

Germany's Reply to American Note

The text of Germany's reply to the American note of June 10, 1915, as carried in the press reports, follows:

Berlin, July 9, 1915.

"The undersigned has the honor to make the following reply to his excellency, Ambassador Gerard, to the note of the 10th ultimo, re the impairment of American interests by the German submarine war. The Imperial German government learned with satisfaction from the note how earnestly the government of the United States is concerned in seeing the principles of humanity realized in the present war. Also this appeal finds ready echo in Germany and the imperial government is quite willing to permit its statements and decisions in the present case to be governed by the principle of humanity, just as it has done always.

"The Imperial German government welcomed with gratitude when the American government in the note of May 15 itself recalls that Germany had always permitted itself to be governed by the principles of progress and humanity in dealing with the law of maritime war. Since the time when Frederick the Great negotiated with John Adams, Benjamin Franklin and Thomas Jefferson the treaty of friendship and commerce of September 9, 1785, between Prussia and the republic of the west, German and American statesmen have in fact always stood together in the struggle for the freedom of the seas and for the protection of peaceable trade. In the international proceedings which since have been conducted for the regulation of the laws of maritime war, Germany and America have jointly advocated progressive principles, especially the abolishment of the right of capture at sea and protection of the interest of neutrals.

"Even at the beginning of the present war the German government immediately declared its willingness, in response to proposals of the American government, to ratify the declaration of London and thereby subject itself in the use of its naval forces to all the restrictions provided therein in favor of neutrals. Germany likewise has been always tenacious of the principle that war should be conducted against the armed and organized forces of an enemy country, but that the enemy civilian population must be spared as far as possible from the measures of war. The Imperial government cherishes the definite hope that some way will be found when peace is concluded, or perhaps earlier, to regulate the law of maritime war in a manner guaranteeing the freedom of the seas, and will welcome it with gratitude and satisfaction if it can work hand-in-hand with the American government on that occasion.

"If in the present war the principles which should be the ideal of the future have been traversed more and more, the longer its duration, the German government has no guilt therein. It is known to the American government how Germany's adversaries, by completely paralyzing peaceable traffic between Germany and neutral countries, have aimed from the very beginning and with increasing lack of consideration at the destruction not so much of the armed forces as the life of the German nation, repudiating in doing so, all the rules of international law and disregarding all rights of neutrals.

"On November 3, 1914, England declared the North sea a war area and by planting poorly anchored mines and by the stoppage and capture of vessels made passage extremely dangerous and difficult for neutral shipping, so by actually blockading neutral coasts and ports contrary to all international law. Long before the beginning of submarine warfare England practically completely intercepted legitimate neutral navigation to Germany also. Thus Germany was driven to a submarine war on trade.

"On November 14, 1914, the English premier declared in the house of commons that it was one of England's principal tasks to prevent food for the German population from reaching Germany via neutral ports. Since March 1 England has been taking from neutral ships without further formality all merchandise proceeding to Germany as well as all merchandise coming from Germany, even when neutral property. Just as it was also with the Boers, the German people are now to be given the choice of perishing from starvation with its women and children or of relinquishing its independence.

"While our enemies thus loudly and openly proclaimed war without mercy until our utter

destruction, we were conducting a war of self-defense for our national existence and for the sake of peace of an assured permanency. We have been obliged to adopt a submarine warfare to meet the declared intentions of our enemies and the method of warfare adopted by them in contravention of international law.

"With all its efforts in principle to protect neutral life and property from damage as much as possible, the German government recognized unreservedly in its memorandum of February 4 that the interests of neutrals might suffer from the submarine warfare. However, the American government will also understand and appreciate that in the fight for existence which has been forced upon Germany by its adversaries and announced by them, it is the sacred duty of the Imperial government to do all within its power to protect and save the lives of German subjects. If the Imperial government were derelict in these, its duties; it would be guilty before God and history of the violation of those principles of highest humanity which are the foundation of every national existence.

"The case of the Lusitania shows with terrible clearness to what jeopardizing of human lives the manner of conducting war employed by our adversaries leads. In the most direct contradiction of international law all distinctions between merchantmen and war vessels have been obliterated by the order of the British merchantmen to arm themselves and to ram submarines, and the promise of reward; therefore, and neutrals who use merchantmen as travelers thereby have been exposed in an increasing degree to all the dangers of war.

"If the commander of the German submarine which destroyed the Lusitania had caused the crew and passengers to take to the boats before firing a torpedo, this would have meant the sure destruction of his own vessel. After the experiences in sinking much smaller and less seaworthy vessels, it was to be expected that a mighty ship like the Lusitania would remain above water long enough even after the torpedoing to permit passengers to enter the ship's boats. Circumstances of a very peculiar kind, especially the presence on board of large quantities of highly explosive materials defeated this expectation. In addition, it may be pointed out that if the Lusitania had been spared thousands of cases of munitions would have been sent to Germany's enemies and thereby thousands of German mothers and children robbed of breadwinners.

