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International Law (Gov. 424) (May 25, 1964)

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IDENTIFICATIONS:

Discovery and Occupation

Air sovereignty

The Contiguous Zone

Rights of aliens

Embargo

CASES:

1. The Porto Alexandre, formerly a German-owned steamship, was condemned as prize of war by the Portuguese Government and subsequently employed in ordinary trading for the state of Portugal. As the ship entered the Mersey in 1919, it got onto the mud, and was salvaged by three Liverpool tugs. On arresting her to obtain security for the payment of their salvage, the Portuguese Republic, through its embassy in London, stated that she was a public ship and was therefore exempt from any process in England. The Portuguese charge d'affaires moved to set aside the writ and the arrest in rem issued on behalf of the owners of the tugs. If the case had been adjudicated today in our courts, what would have been the verdict and the reasoning behind it?

2. Ranollo, the operator of a motor vehicle, was charged with speeding by the City court of New Rochelle. Appearing through counsel, he pleaded not guilty on the ground that he was an employee of the UN and that he was accompanied in the vehicle at the time of the charge by the Hon. Trygve Lie, Secretary-General of the UN. He claimed immunity from the Court. Would you have granted him immunity if you had been the judge?

3. In 1926, a claim was made by the state of Mexico on behalf of the mother of one Galvan, a Mexican citizen, who was killed in 1921 at Driscoll, Texas by an American citizen named Kondall. Mexico contended that no indictment was returned against Kondall until 1922 because of a "defaulting witness" (five eyewitnesses all disappeared after preliminary trials) no formal trial was held until 1926, and that even then the case was further postponed on account of absence of material witnesses for the state. Should the claim be granted?

4. Discuss the procedures by which treaties come into effect and those by which treaties are terminated.