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HIRSCH'S

ENGLAND TO ENFORCE COMMERCE BLOCKADE

Urges That U. S. Has Recourse to International Arbitration.

REPLIES TO TWO NOTES.

Makes It Plain That Great Britain Will Not Allow Protests to Stand in Case of Goods Detained.

Washington, Aug. 3.—Great Britain's replies to the latest American representations against interferences with neutral commerce reject entirely the contention that the orders-in-council are illegal and justify the British course as being wholly within international law.

"Unsustainable either in point of law or upon principles of international equity," is the British reply to the American protest against the blockade of neutral ports, with an invitation to submit to international arbitration any cases in which the United States is dissatisfied with the action of the British prize courts.

Great Britain's reply in two notes was made public here tonight and in London simultaneously by agreement between the government. With the note was made public also the correspondence over the American steamer Neches seized by the British while en route from Rotterdam to the United States with good of German orgin.

Changed conditions of warfare, the British note contends require a new application of the principles of international law. The advent of the submarine, the airship and the alleged atrocities by German troops in Belgium are cited as justification for the exercise of extreme measures. The blockade is justified on the contention that the universally recognized fundamental principle of a blockade is that a belligerent is entitled to cut off "by effective means the sea-borne commerce of his enemy."

The note reiterates that Great Brtain will continue to apply the orders-in-council complained of, although not without every effort to avoid embarrassment to neutrals, and observes that the American statistics show that any loss in trade with Germany and Austria has been more than over-balanced by the increase of other industrial activities due to the war.

In the general reply to the American representations against the orders-in-council, Sir Edward Grey, the foreign minister, addressing Ambassador Page, begins by expressing the hope that he may be able to convince the adminstration in Washington "that the measures we have announced are not only reasonable and necessary in themselves, but constitute no more than an adaptation of the old principles of blockade to the peculiar circumstances with which we are confronted.

"I need scarcely dwell," wrote Sir Edward, "on the obligations incumbent upon the allies to take every step in their power to overcome their common enemy in view of the shocking violation of the recognized rules and principles of civilized warfare of which he has been guilty during the present struggle."

Sir Edward refers to atrocities in Belgium, poisoning of wells in German Southwest Africa, use of poisonous gases against the allied troops in Flanders and the sinking of the Lusitania to show "how indispensable it is that we should leave unused no justifiable method of defending ourselves."

Taking up the question of the allied blockade of neutral ports the note continues:

"In the various notes which I have received from Your Excellency, the right of a belligerent to establish a blockade of the enemy ports is admitted, a right which has obviously na value save in so far as it gives power to a belligerent to cut off the sea-borne exports and imports of his enemy. The contention which I understand the United States government now puts forward is that if a belligerent is so circumstanced that his commerce can pass through adjacent neutral ports as easily as through ports in his own territory, his opponent has no right to interfere and must restrict his measures of blockade in such a manner as to leave such avenues of commerce still open to his adversary. This is a contention which His Majesty's government feels unable to accept and which seems to them unsustainable either in point of law or upon principles of international equity.

"They are unable to admit that a belligerent violates any fundamental principle of international law by applying a blockade in such a way as to cut off the enemy's commerce with foreign countries through neutral ports, if the circumstances render such an application of the principles of blockade the only means of making it effective. The government of the United States, indeed, intimates its readiness to take into account the great changes which have occurred in the conditions and means of naval warfare since the rules hitherto governing legal blockade were formulated and recognizes that the form of close blockade with its cordon of ships in the immediate offing of the blockaded ports is no longer practicable in the face of an enemy possessing the means and opportunity to make an effective defense by the use of submarines, mines and air-craft.'

"The only question then, which can arise, in regard to the measures resorted to for the purpose of carrying out a blockade upon these extended lines is, whether, to use Your Excellency's words, 'they conform to the spirit and principles of the essence of the rules of war and we shall be content to apply this test to the action which we have taken in so far as it has necessitated interference with neutral commerce."

Sir Edward then refers to the American Civil War blockade of 3,000miles of coast with a small number of vessels and recalls how the United States finally took recourse to blockading "neighboring neutral territory which afforded convenient centers from which contraband could be introduced into Confederate territory and from which blockade running could be facilitated."

"Your Excellency will no doubt remember," wrote Sir Edward, "how, in order to meet this new difficulty, the old principles relating to contraband and blockade were developed and the doctrine of continuous voyage was applied and enforced, under which goods destined for the enemy territory were intercepted before they reached the neutral ports from which they were to be re-exported.

"The difficulties which imposed upon the United States the necessity of re-shaping some of the old rules are somewhat akin to those with which the allies are now faced in dealing with the trade of their enemy. Adjacent to Germany are various neutral countries which afford her convenient opportunities for carrying on her trade with foreign countries. Her own territories are covered by a network of railways and waterways, which enables her commerce to pass as conveniently through ports in such neutral countries as through her own. A blockade limited to enemy commerce would leave open routes by which every kind of German commerce could pass almost as easily as through the ports in her own territory.

"Rotterdam is indeed the nearest outlet for some of the industrial districts of Germany. * * * * It seems accordingly that if it be recognized that a blockade is in certain cases the appropriate method of intercepting the trade of an enemy country and if the blockade can only become effective by extending it to enemy commerce passing through neutral ports, such an extension is defensible and in accordance with principles which have met with general acceptance."

The note then refers to the case of

(Continued on Page Six.)

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