

# Sir Ernest Satow's Private Letters, Volume III

The Satow-Reay Correspondence (1907-1921)

Sir Ernest Satow's Private Letters, Volume III:  
The Satow-Reay Correspondence (1907-1921)

Edited by Ian Ruxton  
With a Foreword by J.E. Hoare

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Donald James Mackay, 11th Lord Reay (1839-1921)

## Sir Ernest Satow's Private Letters, Volume III

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### Foreword

Sir Ernest Satow had clearly known Donald Mackay, 11th Lord Reay (1839-1921) a Dutch-born British administrator and Liberal politician for some time before the bulk of the letters that make up this collection were written, but they became friends as delegates to the Second Hague Peace Conference in 1907. Naturalized as a British subject in 1877, Reay was Governor of Bombay (Mumbai) from 1885-1890, and later undersecretary of state for India in Lord Rosebery's 1894-1895 cabinet. He was president for the Royal Asiatic Society, headed University College London, and was the first president of the British Academy.

The letters show a very different Satow from the East Asian scholar and diplomat of the years before his retirement. International law was now his field, leading to *Satow's Guide to Diplomatic Practice* (1917). He was also a dedicated Christian who played a role in local government and in war-time relief work, and an increasingly firm conservative in his political and social views. He remained a scholar, reading widely in a variety of languages – but not Japanese or Chinese. Requests for writing or comments on Japan had long been pushed towards others. Writing Japanese history was by 1912 “out of my current line”, and he had given away all his books on the subject. By 1921, he claimed to have forgotten most of his Japanese. Issues such as the law of the sea, or contraband in time of war were now what interested him. His Christianity was shared with Reay and was increasingly Calvinistic although he was clearly attracted by some aspects of mysticism. Both professed to wanting Christian unity but this was essentially Protestant unity; Satow's leanings towards Rome were now firmly behind him. Religion did not prevent him passing pointed remarks on some old acquaintances. Reay too could be sharp. To each other, at least, they expressed a dislike of Jews.

Neither had they much time for democracy. To them, the working class had too much power and strikes, especially on the railways and in the mines, which had a direct influence on the lives, were a bad thing. David Lloyd George was looked upon askance, even when he was successful. The 1909 “People's Budget” was a particular source of anguish. Although Reay opposed the House of Lords attempts to block it, Satow consistently maintained that the Lords were a more “representative body” than the Commons. There is a curious contemporary ring about some of his comments, echoing the current British arguments over leaving the European Union. On 23 February 1908, he wrote to Reay: “All that talk about the ‘will’ of the people seems to me the worst kind of demagogism. If the will of the people is to govern England, the uneducated, ignorant and unthinking people, the country will be ruined.” Party politics were despised since they turned honest representatives into voting fodder.

They shared strong views about who should and should not have the vote. Women fell clearly into the latter category, as did most of the feckless working class. Both objected to the theatre dealing with religious themes. Satow in 1916 expressed the hope that a tax would be introduced on theatres and picture houses, where workers spent far too much. He also hoped

that wartime reduction in wood pulp imports would force the poor to save money as newspapers would be too expensive. But in Satow's view, workers should not reduce the number of their children: "The limitation of families is to my mind a horrible sin, converting a wife into something little better than a prostitute. I am glad that nothing like that has ever occurred in my family." One wonders how he knew!

As early as November 1913, Satow wrote that "I am becoming more and more a reactionary." The world of the dashing bachelor of the 1860s had been well and truly left behind. On medical grounds, he stopped drinking and smoking. In public, he continued to be polite and friendly but in private, a rather complex and perhaps unlikeable person emerges.

Ian Ruxton has once again put us all in his debt. Over many years, he has brought Satow's papers out of the relative obscurity of the British National Archives to a much wider audience. Hitherto, they have been of most interest to those concerned with Japan and China. This welcome volume brings out a very different side of Satow's life and interests.

J E Hoare

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#### Paper In Japanese

「神園」第二十一号 令和元年五月  
明治神宮国際神道文化研究所  
明治維新百五十年記念特別展 ギャラリートーク③  
ラックストン・イアン  
「外交官アーネスト・サトウが見た明治日本  
—— 江戸開城談判から条約改正まで ——」

*Kamizono* No. 21, May 2019 (Journal of the Meiji Jingu Intercultural Research Institute)  
Meiji Restoration 150th Anniversary Commemorative Special Exhibition,  
Gallery Talk no. 3

Ian Ruxton, 'Meiji Japan through the eyes of diplomat Ernest Satow: from the talks to surrender Edo Castle to the Treaty Revision'

PRO 30/33 11/12  
Correspondence from Lord Reay  
December 1907 – November 1913

1. 6. XII. 07 [after the Hague Peace Conference]

LAIDLAWSTIEL<sup>1</sup>

GALASHIELS, N.B. [North Berwick]

“Ans[wered] 8/12” [See PRO 30/33 11/15, p.199 below.]

