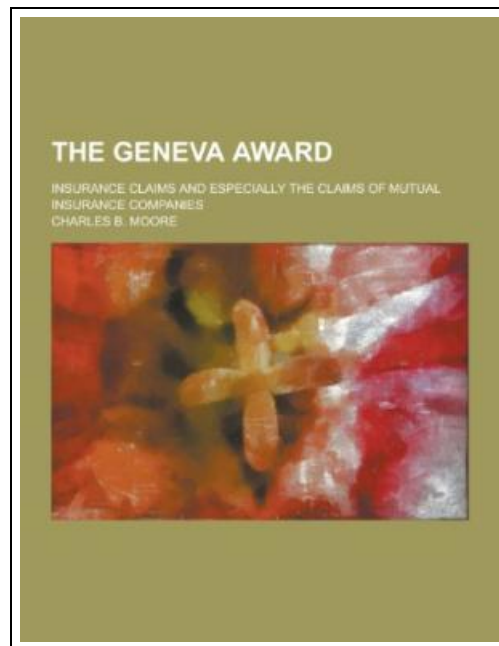


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THE GENEVA AWARD; INSURANCE CLAIMS AND ESPECIALLY THE CLAIMS OF MUTUAL INSURANCE COMPANIES



Theclassics.Us, United States, 2013. Paperback. Book Condition: New. 246 x 189 mm. Language: English . Brand New Book ***** Print on Demand *****.This historic book may have numerous typos and missing text. Purchasers can usually download a free scanned copy of the original book (without typos) from the publisher. Not indexed. Not illustrated. 1873 edition. Excerpt: . APPENDIX OF NOTES. M ote.a. The decisions in England and America, about the necessity of a trial and condemnation in port, of a captured vessel, before the captor can in any way legally dispose of her, are very numerous. It is believed there is no dispute about that. The point of dispute is about the right to destroy. (See Note B). General Halleck, in his work on International Law, p. 278, sums up thus: As England became more commercial, it became her settled policy to regard the property of a captured vessel as not changed without a regular sentence of condemnation pronounced by a court of competent jurisdiction, and the title from the time of capture until such condemnation, in abeyance, and not capable of being transferred. This principle is not only recognized in her prize courts, but is now firmly incorporated into her common law. The same rule (he says,) is adopted by the courts and incorporated into the statutes of the United States, (citing many authorities). The rule was tersely stated and defended in the Supreme Court of the United States, in the case of the Estrella, reported in 4 Wheatorts Reports, 298, and its doctrine applied to the duties of a neutral nation, in these words: A neutral may ascertain whether a trespass has been committed on its own neutrality by the vessel which has made (a) capture. So long as a nation does not interfere in the war,...



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