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No. 189

The United States and The War



President Wilson's Notes on the
Lusitania and Germany's Reply

Diplomatic Correspondence Between
Germany, England and the United States

On Events Preceding the Sinking of the Lusitania, with
Decrees and Incidents Affecting American Lives,
Property and Rights in the War Zone

A COMPLETE OFFICIAL RECORD

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GERMAN WAR ZONE AND AMERICAN PROTEST

Decree and Memorandum Explaining War Zone—American Note of Protest and the German Reply

GERMANY'S WAR ZONE DECREE.

The following is the official text of the German war zone decree, issued on February 4, 1915:

PROCLAMATION.

1. The waters surrounding Great Britain and Ireland including the whole English Channel are hereby declared to be war zone. On and after the 18th of February, 1915, every enemy merchant ship found in the said war zone will be destroyed without its being always possible to avert the dangers threatening the crews and passengers on that account.

2. Even neutral ships are exposed to danger in the war zone, as in view of the misuse of neutral flags ordered on January 31 by the British Government and of the accidents of naval war, it cannot always be avoided to strike even neutral ships in attacks that are directed at enemy ships.

3. Northward navigation around the Shetland Islands, in the eastern waters of the North Sea and in a strip of not less than thirty miles width along the Netherlands coast is in no danger.

VON POHLL.

Chief of the Admiral Staff of the Navy.
Berlin, February 4, 1915.

GERMAN MEMORIAL.

(Official Translation.)

Memorial of the Imperial Government respecting retaliatory measures rendered necessary by the means employed by England contrary to international law in intercepting neutral maritime trade with Germany:

Since the commencement of the present war Great Britain's conduct of commercial warfare against Germany has been a mockery of all the principles of the law of nations. While the British Government have by several orders declared that their naval forces should be guided by the stipulations of the Declaration of London, they have in reality repudiated this Declaration in the most essential points, notwithstanding the fact that their own delegates at the Maritime Conference of London acknowledged its acts as forming part of existing international law. The British Government have placed a number of articles on the contraband list which are not at all, or only very indirectly capable of use in warfare, and consequently can not be treated as contraband either under the Declaration of London or under the generally acknowledged rules of international law. In addition, they have in fact obliterated the distinction between absolute and conditional contraband by confiscating all articles of conditional contraband destined for Germany, whatever may be the port where these articles are to be unloaded, and without regard to whether they are destined for uses of war or peace. They have not even hesitated to violate the Declaration of Paris, since their naval forces have captured on neutral ships German property which was not contraband of war. Furthermore, they have gone further than their own orders respect-

ing the Declaration of London and caused numerous German subjects capable of bearing arms to be taken from neutral ships and made prisoners of war. Finally, they have declared the North Sea in its whole extent to be the seat of war, thereby rendering difficult and extremely dangerous, if not impossible, all navigation on the high seas between Scotland and Norway, so that they have in a way established a blockade of neutral coasts and ports, which is contrary to the elementary principles of generally accepted international law. Clearly all these measures are part of a plan to strike not only the German military operations but also the economic system of Germany, and in the end to deliver the whole German people to reduction by famine, by intercepting legitimate neutral commerce by methods contrary to international law.

Neutrals Have Acquiesced.

The neutral powers have in the main acquiesced in the measures of the British Government; in particular they have not been successful in securing the release by the British Government of the German subjects and German merchandise illegally taken from their vessels. To a certain extent they have even contributed toward the execution of the measures adopted by England in defiance of the principle of the freedom of the seas by prohibiting the export and transit of goods destined for peaceable purposes in Germany, thus evidently yielding to pressure by England. The German Government have in vain called the attention of the neutral powers to the fact that Germany must seriously question whether it can any longer adhere to the stipulations of the declaration of London, hitherto strictly observed by it, in case England continues to adhere to its practice, and the neutral powers persist in looking with indulgence upon all these violations of neutrality to the detriment of Germany. Great Britain invokes the vital interests of the British Empire which are at stake in justification of its violations of the law of nations, and the neutral powers appear to be satisfied with theoretical protests, thus actually admitting the vital interests of a belligerent as a sufficient excuse for methods of waging war of whatever description.

The time has come for Germany also to invoke such vital interests. It therefore finds itself under the necessity, to its regret, of taking military measures against England in retaliation of the practice followed by England. Just as England declared the whole North Sea between Scotland and Norway to be comprised within the seat of war, so does Germany now declare the waters surrounding Great Britain and Ireland, including the whole English Channel, to be comprised within the seat of war, and will prevent by all the military means at its disposal all navigation by the enemy in those waters. To this end it will endeavor to destroy, after February 18 next, any merchant vessels of the enemy which present them-

selves at the seat of war above indicated, although it may not always be possible to avert the dangers which may menace persons and merchandise. Neutral powers are accordingly forewarned not to continue to entrust their crews, passengers, or merchandise to such vessels. Their attention is furthermore called to the fact that it is of urgency to recommend to their own vessels to steer clear of these waters. It is true that the German navy has received instructions to abstain from all violence against neutral vessels recognizable as such; but in view of the hazards of war, and of the misuse of the neutral flag ordered by the British Government, it will not always be possible to prevent a neutral vessel from becoming the victim of an attack intended to be directed against a vessel of the enemy. It is expressly declared that navigation in the waters north of the Shetland Islands is outside the danger zone, as well as navigation in the eastern part of the North Sea and in a zone thirty marine miles wide along the Dutch coast.

