

3rd Day.]

DECLARATION OF LONDON.

[1 June, 1911.]

Mr. BRODEUR : It would be in neutral vessels ?

Sir EDWARD GREY : Yes.

Mr. BRODEUR : In such a case under the Declaration of London it would be referred to a court in which you would have some representatives ?

Sir EDWARD GREY : On appeal, yes. I took the case of the Russo-Japanese War, when there were several cases of our vessels, when we were neutral, being seized by the Russian Navy. The owners of our vessels have had to fight their cases before the Russian Prize Courts, composed purely of Russians, and to accept their decision, from which there is no appeal. Under the Prize Court Convention and the Declaration of London they would first of all have had to fight it before the Russian Prize Court, but, if we were not satisfied with the decision of the Russian Prize Court, the Russian Government would be bound, after ratifying those agreements, to admit the appeal and defend their case before the international court, on which we, as well as they, would be represented.

The PRESIDENT : That is a clear gain for neutrals.

Sir EDWARD GREY : That is a clear gain for neutrals; and as to belligerents, I can only say that it is better to have some rules than to have none at all if you want to secure that your food supply is not interfered with in time of war. At present there are none at all. Under the Declaration of London there will be certain rules, and, although they may not be entirely satisfactory, they are better than none. That is the point about food supplies.

Now, as to the sinking of ships. The Russian Navy, as I have said, sank some of our ships when we were neutral. I was not in office, of course, when the Russo-Japanese War was going on : the previous Government was in office, but when I came into office the situation I found was that some of our ships had been sunk some months before in the war, and that we were claiming compensation. The Russian Government claimed the right to sink. We denied the right to sink.

The PRESIDENT : I suppose you denied it on principle ?

Sir EDWARD GREY : We denied it on principle. I gather since I made those declarations that our own ground has not been so strong, whatever it may have been in recent years, because in past years I think our naval officers have sunk neutral vessels, and we have had some high legal authorities who have claimed that we should have the right to sink.

The PRESIDENT : Lord Stowell.

Dr. FINDLAY : In 1815.

Sir EDWARD GREY : Yes. I was told that was our view at the time and I put it forward. Assuming that was our view, my first thought was this—I never put it into official form : if another country is going to claim the right to sink neutral vessels and we say they ought not to be sunk, we had better be prepared, as soon as a British neutral merchant vessel is interfered with and sunk by a belligerent, to go to war about it and through our force prevent it, but then on reflection I thought : “ That will not really be a remedy.” We did not go to war with Russia in the Russo-Japanese War when she sank neutral merchant vessels, and the country never really will go to war because one or two merchant vessels are sunk; they will say : “ That is a case for the prize court; claim compensation, but do not interfere with the course of trade and everything else by making it a *casus belli*”; and in practice our course will be to protest, as was done in the case of the Russo-Japanese War, and to bring