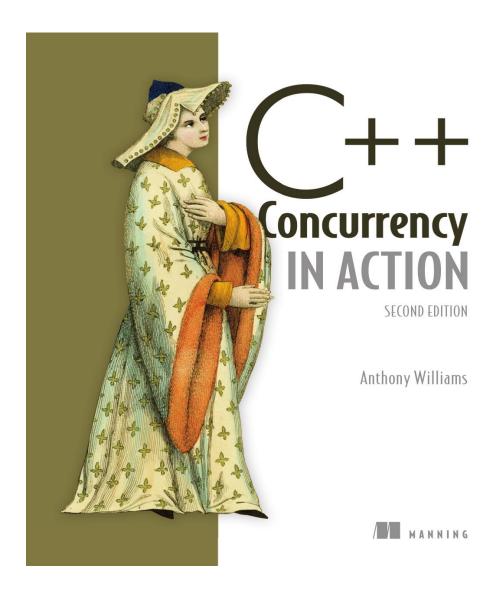
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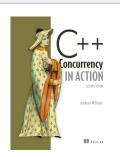


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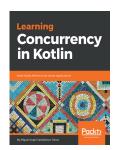
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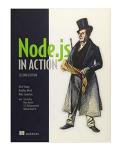
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ARTICLE L.

When the agents and counsel of the parties have submitted all explanations and evidence in support of their case, the President pronounces the discussion closed.

ARTICLE LI.

The deliberations of the Tribunal take place in private. Every decision is taken by a majority of members of the Tribunal. The refusal of a member to vote must be recorded in the "procès-verbal."

ARTICLE LII.

The award, given by a majority of votes, is accompanied by a statement of reasons. It is drawn up in writing and signed by each member of the Tribunal. Those members who are in the minority may record their dissent when signing.

ARTICLE LIII.

The award is read out at a public meeting of the Tribunal, the agents and counsel of the parties being present, or duly summoned to attend.

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ARTICLE LIV.

The award, duly pronounced and notified to the agents of the parties at variance, puts an end to the dispute definitely and without appeal.

ARTICLE LV.

The parties can reserve in the "Compromis" the right to demand the revision of the award. In this case, and unless there be an agreement to the contrary, the demand must be addressed to the Tribunal which pronounced the award. It can only be made on the ground of the discovery of some new fact calculated to exercise a decisive influence on the award, and which, at the time the discussion was closed,

was unknown to the Tribunal and to the party demanding the revision. Proceedings for revision can only be instituted by a decision of the Tribunal expressly recording the existence of the new fact, recognizing in it the character described in the foregoing paragraph, and declaring the demand admissible on this ground. The "Compromis" fixes the period within which the demand for revision must be made.

ARTICLE LVI.

The award is only binding on the parties who concluded the "Compromis." When there is a question of interpreting a Convention to which Powers other than those concerned in the dispute are parties, the latter notify to the former the "Compromis" they have concluded. Each of these Powers has the right to intervene in the case. If one or more of them avail themselves of this right, the interpretation contained in the award is equally binding on them.

ARTICLE LVII.

Each party pays its own expenses and an equal share of those of the Tribunal.

General Provisions.

ARTICLE LVIII.

The present Convention shall be ratified as speedily as possible. The ratification shall be deposited at The Hague. A "procès-verbal" shall be drawn up recording the receipt of each ratification, and a copy duly certified shall be sent, through the diplomatic channel, to all the Powers who were represented at the International Peace Conference at The Hague.

ARTICLE LIX.

The non-Signatory Powers who were represented at the International Peace Conference can adhere to the present Convention. For this purpose they must make known their

adhesion to the Contracting Powers by a written notification addressed to the Netherland Government, and communicated by it to all the other Contracting Powers.

ARTICLE LX.

The conditions on which the Powers who were not represented at the International Peace Conference can adhere to the present Convention shall form the subject of a subsequent Agreement among the Contracting Powers.

ARTICLE LXI.