The German Government announces this measure at a time permitting enemy and neutral ships to make the necessary arrangements to reach the ports situated at the seat of war. They hope that the neutral powers will accord consideration to the vital interests of Germany equally with those of England, and will on their part assist in keeping their subjects and their goods far from the seat of war; the more so since they likewise have a great interest in seeing the termination at an early day of the war now ravaging.

Berlin, February 4, 1915.

NOTE TO GERMANY ON WAR ZONE

Secretary of State to the American Ambassador at Berlin:

Washington, February 10, 1915.

American Ambassador, Berlin: Please address a note immediately to the Imperial German Government to the following effect: The Government of the United States, having had its attention directed to the proclamation of the German Admiralty issued on the fourth of February, that the waters surrounding Great Britain and Ireland, including the whole of the English Channel, are to be considered as comprised within the seat of war; that all enemy merchant vessels found in those waters after the eighteenth instant will be destroyed, although it may not always be possible to save crews and passengers; and that neutral vessels expose themselves to danger within this zone of war because, in view of the misuse of neutral flags said to have been ordered by the British Government on the thirty-first of January and of the contingencies of maritime warfare, it may not be possible always to exempt neutral vessels from attacks intended to strike enemy ships, feels it to be its duty to call the attention of the Imperial German Government, with sincere respect and the most friendly sentiments but very candidly and

earnestly, to the very serious possibilities of the course of action apparently contemplated under that proclamation.

The Government of the United States views those possibilities with such grave concern that it feels it to be its privilege, and indeed its duty in the circumstances, to request the Imperial German Government to consider before action is taken the critical situation in respect of the relations between this country and Germany which might arise were the German naval forces, in carrying out the policy foreshadowed in the Admiralty's proclamation, to destroy any merchant vessel of the United States or cause the death of American citizens. It is of course not necessary to remind the German Gov-

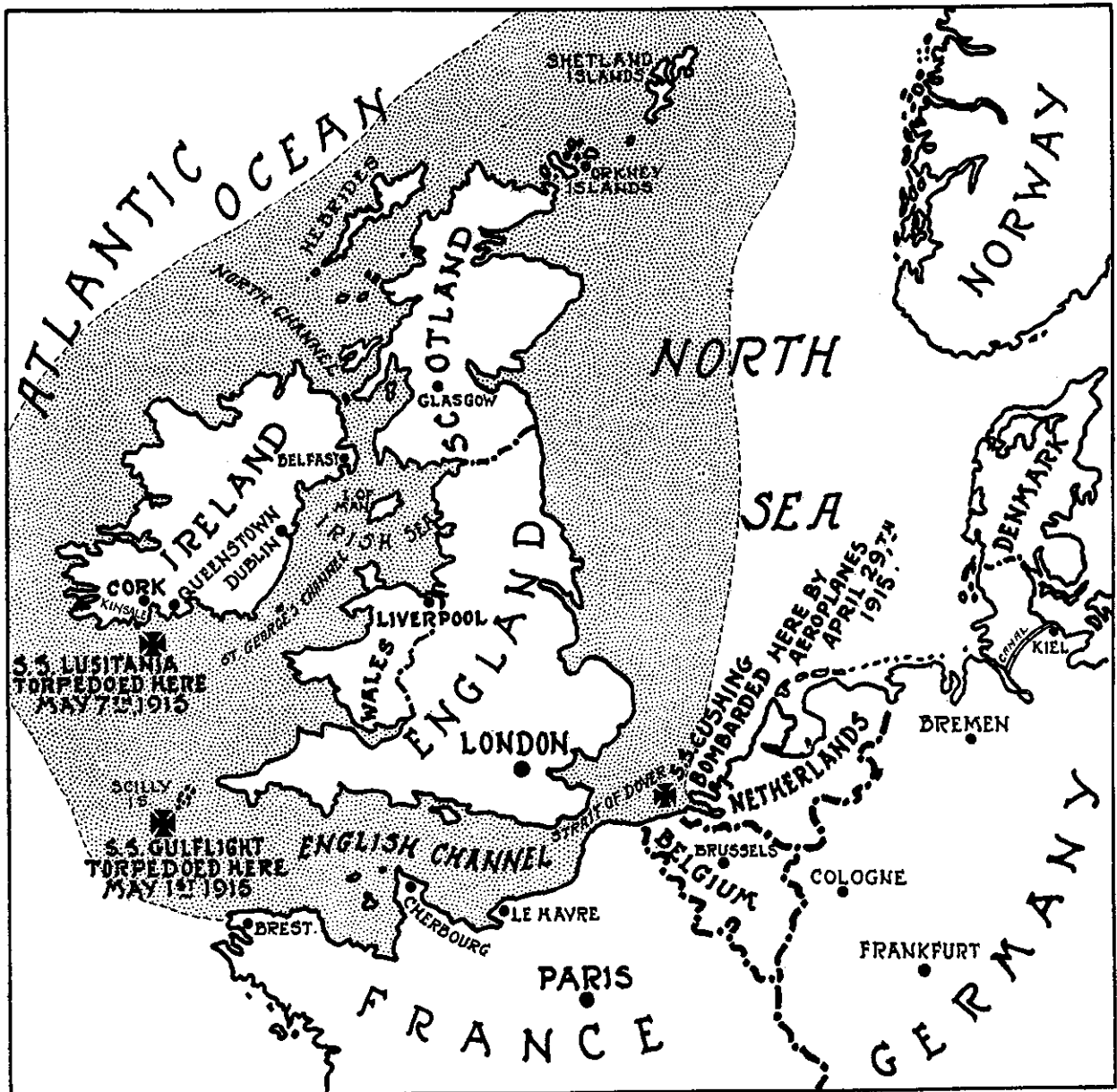
ernment that the sole right of a belligerent in dealing with neutral vessels on the high seas is limited to visit and search, unless a blockade is proclaimed and effectively maintained, which this Government does not understand to be proposed in this case. To declare or exercise a right to attack and destroy any vessel entering a prescribed area of the high seas without first certainly determining its belligerent nationality and the contraband character of its cargo would be an act so unprecedented in naval warfare that this Government is reluctant to believe that the Imperial Government of Germany in this case contemplates it as possible. The suspicion that enemy ships are using neutral flags improperly can create no just presumption that all ships

