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## THE QUESTIONS OF NEUTRALITY

Some of the Perplexing Problems Which Will Confront the President, if Congress Gives Him Authority to Arm American Ships—Active Participation in War Remote.

It may be an easy thing to give the executive branch of the United States Government authority to furnish guns to American merchantmen, but it is difficult to delimit the extent of responsibility which that government must assume for the action of American sea captains thereafter.

Were the United States a belligerent, the solution of these questions according to well established principles of international law might not be so complicated, but our government still intends only a state of armed neutrality, a physical assertion of rights and resistance to ill-treatment.

The colloquy in the Senate between Senators Lodge, La Follette, Norris, and Fall, while largely academic, reveals nevertheless the limits of controversy which it is possible to meet on the subject of arming merchant vessels of the United States.

The Wisconsin Senator was satisfied, however, that he might have got it by studying a few chapters of international law, or turning to the diplomatic correspondence issued by the State Department since the outbreak of the European war.

Turning to what is known as municipal law, there is no authority in the Executive Department of the Government to permit American merchantmen to arm defensively. Here is the last statute enacted nearly a hundred years ago.

The commander and crew of any merchant vessel of the United States owned wholly or in part by a citizen thereof may oppose and defend against any aggression, search, restraint, deprivation, or seizure which shall be attempted upon such vessel, or upon any other vessel so owned by the commander or crew of any armed vessel whatsoever not being a public armed vessel of some nation in amity with the United States and may also retake any vessel so owned which may have been captured by the commander or crew of any such vessel.

The above statute was intended to cover piracy, Senator Fall remarked that in his judgment submarines were "pirates" but he added that there are two interpretations of piracy, that which might be defined by American municipal law, and that which might be defined in international law by a belligerent.

Clearly the whole question turns on the matter of commissioning war vessels. Submarines are operating by direct commission or order of a government. They are public armed ships. The German Government assumes full responsibility for their acts. They must therefore be considered as vessels of war, though this does not necessarily imply submission by neutrals or belligerents to their acts.

But that does not dispose of the subject. The entrance of the submarine into modern warfare as a commerce destroyer introduces a conflict between two established principles of international law, that which provides for the exercise of the right of visit and search, and the other permits the use of armament for defensive purposes.

It is a submarine is obviously pursuing a ship by day, and it is evident to the master that she has hostile intentions, the ship pursued should open fire in self-defense, notwithstanding the submarine may not have committed a definite hostile act, such as firing a gun or torpedo.

From this also concludes the German Government, the "mere appearance of a submarine in the wake of a merchantman affords sufficient occasion for an armed attack."

The question which the United States Government must soon decide is how far the British view of the use of defensive armament is to be accepted. Unquestionably, there is a great deal to be said in favor of opening fire on a submarine whose "undoubted purpose is to sink a merchantman without warning."

On the other hand, it might be argued that Germany's official notice and refers to "all ships" encountered within the war zone as liable to attack without warning. Press dispatches to be sure, are not the bases for official action.

Obviously, the State Department must decide the points involved here, however, the United States Government must declare itself once and for all, whether or not it recognizes the submarine as a commerce raider entitled to cruiser's rights.

In the first note sent after the Lusitania tragedy, the American Government declared that it did not see how it was practicable for submarines to perform the work of commerce raiders and have due regard for the "safety of non-combatants."

Prior to the year 1915 belligerent operations against enemy commerce on the high seas have been conducted on cruisers carrying heavy armaments. Under these conditions international law appeared to permit a merchant vessel to carry an armament for defensive purposes without losing its character as a private commercial vessel.

The use of the submarine, however, has changed these relations. Comparison of the defensive strength of a vessel of war, and a submarine shows the latter, relying for protection on its power to submerge, is almost defenceless in point of construction.

Even a merchant ship carrying a small armament would be able to use it effectively for offence against a submarine. Moreover, pirates and sea rovers have been swept from the main trade channels of the seas, and privateering has been abolished.

From this was the German Foreign Secretary's comment, it is apparently the duty of the merchantman "in prin-

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Many perplexing questions remain to be settled, and their very array suggests that America will not become a belligerent and will not send armies to Europe, but will confine her activities to local maritime warfare in the sea zones immediately surrounding Europe's belligerent domains.

MEM OF THE 18TH BUFFS.

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LOCAL BOWLING.

The Sweeps not only captured the four points from the Amateurs last night in the City League, but broke three records. A total of 351 for three strings is a new league record; Ferguson, with a single string of 137, made a record, the former one being 136, held by Riley. The third record was the grand total of 1571, the former record of the league being held by the Ramblers, 1532.

The individual scores follow:

Table with columns for names and scores. Includes names like McIlveen, Jenkins, Fosham, Ferguson, Sullivan.

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