Dear Satow,

I send you Belgian Hansard which Beernaert<sup>2</sup> sent me for you. Have you read Stead<sup>3</sup> in Contemporary? But worse than Stead is E. Dicey<sup>4</sup> in Empire Review of June and November. He says that our “twaddle” was the worst of all and that Germany saved us! And this is Imperialism! Your letter interested me very much. I cannot understand that the F.O. accepts the foray of the Admiralty in matters which are not technical, but juridical.

I cannot be in Paris without seeing [Louis] Renault and talking over Conference issues, but of course I shall not commit the F.O. Tomorrow I go to Carolside, Earlston, Berwickshire and on the 16<sup>th</sup> to London. Today we have sunshine and rain and the day before yesterday was very fine.

Roosevelt adds his quota to the burial of disarmament and the increase of the fleet. Are you quite satisfied that no difficulties will arise with Japan in re immigration to Vancouver and the U.S. The parting gift to the German Emperor is Rosyth!

Yours sincerely

R[eay]<sup>5</sup>

2. 19.I.08

6, GREAT STANHOPE STREET,  
MAY FAIR W.

“Ans. 21/1/08”

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<sup>1</sup> Upper case here and below indicates a printed letterhead. Lower case indicates a handwritten address.

<sup>2</sup> Auguste Beernaert (1829-1912). Prime Minister of Belgium, 1884-94. Represented Belgium at the Hague conventions, 1899 and 1907. Nobel Peace Prize winner with Paul d’Estournelles de Constant in 1909.

<sup>3</sup> William Thomas Stead (1849-1912). Newspaper editor and journalist.

<sup>4</sup> Edward Dicey (1832-1911). English writer, journalist and editor who strongly supported friendly relations between Britain and Germany. Brother of A.V. Dicey, jurist and constitutional theorist.

<sup>5</sup> Donald Mackay, 11<sup>th</sup> Lord Reay (1839-1921). Dutch-born British administrator and Liberal politician. Naturalised as a British subject in 1877. Papers of Lord Reay from his time as Governor of Bombay (Mumbai) are held at SOAS Library, PP MS 37 (1884-1890). British delegate at the Second Hague Peace Conference with Sir Ernest Satow.

PRO 30/33 11/12  
Correspondence from Lord Reay  
December 1907 – November 1913

Dear Satow,

You will be glad to hear that [Captain C.L.] Ottley told me that the non controversial conventions are to be referred to the Internal Departmental C[ommitt]ee. and the subjects which are to come before the International Conference are to be examined by the King's Proctor, 2 representatives of the Foreign Office, 2 of the Admiralty and Ottley. Fromageot<sup>6</sup> writes that he expects that the French government will not take any action until they know how the Conventions will be signed before the 30<sup>th</sup> of June. I think that steps should be taken to urge France and Russia to join the U.S. in abolishing accidental Contraband. I think this could be achieved.

[Sir Thomas] Sanderson thinks that what we have obtained is not insignificant. A friend of mine who knows Brazil thoroughly tells me that Ruy Barbosa is absolutely corrupt and so notorious that he cannot be elected President! And Addison told me that he was suspected of having taken 3 millions in the last days of the Empire. As Finance Minister he completely mismanaged the Treasury.

One of the questions with which our C[ommitt]ee<sup>7</sup> will have to deal is whether the teaching of Oriental languages colloquially should be separated from the classical Teaching as it is in France in the Ecole des langues Orientales vivantes. Perhaps you will state your opinion on this point. What do you think of the blue book on the Conference?

When would it suit you to give evidence to our C[ommitt]ee?

Yours sincerely

Reay

3. 10.VIII.08

CAROLSIDE,

EARLSTON,

BERWICKSHIRE, N.B.

Dear Satow,

I was very sorry to hear that you had been unwell, but I think that you have quite recovered and that we shall see you in Oct. quite fit. Mlle de Labrosse is very grateful for your letters and asks me to offer you her best thanks with the further request of a letter to Lady Jordan if it is not giving you too much trouble.

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<sup>6</sup> Henri Fromageot (1864-1949). Advocate and French technical delegate.

<sup>7</sup> Reay chaired the Oriental Languages Committee to which Satow gave evidence on February 27, 1908 (diary). The 'Reay Report' (H.M.S.O. Cmd. 4560) was published in 1909.

PRO 30/33 11/12  
Correspondence from Lord Reay  
December 1907 – November 1913

I was disappointed that [Thomas Joseph] Lawrence<sup>8</sup> did not get the Chair at Cambridge. Westlake does not think much of Lawrence and I suppose backed Oppenheim who is able, but I think Lawrence had very strong claims. You will have received the Official Volume from the Hague which is well done and to be followed by 2 more Vols. The French yellow book is also carefully edited and I also received a Treatise on Intern. Law by Sakuyé Takahashi,<sup>9</sup> do you know him? What is his exact position in Japan? Lawrence sent me his International Problems and Hague Conferences which will be useful to convince the general reader of the importance of our discussions which at all events have earned the praise of the Lambeth Conference. I admire the Archbishop's letter and the spiritual tone of the resolutions certainly reflects credit on the representatives of Anglicanism. Without forcing through Union a great deal can be achieved by friendly coöperation against all the non-Xtian influences of the present day.