traversing a prescribed area are subject to the same suspicion. It is to determine exactly such questions that this Government understands the right of visit and search to have been recognized.

United States Not Open to Criticism.

This Government has carefully noted the explanatory statement issued by the Imperial German Government at the same time with the proclamation of the German Admiralty, and takes this occasion to remind the Imperial German Government very respectfully that the Government of the United States is open to none of the criticisms for unneutral action to which the German Government believe the governments of certain of other neutral nations have laid them-

AREA DECLARED A WAR ZONE BY GERMANY



Shaded portion of the Map shows the German War Zone. Crosses indicate locations of sinking of the Lusitania, the torpedoing of the Gulflight and the attack upon the Cushing. The American S. S. Nebraskan was torpedoed or mined, May 25, at a point a little southwest of where Lusitania sank.

selves open; that the Government of the United States has not consented to or acquiesced in any measures which may have been taken by the other belligerent nations in the present war which operate to restrain neutral trade, but has, on the contrary, taken in all such matters a position which warrants it in holding those governments responsible in the proper way for any untoward effects upon American shipping which the accepted principles of international law do not justify; and that it, therefore, regards itself as free in the present instance to take with a clear conscience and upon accepted principles the position indicated in this note.

If the commanders of German vessels of war should act upon the presumption that the flag of the United States was not being used in good faith and should destroy on the high seas an American vessel or the lives of American citizens, it would be difficult for the Government of the United States to view the act in any other light than as an indefensible violation of neutral rights which it would be very hard indeed to reconcile with the friendly relations now so happily subsisting between the two governments. If such a deplorable situation should arise, the Imperial German Government can readily appreciate that the Government of the United States would be constrained to hold the Imperial German Government to a strict accountability for such acts of their naval authorities and to take any steps it might be necessary to take to safeguard American lives and property and to secure to American citizens the full enjoyment of their acknowledged rights on the high seas.

The Government of the United States, in view of these considerations, which it urges with the greatest respect and with the sincere purpose of making sure that no misunderstanding may arise and no circumstance occur that might even cloud the intercourse of the two governments, expresses the confident hope and expectation that the Imperial German Government can and will give assurance that American citizens and their vessels will not be molested by the naval forces of Germany otherwise than by visit and search, though their vessels may be traversing the sea area delimited in the proclamation of the German Admiralty. It is added for the information of the Imperial Government that representations have been made to His Britannic Majesty's Government in respect to the unwarranted use of the American flag for the protection of British ships.

BRYAN.

GERMAN REPLY TO OUR NOTE.

German Minister for Foreign Affairs to the American Ambassador at Berlin:

Berlin, February 16, 1915.

In reference to the note of the twelfth instant, Foreign Office number twenty-two sixty, relative to the German measures respecting the theater of war in the waters surrounding England, the undersigned has the honor to reply to His Excellency the Ambassador of the United States, James W. Gerard, as follows: The Imperial German Government have examined the communication of the Government of the United States in the same spirit of good will and friendship

which seems to have prompted this communication. The Imperial German Government are in entire accord with the Government of the United States that it is in the highest degree desirable for all parties to avoid the misunderstanding which might arise from the measures announced by the German Admiralty and to avert the intrusion of events calculated to interrupt the most friendly relations which have so happily existed between the two Governments up to this time.

On this assurance the German Government believe that they may depend on full understanding on the part of the United States, all the more because the action announced by the German Admiralty, as was dwelt upon at length in the note of the fourth instant, is in no wise directed against



GOTTLIEB VON JAGOW
German Secretary for Foreign Affairs

the legitimate trade and navigation of neutral states, but merely represents an act of self-defense which Germany's vital interests force her to take against England's method of conducting maritime war in defiance of international law, which no protest on the part of neutrals has availed to bring into accordance with the legal status generally recognized before the outbreak of hostilities. In order to exclude all possible doubt on this cardinal point the German Government beg to set forth once more the actual situation.

Up to now Germany has scrupulously observed the existing provisions of international law relative to maritime war. In particular she assented without delay to the proposal made by the American Government directly after the war began to ratify Declaration of London and embodied the contents thereof without change in her prize law, even without formally binding herself in this direction. The German Government have adhered to these provisions, even where they conflicted with military interests. Our Government at the same time have permitted the supply of food by Denmark to England until the present, although they could well have prevented this traffic by means of their naval forces. In direct opposition to

this, England has not shrunk from grave violations of international law wherever she could thereby cripple Germany's peaceable trade with neutral countries. It will not be necessary for the German Government to go into great detail on this point, especially since the American note to the British Government dated December twenty-eighth, nineteen fourteen, which has been brought to their knowledge, has dealt with this point very aptly if not very exhaustively on the ground of the experiences of months.

