

# United States Warns Germany Future Sub. Warfare to be Considered 'Unfriendly'

## President Wilson Reasons With Enemy that Plan of Campaign May be Mitigated to Provide for Safe Passage of Neutrals in War Zone and Emphasizes America's Stand for Freedom of the Seas.

Washington, July 23.—The text of the American Note on submarine warfare, presented at Berlin to-day by Ambassador Gerard, was made public here to-night. It reveals that the Imperial government has been informed that it is the intention of the United States to regard as "deliberately unfriendly" any repetition by the commanders of German naval vessels of acts in contravention of American rights.

The United States announces that it will continue to contend for the freedom of the seas, "from whatever quarter violated, without compromise and at any cost."

**Emphatic Pronouncement.**

In official and diplomatic quarters the communication was received as the strongest and most emphatic pronouncement that has come from the Washington government since the beginning of its correspondence with the belligerents of Europe. President Wilson returned to Cornish, N.H., to-night to await developments.

On the assumption that Germany has already admitted the illegality of her practices by attempting to justify them as against Great Britain, the United States in the new Note expresses the belief that Germany will no longer "restrain from disavowing the wanton act of its naval commander in sinking the Lusitania or from offering reparation for the American lives lost so far as reparation can be made for a needless destruction of human life by an illegal act."

**Co-operation Invited.**

Referring to the German government's expression of hope in its last Note that the freedom of the seas may be established in some measure before the end of the present war,

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unpardonable offence against the sovereignty of the neutral nation affected.

The United States, it is further asserted, is "not unmindful of the extraordinary conditions" created by the present war and is "ready to make every reasonable allowance for these novel and unexpected aspects of war at sea," but cannot consent "to abate any essential or fundamental right of its people because of a mere alteration of circumstances."

**Remove causes of offence.**

The Note says that events of the past two months clearly indicate that it is "possible and practical" to conduct submarine operations "in substantial accord with the accepted practices of regulated warfare." The comment is added that the "whole world has looked with interest and increasing satisfaction at the demonstration of this fact by German naval commanders and that it is "manifestly possible to lift the whole practice of submarine attack above the criticism which it has aroused and remove the chief causes of offence."

**Exemption of Germans.**

"The government of the United States is, however, keenly disappointed to find that the Imperial is in large degree exempt from the obligation to observe these principles even where neutral vessels are concerned, by what it believes the policy and practice of the government of Great Britain to be in the present war with regard to neutral commerce. The Imperial German government will readily understand that the government of the United States can not discuss the policy of the government of Great Britain with regard to neutral trade except with that government itself, and that it must regard the conduct of other belligerent governments as irrelevant to any discussion with the Imperial German government of what this government regards as grave and unjustifiable violations of the rights of American citizens by German naval commanders. Illegal and inhuman acts, however justifiable they may be thought to be against an enemy who is believed to have acted in contravention of law and humanity, are manifestly indefensible when they deprive neutrals of their acknowledged rights, particularly when they violate the right to life itself. If a belligerent can not retaliate against an enemy without injuring the lives of neutrals, as well as their property, humanity, as well as justice and a due regard for the dignity of neutral powers, should dictate that the practice be discontinued. If persisted in it would in such circumstances constitute an unpardonable offence against the sovereignty of the neutral nation affected."

**Reasonable Allowance.**

"The government of the United States is not unmindful of the extraordinary conditions created by this war, or of the radical alterations of circumstances and method of attack produced by the use of instrumentalities of naval warfare which the nations of the world can not have had in view when the existing rules of international law were formulated, and it is ready to make every reasonable allowance for these novel and unexpected aspects of war at sea; but it cannot consent to abate any essential or fundamental right of its people because of a mere alteration of circumstance. The rights of neutrals in time of war are based upon principle, not upon expediency, and the principles are immutable. It is the duty and obligation of belligerents to find a way to adapt the new circumstances to them."

