of this observation. Hostile acts which had been planned through the mails have failed. Dangerous plots, from which even neutral countries are not safe at the hands of the enemy, have been detected in the mails and foiled. Finally, the addressees of certain letters which the Allies considered themselves obliged to respect, have evinced a satisfaction the hostile character of which left no room for doubt as to the character of the letters.

12. The report adopted by The Hague Conference in support of Convention No. 11 leaves little doubt as to the previous practice in these matters: "La saisie, l'ouverture des sacs, le dépouillement, au besoin la confiscation, dans tous les cas le retard ou même la perte, sont le sort ordinairement réservé aux sacs de dépêches voyageant par mer en temps de guerre." (Second Peace Conference, Acts and Documents, vol. i, p. 266).

13. The American note of the 24th May, 1916, invokes the practice followed by the United States during the war with Mexico and during the civil war, the practice followed by France in 1870, by the United States in 1898, by Great Britain during the South African War, by Japan and Russia in 1904, and by Germany at the present time.

14. As far as concerns the proceedings of the German Empire in connection with the mails during the present war, the Allied Governments have, together with other information brought to the knowledge of the United States Government the names of some of the mail-boats whose mail-bags have not indeed been examined, but purely and simply destroyed at sea by the German naval authorities. Other names could easily be added to the number. The quite recent case of the Swedish mail boat "Hudikswall" with 670 bags of mail, may be quoted.

15. The Allied Governments do not believe the criminal practice of sinking vessels, passengers, and cargoes, and of abandoning the survivors of such sinister attacks on the high seas is, in the view of the United States Government, any justification for the destruction of the mail-bags on board, and it does not seem to them that any useful purpose would be served by drawing a comparison between the destructive proceedings of the Germans and the measures taken by the Allies for the supervision and control of enemy mail.

16. As for the Russian and Japanese practice, it may be doubted whether it differed from the procedure followed by the Allied Governments during the present war.

17. The Imperial Russian decree of the 13th/25th May, 1877, on the exercise of the right of visit and capture, provides in paragraph 7: "The following acts are assimilated to the carriage of contraband and are forbidden to neutrals: the transportation . . . of enemy despatches and mails." The Imperial Russian decree of the 14th February, 1904, reproduces the same provision. The procedure followed with regard to mail-boats and the Prize Court decisions afford evidence of the visit, the removal, and, when necessary, the seizure of public or private correspondence found on board neutral vessels.

18. Thus, in May and July 1904, the mails carried on the mail-boats "Osiris" (British) and "Prinz Heinrich" (German) were examined by Russian cruisers for the purpose of ascertaining whether they contained Japanese correspondence. Thus again, in July 1904, the mail-boat "Calchas" (British) was captured by Russian cruisers and sixteen bags of mails, placed on board at Tacoma by the United States postal authorities, were seized and removed, and the Prize Court at Vladivostok was held to have acted within its rights in examining the contents. ("Russian Prize Cases" p. 139.)

19. With regard to the Japanese practice, the Japanese Prize Regulations of the 15th March, 1904, with certain exceptions, assimilated official enemy correspondence to contraband of war; they provided for the examination of mail-bags carried on mail-boats, unless there were a postal official on board, who should give a written declaration under oath that the bags contained no article of contraband; they even added that this declaration ought to be disregarded if there was ground for grave suspicions. Further, the Regulations of the Japanese Prize Court recognise in matters of prize the power of the authorities administering these regulations to inspect letters and correspondence found on neutral vessels. (Takahashi, "International Law applied to Russo-Japanese War," p. 568.)

20. The French practice during the war of 1870 is shown in the naval instructions of the 26th July, 1870, according to which official despatches were on principle assimilated to contraband, and official or private letters found on board captured vessels were immediately to be forwarded to the Minister of Marine. Subsequently the circumstances of the war made it possible to provide in supplementary instructions, that if the vessel to be visited was a mail-boat having on board a postal official of the Government whose flag she flew, the visiting officer might accept as sufficient the declaration of this official as to the nature of the despatches.

21. During the South African war the British Government was able to confine its interference with the transportation of postal matter within the limits permitted by the circumstances of the war, but it did not cease to exercise control over correspondence destined for the enemy.

22. As regards the practice followed by the United States Government during the Civil war, notably in the case of the "Peterhoff," which is quoted in the United States memorandum of the 24th May, 1916, the following instructions issued in this connection by the Secretary of State of the United States, seem to apply only to the transportation of correspondence, the inoffensive character of which is established: "I have, therefore, to recommend that in this case, if the District Attorney has any evidence to show the mails are simulated and not genuine, it shall be submitted to the

Court; if there be no reasonable grounds for that belief, then that they be put on their way to their original destination." (Letter from Mr. Seward, Secretary of State, to Mr. Welles, Secretary of the Navy, 15th April, 1863; VII Moore's Dig., p. 482.)

23. Finally, as concerns the free passage accorded to the mails by the United States during the war against Mexico, attention may be called to the circumstances in which this procedure was followed. In a letter dated the 20th May, 1846, made public on the 10th July following, the captain of the United States cruiser "St. Mary" announced the blockade of the port of Tampico. Although this measure authorised beyond all doubt the seizure and confiscation of all mails intended for the blockaded port, the United States naval authorities, on learning the circumstances of the case, declared "Neutral non-commercial mail packets are free to enter and depart," and it was even added that "Mexican boats engaged exclusively in fishing will be allowed to pursue their labour unmolested." (British State Papers, vol. 35, 1846—1847.)

24. It seems difficult to compare this blockade of the port of Tampico in 1846 with the measures taken by the Allies during the present war for the purpose of reducing the economic resistance of the German Empire, and to see in the procedure then adopted by the United States Government a precedent rendering unjustifiable the

practice now followed by the Allied Governments.

25. The abandonment of the right of visit in the case of mail-boats and mail-bags with an enemy destination had previously been considered (Dr. Inshington, "Naval Prize Law," Introduction, p. xii) as a sacrifice which could hardly be expected from belligerents. The Allied Governments have described in their previous memorandum how and for what reasons, relying on certain German declarations, they had in the course of the second Peace Conference of 1907 thought it possible to renounce this right. They have also drawn the attention of the United States Government to the fraudulent use which Germany was not slow to make of the renunciation of the earlier methods mentioned above.

26. After having cited a certain number of particular cases in which American interests are held to have been injured by the postal control carried out by the British authorities, which are dealt with in the special memorandum of His Majesty's Government dated the 20th July, 1916, the United States Government has been good enough to express its views as to what should or should not be recognised as not possessing the character of postal correspondence.

27. On this point the Government of the United States admits that stocks, bonds, coupons and other securities, money orders, cheques, drafts, notes and other negotiable

instruments which may pass as the equivalent of money, may, when these articles are found in the mails, be regarded as of the same nature as merchandise and other articles of property, and consequently subject to the same exercise of belligerent rights.