Purpose Starvation of Germany.

It is conceded that the intention of all these aggressions is to cut off Germany from all supplies and thereby to deliver up to death by famine a peaceful civilian population, a procedure contrary to law of war and every dictate of humanity. The neutrals have not been able to prevent this interception of different kinds of trade with Germany contrary to international law. It is true that the American Government have protested against England's procedure, and Germany is glad to acknowledge this, but in spite of this protest and the protests of the other neutral governments England has not allowed herself to be dissuaded from the course originally adopted. Thus the American ship *Wilhelmina* was recently brought into port by England although her cargo was destined solely for the civil population of Germany and was to be used only for this purpose according to an express declaration of the German Government.

In this way the following has been created: Germany is to all intents and purposes cut off from oversea supplies with the toleration, tacit or protesting, of the neutrals regardless of whether it is a question of goods which are absolute contraband or only conditional contraband or not contraband at all, following the law generally recognized before the outbreak of the war. On the other hand England with the indulgence of neutral Governments is not only being provided with such goods as are not contraband or merely conditional contraband, namely, foodstuffs, raw material, et cetera, although these are treated by England when Germany is in question as absolute contraband, but also with goods which have been regularly and unquestionably acknowledged to be absolute contraband. The German Government believe that they are obliged to point out very particularly and with the greatest emphasis, that a trade in arms exists between American manufacturers and Germany's enemies which is estimated at many hundred million marks.

The German Government have given due recognition to the fact that as a matter of form the exercise of rights and the toleration of wrong on the part of neutrals is limited by their pleasure alone and involves no formal breach of neutrality. The German Government have not in consequence made any charge of formal breach of neutrality. The German Government can not, however, do otherwise, especially in the interest of absolute clearness in the relations between the two countries, than to emphasize that they, in common with the public opinion in Germany, feel themselves placed at a great disadvantage through the fact that the neutral powers have hitherto achieved no success or only an unmeaning success in their assertion of the right to trade

with Germany, acknowledged to be legitimate by international law, whereas they make unlimited use of their right to tolerate trade in contraband with England and our other enemies. Conceded that it is the formal right of neutrals not to protect their legitimate trade with Germany and even to allow themselves knowingly and willingly to be induced by England to restrict such trade, it is on the other hand not less their good right, although unfortunately not exercised, to stop trade in contraband, especially the trade in arms, with Germany's enemies.

Germany to Take Up the Gauntlet.

In view of this situation the German Government see themselves compelled after six months of patience and watchful waiting to meet England's murderous method of conducting maritime war with drastic counter measures. If England invokes the powers of famine as an ally in its struggle against Germany with the intention of leaving a civilized people the alternative of perishing in misery or submitting to the yoke of England's political and commercial will, the German Government are to-day determined to take up the gauntlet and to appeal to the same grim ally. They rely on the neutrals who have hitherto tacitly or under protest submitted to the consequences detrimental to themselves of England's war of famine to display not less tolerance toward Germany, even if the German measures constitute new forms of maritime war, as has hitherto been the case with the English measures.

In addition to this, the German Government are determined to suppress with all the means at their disposal the supply of war material to England and her allies and assume at the same time that it is a matter of course that the neutral Governments which have hitherto undertaken no action against the trade in arms with Germany's enemies do not intend to oppose the forcible suppression of this trade by Germany. Proceeding from these points of view the German Admiralty has declared the zone prescribed by it the seat of war; it will obstruct this area of maritime war by mines wherever possible and also endeavor to destroy the merchant vessels of the enemy in any other way. It is very far indeed from the intention of the German Government acting in obedience to these compelling circumstances ever to destroy neutral lives and neutral property, but on the other hand they can not be blind to the fact that dangers arise through the action to be carried out against England which menace without discrimination all trade within the area of maritime war. This applies as a matter of course to war mines which place any ship approaching a mined area in danger even if the limits of international law are adhered to most strictly.

The German Government believe that they are all the more justified in the hope that the neutral powers will become reconciled with this, just as they have with the serious injury caused them thus far by England's measures, because it is their will to do everything in any way compatible with the accomplishment of their purpose for the protection of neutral shipping even within the area of maritime war. They furnished the first proof of their good will by announcing the measures intended by them at a time not less than two weeks beforehand. In order to give neutral ship-

ping an opportunity to make the necessary arrangements to avoid the threatening danger. The safest method of doing this is to stay away from the area of maritime war. Neutral ships entering the closed waters in spite of this announcement, given so far in advance, and which seriously impairs the accomplishment of the military purpose against England, bear their own responsibility for any unfortunate accidents. The German Government on their side expressly decline all responsibility for such accidents and their consequences.

Only Enemy Merchant Vessels Endangered.

Furthermore, the German Government announced merely the destruction of enemy merchant vessels found



ALFRED P. VON TIRPITZ
Head of the German Admiralty

within the area of maritime war, and not the destruction of all merchant vessels, as the American Government appear to have erroneously understood. This limitation which the German Government have imposed upon themselves impairs the military purpose, especially since the presumption will prevail, even in the case of neutral ships, that they have contraband on board, in view of the interpretation of the idea of contraband in which the English Government have indulged as regards Germany and which the German Government will accordingly apply against England.