Have you read Morley's Essays? They would interest you.

You will come early in Oct. as Parl[iament]. meets on 12<sup>th</sup>.

The situation in Turkey is most dramatic. M[ackenzie]. Wallace seemed to be rather sceptical, but the Sultan is frightened and will hardly venture to withdraw the Constitution. An interview with Bieberstein might enlighten us!

When I left London there was no Ambassador for Berlin; it is certainly a very difficult post to fill. We must reach an entente with Germany and it is not impossible.

With my best wishes for your recovery and Lady R.'s compliments.

Sincerely Yours

Reay

4. 17.X.08

LAIDLAWSTIEL

GALASHIELS, N.B.

Dear Satow,

Many thanks for your most interesting and suggestive lecture.<sup>10</sup> Your delicate allusion to the meteorology of the North Sea at p. 58 cannot but be interpreted as bearing on our relations with Germany which has so bluntly vetoed disarmament lately and interfered in Morocco with so much self-assertion. The Geographical Society in Edinburgh would be very pleased if this winter you would give them a lecture on some

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<sup>8</sup> There are 14 letters from Rev. T.J. Lawrence to Satow in PRO 30/33 11/12.

<sup>9</sup> Takahashi Sakuye 高橋 作衛 (c. 1865-1920). Japanese expert on international law.

<sup>10</sup> Satow delivered the Rede lecture at the Cambridge Senate House on June 13, 1908 on the topic 'An Austrian Diplomatist in the Fifties' (Cambridge University Press, 1908).

PRO 30/33 11/12  
Correspondence from Lord Reay  
December 1907 – November 1913

subject of your own choice. You would have a very good audience and I think it would be worthy of your consideration to accept the invitation. I am very glad you are coming here. Tell Tertius [Saburo] that I shall be glad to see him.

I trust you have quite recovered and this air will benefit you. There seems to be no truth in the miscarriage of the Queen of Holland.

Yours Sincerely

Reay

Mackenzie Wallace was much interested in your lecture.

5. 16.XII.08

6, GREAT STANHOPE STREET,  
MAY FAIR W.

“Ans. 18/12” [See p.220 below.]

Secret

Dear Satow,

Lady R. asks me to thank you for the suggestion of appropriate names for the dog.

This is what I hear of the Conference:<sup>11</sup> Renault presides. Holland proposes to abolish conditional contraband, America all contraband. A great step in advance!

[German Professor] Kriege wants everything embodied in conventions. England proposes that the existing law should be laid down for all nations, only reforms to be inserted in Conventions for the States who accept them.

England and France are practically agreed on most points and on blockade England is conciliatory.

Main dissent will be on Continuous Voyage which Germany will not accept, on destruction of prizes and on transformation of ships. On these subjects France has come nearer to our views. Prizes would only be destroyed in case of absolute necessity and Prize Court would then only consider necessity for destruction, not enter into question whether there was any contraband in the ship. That is French proposal.

On Friday they adjourn till Jan. 10<sup>th</sup>.

The Conference has been carefully prepared; I have obtained the volume which was issued to members and if you ask him Crowe will send you the volume.

I trust you are quite strong again and able to enjoy Xmas for which my best wishes.

The Volume containing the minutes of 3<sup>rd</sup> and 4<sup>th</sup> Committees of Peace Conference has been distributed to the members, so we shall get it soon. I suppose Renault, Fry,

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<sup>11</sup> The London Naval Conference (December 4, 1908 - February 26, 1909).

Kriege, Fusinato and Hammerskiold are the Casa Branca Court which will meet in May at the Hague. Kriege and Renault at Berlin arranged the terms of the compromis; it is a great triumph for arbitration.

All I write is confidential of course. On 28<sup>th</sup> we go to Paris 206 rue de Rivoli. Renault says the members of the Conference are too much specialists that they ought to have had some more practical people in order to agree.

Yours sincerely

Reay

6. Hotel des Anglais Cannes 14. IV. 09

“Ans. 16/4” [See p.222 below.]

