

contact mines which do not become innocuous as soon as they have broken their moorings. As this convention was to be in force for seven years, it became inoperative on the 9th of October last. And inasmuch as the discussion of the subject revealed a considerable difference of opinion, it seems very doubtful whether even this "emasculated convention" (as Mr. Westlake calls it) would be renewed. Great Britain strenuously argued in favour of the greatest possible restriction of the right to use mines in order to insure the security of neutrals in the navigation of the high seas. The German delegation on the other hand advanced the view that it would be well not to issue rules the strict observance of which might be rendered impossible by the force of things; that military acts are not governed solely by principles of international law but by conscience, good sense and the sentiment of duty imposed by principles of humanity, which would be the surest guides for the conduct of sailors and would constitute the most effective guarantee against abuses. And Baron Marschall von Bieberstein, the spokesman of the delegation, added: "The officers of the German navy, I loudly proclaim it, will always fulfil in the strictest fashion the duties which emanate from the unwritten law of humanity and civilization." This certainly sounds a good deal better than the sentiments of Major-General von Disfurth, but the North Sea fishermen and the inhabitants of Hartlepool, Scarborough and Whitby, may be pardoned for thinking that the noble baron had underestimated the degree of "Kultur" of the naval branch of the service.

This brings me to the consideration of another point in connection with bombardments by naval forces. By the first article of the ninth convention of the Hague Conference of 1907, "the bombardment by naval forces of ports, towns, villages, habitations or buildings which are not defended is prohibited."

A second paragraph providing that "A locality cannot be bombarded for the sole fact that automatic submarine contact mines are moored before its port," was not assented to by Great Britain, France, Germany and Japan. Mr. Westlake is of opinion (vol. 2, p. 182) that the objection is well founded because "a place cannot be deemed undefended when means are taken to prevent an enemy from occupying it. The price of immunity from bombardment is that the place shall be left open to the enemy to enter."