Naturally the Imperial Government are not willing to waive the right to establish the presence of contraband in the cargoes of neutral ships and, in cases requiring it, to take any action necessary on the grounds established. Finally the German Government are

prepared to accord, in conjunction with the American Government, the most earnest consideration to any measure that might be calculated to insure the safety of legitimate shipping of neutrals within the seat of war. They can not, however, overlook the fact that all efforts in this direction are considerably hampered by two circumstances: First, by the misuse of the neutral flag by English merchant vessels, which in the meantime has probably been established beyond a doubt by the American Government likewise. Second, by the above-mentioned trade in contraband, especially war materials, by neutral merchant vessels. In regard to the latter point, the German Government ventures to hope that the American Government upon reconsideration will see their way clear to a measure of intervention in accordance with the spirit of true neutrality.

As regards the first point, the secret order of the British Admiralty has already been communicated to the American Government by Germany. It recommends English merchant vessels to use neutral flags and has in the meantime been confirmed by a statement of the British Foreign Office which refers to the municipal law of England and characterizes such action as quite unobjectionable. The English merchant marine has followed this counsel without delay, as is probably known to the American Government, from the cases of the Lusitania and Laertes. Moreover, the British Government have armed English merchant vessels and instructed them to resist by force the German submarines. In these circumstances it is very difficult for the German submarines to recognize neutral merchant vessels as such, for even a search will not be possible in the majority of cases, since the attacks to be anticipated in the case of a disguised English ship would expose the commanders conducting a search and the boat itself to the danger of destruction.

The British Government would then be in a position to render the German measures illusory if their merchant marine persists in the misuse of neutral flags and neutral vessels are not marked in some other manner admitting of no possible doubt. Germany must, in the exigency into which she has unlawfully been forced, make her measures effective at all events in order thereby to compel her adversary to conduct maritime warfare in accordance with international law and thus to reestablish the freedom of the seas, which she has ever advocated and for which she is fighting likewise to-day. The German Government, therefore, welcomes the fact that the American Government have made representations to the British Government relative to the use of their flag contrary to law and give expression to the expectation that this action will cause England to respect the American flag in future. In this expectation the commanders of the German submarines have been instructed, as was already stated in the note of fourth instant, to abstain from violence to American merchant vessels when they are recognizable as such.

Recommends American Convoys.

In order to meet in the safest manner all the consequences of mistaking an American for a hostile merchant vessel the German Government recommended that (although this would not apply in the case of danger from mines) the United States convoy

their ships carrying peaceable cargoes and traversing the English seat of maritime war in order to make them recognizable. In this connection the German Government believe it should be made a condition that only such ships should be convoyed as carry no merchandise which would have to be considered as contraband according to the interpretation applied by England against Germany. The Germany Government are prepared to enter into immediate negotiations with the American Government relative to the manner of convoy. They would, however, be particularly grateful if the American Government would urgently advise their merchant vessels to avoid the English seat of maritime war, at any rate until the flag question is settled.

The German Government resign

themselves to the confident hope that the American Government will recognize the full meaning of the severe struggle which Germany is conducting for her very existence and will gain full understanding of the reasons which prompt Germany and the aims of the measures announced by her from the above explanations and promises. The German Government repeat that in the scrupulous consideration for neutrals hitherto practiced by them they have determined upon the measures planned only under the strongest compulsion of national self-preservation. Should the American Government at the eleventh hour succeed in removing, by virtue of the weight which they have the right and ability to throw into the scales of the fate of peoples, the reasons which have made it the imperative duty of

the German Government to take the action indicated, should the American Government in particular find a way to bring about the observation of the Declaration of London on the part of the Powers at war with Germany and thereby to render possible for Germany the legitimate supply of foodstuffs and industrial raw materials, the German Government would recognize this as a service which could not be too highly estimated in favor of more humane conduct of war and would gladly draw the necessary conclusions from the new situation thus created. The undersigned requests the Ambassador to bring the above to the attention of the American Government and avails himself of the opportunity to renew, et cetera.

"(Signed) VON JAGOW."

AMERICA SUGGESTS BLOCKADE MODIFICATIONS

This Government's Note to Belligerents Proposing a Basis of Agreement to Relieve Neutral Shipping, and the Replies of Germany and Great Britain

NOTE TO BELLIGERENTS.

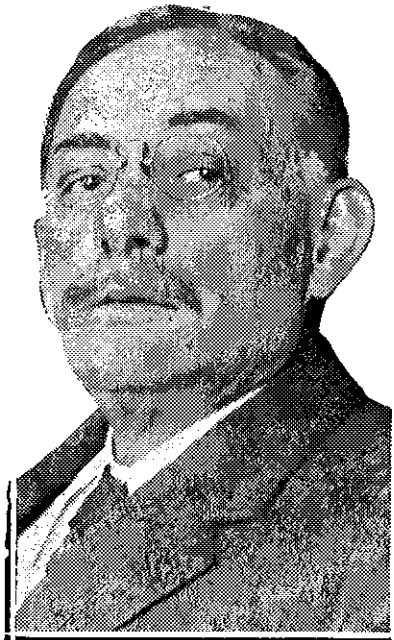
Secretary of State to the American Ambassador at London.—Identic message sent to the American Ambassador at Berlin on the same date:

Washington, February 20, 1915.