Dear Satow,

I shall preside the R.A.S. dinner and am very glad to hear that I shall see you. Will you lunch with us on Monday May 11<sup>th</sup> at 1.30 the next day or any day that week which suits you? As regards the German scare I believe it to be exaggerated. Lord Rendel<sup>12</sup> who resides here at his beautiful Château de Torrenc [Château Thorenc in Cannes] and who is a leading partner in Armstrong tells me there is no cause for anxiety. Our facilities for providing Dreadnoughts are superior to those of the Germans. The question turns on gunmountings. It appears that the Germans have increased the means of construction in this respect and are also constituting a large reserve of guns. We can of course meet this. The difference between us and the Germans is that we rely on competition between Vicars [Vickers?], Armstrong, etc. And that the Germans pay Krupp what he asks and that Krupp is certain of being employed. This is confidential of course as well as my opinion on our foreign policy which I give you with diffidence. I think that we have given a provocation to Germany by our triple entente and that Germany means to retaliate. We could have obtained an entente with Germany which the Emperor desired, our relations with Austria and Italy would then have remained on the traditional basis. A perfectly natural situation would have then evolved. France and Russia would not have resented it and we might have come to an understanding with them. Germany does not think of invading us, but the Emperor is mortified that we do not trust him. Both France and Russia are weak and Germany and Austria will use their influence at Constantinople and Rome against us. It is useless to oppose our foreign policy and we must make the best of it and take care that we are not involved by France or Russia in their difficulties. I have also grave doubts about the wisdom of our alliance

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<sup>12</sup> Stuart Rendel, 1<sup>st</sup> Baron Rendel (1834-1913).



with Japan, with regard to its influence in the East.

The [London] Naval Conference<sup>13</sup> I think was a success. I think that with regard to blocus [blockade], contrabande and assistance hostile<sup>14</sup> they have made progress. I think there is a risk that the Court will interpret by art. 58 “caractère... de leur propriétaire” as nationalité and that the art. should have mentioned domicile as an alternative.

I do not understand what is stated at p.374 in the sentence “Il convient de remarquer”. Does this mean that in a procès “sur la validité de la capture” the International Court will always be accessible and in a procès sur “une saisie” I suppose followed by relache, never. I cannot consult the Hague Convention here.

I shall be at the Hague on Whitsunday in any case. We are having ideal weather here and Lady R. has lost her cough. Next Saturday we go to Monterey, Croix des Gardes, Cannes and on the 27<sup>th</sup> to Paris, 30<sup>th</sup> to London.

I hope you approve of our Oriental Studies Report. Redesdale’s introduction to B. Chamberlain is good.

Yours sincerely R.

7. 25. VIII. 09

LAIDLAWSTIEL

GALASHIELS, N.B.

“Ans. 27/8” [See p.224 below.]

Dear Satow,

It is a long time since I have heard from you. I hope you are well. Are you coming to Scotland? On the 4<sup>th</sup> of Oct. I am due at Bordeaux for the FrancoScottish Society unless the budget detains me in London. I expect to be back about Oct. 15. Nothing seems to be done in this session with regards to the Prize Court, and I have not heard whether any bill had been drafted. Meanwhile the Dreadnought epidemic gains ground, upsetting our finances and those of Germany. It cannot go on unchecked. What do you hear of the

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<sup>13</sup> The London Naval Conference (December 1908 – February 1909) was a continuation of the debates of the Second Hague Conference (1907). Ten nations were represented, the European naval powers, the U.S. and Japan. The agreements were issued as the Declaration of London which was not ratified by all signatories and never went into effect. President Wilson urged that it be respected in the First World War, especially as regards protection of neutral ships.

<sup>14</sup> Reay is citing the original and authentic French text. “assistance hostile” is incorrectly rendered in English as “unneutral service” in the British Government’s invitation to the Conference dated February 27, 1908. (J.B. Scott, ‘The Declaration of London of February 26, 1909’, in *The American Journal of International Law*, Vol. 8, No. 2 (1914) p. 285.) The French term should be used, as Reay does here.

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relations between China and Japan. Are missions in China making any converts among the educated classes? I was drawn into the appeal signed by Barclay through Mrs. Little I believe that is her name. Do you happen to know anything of this lady?

I spent a most interesting week in Geneva for the Calvin celebrations. The Germans although not Calvinists were prominent in their homage, the Emperor sent a telegram. It has a characteristic obliteration of all denominational differences and a recognition of the Headship of Christ as the Author and Finisher of our faith. Spiritual Unity has been achieved. I spent a few days in Holland in July where the rivers were abnormally high and since then I paid a visit to [Andrew] Carnegie [at Skibo Castle] in Sutherland who is frantic as regards armaments.

I had the greatest esteem for poor Curzon Wyllie; it was a fearful tragedy.<sup>15</sup>

Yours sincerely

Reay

8. 11. XII. 09

CAROLSIDE,

EARLSTON,

BERWICKSHIRE, N.B.

Dear Satow,

I was very glad to see your handwriting although your letter is very brief and does not give me your views on our Report and on the budget and on the Crisis.

No decision has been come to with regard to our scheme and there will be I am afraid a period of suspense until Haldane's Commission on the University of London has reported and funds are placed at our disposal. After the election is over we shall get to work.

