# THE LAWS AND USAGES OF WAR AT SEA: A NAVAL WAR CODE

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The Laws and Usages of War at Sea: A Naval War Code by Charles H. Stockton

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# A NAVAL WAR CODE,

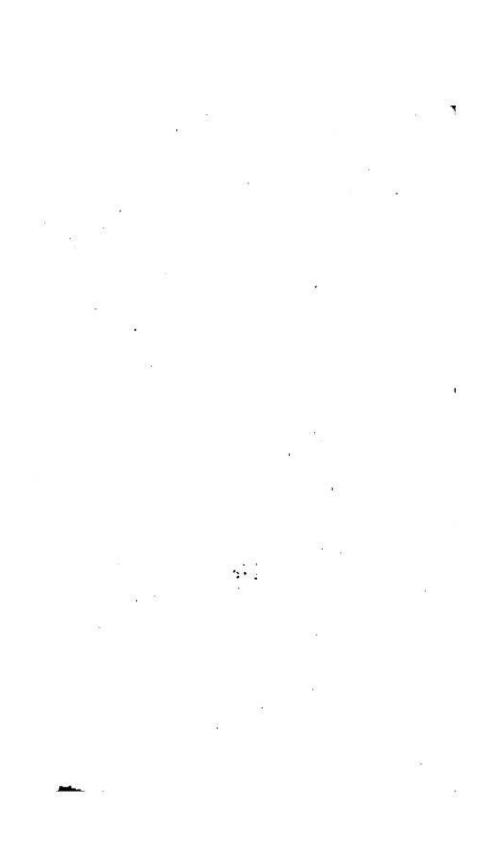
PREPARED BY

CAPTAIN CHARLES H. STOCKTON, UNITED STATES NAVY,

AND

PRESCRIBED FOR THE USE OF THE NAVY.

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GENERAL ORDERS, )

NAVY DEPARTMENT.

No. 551.

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WASHINGTON, June 27, 1900.

The following code of naval warfare, prepared for the guidance and use of the naval service by Capt. Charles H. Stockton. United States Navy, under the direction of the Secretary of the Navy, having been approved by the President of the United States, is published for the use of the Navy and for the information of all concerned.

JOHN D. LONG, Secretary.



## THE LAWS AND USAGES OF WAR AT SEA.

### SECTION I.

### Hostilities.

ARTICLE 1. The general object of war is to procure the complete submission of the enemy at the earliest possible period, with the least expenditure of life and property.

The special objects of maritime war are: The capture or destruction of the military and naval forces of the enemy; of his fortifications, arsenals, dry docks and dockyards; of his various military and naval establishments, and of his maritime commerce; to prevent his procuring war material from neutral sources; to aid and assist military operations on land, and to protect and defend the national territory, property, and sea-borne commerce.

ART. 2. The area of maritime warfare comprises the high seas or other waters that are under no jurisdiction, and the territorial waters of belligerents. Neither hostilities nor any belligerent right, such as that of visitation and search, shall be exercised in the territorial waters of neutral States.

The territorial waters of a State extend seaward to the distance of a marine league from the lowwater mark of its coast line. They also include, to a reasonable extent, which is in many cases determined by usage, adjacent parts of the sea, such as bays, gulfs, and estuaries inclosed within headlands; and where the territory by which they are inclosed belongs to two or more States, the marine limits of such States are usually defined by conventional lines.

ART. 3. Military necessity permits measures that are indispensable for securing the ends of the war and that are in accordance with modern laws and usages of war.

It does not permit wanton devastation, the use of poison, or the doing of any hostile act that would make the return of peace unnecessarily difficult.

Noncombatants are to be spared in person and property during hostilities, as much as the necessities of war and the conduct of such noncombatants will permit.

The launching of projectiles and explosives from balloons, or by other new methods of a similar nature, is prohibited for a term of five years by the Declaration of The Hague, to which the United States became a party. This rule does not apply when at war with a noncontracting Power.

ART. 4. The bombardment, by a naval force, of unfortified and undefended towns, villages, or buildings is forbidden, except when such bombardment is incidental to the destruction of military or naval establishments, public depots of munitions of war, or vessels of war in port, or unless reasonable requisitions for provisions and supplies essential, at the time, to such naval vessel or vessels are forciblywithheld, in which case due notice of bombardment shall be given.

The bombardment of unfortified and undefended towns and places for the nonpayment of ransom is forbidden.

ART. 5. The following rules are to be followed with regard to submarine telegraphic cables in time of war, irrespective of their ownership:

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- (a) Submarine telegraphic cables between points in the territory of an enemy, or between the territory of the United States and that of an enemy, are subject to such treatment as the necessities of war may require.
- (b) Submarine telegraphic cables between the territory of an enemy and neutral territory may be interrupted within the territorial jurisdiction of the enemy.
- (c) Submarine telegraphic cables between two neutral territories shall be held inviolable and free from interruption.
- ART. 6. If military necessity should require it, neutral vessels found within the limits of belligerent authority may be seized and destroyed or otherwise