In the event of one of the High Contracting Parties denouncing the present Convention, this denunciation would not take effect until a year after its notification made in writing to the Netherland Government, and by it communicated at once to all the other Contracting Powers. This denunciation shall only affect the notifying Power. In faith of which the Plenipotentiaries have signed the present Convention and affixed their seals to it. Done at The Hague, the 29th July, 1899, in a single copy, which shall remain in the archives of the Netherland Government, and copies of it, duly certified, be sent through the diplomatic channel to the Contracting Powers.

United States, 56th Congress, 1st Session., Senate Document 159.

PEACE CONFERENCE:

The Permanent Court of Arbitration.

The following is the membership of the Permanent Court of Arbitration, as finally organized, in January, 1901, and announced to be prepared for the consideration of any international dispute that may be submitted to it. Fifteen of the greater nations of the world are represented in this most august tribunal that has ever sat for judgment of the disputes of men:

Austria-Hungary.

His Excellency Count Frederic Schonborn, LL. D., president of the Imperial Royal Court of Administrative Justice, former Austrian Minister of Justice, member of the House of Lords of the Austrian Parliament, etc.

His Excellency Mr. D. de Szilagyi, ex-Minister of Justice, member of the House of Deputies of the Hungarian Parliament.

Count Albert Apponyi, member of the Chamber of Magnates and of the Chamber of Deputies of the Hungarian Parliament, etc.

Mr. Henri Lammasch, LL. D., member of the House of Lords of the Austrian Parliament, etc.

Belgium.

His Excellency Mr. Beernaert, Minister of State, member of the Chamber of Representatives, etc. His Excellency Baron Lambermont, Minister of State, Envoy Extraordinary and Minister Plenipotentiary, Secretary-General of the Ministry of Foreign Affairs.

The Chevalier Descamps, Senator.

Mr. Rolin Jacquemyns, ex-Minister of the Interior.

Denmark.

Professor H. Matzen, LL. D., Professor of the Copenhagen University, Counsellor Extraordinary of the Supreme Court, President of the Landsthing.

France.

M. Leon Bourgeois, Deputy, ex-President of the Cabinet Council, ex-Minister for Foreign Affairs.

M. de Laboulaye, ex-Ambassador.

Baron Destournelles de Constant, Minister Plenipotentiary, Deputy.

M. Louis Renault, Minister Plenipotentiary, Professor in the Faculty of Law at Paris, Law Office of the Department of Foreign Affairs.

Germany.

His Excellency Mr. Bingner, LL. D., Privy Councillor, Senate President of the Imperial High Court at Leipsic.

Mr. von Frantzius, Privy Councillor, Solicitor of the Department of Foreign Affairs at Berlin.

Mr. von Martitz, LL. D., Associate Justice of the Superior Court of Administrative Justice in Prussia, Professor of Law at the Berlin University.

Mr. von Bar, LL. D., Judicial Privy Councillor, Professor of Law at the Göttingen University.

Great Britain.

His Excellency the Right Honorable Lord Pauncefote of Preston, G. C. B., G. C. M. G., Privy Councillor, Ambassador at Washington.

The Right Honorable Sir Edward Baldwin Malet, ex-Ambassador.

The Right Honorable Sir Edward Fry, member of the Privy Council, Q. C.

Professor John Westlake, LL. D., Q. C.

Italy.

His Excellency Count Constantin Nigra, Senator of the Kingdom, Ambassador at Vienna.

His Excellency Commander Jean Baptiste Pagano Guarnaschelli, Senator of the Kingdom, First President of the Court of Cassation at Rome.

His Excellency Count Tornielli Brusati di Vergano, Senator of the Kingdom, Ambassador at Paris.

Commander Joseph Zanardelli, Attorney at Law, Deputy to the National Parliament.

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Japan.

Mr. Motono, Envoy Extraordinary and Minister Plenipotentiary at Brussels.

Mr. H. Willard Denison, Law Officer of the Minister for Foreign Affairs at Tokio.