I suppose Kriege sent you his Memo on the London Conference and that next Session we shall have a bill to give effect to the recommendation. Have our Conventions been ratified? I think I saw somewhere that this was to come off last month. [Robert] Blatchford the Socialist promises to give some revelations in today's Daily Mail with regard to a dark plot against us of Germany! Meanwhile Bethmann Hollweg talks in a friendly way. Bankruptcy is staring us in the face, if the shipbuilding competition is to be pursued indefinitely. When shall we see you in London? We return next Tuesday. Last month my cousin B[aro]n. Aeneas Mackay passed away. I think you met him. It is a very great loss to me personally. My contemporaries are dropping off very rapidly.

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<sup>15</sup> Sir William Hutt Curzon Wyllie (1848-1909). British Indian army officer assassinated in London on July 1, 1909 by an Indian revolutionary.

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Yours sincerely

Reay

9. 21. XII. 09

6, GREAT STANHOPE STREET,

MAY FAIR W.

“Ansd. 26/12”

Dear Satow,

Let me offer you my best wishes for Xmas and New Year. I should have said our best wishes. Yesterday I saw Hurst who told me that Crowe is in Italy not allowed to read or write for 2 months having gout in the eyes.

A blue book is to appear next week on the Conference. Nothing has been done and the Attorney General is very ill, but Hurst thinks the Departmental Committee will be summoned again. I saw Charles Hardinge and I was glad to find him quite alive to the need of immediate action as regards codification of the law to be applied by the Prize Court, a Convention on abolition of contraband and with the U.S. on abolition of relative contraband, etc. I also urged FitzMaurice not to delay. They will have to find a substitute for the Attorney General as Chairman of the Inter Departmental Committee.

Hardinge was annoyed that Germany had wrecked everything at the Conference and told me that they had then warned that if we favored Compulsory Arbitration Germany would resist it! He wants to exclude the small Powers at the next Conference “they are no good”. I told him that with the exception of Switzerland and Greece they generally voted with us. He said that Greece was always asking us for favors and that he would not forget their attitude. At the next Conference I suppose the Great Powers will settle a definite set of resolutions in advance so that the Conference will simply ratify.

We shall want your evidence at our Oriental Languages Committee in February or more probably March and for your own convenience I think you will have to write a statement of your views which can then be circulated among the members of the Committee and on which they will then put questions.

I send you the enclosed as you may be able to ascertain the merits of the case. I cannot add Devon to the Zone of my charities already too extensive.

I did not see poor [Sir Henry] Howard who is now at the Hague where he will find Acton<sup>16</sup> delighted to have a son a contrast of Joy and Sorrow. I saw the Yarde Bullers yesterday they leave today.

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<sup>16</sup> Richard Lyon-Dalberg-Acton, 2<sup>nd</sup> Baron Acton (1870-1924). Diplomat.

Yours sincerely

R.

10. 28. XII. 09

6, GREAT STANHOPE STREET,  
MAY FAIR W.

Dear Satow,

Many thanks for your most interesting letter on the budget. I agree that building land will probably be made dearer; I said so in the H. of Lords. To enhance the value of a man's property is certainly not socialistic and the people who ought to have opposed the land taxes are not the owners of the property but intending purchasers. I do not object to the land taxes although I should have proposed one not 3. Increase of stamps on conveyances is opposed to free trade and is from that point of view indefensible but a tariff reformer cannot object. I am not prepared to deny that the price of coal may be raised by the tax on mining royalties which certainly is opposed to our creed of cheap raw materials.

I am not opposed to the licensing clauses but I agree with you about grocers' licenses. Every one dislikes the increase in the death duties, but the alternative is – in a liberal budget – screwing up the income tax which already is very high. I would limit the payment of death duties from the same source within a certain number of years. It is very hard if the same inheritance has to pay twice or thrice within say 20 years.

Gifts inter vivos not in order to evade the death duties but as an allowance to relatives I would allow.

I am in favor of the discrimination between interest received as salary or professional earnings and interest derived from capital.

But as I consider free trade an essential condition of our prosperity and as – with St. Aldwyn<sup>17</sup> – I do not consider the budget revolutionary or socialistic and very fair to the agricultural interest I support it, although I should have voted for amendments to meet the objections I stated.

The existence of the H. of L. is not in question unless they break loose on what I consider unconstitutional features.

On the 8<sup>th</sup> I am going to stay with Mrs Paris Singer at Oldway house Paignton.<sup>18</sup>

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<sup>17</sup> Michael Hicks Beach, 1<sup>st</sup> Earl of St. Aldwyn (1837-1916). Conservative politician, took his peerage in 1907.

<sup>18</sup> Oldway Mansion was built as a residence for Isaac Singer (1811-1875), the founder of the Singer sewing machine company, and rebuilt by his son Paris Singer.

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Would there be any chance of meeting you. I am sure she would be delighted to see you. You will have noticed the death of Pierron a very great friend of mine. This year has been most destructive to my contemporaries.

With every good wish for your happiness

Sincerely Yours      Reay

11. 4. I. 10

6, GREAT STANHOPE STREET,  
MAY FAIR W.

Dear Satow,

Many thanks for your kind invitation, but I cannot stay with you as I must be back here.