28. On the other hand, the American memorandum adds that correspondence comprising shipping documents, money order lists, and documents of this nature, even when they relate to enemy shipments or exports, should be treated as correspondence and allowed to pass freely, unless they refer to goods subject to capture which are on board the same vessel.

29. In respect of shipping documents and commercial correspondence, even when found on board neutral vessels in an Allied port, of no real military value, the Allied Governments have instructed their authorities not to stop them, but to provide for their forwarding with the least possible delay. These kinds of postal matter must be forwarded to their destinations, as far as possible, by the same vessel on which they are found or by a more rapid route, as is done in the case of certain mails examined in Great Britain.

30. As for the money-order lists, to which the United States Government attributes the character of ordinary correspondence, the Allied Governments feel obliged to draw the attention of United States Government to the following practical considerations.

31. As a matter of fact, the money-order lists sent from the United States to Germany and Austria-Hungary correspond to money deposited in the United States, the equivalent of which is payable by the German and Austrian Postal Administrations. The lists serve as a notification to these Administrations of the sums which have been paid in and which they have, therefore, to pay out to the beneficiaries. In practice these sums are at the disposal of the beneficiaries, and payment is made to them immediately on the arrival of these lists, and without the particular money order coming into the hands of the interested party. These lists are thus in reality genuine money orders forwarded *en bloc* in favour of several payees. In the view of the Allied Governments, there appears to be no justification for allowing an enemy country to receive in this manner funds destined to increase *pro tanto* its power of financial resistance.

32. The American memorandum laid great stress on the view that the rights of neutrals and of belligerents are equally sacred, and must be strictly observed. The Allied Governments for their part entirely share this view. They are sincerely endeavouring to avoid any encroachment on the legitimate exercise of the rights of innocent neutral commerce through the exercise of their own belligerent rights. But they consider that they are within their belligerent rights in exercising on the high seas the

control granted them by international law to prevent all transport destined to furnish assistance to their enemy in the conduct of the war and to maintain his resistance. The rights of the United States, as a neutral Power, cannot, in their opinion, imply the protection given by the Federal Government to despatches, parcels correspondence, or communications of whatever nature they may be, which have a hostile character, manifest or disguised, and a hostile destination, direct or indirect; such communication can only be carried on by private American citizens at their proper risk and peril. This is the very principle which has been expressly cited by the President of the United States in his proclamations of neutrality.

33. Furthermore, if any faults, abuses, or serious mistakes, committed by the Allied authorities responsible for examination of mails, are brought to the attention of the Governments of France and Great Britain, they are prepared, as they have always been, to determine the responsibility therefor in conformity with the principles of law and justice, from which it is not and has never been their intention to depart.

October 12, 1916.

(五) 英國蘭船ヲ抑留スル件

(イ) 蘭國英國ニ對シテ英國港ニ抑留中ノ蘭船ノ解放ヲ請求スルノ件

(三月十五日ニユーロク、タイムス)

DUTCH ASK BRITAIN TO RELEASE VESSELS.

PROTEST AGAINST DETENTION OF SHIPS WITH CARGOES WHICH ARE NEEDED BADLY IN HOLLAND.

WASHINGTON, March 14.—Holland has protested to Great Britain against the detention in British ports of more than a dozen steamships loaded with foodstuffs and supplies for the Dutch Government. The ships are under Government charter and some of them are said to have been detained six weeks or more.

Virtually all the detained vessels belong to the Holland-America Line, six are understood to be in Halifax, and eight or more in Falmouth. Many are loaded with grain, which the Dutch population needs badly, and which, according to the information available here, soon will deteriorate if it has not done so already. Other ships are loaded with fertilizers, without which crops in the Netherlands will not mature.

The Dutch Government is understood to fear that ultimately the detained ships may be taken over by Great Britain, which is said to be insisting that 30 per cent of Dutch tonnage be employed in carrying goods and supplies to England.

(ロ) 英國ハリファックス港ニ抑留中ノ蘭國船舶ヲ解放スル件

(四月八日 ニューヨーク・タイムズ)

DUTCH SHIPS ARE FREED.

BRITAIN AGREES TO LET GRAIN VESSELS GO DESPITE HOLLAND'S ACTION.

LONDON, April 7.—Although the Dutch Government has reiterated its intention not to permit armed allied merchantmen to enter Dutch ports, Great Britain has agreed to release the Dutch grain vessels held at Halifax and permit them to return home without calling at an English port, according to Reuter's correspondent at The Hague.

(六) 加拿陀政府及香港政廳婦人及小兒戰爭區域通過船乗船禁止ノ件

○加拿陀政府婦人及小兒戰爭區域通過船乗船禁止(三月一日官報) 本件ニ關シオタワ駐在總領事沼野安太郎ヨリ去月二十七日著電報左ノ如シ(外務省)

加拿陀政府ハ本月二十四日ノ官報ヲ以テ婦人及十二歳以下ノ小兒ニ對シ敵潛航艇襲撃ノ虞アル英國及歐洲ノ戰爭區域ヲ通過スル船舶ニ乘リ又ハ乗ル意思ヲ以テ加拿陀ヲ去ルコトヲ禁止スル旨ヲ公布シタリ尙ホ當局ニ問合セタルニ右ハ國籍職業ヲ論セス又本邦ヨリ英國ニ向フカ如キ繼續旅行者ニモ適用セラレモノナル趣ナリ

○加拿陀政府婦人小兒渡歐禁止令公布(四月二日官報) 本件ニ關シオタワ駐在總領事沼野安太郎ヨリ本年二月二十六日附ヲ以テ左ノ如ク報告アリ(外務省)

過般獨逸政府カ中立國ニ對シ英國周海並に歐洲大陸沿岸ノ特定海面ヲ以テ潛航艇ノ危険戰域ト爲スノ通牒ヲ發セシ以來大西洋橫斷航路ハ事實上著シク危險ノ度ヲ加ヘ來レルニ鑑ミ當國政府ハ本月二十四日發刊ノ官報號外ヲ以テ同日以後當國ヨリ英國及歐洲諸國ニ渡航セントスル一切ノ婦人及十二歳未滿ノ小兒ノ加拿陀ヨリノ乗船ハ勿論右渡航ノ目的ヲ以テ加拿陀ヲ離去スルコトヲ禁止スル旨一昨々年制定ノ戰時制令法ノ委任ニ依ル命令トシテ之ヲ公布セルカ其内容概略次ノ如シ

婦人並ニ十二歳未滿ノ小兒ハ英國及歐洲沿岸ニ於ケル敵潛航艇ノ戰爭水域ヲ通過スヘキ一切ノ船舶ニ乗船シ又ハ乗船スルノ意思ヲ以テ加拿陀ヲ離去スルコトヲ禁ス上記ノ航路ヲ有シ加拿陀ヲ出帆セントスル船舶ノ船長船主及同船舶所屬會社ノ理事支