Netherlands.

Mr. T. M. C. Asser, LL. D., member of the Council of State, ex-Professor of the University of Amsterdam.

Mr. F. B. Coninck Liefsting, LL. D., President of the Court of Cassation.

Jonkheer A. F. de Savornin Lohman, LL. D., ex-Minister of the Interior, ex-Professor of the Free University of Amsterdam, member of the Lower House of the States-General.

Jonkheer G. L. M. H. Ruis de Beerenbrouck, ex-Minister of Justice, Commissioner of the Queen in the Province of Limbourg.

Portugal.

Count de Macedo, Peer of the Realm, ex-Minister of Marine and Colonies, Envoy Extraordinary and Minister Plenipotentiary at Madrid.

Rumania.

Mr. Theodore Rosetti, Senator, ex-President of the High Court of Cassation and Justice.

Mr. Jean Kalindero, Administrator of the Crown Domain, ex-Judge of the High Court of Cassation and Justice.

Mr. Eugene Statsco,

ex-President of the Senate, ex-Minister of Justice and Foreign Affairs.

Mr. Jean N. Lahovari, Deputy, ex-Envoy Extraordinary and Minister Plenipotentiary, ex-Minister of Foreign Affairs.

Russia.

Mr. N. V. Mouravieff, Minister of Justice, Active Privy Councillor, Secretary of State of His Majesty the Emperor.

Mr. C. P. Pobedonostzeff, Attorney-General of the Most Holy Synod, Active Privy Councillor, Secretary of State of His Majesty the Emperor.

Mr. E. V. Frisch,

President of the Department of Legislation of the Imperial Council, Active Privy Councillor, Secretary of State of His Majesty the Emperor.

Mr. de Martens, Privy Councillor, permanent member of the Council of the Ministry of Foreign Affairs.

Spain.

His Excellency the Duke of Tetuan, ex-Minister of Foreign Affairs, Senator of the Kingdom, Grandee of Spain.

Mr. Bienvenido Oliver,

Director-General of the Ministry of Justice, ex-Delegate of Spain to the Conference on Private International Law at The Hague.

Dr. Manuel Torres Campos, Professor of international law at the University of Grenada, associate member of the Institute of International Law. Sweden and Norway.

Mr. S. R D. K. D'Olivecrona, member of the International Law Institute, ex-Associate Justice of the Supreme Court of the Kingdom of Sweden, Doctor of Laws and Letters at Stockholm.

Mr. G. Gram, ex-Minister of State of Norway, Governor of the Province of Hamar, Norway.

United States.

Mr. Benjamin Harrison, ex-President of the United States.

Mr. Melville W. Fuller, Chief Justice of the United States.

Mr. John W. Griggs, Attorney-General of the United States.

Mr. George Gray, United States Circuit Judge. First Secretary of the Court

J. J. Rochussen. Second Secretary of the Court

Jonkheer W. Roell.

The Administrative Council consists of the Minister of Foreign Affairs of the Netherlands and the diplomatic representatives at The Hague of the ratifying Powers.

Secretary-General Mr. R Melvil, Baron Van Leyden, Judge of the District Court of Utrecht and a member of the First Chamber of the States-General.

PEACE CONFERENCE:

Convention with respect to the Laws and Customs of War on Land.

ARTICLE I.

The High Contracting Parties shall issue instructions to their armed land forces, which shall be in conformity with the "Regulations respecting the Laws and Customs of War on Land" annexed to the present Convention.

ARTICLE II.

The provisions contained in the Regulations mentioned in Article I. are only binding on the Contracting Powers, in case of war between two or more of them. These provisions shall cease to be binding from the time when, in a war between Contracting Powers, a non-Contracting Power joins one of the belligerents.

ARTICLE III.

The present Convention shall be ratified as speedily as possible. The ratifications shall be deposited at The Hague. A "procès-verbal" shall be drawn up recording the receipt of each ratification, and a copy, duly certified, shall be sent through the diplomatic channel, to all the Contracting Powers.