You will please deliver to Sir Edward Grey the following identic note which we are sending England and Germany:

In view of the correspondence which has passed between this Government and Great Britain and Germany respectively, relative to the Declaration of a war zone by the German Admiralty and the use of neutral flags by British merchant vessels, this Government ventures to express the hope that the two belligerent governments may, through reciprocal concessions, find a basis for agreement which will relieve neutral ships engaged in peaceful commerce from the great dangers which they will incur in the high seas adjacent to the coasts of the belligerents.

The Government of the United States respectfully suggests that an agreement in terms like the following might be entered into. This suggestion is not to be regarded as in any sense a proposal made by this Government, for it of course fully recognizes that it is not its privilege to propose terms of agreement between Great Britain and Germany, even though the matter be one in which it and the people of the United States are directly and deeply interested. It is merely venturing to take the liberty which it hopes may be accorded a sincere friend desirous of embarrassing neither nation involved and of serving, if it may, the common interests of humanity. The course outlined is offered in the hope that it may



WALTER H. PAGE
American Ambassador to Great Britain

draw forth the views and elicit the suggestions of the British and German Governments on a matter of capital interest to the whole world.

Germany and Great Britain to agree:

1. That neither will sow any floating mines, whether upon the high seas or in territorial waters; that neither will plant on the high seas

anchored mines except within cannon range of harbors for defensive purposes only; and that all mines shall bear the stamp of the Government planting them and be so constructed as to become harmless if separated from their moorings.

2. That neither will use submarines to attack merchant vessels of any nationality except to enforce the right of visit and search.

3. That each will require their respective merchant vessels not to use neutral flags for the purpose of disguise or ruse de guerre.

Germany to agree:

That all importations of food or foodstuffs from the United States (and from such other neutral countries as may ask it) into Germany shall be consigned to agencies to be designated by the United States Government; that these American agencies shall have entire charge and control without interference on the part of the German Government, of the receipt and distribution of such importations, and shall distribute them solely to retail dealers bearing licenses from the German Government entitling them to receive and furnish such food and foodstuffs to non-combatants only; that any violation of the terms of the retailers' licenses shall work a forfeiture of their rights to receive such food and foodstuffs for this purpose; and that such food and foodstuffs will not be requisitioned by the German Government for any purpose whatsoever or be diverted to the use of the armed forces of Germany.

Great Britain to agree:

That food and foodstuffs will not be placed upon the absolute contraband list and that shipments of such commodities will not be interfered with or detained by British authorities if con-

THE SINKING OF THE LUSITANIA

Official German Report—Denial That Vessel Was Armed—German Embassy Warning, Note of Regret and Policy Toward Neutral Ships

GERMAN OFFICIAL STATEMENT.

Official communication issued in Berlin May 9:

The Cunard liner Lusitania was yesterday torpedoed by a German submarine and sank. The Lusitania was naturally armed with guns, as were recently most of the English mercantile steamers. Moreover, as is well known here, she had large quantities of war material in her cargo. Her owners, therefore, knew to what danger the passengers were exposed. They alone bear all the responsibility for what has happened. Germany, on her part, left nothing undone to repeatedly and strongly warn them. The Imperial Ambassador in Washington even went so far as to make a public warning, so as to draw attention to this danger. The English press sneered at the warning and relied on the protection of the British fleet to safeguard Atlantic traffic.

DENIALS THAT SHE WAS ARMED.

The British Government made the following announcement on May 8:

The statement appearing in some newspapers that the Lusitania was armed is wholly false.

Dudley Field Malone, Collector of the Port of New York, made the following official statement regarding the charge that the Lusitania was armed when she left this port:

This report is not correct. The Lusitania was inspected before sailing, as is customary. No guns were found, mounted or unmounted, and the vessel sailed without any armament. No merchant ship would be allowed to arm in this port and leave the harbor.

GERMANY'S NOTE OF REGRET.

German Foreign Office to the German Embassy at Washington:

Berlin, May 10.

Please communicate the following to the State Department: The German Government desires to express its deepest sympathy at the loss of lives on board the Lusitania. The responsibility rests, however, with the British Government, which, through its plan of starving the civilian population of Germany, has forced Germany to resort to retaliatory measures.

In spite of the German offer to stop the submarine war in case the starvation plan was given up, British merchant vessels are being generally armed with guns and have repeatedly tried to ram submarines, so that a previous search was impossible.

They cannot, therefore, be treated

as ordinary merchant vessels. A recent declaration made to the British Parliament by the Parliamentary Secretary in answer to a question by Lord Charles Beresford said that at the present practically all British merchant vessels were armed and provided with hand grenades.

Besides, it has been openly admitted by the English press that the Lusitania on previous voyages repeatedly carried large quantities of war material. On the present voyage the Lusitania carried 5,400 cases of ammunition, while the rest of her cargo also consisted chiefly of contraband.

If England, after repeated official and unofficial warnings, considered herself able to declare that that boat ran no risk and thus light-heartedly assumed responsibility for the human life on board a steamer which, owing to its armament and cargo was liable to destruction, the German Government, in spite of its heartfelt sympathy for the loss of American lives, cannot but regret that Americans felt more inclined to trust to English promises rather than to pay attention to the warnings from the German side.

FOREIGN OFFICE.

GERMAN EMBASSY'S WARNING.

Advertisement inserted in American newspapers warning travellers of war zone dangers:

NOTICE!