But could I on Saturday or Monday or only on Monday reach you from Paignton before lunch and then return after lunch. Perhaps you will let me know then I shall try to make the attempt as I am very desirous of seeing you.

You will have reserved Pour la Société des Nations by Léon Bourgeois. It is not a very harmonious Société!

The young Turks I am told distinctly aim at a Mussulman predominance and their religious tolerance is meant for advertisement. The most extraordinary revelation of Roman Catholicism is this tribute to Leopold's<sup>19</sup> Xian [Christian] marriage (illegal) and Xian death. One wonders what he contributed to the Peter's pence!<sup>20</sup>

Yours sincerely

Reay

12. 17. I. 10 [Answered on 19 January 1910. See p.229 below.]

6, GREAT STANHOPE STREET,  
MAY FAIR W.

Dear Satow,

Many thanks for your letter and indication of books. I send you von Bar<sup>21</sup> and Corbet. Is the latter nonsense? Pray return both. I am informed quite between ourselves that Balfour's allusions to Germany have produced a deplorable effect in government circles,

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<sup>19</sup> King Leopold II of Belgium (1835-1909).

<sup>20</sup> Peter's pence: originally a tax of one penny paid by householders to the papal see at Rome (discontinued in 1534); a voluntary payment by Roman Catholics to the papal treasury, made since 1860.

<sup>21</sup> Carl Ludwig von Bar (1836-1913). German jurist and member of the Hague Tribunal.

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so much so that relations with Germany should suffer if Balfour were to obtain a majority.

With Grey they are getting on well. In any case the less we talk and write about Germans and their doings the better. To cause needless irritation is to my mind criminal.

You will derive more satisfaction from Saturday's elections than

yours sincerely

Reay

13. 28. I. [1910]

6, GREAT STANHOPE STREET,  
MAY FAIR W.

Dear Satow,

I have asked von Bar to send you his article and also where Robertson's speech is to be found. This I can also get from Lord Weardale.<sup>22</sup>

Have you seen in The Journal of the Society of Comparative Legislation (of which you ought to be a member) New Series Vol. IX Part 2 an article by Sir William Kennedy on some points in the Law of Blockade.

The same number also contains an article on the Papacy and International Law. It is published by John Murray. We are entering upon a stormy session I am afraid. The H. of Lords reform ought to be settled by agreement, such that I fear is unattainable.

Yours sincerely

Reay

14. 2.II.10

"Ans. 5/2/10"

Dear Satow,

Will you return this at your leisure after reading it and give me your opinion. I have not yet received Lapradelle's report.

I thought the German Ambassador's speech reported I believe in Saturday's "Times" very good and straightforward.

Are you taking any part in the World Missionary Conference at Edinburgh in June to which Admiral Mahan seems to be coming.

[Sir John] Kennaway can tell you all about it.

Yours sincerely

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<sup>22</sup> Philip Stanhope, 1<sup>st</sup> Baron Weardale (1847-1923).

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Reay

[Satow's handwriting]

p.17 P.17 Guerre de Succession! Interesting to know the nationality of each member. Dupuis is "touch"[?] here.

The jury consult in discussing these rules aims of course at what is fair and equitable as between the belligerents.[sic] His Art -10 is good.

p.68 on the question of the assimilation of territorial waters to ports, if a belligerent have greater liberty of asylum &c. in them, may not the other belligerent have greater liberty of attack? And especially p.70 on sojourn in territorial waters.

15. 19.III.10 "Ans. 21/3"

6, GREAT STANHOPE STREET,  
MAY FAIR W.

Dear Satow,

Would you give me your answer on the Encl: before I leave for Paris next Saturday. I saw Hurst yesterday and he told me that there would be legislation for the Prize Court and for the 4 unratified Conventions of our Conference. He thought the Admiralty would not consent to the Abolition of Contraband in future.

The Annuaire de l'Institut de Droit International<sup>23</sup> is published by A. Pedone 13 rue Soufflot Paris. If you get the 3 last numbers you will find some interesting matter. The debate of H. of Lords reform was as I expected very diffuse and no one can foretell what will come of it. If the reform is not thorough the H. of L. – if liberal – will reject it. The H. of L. will reject limitation of veto – so we may drift in an impasse. The subject is very thorny. I am in favor of a 2<sup>nd</sup> Chamber especially on account of India. With more self restraint the H. of L. might have gone on for years. If they had taken St. Aldwyn's advice on the budget, there would have been no commotion.

The relations between our government and the German gov[ernmen]t are very good. But increased taxation will inflame the popular feeling and there is the danger. B. Holweg [Theobald von Bethmann-Hollweg] is I am told a great improvement [as Chancellor of the German Empire] on Bulow [Prince Bernhard von Bülow] who is responsible for much mischief.

Yours sincerely

Reay

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<sup>23</sup> The Institute of International Law was founded in 1873 and was awarded the Nobel Peace Prize in 1904.

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16. May 29, 1910 “ans 31/5”  
6, GREAT STANHOPE STREET,  
MAY FAIR W.