ARTICLE IV.

Non-Signatory Powers are allowed to adhere to the present Convention. For this purpose they must make their adhesion known to the Contracting Powers by means of a written notification addressed to the Netherland Government, and by it communicated to all the other Contracting Powers.

ARTICLE V.

In the event of one of the High Contracting Parties denouncing

the present Convention, such denunciation would not take effect until a year after the written notification made to the Nethterland Government, and by it at once communicated to all the other Contracting Powers. This denunciation shall affect only the notifying Power.

In faith of which the Plenipotentiaries have signed the present Convention and affixed their seals thereto.

[Signed by representatives of Belgium, Denmark, Spain, Mexico, France, Greece, Montenegro, the Netherlands, Persia, Portugal, Roumania, Russia, Siam, Sweden and Norway, and Bulgaria.]

REGULATIONS.

SECTION I.

On Belligerents.

CHAPTER I.

On the qualifications of Belligerents.

ARTICLE I.

The laws, rights, and duties of war apply not only to armies, but also to militia and volunteer corps, fulfilling the following conditions:

- 1. To be commanded by a person responsible for his subordinates;
- 2. To have a fixed distinctive emblem recognizable at a distance;
- 3. To carry arms openly; and,
- 4. To conduct their operations in accordance with the laws and customs of war. In countries where militia or volunteer corps constitute the army, or form part of it, they are

included under the denomination "army."

ARTICLE II.

The population of a territory which has not been occupied who, on the enemy's approach, spontaneously take up arms to resist the invading troops without having time to organize themselves in accordance with Article I, shall be regarded a belligerent, if they respect the laws and customs of war.

ARTICLE III.

The armed forces of the belligerent parties may consist of combatants and non-combatants. In case of capture by the enemy both have a right to be treated as prisoners of war.

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CHAPTER II.

On Prisoners of War.

ARTICLE IV.

Prisoners of war are in the power of the hostile Government, but not in that of the individuals or corps who captured them. They must be humanely treated. All their personal belongings, except arms, horses, and military papers remain their property.

ARTICLE V.

Prisoners of war may be interned in a town, fortress, camp, or any other locality, and bound not to go beyond certain fixed limits; but they can only be confined as an indispensable measure of safety.

ARTICLE VI.

The State may utilize the labour of prisoners of war according to their rank and aptitude. Their tasks shall not be excessive, and shall have nothing to do with the military operations. Prisoners may be authorized to work for the Public Service, for private persons, or on their own account. Work done for the State shall be paid for according to the tariffs in force for soldiers of the national army employed on similar tasks. When the work is for other branches of the Public Service or for private persons, the conditions shall be settled in agreement with the military authorities. The wages of the prisoners shall go towards improving their position, and the balance shall be paid them at the time of their release, after deducting the cost of their maintenance.

ARTICLE VII.

The Government into whose hands prisoners of war have fallen is bound to maintain them. Failing a special agreement between the belligerents, prisoners of war shall be treated as regards food, quarters, and clothing, on the same footing as the troops of the Government which has captured them.

ARTICLE VIII.

Prisoners of war shall be subject to the laws, regulations, and orders in force in the army of the State into whose hands they have fallen. Any act of insubordination warrants the adoption, as regards them, of such measures of severity as may be necessary. Escaped prisoners, recaptured before they have succeeded in rejoining their army, or before quitting the territory occupied by the army that captured them, are liable to disciplinary punishment. Prisoners who, after succeeding in escaping, are again taken prisoners, are not liable to any punishment for the previous flight.

ARTICLE IX.

Every prisoner of war, if questioned, is bound to declare his true name and rank, and if he disregards this rule, he is liable to a curtailment of the advantages accorded to the prisoners of war of his class.

ARTICLE X.

Prisoners of war may be set at liberty on parole if the laws

of their country authorize it, and, in such a case, they are bound, on their personal honour, scrupulously to fulfil, both as regards their own Government and the Government by whom they were made prisoners, the engagements they have contracted. In such cases, their own Government shall not require of nor accept from them any service incompatible with the parole given.