TRAVELLERS Intending to embark on the Atlantic voyage are reminded that a state of war exists between Germany and her allies and Great Britain and her allies; that the zone of war includes the waters adjacent to the British Isles; that, in accordance with formal notice given by the Imperial German Government, vessels flying the flag of Great Britain, or of any of her allies, are liable to destruction in those waters and that travellers sailing in the war zone on ships of Great Britain or her allies do so at their own risk.

IMPERIAL GERMAN
EMBASSY

Washington, D. C., April 22,
1915.

GERMANY'S NEUTRAL POLICY

Text of an official declaration by the German Government received by Secretary Bryan from Ambassador Gerard at Berlin and made public on May 11. The time required by transmission makes it apparent that this declaration was formulated before the sinking of the Lusitania.

This declaration was handed to Mr. Gerard by the German Foreign Office, which explained that it was being issued as a "circular statement" in regard to "mistaken attacks by German submarines on commerce vessels of neutral nations." It reads:

First—The Imperial German Government has naturally no intention of causing to be attacked by submarines or aircraft such neutral ships of commerce in the zone of naval warfare, more definitely described in the notice of the German Admiralty staff of Feb. 4 last, as have been guilty of no hostile act. On the contrary, the most definite instructions have repeatedly been issued to German war vessels to avoid attacks on such ships under all circumstances. Even when such ships have contraband of war on board they are dealt with by submarines solely according to the rules of international law applying to prize warfare.

Second—Should a neutral ship nevertheless come to harm through German submarines or aircraft on account of an unfortunate (X) [mistake?] in the above-mentioned zone of naval warfare, the German Government will unreservedly recognize its responsibility therefor. In such a case it will express its regrets and afford damages without first instituting a prize court action.

Third—It is the custom of the German Government as soon as the sinking of a neutral ship in the above-mentioned zone of naval warfare is ascribed to German war vessels to institute an immediate investigation into the cause. If grounds appear thereby to be given for association of such a hypothesis, the German Navy places itself in communication with the interested neutral Government so that the latter may also institute an investigation. If the German Government is thereby convinced that the ship has been destroyed by Germany's war vessels, it will not delay in carrying out the provisions of Paragraph 2 above. In case the German Government, contrary to the viewpoint of the neutral Government, is not convinced by the result of the investigation, the German Government has already on several occasions declared itself ready to allow the question to be decided by an international investigation commission, according to Chapter 3 of The Hague Convention of Oct. 18, 1907, for the peaceful solution of international disputes.

SECRETARY BRYAN'S RESIGNATION.

Note of Retiring Cabinet Member, President Wilson's Acceptance of Resignation and Mr. Bryan's Formal Statement

LETTER OF RESIGNATION.

Secretary Bryan's letter tendering his resignation follows:

THE SECRETARY OF STATE.

Washington, June 8, 1915.

My Dear Mr. President—It is with sincere regret that I have reached the conclusion that I should return to you the commission of Secretary of State with which you honored me at the beginning of your Administration.

Obedient to your sense of duty and actuated by the highest motives, you have prepared for transmission to the German Government a note in which I cannot join without violating what I deem to be an obligation to my country, and the issue involved is of such moment that to remain a member of the Cabinet would be as unfair to you as it would be to the cause which is nearest my heart, namely, the prevention of war.

I therefore respectfully tender my resignation to take effect when the note is sent, unless you prefer an earlier hour. Alike desirous of reaching a peaceful solution of the problems arising out of the use of submarines against merchantmen, we find ourselves differing irreconcilably as to the methods which should be employed.

It falls to your lot to speak officially for the nation; I consider it to be none the less my duty to endeavor, as a private citizen, to promote the ends which you have in view by means which you do not feel at liberty to use.

In severing the intimate and pleasant relations which have existed between us during the past two years permit me to acknowledge the profound satisfaction which it has given me to be associated with you in the important work which has come before the State Department and to thank you for the courtesies extended.

With the heartiest good wishes for your personal welfare and for the success of your Administration, I am, my dear Mr. President, very truly yours,
W. J. BRYAN.

THE PRESIDENT'S ACCEPTANCE.

The President's acceptance of the resignation follows:

The White House, June 8, 1915.

My Dear Mr. Bryan—I accept your resignation only because you insist upon its acceptance; and I accept it with much more than deep regret—with a feeling of personal sorrow.

Our two years of close association have been very delightful to me. Our judgments have accorded in practically every matter of official duty and of public policy until now; your support of the work and purposes of the Administration has been generous and loyal beyond praise; your devotion to the duties of your great office and your eagerness to take advantage of

every great opportunity for service it afforded has been an example to the rest of us; you have earned our affectionate admiration and friendship. Even now we are not separated in the object we seek, but only in the method by which we seek it.

It is for these reasons that my feeling about your retirement from the Secretaryship of State goes so much deeper than regret. I sincerely deplore it. Our objects are the same and we ought to pursue them together.



PHOTO BY BUCK. FROM UNDERWOOD & UNDERWOOD

ROBERT LANSING
Secretary of State ad Interim

I yield to your desire only because I must, and wish to bid you Godspeed in the parting. We shall continue to work for the same causes even when we do not work in the same way. With affectionate regard,

Sincerely yours,
WOODROW WILSON.

MR. BRYAN'S STATEMENT.