配人社員代理人等ニシテ本規定ニ反シ婦人或ハ十二歳未滿ノ小兒ニ對シ船客又ハ其他ノ搭乗者トシテ乗船スルコトヲ許容シタルモノハ刑法第十五編ノ條規ニ照シ五百弗以上二千弗以下ノ罰金又ハ六ヶ月以内ノ禁錮或ハ罰金禁錮ヲ併課セラルヘシ云々
 本件ニ關シ當該官憲タル關稅省當局ノ言明スル所ニ依レハ本規定ハ何等ノ除外例ヲ設ケサルカ故ニ其國籍、職業ノ如何ヲ論セス又加拿陀ノ定住者タルト渡歐ノ目的ヲ以テ一時加拿陀ヲ通過スル者タルトナ問ハス苟クモ潛航艇戰爭水域ヲ通過セントスル船舶ニ搭乘スル目的ヲ以テ加拿陀ヲ出國スル婦人小兒ニ適用セラルヘシト

○婦人及小兒ノ旅行ニ對スル香港政廳規則(四月十七日官報) 本件ニ關シ同地駐在總領事代理領事高橋新治ヨリ本月十四日發テ以テ左ノ如ク電報アリ(外務省)

當地政廳ハ本月十三日ノ官報ヲ以テ左譯ノ通新規則ヲ發表セリ

一、大ナル不時ノ出來事ニ會シタルカ又ハ格別緊急ナル理由ノ存スル場合ノ外危險區域ヲ經過航行スル英國船ニテ旅行スル婦人及小兒ニ對シテハ香港ニ於テハ族券ヲ發給セス

二、他所ニ旅行スル途中英國船ニテ香港ニ到着スル婦人及小兒ニ對シテハ其進行ヲ許可スルモ特定ノ港ヨリ先ハ其通行ニ伴フヘキ危險ニ付警告スヘシ

三、英國船以外ノ船ニテ旅行スル婦人及小兒ニ對シテハ其旅行ヲ制限セサルヘシ

第三 輸出禁止品ノ件

(一) 英本國ノ輸出禁止品

◎英本國輸出禁止品目表

(通商公報第三九九號)

(外務省通商局)

千九百十六年五月十日發布セラレタル英本國輸出禁止品目表(通商公報第三五一號參照)ハ其後屢次加除訂正セラレ其都度掲載シタル所ナルカ今般在倫敦山崎總領事代理ヨリ同年十二月十九日現行該品目表及右品目改正ニ關スル本年一月十五日附同國勅令寫送付アリタルヲ以テ該表ニ加除ヲ施シ其全文ヲ左ニ掲載ス

別表ニ掲記セル諸品ハ左記ノ區別ニ從ヒ輸出ヲ禁止セラル

(A) ハ仕向地ノ何レナルナ問ハス輸出ヲ禁止セラル、モノ

(B) ハ英國ノ領土及保護領ノ外何レノ地ヘモ輸出ヲ禁止セラル、モノ

(C) ハ佛蘭西、佛領地、露西亞、伊太利、伊領地、西班牙及葡萄牙以外ノ歐羅巴諸國、地中海及黑海沿岸諸國、是等諸國ノ各港並ニバルチック海沿岸露領諸港ヘ輸出ヲ禁止セラル、モノ

(B) Accountments;

(A) Aeroplane dope;

英吉利國法令

- (A) Aeroplane engines and their component parts;
- (C) Agar-agar;
- (A) Aircraft of all kinds and their component parts, together with accessories and articles suitable for use in connection with aircraft;
- (C) Albumen;
- (B) Alunite;
- (A) American cotton ties, varnished or blacked;
- (C) Anchors and chain cables;
- (A) Aneroids suitable for aircraft;
- (C) Animal hoofs and other glue stock (including untanned pelts and hides not otherwise specifically prohibited), fish bladders and fish skins;
- (A) Animals, living, for food;
- (A) Animals, pack, saddle, and draught, suitable, or which may become suitable, for use in war;
- (C) Armour plates, armour quality castings and similar protective material;
- (B) Asbestos and articles manufactured wholly or partly of asbestos;
- (C) Asphalt and liquid or solid bitumen;
- (C) Asphalt, coal tar;

- (A) Baggings and sackings, old;
- (B) Bags, and sacks made wholly or partly of jute, other than such bags, wrappers or sacks as constitute the coverings of goods to be shipped for exportation and are allowed by the Commissioners of Customs and Excise to be shipped as such coverings;
- (C) Bags, wrappers or sacks not otherwise specifically prohibited (except unwoven paper bags) other than such bags, wrappers or sacks as constitute the coverings of goods to be shipped for exportation and are allowed by the Commissioners of Customs and Excise to be shipped as such coverings;
- (C) Balsams;
- (C) Bamboo;
- (B) Bandoliers, leather;
- (A) Barographs, suitable for aircraft;
- (A) Barometers;
- (C) Barrels and casks empty, and their distinctive component parts, other than such barrels or casks as have been previously imported full and are being returned empty whether whole or in parts,
- (A) Basic slag and superphosphates;

- (A) Baudruche skin;
- (A) Bearings, ball and roller, and steel balls and rollers suitable for bearings;
- (B) Beeswax;
- (C) Belting, woven hair;
- (C) Bicycles and their component parts;
- (B) Binder twine (except binder twine made of Manila hemp);
- (B) Binnacles;
- (B) Bladders;
- (C) Blankets;
- (A) Boilers;
- (C) Bone black;
- (B) Bones in any form and bone ash;
- (C) Boots and shoes, other than heavy boots for men;
- (B) Boots, heavy, for men;
- (C) Bristles;
- (A) Brushes, dandy;
- (B) Buckets, suitable for camp use;
- (C) Burners, acetylene;

- (B) Cables and wires, insulated;
- (A) Calves' stomachs;
- (B) Camp equipment, articles of;
- (C) Camphor;
- (C) Candles (except candles manufactured wholly or partly of paraffin wax or tallow);
- (B) Candles manufactured wholly or partly of paraffin wax or tallow;
- (C) Canes and sticks, unmounted;
- (A) Cannon and other ordnance, and their component parts;
- (A) Canvas, old ship;
- (A) Canvas cuttings;
- (B) Capsicum;
- (A) Capsicum, oleo-resin of;
- (A) Carbon, Brazilian;
- (C) Carbon, gas;
- (A) Carbons, suitable for searchlights;
- (A) Carriages and mountings for cannon and other ordnance and their component parts;

- (A) Cartridges, charges of all kinds, and their component parts;
- (B) Carts, two wheeled, capable of carrying 15cwt. or over, and their component parts;
- (B) Casein and preparations thereof;
- (B) Casines;
- (A) Cast iron pipes;
- (A) Celluloid;
- (A) "Celluloid" sheet, non-in-flammable, and similar transparent material non-soluble in lubricating oil, petrol or water;
- (C) Charcoal;
- Chemicals, drugs, dyes and dye-stuffs, medicinal and pharmaceutical preparations and tanning extracts, the following:—
- (B) Acetanilide;
- (A) Acetates, all metallic;
- (A) Acetic acid;
- (A) Aceto-celluloses;
- (A) Acetones and their compounds and preparations;
- (A) Acetylsalicylic acid (aspirin) and its preparations;

