

naval forces are concerned. For example, in the former case, a neutral state may at all times receive individuals belonging to the states that are at war with each other, and even the forces thereof, provided its position as a neutral be recognized. Hostilities on that territory cannot be resumed, and the custom is to disarm the refugee forces. In the latter case, a belligerent war vessel may undergo repair and take in such coal and provisions as she needs in a neutral port, and the latter, in not actively preventing the vessel from resuming fighting operations, does not contravene the generally accepted law of nations.

The right of asylum is an apt illustration of the rule of international law that a state is at liberty to do whatever it likes within the confines of its own territory, regardless of the opinions or wishes of other states, so long as its acts do not operate injuriously or prejudicially to their interests and rights.

The cloak of asylum equally covers emigrants and refugees and whether or not the former have broken the laws of their own country in departing from it, and whether the latter are accused of political or non-political crimes, are equally irrelevant to the exercise of the vested right each nation thereby possesses. It is the state to whom the individual applies for leave to enter its territory that alone decides as to whether that privilege shall be granted. The only apparent exception to this rule appears to be that of a person in custody. The converse is equally true that the mere possession and existence of the right invests every state with the power of refusal to receive any or all foreigners. To exercise this right indiscriminately would be to isolate the state so acting; but the exercise of the right on reasonable and probable cause, in circumstances not only warranting such a course of action, but justifying it, is, it may be conceded, more than clear. Although states are by no means in accord or in unison in the matter, it would appear that the ends of justice would be the more easily met and satisfied, if persons who have been accused of crime, and fled from their own to a foreign country, should be delivered up by the latter for trial. Although this is the more prudent course, and therefore the more