Dear Satow,

Today I heard of your great bereavement [death of two sisters, Agneta and Augusta, on May 18 and 20<sup>th</sup>] and I offer you the expression of my sincerest sympathy. We are constantly being reminded that we have no abiding City here and we must look forward to another dispensation. And it is a privilege to believe in a spiritual future. The death of the King removes a beneficial influence in International Affairs.

At home also we could rely on his sagacity.

King George has a stern sense of duty and I am sure that he will try to follow in the steps of his grandmother and Father, but he is inexperienced.

Statesmen ought to combine to remove stumbling blocks at the Commencement of a new Reign. Constitutional reform ought to be approved by both parties. The mischief is the influence exercised in both parties by the extreme fringe.

The situation in Egypt seems to me perilous; the Nationalists are evidently very hostile to our Rule. Very little was done at the meeting of our Institute of International Law. [Louis] Renault would not allow any criticism of the Hague conventions and he and [Thomas Erskine] Holland engaged in a rather bitter Controversy the result of the latter's impulsive method of debate. I attended the Memorial service for the King at the Hague and met Lake and Radford. A manse has been built behind the Church which is very convenient. I discovered that I was a trustee of the Church which I did not know!

Sir George Buchanan<sup>24</sup> likes the Hague and is popular. The Legation has been overhauled and looks bright. I am going to Scotland tomorrow for a memorial meeting and next Saturday I have a meeting at Oxford for the appointment of the Slade Professor of Art. [Roger Eliot] Fry is a candidate Sir Edward's son.

Do not fail to let us know when you come here.

Yours sincerely

Reay

17. 18.VIII. 10  
CAROLSIDE,  
EARLSTON,  
BERWICKSHIRE, N.B.

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<sup>24</sup> Sir George Buchanan (1854-1924). Satow knew him when he was Second Secretary in Tokyo, 1879-82. Ambassador to Russia from 1910.



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Dear Satow,

When are you coming to visit us at Laidlawstiel where we shall be in September and October. I am very anxious to talk over with you the London Declaration which I do not quite like both with regard to what it contains and does not contain. We shall get the Naval Prize bill I suppose in December in the H. of Lords.

Have you given a testimonial to anyone for the Chair of International Law at Oxford? Buchanan writes of course confidentially that he thinks the Court of Arbitration will recognize our Sovereign Rights as regards the regulation of the Fisheries with the proviso that the reasonableness of our Regulations may, at any time, be submitted to the permanent Court at the Hague, but what is this permanent Court? It has been a forensic tournament in which [Elihu] Root made a brilliant display. I have great faith in [Heinrich] Lammasch and Lohman.

What do you think of the King's declaration. I am quite satisfied in fact I think it stronger than the purely negative Assertion which is supplants.

The World's Missionary Conference was most impressive and the manifestation of united endeavour to build up Christian life on the foundation of Christ's precepts remarkable. It was a Peace Conference. Marshall I am told is very keen about entente between us and Germany his Italian Colleague (now in London) told me. I believe relations are improved. What do you think of the Japanese Tariff and Chinese activity in Tibet?

In hopes of seeing you this autumn

Yours sincerely

Reay

18. 22.VIII. 10  
CAROLSIDE,  
EARLSTON,  
BERWICKSHIRE, N.B.

Dear Satow,

I am delighted you can come. I hope Thursday Sept. 15<sup>th</sup> will suit you and that you will stay at least a fortnight. I should be much obliged if you would bring von Bar's article and Dupuis' book which was of so much use to us at the Hague. In exchange I have some literature for you. Not knowing that you were a candidate for the Oxford Chair I gave a testimonial to [T.J.] Lawrence which of course I should not have done, if you had revealed to me your intention. I do not believe Lawrence has any chance and perhaps he will withdraw.

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I do not believe that with Electors of such high standing testimonials or canvassing are of the slightest use, but the Attorney General is a personal friend of mine and I shall write to him strongly supporting your appointment which would be ideal especially after the very undiplomatic tenure of the Chair by [T.E.] Holland and his ultra-dogmatic disposition.

Can you supply information on formalities to be observed in stopping a neutral vessel suspected of carrying contraband.

I wrote to your Bishop, but had no reply; is he absent from Exeter?

The representative of Japan [Saburō, Satow's manservant] will I suppose accompany you. Tell him I shall be glad to see him again. The annexation of Korea was inevitable and we cannot of course prevent the Japanese from having a high tariff.

Yours sincerely

Reay

We go to Laidlawstiel on Thursday.

19. 2 Sept. 1910  
LAIDLAWSTIEL  
GALASHIELS, N.B.  
Dear Satow,

I am delighted you can come and we shall be able to concoct a Laidlawstiel Declaration! You saw what the Inter-Parliamentary Conference did with regard to the Declaration. And did you see that [Joseph Hodges] Choate's professional conduct is under inquiry of the Council of the Bar the indictment being: neglect of the interests of his clients. I am afraid the tone of public and commercial morality in America is low.