- (A) Alcohol, absolute;
- (A) Alcohol, methyllic, and its esters;
- (A) Aluminium nitrate;
- (B) Aluminium, oxides of, and mixtures containing aluminium oxides;
- (C) Aluminium, salts of (except aluminium nitrate and sulphate, aluminoferric and ammonium alum);
- (B) Aluminium sulphate;
- (B) Alumno-ferric;
- (A) Amidol and mixtures containing amidol;
- (A) Amidopyrine;
- (B) Ammonia and its salts, whether simple or compound (except ammonium nitrate, perchlorate and sulphocyanide);
- (B) Ammonia, liquefied;
- (B) Ammonia liquor;
- (B) Ammonium alum;
- (A) Ammonium nitrate, perchlorate and sulphocyanide;
- (A) Amyl acetate and other amyl esters;
- (C) Anthracene oil and mixtures and preparations containing anthracene oil

- (C) Antimony, compounds of (except sulphides and oxides of antimony);
- (B) Antimony, sulphides and oxides of;
- (A) Antipyrine (phenazone) and its preparations;
- (A) Anti-tetanus serum;
- (C) Arsenic, compounds of arsenic, and mixtures containing arsenic;
- (B) Barium sulphate;
- (A) Belladonna and its preparations;
- (A) Belladonna alkaloids, and their salts and preparations;
- (B) Benzoic acid (synthetic) and benzoates;
- (A) Benzol and its compounds and preparations;
- (C) Bismuth and its salts (except bismuth nitrate);
- (A) Bismuth nitrate;
- (A) Bleaching powder;
- (C) Borax and mixtures containing borax;
- (C) Boric acid;
- (C) Boron compounds;
- (B) Bromine and alkaline bromides;
- (A) Caffeine and its salts;

- (B) Calcium carbide;
- (C) Calcium sulphate;
- (C) Calcium sulphide;
- (B) Cantharides;
- (A) Carbolic acid and compounds thereof, and preparations containing carbolic acid;
- (A) Carbon disulphide;
- (B) Carbon tetrachloride and its preparations;
- (A) Cerium, oxide and salts of;
- (A) Chloral and its compounds and preparations;
- (A) Chlorates, all metallic;
- (B) Chlorine;
- (B) Chromium, compounds of (except chromium acetate, chromium chlorate and chromium nitrate), and mixtures containing such compounds of chromium;
- (A) Chromium acetate;
- (A) Chromium chlorate;
- (A) Chromium nitrate;
- (C) Citric acid;

- (A) Coal tar, all products obtainable from and derivatives thereof, suitable for use in the manufacture of dyes and explosives, whether obtained from coal tar or other sources, and mixtures and preparations containing such products or derivatives (except anthracene oil and green oil and mixtures and preparations containing these oils);
- (A) Cobalt nitrate; and mixtures containing such oxides or salts of cobalt;
- (B) Cobalt, oxides and salts of (except cobalt nitrate), and mixtures containing such oxides or salts of cobalt;
- (A) Cocaine and its salts and preparations;
- (B) Colchicum and its preparations;
- (A) Collodion;
- (A) Copper acetate;
- (C) Copper, compounds of (except copper acetate, copper iodide, copper nitrate, copper sulphate, and suboxide of copper), and mixtures containing such compounds of copper;
- (B) Copper iodide;
- (A) Copper nitrate;
- (B) Copper, suboxide of, and mixtures containing suboxide of copper;

- (B) Copper sulphate;
- (C) Creosote and creosote oils (except wood tar oil) and mixtures and preparations containing such creosote or creosote oils;
- (A) Cresol, compounds and preparations of cresol (except saponified cresol), and nitro-cresol;
- (B) Cresol (saponified);
- (A) Cyanamide;
- (A) Diethylbarbituric acid (Veronal) and veronal sodium;
- (A) Dimethylaniline;
- (A) Dyes and dyestuffs manufactured from coal tar products, and articles containing such dyes or dyestuffs;
- (A) Emetin and its salts;
- (A) Ergot of rye;
- (A) Ether, acetic;
- (A) Ether, formic;
- (A) Ether, sulphuric;
- (A) Eucaine hydrochloride, eucaine (benzamine) lactate, and their preparations;
- (C) Formates, not otherwise prohibited;

- (C) Formic acid ;
- (B) Formic aldehyde ;
- (A) Fusel oil (amyl alcohol) ;
- (B) Fustic (chips and extract) ;
- (A) Gentian and its preparations ;
- (A) Glycerine, and preparations containing glycerine not otherwise specifically prohibited ;
- (C) Green oil and mixtures and preparations containing green oil ;
- (B) Guaiacol and guaiacol carbonate ;
- (C) Halogen derivatives of aliphatic hydrocarbons (except carbon tetrachloride, the exportation of which is prohibited to all ports and destinations abroad other than ports and destinations in British Possessions and Protectorates) ;
- (A) Henbane and its preparations ;
- (B) Hexamethylene tetramin (urotropin) and its compounds and preparations ;
- (B) Hydrobromic acid ;
- (B) Hydrochloric acid ;
- (A) Hydroquinone, and mixtures containing hydroquinone ;
- (A) Indigo, natural and synthetic ;

- (C) Iodine and its compounds and preparations ;
- (A) Ipecacuanha root ;
- (C) Iridium, osmium, palladium, rhodium, and ruthenium, compounds ;
- (C) Iron sulphates ;
- (C) Lead, white ;
- (B) Logwood (chips, extract and preparations) ;
- (B) Magnesium chloride and sulphate and mixtures containing magnesium chloride or sulphate ;
- (A) Manganese, peroxide of, and mixtures and preparations thereof ;
- (B) Mercury, compounds and preparations of (except nitrate of mercury), and mixtures containing such compounds of mercury ;
- (A) Mercury nitrate ;
- (A) Methylaniline ;
- (A) Methyl salicylate, and preparations containing methyl salicylate ;
- (A) Metol, and mixtures containing metol ;
- (B) Molybdic acid and its salts ;
- (A) Naphthalene and its compounds and preparations ;
- (A) Neo-salvarsan ;

- (A) Nickel nitrate;
- (B) Nickel, oxides and salts of (except nickel nitrate), and mixtures containing such oxides or salts of nickel;
- (A) Nitrates, all metallic;
- (A) Nitric acid;
- (A) Nitro-toluol;
- (A) Novocain and its preparations;
- (C) Nux vomica and its preparations;
- (C) Nux vomica alkaloids and their salts and preparations;
- (A) Opium and its preparations;
- (A) Opium alkaloids and their salts and preparations;
- (C) Oxalates, not otherwise prohibited
- (B) Oxalic acid;
- (B) Paraffin, liquid medicinal;
- (A) Paraformaldehyde;
- (A) Paraldehyde;
- (A) Perchlorates, all metallic;
- (A) Phenacetin and its preparations;

