

# ANNUAL DIGEST AND REPORTS OF PUBLIC INTERNATIONAL LAW CASES

Being a Selection from the Decisions of International and National Courts  
and Tribunals and Military Courts given during the

YEAR 1948

EDITED

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## PREFACE

THE considerable number of decisions of war crimes tribunals and of other courts bearing upon the law of war accounts to a large extent for the circumstance that the size of the present volume is more than twice that of its predecessor. In fact, decisions in the field of the law of war occupy one half of the volume. As in the case of other parts of the *Digest*, some of these decisions have not been reported elsewhere. The reports of others are far from being easily accessible. This is one of the reasons why the Editor has adhered to the policy, followed in the last seven volumes, of reproducing verbatim those parts of the reports which bear upon international law and the contents of which justify quotation in full.

Like its predecessors, this volume could not have been produced but for the devoted labours of the contributors whose names appear on the preceding page. I am conscious that this bare acknowledgement of their collaboration does but scant justice to an exacting and arduous task selflessly fulfilled. To all of them the Editorial Committee and the Editor wish to convey their grateful thanks.

I was fortunate in being able to rely on the continued encouragement and assistance of the Advisory Committee with regard both to the selection of cases and to the various administrative problems of the *Annual Digest*. In particular, I was in the position to avail myself of the active interest of Judge McNair in everything pertaining to the *Digest*.

I am much indebted to Mrs. G. Lyons, B.Sc. (Econ.), who, as in the past, undertook the onerous task of reading the proof ; to Mr. A. B. Lyons, M.A., LL.B., for preparing the Index ; and to Miss I. Ursell, B.A., for able secretarial assistance and for compiling the various Tables of Cases.

To the Publishers, Messrs. Butterworth & Co., and to the Printers, Messrs. R. & R. Clark, of Edinburgh, and their compositors and reader, the Editor is glad to express his deep appreciation of their patient and courteous assistance in the production of the most comprehensive volume of the *Digest* published so far.

H. LAUTERPACHT

TRINITY COLLEGE, CAMBRIDGE  
1 May 1953

# LIST OF ABBREVIATIONS

OF TITLES OF COLLECTIONS OF DECISIONS, LAW  
REPORTS, PERIODICALS, ETC., QUOTED IN THE TEXT

- A. (or Atl.) =Atlantic Reporter (United States).  
A.C. =British House of Lords and Judicial Committee of  
the Privy Council.  
A.D. =Appellate Division of the Supreme Court of the  
Union of South Africa.  
A.L.J. =Australian Law Journal.  
A.L.R. =The Argus newspaper Law Reports, Melbourne,  
Victoria, Australia.  
All E.R. =The All England Law Reports.  
All I.R. =The All India Reporter.  
B.C.R. =British Columbia Reports.  
B.L.R. =Burma Law Reports.  
C.L.J. =Cape of Good Hope Law Journal  
C.L.R. =Commonwealth Law Reports (Australia).  
C.P.D. =Supreme Court of the Union of South Africa, Cape  
Provincial Division.  
Can. B.R. =Canadian Bar Review.  
Can. C.C. =Canadian Criminal Cases.  
Can. C.R. =Canadian Criminal Reports.  
Dalloz =Recueil périodique et critique de Jurisprudence, de  
Législation, et de Doctrine (founded by Dalloz).  
Dalloz Hebd. =Dalloz, Recueil Hebdomadaire de Jurisprudence.  
D.L.R. =Dominion Law Reports (Canada).  
Ex. C.R. =Exchequer Court Reports (Canada).  
F. (or Fed.) =Federal Reporter (United States).  
F.C.R. =Federal Court Reports (India).  
F.M.S.L.R. =Federated Malay States Law Reports.  
F. Supp. =Federal Supplement (United States).  
Gaz. Pal. =Gazette du Palais (France).  
H.K.L.R. =Hong Kong Law Reports.  
I.A. =Indian Appeals decided in the Judicial Committee of  
the Privy Council.  
I.L.R. =India Law Reports.  
K.B. =King's Bench Division of the English High Court of  
Justice.  
L. Ed. =Lawyer's Edition of the United States Supreme  
Court Reports.  
L.J.R. =Law Journal Reports.  
L.N.T.S. =League of Nations Treaty Series.  
L.T.[R.] =Law Times [Reports].  
L.L. Rep. =Lloyd's List Law Reports.  
L.I.P.C. =Lloyd's Prize Cases.  
M.U.L.R. =Malayan Union Law Reports.  
M.R. =Mauritius Reports.  
N.J. =Nederlandse Jurisprudentie.

|                       |                                                                                                                                                          |
|-----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------|
| N.L.R.                | =Natal Law Reports.                                                                                                                                      |
| N.O.R.                | =Na-oorlogse Rechtspraak (Netherlands).                                                                                                                  |
| N.P.D.                | =Supreme Court of the Union of South Africa, Natal<br>Provincial Division.                                                                               |
| N.W.                  | =North Western Reporter (United States).                                                                                                                 |
| N.Y.S.(upp).          | =New York Supplement.                                                                                                                                    |
| N.Z.L.R.              | =New Zealand Law Reports.                                                                                                                                |
| O.P.D.                | =Supreme Court of the Union of South Africa, Orange<br>Free State Provincial Division.                                                                   |
| O.R.                  | =Ontario Reports (Canada).                                                                                                                               |
| P.                    | =Pacific Reporter (United States).                                                                                                                       |
| P.                    | =Probate, Divorce and Admiralty Division of the<br>English High Court of Justice.                                                                        |
| P.L.R.                | =Palestine Law Reports.                                                                                                                                  |
| Pak. L.R.             | =Pakistan Law Reports.                                                                                                                                   |
| Q.W.N.                | =Queensland Weekly Notes.                                                                                                                                |
| R.P.C.                | =Roscoe's Patent Cases.                                                                                                                                  |
| S.A.L.R.              | =South African Law Reports.                                                                                                                              |
| S.C.R.                | =Sarawak Court Reports.                                                                                                                                  |
| S.C.R.                | =Supreme Court Reports (Canada).                                                                                                                         |
| S.L.R.                | =Singapore Law Reports.                                                                                                                                  |
| Sem. Jud.             | =Semanario Judicial (Mexico).                                                                                                                            |
| Sirey                 | =Recueil général des lois et des arrêts (founded by<br>Sirey).                                                                                           |
| T.L.R.                | =Times Law Reports.                                                                                                                                      |
| T.P.D.                | =Supreme Court of the Union of South Africa,<br>Transvaal Provincial Division.                                                                           |
| U.S.                  | =United States Reporter (Supreme Court).                                                                                                                 |
| W.W.R.                | =Western Weekly Reports (Canada).                                                                                                                        |
| War Crimes<br>Reports | =Law Reports of Trials of War Criminals selected and<br>prepared by the United Nations War Crimes<br>Commission. Published by H.M. Stationery<br>Office. |

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