



International Law, a Treatise Volume 1

Lassa Francis Lawrecne Oppenheim

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This historic book may have numerous typos and missing text. Purchasers can usually download a free scanned copy of the original book (without typos) from the publisher. Not indexed. Not illustrated. 1920 edition. Excerpt: ...but the general principle applied has been that persons habitually resident in ceded territory acquire ipso facto the nationality of the State to which the territory has been transferred, and lose the nationality of the ceding State. Nevertheless such persons, if over eighteen years old, may opt for their old nationality, and if they exercise this option, their choice covers a wife and any children under eighteen years of age. They must, however, in that case remove to the territory of their old State.² 1 The important question whether subjects of the ceding States who are born on the ceded territory but have their domicile abroad become ipso facto by the cession subjects of the acquiring State, must, I think, be answered in the negative, unless special treaty arrangements stipulate the contrary. Therefore, Frenchmen born in Alsace but domiciled at the time of the cession in Great Britain, would not have lost their French citizenship through the cession to Germany but for Article 1, part 2, of the additional treaty of Dec. U, 1871, to the Peace Treaty of Frankfurt. (Martens, N. R. O., xx. p. 847.) See Bonfils, No. 427, and Cogordan, La Nationalité, etc. (1890), p. 361 2 See for example Treaty of Peace with Germany, Articles 36 and 37. with regard to German territory ceded to Belgium. The general principle is there, and indeed in most cases, applied subject to an exception. XIV OCCUPATION Hall, g 32-34--Weatlake, i. pp. 98-113, 121-135--Lawrence, § 74--Phillimore, i. §§ 226-250--Twiss, i. §§ 118-126--Hershey, Nos. 179-187--Taylor, §§ 221-224--Walker, § 9--Wharton, i. § 2--Moore, i. §§ 80-81--Wheaton, §§ 165-174--Bluntschli, §§ 278-283--Hartmann, § 61--Heffter,...

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