- (A) Phosgene (carbonyl chloride);
- (B) Phosphorus and its compounds;
- (A) Picric acid and its components;
- (A) Platinum, salts of;
- (A) Potash, caustic, and articles containing caustic potash;
- (A) Potassium chlorate, and mixtures containing potassium chlorate;
- (A) Potassium cyanide, and mixtures containing potassium cyanide;
- (A) Potassium, nitrate (saltpetre);
- (A) Potassium, perchlorate;
- (A) Potassium, permanganate;
- (B) Potash salts (except potassium chlorate, cyanide, nitrate (saltpetre), perchlorate and permanganate), and mixtures containing such potash salts;
- (A) Pyridine;
- (A) Pyrogallie acid, and mixtures containing pyrogallie acid;
- (B) Quercitron bark extract;
- (B) Quinine and its salts;
- (A) Radium compounds;
- (A) Saccharin;

- (A) Salicylic acid and its preparations;
- (A) Salipyrine;
- (A) Salol and its preparations;
- (A) Salvarsan;
- (B) Santonin and its preparations;
- (B) Senna leaves and pods;
- (B) Soda, caustic;
- (C) Soda lime;
- (C) Sodium bicarbonate;
- (B) Sodium carbonate;
- (C) Sodium cyanide, and mixtures containing sodium cyanide;
- (B) Sodium hyposulphite (thiosulphate), and mixtures containing sodium hyposulphite;
- (B) Sodium prussiate and mixtures containing sodium prussiate;
- (A) Sodium salicylate and its preparations;
- (C) Sodium sulphate and bisulphate (nitre cake);
- (C) Sodium sulphide;
- (A) Spent oxide;

(B) Stramonium leaves and seeds;

(A) Strontium compounds, and mixtures containing strontium compounds;

(C) Sulphites, metallic, not otherwise prohibited;

(A) Sulphonal;

(A) Sulphur and preparations containing sulphur

(A) Sulphur, chlorides of;

(A) Sulphur dioxide, liquefied;

(A) Sulphuric acid and mixtures containing sulphuric acid;

(B) Sulphuric acid, fuming (oleum);

Tanning extracts, the following:—

(A) Chestnut extract

(A) Oakwood extract;

(A) Valex;

(A) Valonia;

(B) Other extracts and substances for use in tanning;

(B) Tartaric acid, cream of tartar, and alkaline tartrates;

(A) Theobromine sodium salicylate;

(C) Thiosulphates, metallic, not otherwise prohibited;

- (A) Thorium, oxide and salts of;
- (A) Thymol and its preparations;
- (B) Tin, chlorides of;
- (C) Tin, compounds of (except chlorides and oxide of tin);
- (B) Tin, oxide of;
- (A) Toluol and its compounds and preparations;
- (A) Triphenyl phosphate;
- (A) Trional;
- (A) Trioxymethylene;
- (B) Tungsten, oxides and salts of;
- (C) Ultramarine, and mixtures containing ultramarine;
- (B) Urea and its compounds;
- (A) Xylol and its compounds and preparations;
- (B) Zinc chloride and sulphate, and mixtures containing zinc chloride or sulphate;
- (A) Zirconium compounds;
- (C) China stone;
- (A) Chronometers;

- (A) Cinematograph films;
- (C) Clay, China, potters', and ball;
- (B) Coal, except coal allowed by the Commissioners of Customs and Excise to be shipped as bunker coal;
- (A) Coal tar;
- (C) Coconut, desiccated;
- (B) Coke, except petroleum coke;
- (A) Coke, petroleum;
- (A) Collar check, woollen;
- (A) Combs, curry;
- (B) Compasses for ships, and component parts thereof;
- (A) Compasses, other than ships' compasses;
- (C) Cordite presses;
- (C) Cork and cork dust and articles manufactured from cork or cork dust;
- (C) Cotton, all manufactures, mixtures, and products of, not otherwise specifically prohibited;
- (A) Cotton pulp;
- (A) Cotton rags and rags containing cotton;

- (C) Cotton, raw ;
- (A) Cotton shoddy ;
- (A) Cotton wadding and articles containing cotton wadding ;
- (A) Cotton waste and articles containing cotton waste ;
- (A) Cotton wool and articles containing cotton wool ;
- (B) Crucibles (plumbago) ;
- (A) Cylinders, metal, such as can be used for containing compressed gas ;
- (B) Deer skins ;
- (C) Dextrine ;
- (B) Diamond prepared for use in draw plates ;
- (A) Diamonds suitable for industrial purposes ;
- (C) Dies for cartridge cases ;
- (B) Docks, floating, and their component parts ;
- (B) Draw plates, jewelled, for drawing wire ;
- (B) Electric lamps, except carbon filament lamps, arc lamps used for street lighting and pocket electric lamps and their component parts ;
- (C) Electric lamps, pocket, and their component parts ;
- (C) Electrical apparatus and plant for the generation, distribution and utilization of

electric power, not otherwise prohibited ;

- (A) Electrodes, carbon, for electric furnaces ;
 - (B) Electros for printing purposes, composed of lead, antimony or copper ;
 - (B) Emery and corundum and manufactures thereof, carborundum, alundum, crystalon and all other abrasives and manufactures thereof ;
 - (B) Equipment, military ;
 - (A) Esparto grass ;
 - (A) Explosives ;
 - (B) Fats, all animal and vegetable, and articles and mixtures containing such fats ;
 - (B) Fatty acids and articles and mixtures containing fatty acids ;
 - (C) Feathers and down, except ornamental feathers ;
 - (C) Felspar ;
 - (C) Felt, carpets, and carpet rugs ;
 - (B) Fencing staples ;
 - (C) Ferrets ;
- Ferro alloys, the following :—
- (B) Ferro-cerium ;
 - (B) Ferro-chrome ;

- (B) Ferro-manganese;
- (A) Ferro-molybdenum;
- (B) Ferro-nickel;
- (A) Ferro-silicon;
- (B) Ferro-titanium;
- (A) Ferro-tungsten;
- (B) Ferro-vanadium;
- (B) Silicon-spiegel;
- (B) Spiegelstein;
- (C) Fibre, China;
- (C) Fibre, Mauritius;
- (C) Fibre, Mexican;
- (C) Fibre, Mexican Istle;
- (A) Fibre, New Zealand flax;
- (C) Fibres, vegetable, not otherwise specifically prohibited, and cordage, twine and yarns made therefrom;
- (A) Field glasses;
- (A) Firearms, rifled, and their component parts;

- (B) Firearms, unrifled, and their component parts;
- (A) Firebricks and fireclay;
- (B) Fish bones;
- (O) Fishing gear (except tackle for fishing by rod and line);
- (A) Flax, raw;
- (A) Flax shakings;
- (A) Flax tow;
- (A) Flax waste;