The following is Mr. Bryan's formal statement, given to the press after leaving office:

My reason for resigning is clearly stated in my letter of resignation, namely, that I may employ, as a private citizen, the means which the President does not feel at liberty to employ. I honor him for doing what he believes to be right and I am sure that he desires, as I do, to find a peaceful solution of the problem which has been created by the action of the submarines.

Two of the points on which we differ, each conscientious in his conviction, are:

First, as to the suggestion of investigation by an international commission, and

Second, as to warning Americans against traveling on belligerent vessels or with cargoes of ammunition.

I believe that this nation should frankly state to Germany that we are willing to apply in this case the principle which we are bound by treaty to apply to disputes between the United States and thirty countries with which we have made treaties, providing for investigation of all disputes of every character and nature.

These treaties, negotiated under this Administration, make war practically impossible between this country and these thirty governments, representing nearly three-fourths of all the people of the world.

Among the nations with which we have these treaties are Great Britain, France and Russia. No matter what disputes may arise between us and these treaty nations, we agree that there shall be no declaration and no commencement of hostilities until the matters in dispute have been investigated by an international commission, and a year's time is allowed for inves-

tigation and report. This plan was offered to all the nations without any exceptions whatever, and Germany was one of the nations that accepted the principle, being the twelfth, I think, to accept.

Stands for Arbitration.

No treaty was actually entered into with Germany, but I cannot see that that should stand in the way when both nations indorsed the principle. I do not know whether Germany would accept the offer, but our country should, in my judgment, make the offer. Such an offer, if accepted, would at once relieve the tension and silence all the jingoes who are demanding war.

Germany has always been a friendly nation, and a great many of our people are of German ancestry. Why should we not deal with Germany according to this plan to which the nation has pledged its support?

The second point of difference is as to the course which should be pursued in regard to Americans traveling on belligerent ships or with cargoes of ammunition.

Why should an American citizen be permitted to involve his country in war by traveling upon a belligerent ship, when he knows that the ship will pass through a danger zone? The question is not whether an American citizen has a right, under international law, to travel on a belligerent ship; the question is whether he ought not, out of consideration for his country, if not for his own safety, avoid danger when avoidance is possible.

It is a very one-sided citizenship that compels a government to go to war over a citizen's rights and yet relieve the citizen of all obligations to consider his nation's welfare. I do not know just how far the President can legally go in actually preventing Americans from traveling on belligerent ships, but I believe the Government should go as far as it can, and that in case of doubt it should give the benefit of the doubt to the Government.

But even if the Government could not legally prevent citizens from traveling on belligerent ships, it could, and in my judgment should, earnestly advise American citizens not to risk themselves or the peace of their coun-

try, and I have no doubt that these warnings would be heeded.

Should Warn Americans.

President Taft advised Americans to leave Mexico when insurrection broke out there, and President Wilson has repeated the advice. This advice, in my judgment, was eminently wise, and I think the same course should be followed in regard to warning Americans to keep off vessels subject to attack.

I think, too, that American passenger ships should be prohibited from carrying ammunition. The lives of passengers ought not to be endangered by cargoes of ammunition whether that danger comes from possible explosions within or from possible attacks from without. Passengers and ammunition should not travel together. The attempt to prevent American citizens from incurring these risks is entirely consistent with the effort which our Government is making to prevent attacks from submarines.

The use of one remedy does not exclude the use of the other. The most familiar illustration is to be found in the action taken by municipal authorities during a riot. It is the duty of the Mayor to suppress the mob, and to prevent violence, but he does not hesitate to warn citizens to keep off the streets during the riots. He does not question their right to use the streets, but for their own protection and in the interest of order he warns them not to incur the risks involved in going upon the streets when men are shooting at each other.

The President does not feel justified in taking the action above stated. That is, he does not feel justified, first, in suggesting the submission of the controversy to investigation, or, second, in warning the people not to incur the extra hazards in traveling on belligerent ships or on ships carrying ammunition. And he may be right in the position he has taken, but as a private citizen I am free to urge both of these propositions, and to call public attention to these remedies in the hope of securing such an expression of public sentiment as will support the President in employing these remedies, if in the future, he finds it consistent with his sense of duty to favor them.

STATUS OF THE DECLARATION OF LONDON.

Notes Relating to the Application of Laws of Naval Warfare as Laid Down in 1909

INQUIRY OF MR. BRYAN.

The Secretary of State to Ambassador W. H. Page. Same mutatis mutandis to the American Embassies at St. Petersburg, Paris, Berlin and Vienna and the American Legation at Brussels:

Department of State,
Washington, August 6, 1914.

Mr. Bryan instructs Mr. Page to inquire whether the British Government is willing to agree that the laws of naval warfare as laid down by the

Declaration of London of 1909 shall be applicable to naval warfare during the present conflict in Europe provided that the governments with whom Great Britain is or may be at war also agree to such application. Mr. Bryan further instructs Mr. Page to state that the Government of the United States believes that an acceptance of these laws by the belligerents would prevent grave misunderstandings which may arise as to the relations between neutral powers and the belligerents. Mr. Bryan adds that it is earnestly hoped that this inquiry may

receive favorable consideration.

On August 13, Ambassador Penfield notified the Secretary of State that the Austria-Hungarian Government had instructed their forces to observe stipulations of Declaration of London as applied to naval as well as land warfare during the present conflict conditional on like observance on part of the enemy.

The German Government, on August 20, notified this Government, through Ambassador Gerard, that it would apply the Declaration of London, pro-