ARTICLE XI.

A prisoner of war cannot be forced to accept his liberty on parole; similarly the hostile Government is not obliged to assent to the prisoner's request to be set at liberty on parole.

ARTICLE XII.

Any prisoner of war, who is liberated on parole and recaptured, bearing arms against the Government to whom he had pledged his honour, or against the allies of that Government, forfeits his right to be treated as a prisoner of war, and can be brought before the Courts.

ARTICLE XIII.

Individuals who follow an army without directly belonging to it, such as newspaper correspondents and reporters, sutlers, contractors, who fall into the enemy's hands, and whom the latter think fit to detain, have a right to be treated as prisoners of war, provided they can produce a certificate from the military authorities of the army they were accompanying.

ARTICLE XIV.

A Bureau for information relative to prisoners of war is instituted, on the commencement of hostilities, in each of the belligerent States and, when necessary, in the neutral countries on whose territory belligerents have been received. This Bureau is intended to answer all inquiries about prisoners of war, and is furnished by the various services concerned with all the necessary information to enable it to

keep an individual return for each prisoner of war. It is kept informed of internments and changes, as well as of admissions into hospital and deaths. It is also the duty of the Information Bureau to receive and collect all objects of personal use, valuables, letters, &c., found on the battlefields or left by prisoners who have died in hospital or ambulance, and to transmit them to those interested.

ARTICLE XV.

Relief Societies for prisoners of war, which are regularly constituted in accordance with the law of the country with the object of serving as the intermediary for charity, shall receive from the belligerents for themselves and their duly accredited agents every facility, within the bounds of military requirements and Administrative Regulations, for the effective accomplishment of their humane task. Delegates of these Societies may be admitted to the places of internment for the distribution of relief, as also to the halting places of repatriated prisoners, if furnished with a personal permit by the military authorities, and on giving an engagement in writing to comply with all their Regulations for order and police.

ARTICLE XVI.

The Information Bureau shall have the privilege of free postage. Letters, money orders, and valuables, as well as postal parcels destined for the prisoners of war or despatched by them, shall be free of all postal duties, both in the countries of origin and destination, as well as in those they pass through. Gifts and relief in kind for prisoners of war shall be admitted free of all duties of entry and others, as well as of payments for carriage by the Government rail ways.

ARTICLE XVII.

Officers taken prisoners may receive, if necessary, the full pay allowed them in this position by their country's regulations, the amount to be repaid by their Government.

ARTICLE XVIII.

Prisoners of war shall enjoy every latitude in the exercise of their religion, including attendance at their own church services, provided only they comply with the regulations for order and police issued by the military authorities.

ARTICLE XIX.

The wills of prisoners of war are received or drawn up on the same conditions as for soldiers of the national army. The same rules shall be observed regarding death certificates, as well as for the burial of prisoners of war, due regard being paid to their grade and rank.

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ARTICLE XX.

After the conclusion of peace, the repatriation of prisoners of war shall take place as speedily as possible.

CHAPTER III.

On the Sick and Wounded.

ARTICLE XXI.

The obligations of belligerents with regard to the sick and wounded are governed by the Geneva Convention of the 22d August, 1864, subject to any modifications which may be introduced into it.

SECTION II.

On Hostilities.

CHAPTER I.

On means of injuring the Enemy, Sieges: and Bombardments.

ARTICLE XXII.

The right of belligerents to adopt means of injuring the enemy

is not unlimited.

ARTICLE XXIII.

Besides the prohibitions provided by special Conventions, it is especially prohibited:

- (a.) To employ poison or poisoned arms;
- (b.) To kill or wound treacherously individuals belonging to the hostile nation or army;
- (c.) To kill or wound an enemy who, having laid down arms, or having no longer means of defence, has surrendered at discretion;
- (d.) To declare that no quarter will be given;
- (e.) To employ arms, projectiles, or material of a nature to cause superfluous injury;
- (f.) To make improper use of a flag of truce, the national flag, or military ensigns and the enemy's uniform, as well as the distinctive badges of the Geneva Convention;
- (g.) To destroy or seize the enemy's property, unless such destruction or seizure be imperatively demanded by the necessities of war.