Forage and food which may be used for animals, the following:—

- (A) Beans, all kinds, including haricots;
 - (A) Brewers' and distiller's grains;
 - (A) Buckwheat;
- Cakes and meals, the following:—
- (A) Biscuit meal;
 - (A) Calf meal;
 - (A) Coconut and ponnac cake;
 - (A) Compound cakes and meal;
 - (A) Cotton seed cake, and cotton seed meal;

- (A) Fishmeal and concentrated fish;
- (A) Gluten meal or gluten feed;
- (A) Ground nut or earth nut cake and meal;
- (A) Hempseed cake and meal;
- (A) Husk meal;
- (A) Linseed cake and meal;
- (A) Locust bean meal;
- (A) Maize germ meal;
- (A) Maize meal and flour;
- (A) Meat meal;
- (A) Palmnut cake and meal;
- (A) Poppy seed cake and meal;
- (A) Rapeseed or colzaeed cake and meal;
- (A) Sesame seed cake and meal;
- (A) Soya bean cake and meal;
- (A) Sunflower seed cake and meal;
- (A) Whale cake;
- (A) Whale meal;

- (A) Chick peas;
- (A) Dari;
- (A) Gram or dhol;
- (A) Green forage;
- (A) Hay;
- (A) Lentils;
- (A) Lupin seeds;
- (A) Maize;
- (A) Maize germs;
- (A) Malt dust, malt flour, culms, sprouts or combings;
- (A) Millet;

Offals of corn and grain, the following:—

- (A) Bran;
- (A) Middlings;
- (A) Mill dust and screenings;
- (A) Pollard
- (A) Rice meal (or bran) and dust;
- (A) Sharps;

- (A) Patent and proprietary cattle foods of all kinds;
- (A) Pigeon peas;
- (A) Straw;
- (B) Forges, portable;
- (A) Fuel economisers constructed of cast iron pipes, used as auxiliary heating apparatus in connection with land or marine steam boilers;
- (B) Fuel, manufactured;
- (C) Furs and manufactures thereof;
- (A) Fuses;
- (C) Gauges for cartridges and shells;
- (A) Glass for optical instruments;
- (C) Gloves made wholly or partly of leather;
- (B) Gloves, men's woollen;
- (C) Glucose;
- (C) Glue, osseine and concentrated size, fish glue, isinglass, finings and other kinds of gelatine;
- (B) Goat skins;
- (A) Goldbeaters' skin;

- (A) Gramophone and other sound records;
- (A) Gramophone record compositions;
- (B) Graphite, and mixtures containing graphite;
- (B) Grindery, the following articles of, used in the making of boots and shoes:—
 - Brads;
 - Brass rivets;
 - Cutlan studs;
 - Heel attaching pins;
 - Heel tip nails;
 - Heel tips;
 - Hobnails;
 - Lasting tacks and rivets, and iron shoe rivets;
 - Metal toe tips;
 - Protector studs;
 - Screwing wire;
 - Steel bills;
- (A) Grindstones;
- (C) Grubbers;

- (B) Gunns ;
- (C) Gunns (except such as contain caoutchouc and except gum tragacanth) ;
- (B) Gunns containing caoutchouc ;
- (A) Gum tragacanth ,
- (B) Gunts ;
- (A) Hacksaw blades ;
- (B) Hair, animal ;
- (B) Hair, animal, and tops, noils, mixtures, waste, and yarns thereof ;
- (C) Handles and helves for grubbers, pickaxes, spades and shovels ;
- (A) Harness and metal fittings therefor ;
- (A) Heliographs ;
- (A) Hemp, other than Manila hemp ;
- (C) Hemp, Manila ;

Hemp and hemp manufactures, the following :—

- (A) Hemp ropes, old ;
- (A) Hemp waste ;
- (A) Italian, Russian and Manila hemp, Magney fibre, and manufactures thereof except Tagal braid ;

- (C) Other hemp and manufactures thereof not otherwise specifically prohibited ;
- (C) Tagal braid ;
- (B) Hides and pelts, clippings of ;
- (A) Hides of cattle, buffaloes, and horses, and calfskins ;
- (B) Horse shoes ;
- (B) Hosiery, wool or wool mixed, for men's wear
- (B) Huts, wooden ;
- (C) Iceland, Irish and Sphagnum moss, algin and its compounds ;
- (C) Implements and apparatus designed exclusively for the manufacture of munitions of war, for the manufacture or repair of arms or of war material for use on land or sea, the following :—
 - Cordite presses ;
 - Dies for cartridge cases ;
 - Gauges for cartridges or shells ;
 - Incorporators ;
 - Lapping machines ;
 - Rifling machines ;
 - Wire-winding machines ;

- (B) Implements for cutting or fixing barbed or galvanized wire;
- (A) Incandescent mantles;
- (C) Incorporators;

Insulating materials, the following:—

- (C) Compounds intended for the purpose of electrical insulation;
- (B) Insulating material containing mica, mica splittings, mica powder and micaite;
- (C) Lead, oxides of;
- (C) Leatheroid;
- (C) Oiled cloth and tape;
- (C) Vulcanized fibre;
- (C) Zinc-barium pigments made from zinc salt and barium sulphate;
- (C) Japanese tissue paper;
- (B) Jute—bags and sacks made wholly or partly of; other than such bags or sacks as constitute the coverings of goods to be shipped for exportation and are allowed by the Commissioners of Customs and Excise to be shipped as such coverings;
- (B) Jute cardage and twine;
- (A) Jute padding;

- (B) Jute, piece goods made wholly or partly of;
 - (A) Jute rags;
 - (B) Jute, raw and carded;
 - (B) Jute threads;
 - (B) Jute twist;
 - (A) Jute waste;
 - (B) Jute webbing;
 - (A) Jute wrappers (Surat tares) other than such wrappers as constitute the coverings of goods to be shipped for exportation and are allowed by the Commissioners of Customs and Excise to be shipped as such coverings;
 - (B) Jute yarns;
 - (B) Kettles, camp;
 - (A) Khaki camel fleece;
 - (A) Khaki woollen or worsted cloth and mixtures thereof;
 - (B) Lacs, not including lac dye;
 - (B) Lanterns suitable for camp use;
 - (C) Lapping machines;
- Leather and leather goods of the following descriptions:—

- (C) Chammois, glaze kid, morocco, persians, roans, and seal-leather;
 - (B) Gloves made wholly or partly of leather;
 - (B) Leather articles of personal equipment suitable for military purposes;
 - (B) Leather bandoliers;
 - (B) Leather belting, hydraulic leather, pump leather and picking bands;
 - (B) Leather belts;
 - (C) Leather, bookbinding;
 - (C) Leather, enamelled, japanned or varnished;
 - (B) Leather laces;
 - (B) Leather pouches;
 - (A) Leather, sole;
 - (C) Leather suitable for textile machinery, except leather belting and picking bands;
 - (B) Leather suitable for military clothing;
 - (A) Leather suitable for saddlery, harness or military boots;
 - (C) Leather waste;
 - (C) Leather, not otherwise prohibited;
- Linen manufactures, the following:—
- (C) Canvas hose;