**Prevention Possible.**

"The events of the past two months have clearly indicated that it is possible and practicable to conduct such submarine operations as have characterized the activity of the Imperial German navy within the so-called war zone in substantial accord with the accepted practices of regulated warfare. The whole world has looked with interest and increasing satisfaction at the demonstration of that possibility by German naval commanders. It is manifestly possible, therefore, to lift the whole practice of submarine attack above the criticism which it has aroused and remove the causes of offence."

**Illegality Admitted.**

"In view of the admission of illegality made by the Imperial government when it pleaded the right of retaliation in defence of its acts, and in view of the manifest possibility of

conforming to the established rules of naval warfare, the government of the United States can not believe that the Imperial government will longer refrain from disavowing the wanton act of its naval commander in sinking the Lusitania or from offering reparation for the American lives lost, so far as reparation can be made for a needless destruction of human life by an illegal act.

**Will Not Agree on Vessels.**

"The government of the United States, while not indifferent to the friendly spirit in which it is made, can not accept the suggestion of the Imperial German government that certain vessels be designated and agreed upon which shall be free on the seas now illegally proscribed. The very agreement would, by implication, subject other vessels to illegal attack and would be a curtailment and therefore an abandonment of the principles from which in times of calmer counsels every nation would concede as of course.

**Solemn Incisiveness.**

"The government of the United States and the Imperial German government are contending for the same object, have long stood together in urging the very principles, upon which the government of the United States now so solemnly insists. They are both contending for the freedom of the seas. The government of the United States will continue to contend for that freedom, from whatever quarter violated, without compromise and at any cost. It invites the practical co-operation of the Imperial German government at this time when co-operation may accomplish most and this great common object be most strikingly and effectively achieved."

"The Imperial German government expresses the hope that this object may be in some measure accomplished even before the present war ends. It can be. The government of the United States not only feels obliged to insist upon it, by whomsoever violated or ignored, in the protection of its own citizens, but is also deeply interested in seeing it made practicable between the belligerents themselves, and holds itself ready at any time to act as the common friend who may be privileged to suggest a way.

**Further Acts 'Unfriendly.'**

"In the meantime the very value which this government sets upon the long and unbroken friendship between the people and government of the United States and the people and government of the German nation impels it to press very solemnly upon the Imperial German government the necessity for a scrupulous observance of neutral rights in this critical matter. Friendship itself prompts it to say to the Imperial German government that repetition by the commanders of German naval vessels of acts in contravention of those rights must be regarded by the government of the United States, when they affect American citizens, as deliberately unfriendly."

(Signed) "LANSEING."

At the outset the German Note of July 8 is declared, "very unsatisfactory because it fails to meet the real differences between the two governments and indicates no way in which the accepted principles of law and humanity may be applied in the grave matter in controversy, but proposes, on the contrary, arrangements for a partial suspension of those principles which virtually set them aside."

**Freedom of the Seas.**

"The government of the United States notes with satisfaction that the Imperial German government recognizes without reservation the validity of the principles insisted on in the several communications which this government has addressed to the Imperial German government with regard to its announcement of a war zone and the use of the submarines against merchantmen on the high seas—the principle that the high seas are free, that the character and cargo of a merchantman must first be ascertained before she can lawfully be seized or destroyed, and that the lives of non-combatants may in no case be put in jeopardy unless the vessel resists, or seeks to escape, after being summoned to submit to examination; for a belligerent act of retaliation is per se an act beyond the law, and the defense of an act as retaliatory is an admission that it is illegal."

**Note Unsatisfactory.**

"The Note of the Imperial German Government dated the 8th of July, 1915, has received the careful consideration of the government of the United States and it regrets to be obliged to say that it has found it very unsatisfactory, because it fails to meet the real differences between the two governments and indicates no way in which the accepted principles of law and humanity may be applied in the grave matter in controversy, but proposes, on the contrary, arrangements for a partial

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