"In the spirit of friendship, wherewith the German nation has been imbued toward the United States and its inhabitants since the earliest days of its existence, the Imperial government will always be ready to do all it can during the present war also to prevent the jeopardizing of lives of American citizens. The Imperial government, therefore, repeats the assurance that American ships will not be hindered in the prosecution of legitimate shipping and the lives of American citizens in neutral vessels shall not be placed in jeopardy.

"In order to exclude any unforeseen dangers to American passenger steamers, made possible in view of the conduct of maritime war by Germany's adversaries, German submarines will be instructed to permit the free and safe passage of such passenger steamers when made recognizable by special markings and notified a reasonable time in advance. The Imperial government, however, confidently hopes that the American government will assume to guarantee that these vessels have no contraband on board, details of arrangement for the unhampered passage of these vessels to be agreed upon by the naval authorities of both sides.

"In order to furnish adequate facilities for travel across the Atlantic for American citizens, the German government submits for consideration a proposal to increase the number of available steamers by installing in passenger service a reasonable number of neutral steamers under the American flag, the exact number to be agreed upon under the same conditions as the above mentioned American steamers.

"The Imperial government believes it can assume that in this manner adequate facilities for travel across the Atlantic ocean can be afforded American citizens. There would therefore appear to be no compelling necessity for American citizens to travel to Europe in time of war on ships carrying an enemy flag. In particular the Imperial government is unable to admit that American citizens can protect an enemy ship through the mere fact of their presence on board.

"Germany merely followed England's example when she declared part of the high seas an area

of war. Consequently, accidents suffered by neutrals on enemy ships in this area of war can not well be judged differently from accidents to which neutrals are at all times exposed at the seat of war on land when they betake themselves into dangerous localities in spite of previous warnings. If, however, it should not be possible for the American government to acquire an adequate number of neutral passenger steamers, the imperial government is prepared to interpose no objections to the placing under the American flag by the American government of four enemy passenger steamers for passenger traffic between North America and England. Assurances of 'free and safe' passage for American passenger steamers would extend to apply under the identical pro-conditions to these formerly hostile passenger steamers.

"The president of the United States has declared his readiness in a way deserving of thanks, to communicate and suggest proposals to the government of Great Britain with particular reference to the alteration of maritime war. The imperial government will always be glad to make use of the good offices of the president and hopes that his efforts in the present case as well as in the direction of the lofty ideal of the freedom of the seas will lead to an understanding. The undersigned requests the ambassador to bring the above to the knowledge of the American government and avails himself of the opportunity to renew to his excellency the assurance of his most distinguished consideration.

"VON JAGOW."

STATEMENT BY MR. BRYAN

Press dispatches from Los Angeles, Cal., under date of July 11, carried the following statement issued by Mr. Bryan concerning Germany's reply to the American note of June 10, 1915:

"I have not had an opportunity to read many editorials in full but I have read extracts from a number of editorials as they have been reproduced in San Francisco and Los Angeles papers. In selecting editorials for reproduction everything depends on the judgment exercised in making the selections. It is improper to judge from the few that have been reproduced what the general sentiment is.

"The bias of the editor or purchaser must always be born in mind when one reads an editorial, because the bias largely determines the tone of the comment.

"We have in this country a number of newspapers which strongly sympathize with the Allies and a number of papers which strongly sympathize with Germany, but the great majority of the people are neutral in feeling as well as in impression and do not take the extreme views represented by either of the groups above-mentioned.

"To illustrate what I mean—if you will read the papers which strongly sympathize with the Allies you will find that, either intentionally or unintentionally, they urge our government to pursue a course which would be helpful to the Allies and injurious to Germany; the papers that strongly sympathize with Germany on the other hand urge a course which would be helpful to Germany and hurtful to the Allies. Each side, influenced quite naturally by its sympathies, now so defines national honor as to carry out its views. The mass of the American people, however, if I know their sentiments, are interested solely protesting against encroachments on American interests.

"It is just as unneutral for a pro-ally paper to insist upon our helping the Allies as it is unneutral for the pro-German papers to insist upon our helping Germany. The pro-ally papers want this government to stop the submarine warfare and the pro-German papers want us to put an embargo on arms and ammunition, but as a neutral nation we have no more right to interfere in the interests of the Allies than we have to interfere in the interests of Germans.

"Each individual has his opinion as to the inhumanity of drowning or starving non-combatants, but it is not our business as a neutral nation to regulate the methods employed by the belligerents in dealing with each other, except insofar as we find it necessary to do so to protect American rights or can by our good offices influence them to moderate their conduct toward each other.

"I believe that a large majority of the people will heartily approve any step the president may see fit to take to keep Americans from the danger zone or keeping them from contraband ships. It is not a sacrifice of rights to avoid unnecessary risks."