- (B) Cloth unbleached woven from bleached or unbleached flax yarns, whether the cloth or yarn is pure or mixed with any other material;
 - (i.) being of a weight per square yard exceeding 8 ounces, or
 - (ii.) if of a weight per square yard of 8 ounces or less, aggregating 96 threads or more per inch warp and weft combined;
- (C) Cloth woven from bleached or unbleached flax yarns not otherwise specifically prohibited whether the cloth or yarn is pure or mixed with any other material;
- (C) Linen thread;
- (C) Linen yarn;
- (A) Linen waste;
- (C) Linoleum;
- (B) Logwood (chips, extract, and preparations);
- (B) Lubricants and articles and mixtures containing lubricants;
- (A) Machine guns, mountings for machine guns and component parts thereof;
- (B) Machinery, agricultural, other than motor ploughs and motor tractors for agricultural use;
- (C) Machinery for ditching and trenching;
- (C) Machinery, metal-working, and component parts and accessories thereof;

- (A) Magnesite and magnesite bricks ;
- (A) Magnesite, caustic or lightly calcined, and dead burnt magnesite ;
- (A) Magnetos ;
- (B) Mannures, compound, containing nitrate or phosphate ;
- (B) Maps and plans of any place within the territory of any belligerent, or within the area of military operations, on a scale of four miles to one inch or on any larger scale, and reproductions on any scale by photography or otherwise of such maps or plans ;
- (C) Matches ;
- (C) Mess tins ;

Metals and ores, the following:—

- (A) Aluminium, alloys of aluminium, and manufactures of aluminium ;
- (B) Antimony and alloys of antimony ;
- (C) Arsenical ore ;
- (B) Bauxite ;
- (B) Cadmium, alloys of cadmium, and cadmium ore ;
- (A) Cerium, and its alloys (except ferro-cerium, the exportation of which is prohibited to all ports and destinations abroad other than ports and destinations

in British Possessions and Protectorates) ;

- (B) Chrome ore ;
- (B) Cobalt, cobalt ore, and alloys of cobalt ;
- (C) Copper ore ;
- (B) Copper, unwrought and part wrought, all kinds, including alloys of copper (such as brass, gun metal, naval brass and delta metal, phosphor copper, phosphor bronze, and solder containing copper), copper and brass circles, slabs, bars, ingots, scrap, rods and plates and also wrought copper of the following descriptions:— Copper and brass pipes, sheets, condenser plates, copper wire, bronze wire, perforated brass sheets, perforated brass linings, and copper foil ;
- (C) Copper manufactures, the following:—
 - (A) Copper stamps used for stamping woven piece goods ;
 - (A) Copper wire and cables containing copper ;
 - (B) Gauze manufactured of copper or its alloys ;
 - (C) All articles wholly or partly manufactured of copper or its alloys not otherwise specifically prohibited ;
- (A) Cryolite ;
- (C) Dynamo sheets ;

- (A) Galvanized corrugated and galvanized flat sheets ;
- (C) Iridium, osmium, palladium, rhodium, ruthenium, and alloys of these metals ;
- (A) Iron and steel plates and sheets except when made from crucible cast steel or from carbon steel not manufactured in the United Kingdom by the Siemens or Bessemer processes ; provided such crucible or carbon steel does not contain more than 5 per cent. of chrome, cobalt, nickel or vanadium ;
- (A) Iron ore ;
- (A) Iron, pig ;
- (A) Iron pyrites ;
- (A) Iron scrap ;
- (A) Iron wire ;
- (A) Iron wire rods ;
- (B) Lead ore ;
- (A) Lead, pig ;
- (B) Lead (except pig lead), alloys of lead, solder containing lead, and manufactures of lead, or its alloys, not otherwise prohibited ;
- (A) Lead-coated sheets ;
- (A) Magnesium and its alloys ;

- (B) Manganese and manganese ore ;
- (A) Mercury ;
- (B) Molybdenum and molybdenite ;
- (B) Nickel, alloys of nickel, and nickel ore ;
- (A) Platinum, alloys of platinum, and manufactures containing platinum ;
- (C) Screws (wood-screws) made of brass, iron, or steel ;
- (B) Selenium ;
- (B) Sodium ;
- (A) Spelter and spelter dross ;
- (B) Steel articles containing chrome, cobalt, nickel, or vanadium ;
- (A) Steel angles, channels, joists, tees and other steel sectional material ;
- (A) Steel billets, blooms, and slabs ;
- (A) Steel bridge work, pier work, and structural material ;
- (A) Steel containing tungsten or molybdenum, and any tools or other articles made from such steel ;
- (A) Steel flats, rounds, and other sections, with the following exceptions :—
 - (i.) When made from crucible cast steel ;
 - (ii.) Carbon steel for tools not manufactured in the United Kingdom by the

- Siemens or Bessemer processes; provided such crucible or carbon steel does not contain more than 5 per cent. of chrome, cobalt, nickel or vanadium;
- (A) Steel hoops;
 - (A) Steel ingots;
 - (A) Steel rivets, bifurcated;
 - (A) Steel scrap;
 - (A) Steel sheet bars;
 - (A) Steel stampings, suitable for aircraft;
 - (A) Steel tubes;
 - (A) Steel wire;
 - (A) Steel wire rods;
 - (A) Terme-plates and receptacles made from terme-plates;
 - (A) Thorium and its alloys;
 - (B) Tin, alloys of tin not otherwise specifically prohibited, and manufactures of tin (except hollow-ware, tin plates, and receptacles made from tin plates);
 - (B) Tin ore;
 - (A) Tin plates and receptacles made from tin plates;

- (A) Tungsten (except tungsten filaments for electric lamps);
- (B) Tungsten filaments for electric lamps;
- (B) Tungsten ores (including ferberite, hubnertite, scheelite and wolframite);
- (B) Vanadium;
- (B) Wolfenite;
- (B) Yellow metal;
- (A) Zinc ashes;
- (B) Zinc ore;
- (A) Zinc, alloys of zinc, and manufactures of zinc
- (A) Zirconium and its alloys;
- (B) Zirconium minerals;
- (B) Mica, mica splittings, mica powder, micanite, articles made from them, and insulating materials containing them;
- (B) Mineral jellies;
- (B) Mines and their component parts;
- (C) Monazite sand;
- (B) Motor spirit (except benzol, the exportation of which is prohibited to all destinations);

- (A) Motor ploughs and motor tractors for agricultural use;
- (C) Motor vehicles, motor bicycles, and their component parts and accessories;
- (B) Nautical instruments;
- (B) Needles, hosiery machine (latch and bearded)
- (B) Nightlights;
- (B) Oakum;
- (A) Oats;
- (C) Oil, blast furnace;
- (B) Oil fuel, except oil fuel allowed by the Commissioners of Customs and Excise to be shipped for use on board the exporting ship;
- (B) Oil fuel, shale;
- (B) Oils, all animal and vegetable (not including essential oils), and articles and mixtures containing such oils;
- (C) Oils, essential (except turpentine oil);
- (B) Oil waste;
- (B) Oil, whale (train, blubber, sperm), seal oil, shark oil, fish oil generally, and mixtures of the foregoing;
- (B) Oil, wood tar;