ARTICLE XXIV.

Ruses of war and the employment of methods necessary to obtain information about the enemy and the country, are considered allowable.

ARTICLE XXV.

The attack or bombardment of towns, villages, habitations or buildings which are not defended, is prohibited.

ARTICLE XXVI.

The Commander of an attacking force, before commencing a bombardment, except in the case of an assault, should do all he can to warn the authorities.

ARTICLE XXVII.

In sieges and bombardments all necessary steps should be taken to spare as far as possible edifices devoted to religion, art, science, and charity, hospitals, and places where the sick and wounded are collected, provided they are not used at the same time for military purposes. The besieged should indicate these buildings or places by some particular and visible signs, which should previously be notified to the assailants.

ARTICLE XXVIII.

The pillage of a town or place, even when taken by assault, is prohibited.

CHAPTER II.

On Spies.

ARTICLE XXIX.

An individual can only be considered a spy if, acting clandestinely, or on false pretences, he obtains, or seeks to obtain information in the zone of operations of a belligerent, with the intention of communicating it to the hostile party. Thus, soldiers not in disguise who have penetrated into the zone of operations of a hostile army to obtain information are not considered spies. Similarly, the following are not considered spies: soldiers or civilians, carrying out their mission openly, charged with the delivery of despatches destined either for their own army or for that of the enemy. To this class belong likewise individuals sent in balloons to deliver despatches, and generally to maintain communication between the various parts of an army or a territory.

ARTICLE XXX.

A spy taken in the act cannot be punished without previous trial.

ARTICLE XXXI.

A spy who, after rejoining the army to which he belongs, is subsequently captured by the enemy, is treated as a prisoner of war, and incurs no responsibility for his previous acts of espionage.

CHAPTER III.

On Flags of Truce.

ARTICLE XXXII.

An individual is considered as bearing a flag of truce who is authorized by one of the belligerents to enter into communication with the other, and who carries a white flag. He has a right to inviolability, as well as the trumpeter, bugler, or drummer, the flag-bearer, and the interpreter who may accompany him.

ARTICLE XXXIII.

The Chief to whom a flag of truce is sent is not obliged to receive it in all circumstances. He can take all steps necessary to prevent the envoy taking advantage of his mission to obtain information. In case of abuse, he has the right to detain the envoy temporarily.

ARTICLE XXXIV.

The envoy loses his rights of inviolability if it is proved beyond doubt that he has taken advantage of his privileged position to provoke or commit an act of treachery.

CHAPTER IV.

On Capitulations.

ARTICLE XXXV.

Capitulations agreed on between the Contracting Parties must

be in accordance with the rules of military honour. When once settled, they must be scrupulously observed by both the parties.

CHAPTER V.

On Armistices.

ARTICLE XXXVI.

An armistice suspends military operations by mutual agreement between the belligerent parties. If its duration is not fixed, the belligerent parties can resume operations at any time, provided always the enemy is warned within the time agreed upon, in accordance with the terms of the armistice.

ARTICLE XXXVII.

An armistice may be general or local. The first suspends all military operations of the belligerent States; the second, only those between certain fractions of the belligerent armies and in a fixed radius.

ARTICLE XXXVIII.

An armistice must be notified officially, and in good time, to the competent authorities and the troops. Hostilities are suspended immediately lifter the notification, or at a fixed date.

ARTICLE XXXIX.

It is for the Contracting Parties to settle, in the terms of the armistice, what communications may be held, on the theatre of war, with the population and with each other.

ARTICLE XL.

Any serious violation of the armistice by one of the parties gives the other party the right to denounce it, and even, in case of urgency, to recommence hostilities at once.

ARTICLE XLL