Oleaginous kernels, nuts, seeds, and products, the following:—

- (B) Castor beans;
- (B) Coconuts;
- (B) Copra;
- (B) Cotton seed;
- (B) Ground nuts, earth nuts, or pea nuts (Arachides);
- (B) Hempseed;
- (B) Linseed;
- (B) Palm nuts and palm kernels;
- (B) Poppy seeds;
- (B) Rape or colza seed;
- (B) Sesame seed;
- (B) Soya beans;
- (B) Sunflower seed;
- (C) Other oleaginous kernels, nuts, seeds, and products;
- (B) Ovens, suitable for camp use;
- (C) Packings, engine and boiler;
- (C) Paper, tissue, Japanese;

- (A) Paper waste ;
- (B) Paraffin oil ;
- (B) Paraffin wax ;
- (C) Peat ;
- (A) Pegs, wooden, suitable for use in the manufacture of boots and shoes ;
- (B) Pepper ;
- (A) Periscopes ;
- (B) Petroleum, fuel oil ;
- (B) Petroleum, lighting oil ;
- (B) Petroleum, gas oil ;
- (B) Petroleum spirit and articles containing petroleum spirit ;
- (C) Petroleum and its products not otherwise specifically prohibited ;
- (B) Phosphate rock, namely :—
Apatites ;
Phosphates of lime and alumina ;
- (A) Photographic sensitive films, plates, and printing paper, whether exposed or not ;
- (C) Pickaxes ;
- (B) Pickled grains and fleshes ;

- (C) Pimento ;
 - (A) Pigskins ;
 - (C) Pitches and all mixtures, preparations and commodities of which pitch forms an ingredient ;
 - (B) Plumbago ;
 - (C) Pocket lamp cases, and cases fitted with bulbs but not containing batteries ;
 - (A) Powder, aluminium ;
 - (B) Powder, bronze (except aluminium powder) ;
 - (A) Projectiles of all kinds and their component parts ;
- Provisions and victuals which may be used as food for man, the following:—

- (A) Animals, living, for food ;
- (A) Arrowroot ;
- (A) Barley, barley meal, and pearled and pot barley ;
- (A) Bean flour and meal ;
- (A) Biscuits, bread and cakes ;
- (A) Butter ;
- (A) Cassava powder ;
- (A) Cheese ;

- (C) Cocoa, raw, and manufactures thereof;
- (C) Cocoa husks;
- (C) Cocoa shells;
- (C) Coffee;
- (A) Cornflour;
- (A) Corn grits;
- (B) Dates;
- (A) Eggs in shells;
- (C) Eggs, yolk and liquid;
- (C) Farina;
- (A) Fish;
- (C) Fruit (except dates), fruit preserves (other than jam), and nuts used as fruit;
- (A) Hominy;
- (C) Honey;
- (A) Jam;
- (B) Lard and imitation lard;
- (A) Lentil flour and meal;
- (A) Macaroni;

- (B) Malt;
- (C) Malt sugar;
- (A) Mandioca;
- (B) Margarine;
- (A) Meat, namely, bacon, ham or pork;
- (A) Meat, namely, beef and mutton, fresh or refrigerated;
- (C) Meat, extract of;
- (C) Meat of all kinds not otherwise specifically prohibited;
- (C) Meats, tinned or potted;
- (A) Milk, condensed or preserved;
- (A) Milk powder;
- (A) Molasses;
- (A) Oatmeal and rolled oats;
- (A) Onions;
- (A) Pea flour and meal;
- (A) Peas (except tinned and bottled peas, and peas packed in cardboard boxes or similar receptacles);
- (A) Pickles and vegetables preserved in salt or vinegar;

- (A) Potatoes;
- (C) Potato flour;
- (C) Poultry and game (except venison);
- (A) Prepared foods wholly or partially derived from cereals;
- (A) Rice and rice flour;
- (A) Rye, rye flour and meal;
- (A) Sago and sago flour and meal;
- (C) Sauces and condiments (except table salt) not otherwise prohibited;
- (A) Semolina;
- (C) Soups, compressed and desiccated;
- (A) Spaghetti;
- (A) Sugar, cane and beet;
- (C) Syrups which may be used as food for man;
- (A) Tapioca and tapioca flour;
- (C) Tea;
- (C) Tomato pulp;
- (A) Vegetables, canned;
- (A) Vegetables, dried;

- (A) Vegetables, fresh, not otherwise specifically prohibited;
- (B) Venison;
- (B) Vermicelli;
- (A) Wheat, wheat flour, and wheat meal;
- (A) Pulp-board waste;
- (C) Quillaja bark;
- (A) Bags, cotton, and rags containing cotton;
- (A) Bags, linen;
- (B) Bags, woollen, shoddy, and mungo applicable to other uses than manure;
- (A) Railway carriages, locomotives and wagons and their component parts;
- (C) Railway material (except railway carriages, locomotives and wagons and their component parts, steel rails and steel sleepers);
- (A) Railway material, the following:—
 - Steel rails;
 - Steel sleepers;
 - Steel springs;
 - Wheels, axles, and tyres;
- (B) Rammie stockings and rammie fabrics suitable for the manufacture of gas mantles.

- (A) Range finders and their component parts;
- (C) Rattans;
- (C) Rattan, woven;
- (A) Rennet powder, rennet extract and other preparations of rennet;
- (C) Resins, resinous substances (except such as contain caoutchouc), and articles containing resins and resinous substances;
- (B) Resinous substances containing caoutchouc;
- (A) Revolution indicators suitable for aircraft;
- (C) Riffing machines;
- (C) Rock crystal;
- (A) Rope made of steel wire, and steel hawsers;
- (B) Rubber (raw, waste, and reclaimed), solutions containing rubber, jellies containing rubber, and any other preparations containing rubber, and also balata, gutta-percha, and the following varieties of rubber viz.:—Borneo, Guayule, Jelutong, Palembang, Pontianac, and all other substances containing caoutchouc;
- (B) Rubber, gutta-percha or balata, goods made wholly or partly of (except rubber hose armoured or reinforced with steel or iron wire);
- (A) Rubber hose, armoured or reinforced with steel or iron wire;

- (C) Rugs (except horse rugs);
- (B) Rugs, horse;
- (C) Sabadilla seeds and preparations therefrom;
- (B) Sacks, coal;
- (A) Saddle felt;
- (A) Saddlery, and metal fittings therefor;
- (A) Saddle serge;
- (C) Salt, rock and white (except table salt);
- (B) Sausage skins;
- (A) Screws (wood-screws), made of brass, iron or steel;
- (B) Search-lights;
- (C) Seeds, canary;
- (B) Seeds, clover and grass;
- (B) Seeds for root crops, the following:—

- (B) Carrot;
- (B) Kohl rabi;
- Mangold;
- Onion;