Many thanks for the notes you sent me on a very important omission. May I also ask you to bring your own cigars as my supply is limited to cigarettes! Mr. Maxwell of the Commercial Hotel provides a "machine" at Galashiels on arrival of the train.

I had a very interesting letter from your Bishop and a very exhaustive Charge showing great learning. The Emperor of Korea giving his last decorations to the Annexors [annexers, i.e. Japanese?] is an instance of magnanimity which is unique.

I suppose Grey could not get more than a 10 years' stay of execution.

Yours sincerely

Reay

**[part of separate letter?]**

Will you look at these observations? The simplest plan will be if you will return me my

letter and state where you disagree. I shall then know where you agree from your silence. The delegates certainly did not succeed in giving effect to Sir E. Grey's instructions and the result seems to be on the whole favorable to the other Powers inspired by Renault and Kriege. The latter I saw in Berlin. He complained that at the Hague Conference in bills of exchange [and] at the Paris conference on aviation we stood aloof. He seemed to imply that the Germans knew their own mind and were quite prepared to sign the Declaration of London. I was told that he has no diplomatic instinct, takes a purely legal view of matters in dispute and imposes his opinion as we experienced at the Hague. I was much struck by all I saw at Berlin. The organisation of everything, police, museums, art galleries seems to me as perfect as that of the army. There is however a great deal of discontent. The middle classes are dissatisfied. They are spending money in all directions and must increase taxation which is a heavy burden. They would like to come to an entente with us. They know they cannot compete with our fleet. They do not want Colonies, but débouchés [markets] for their trade. The ruinous competition between us cannot continue. On the University programme France was included with Italy in Latin peoples and Russia was put in the Slav fold an incredible blunder in such[?] a separate unit. Beer is still a great element in German civilisation. I made the acquaintance of [Karl Gustav Adolf von] Harnack<sup>25</sup> and heard him deliver an after dinner speech in a pulpit. He addressed the students in very clear and eloquent accents. He is getting more orthodox and was made Wirklicher Geheimrat which makes him Exzellenz.

I deeply regret the Conference ended in failure. We are now exposed to a settlement which will not be generally accepted and constant change of Constitution is to be deprecated.

The formation of a centre party would be opportune, but unfortunately party organisation militates against it.

You will be sorry to hear that we have lost Chio the black and white dog my special favorite.

I am going to London for the debate, but return here until we leave for London about 10<sup>th</sup> of Decr.

I suppose you have read the Bishop of Exeter's charge.

With Lady R's best remembrance.

Yours sincerely

Reay

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<sup>25</sup> Sir John Kennaway had correspondence with Harnack (Satow's diary, January 22, 1912).

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20. 5.X.10 “Ans 18/11”

LAIDLAWSTIEL

GALASHIELS, N.B.

Dear Satow,

Only a line to thank you for your 2 letters which we were glad to receive.

I had not noticed in the Times of Sept. 29 what you mentioned but I have done so now. I am off to Berlin and am trying to get up die Wechselwirkung Englischer und Deutscher Cultur [The Interaction of English and German Culture] in case I am called upon to promote the entente with Germany! My Berlin address will be:

Hotel Esplanade

Bellevuestrasse

I am not forgetting F.E. Smith's paper but you must excuse delay.

After my return the end of this month I should like to hear from you whether they were well advised not to tackle the hospitality of neutrals to enemy ships/men of war/ during war and whether it had to be left as we settled it at the Hague.

Fine and warm here today.

We leave tomorrow,

Yours sincerely

Reay

I see in the Westminster Gazette tonight that in the Dutch orange book just issued it is stated that the U.S. have proposed that a reservation will be added to the Prize Court Convention allowing appeals from the national Prize Courts to take the form of a direct action for an indemnity.

British French and German Governments accept this protocol in order to save the face of the U.S. I suppose. I was very sorry to leave Laidlawstiel on such a glorious summer day. Ratifications during Feby. 1911 Soveral's[?] position is not enviable neither that of the King of Spain.

21. 2.I.11

6, GREAT STANHOPE STREET,

MAY FAIR W.

Dear Satow,

Lady R. was very pleased to receive your note.

Desart<sup>26</sup> told me that the F.O. will consult the Defence Cee [Committee?] on the

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London Declaration? That is confidential of course.

[Eyre] Crowe acts as agent for us in the Savarkar Arbitration<sup>27</sup> and [André] Weiss for France. He is a Professor in the Ecole de Droit.

Grey wanted 3 strangers in the Court but France insisted on a French and on an English Arbitrator.

Yours sincerely

R.

21. 24.I.11 “Ans. 25/1/11” [See p.237 below.]

6, GREAT STANHOPE STREET,  
MAY FAIR W.

Dear Satow,

I am asked to back the Peace Society and its Secretary Dr. Evans Darby for the Nobel Prize. I am not a great believer in these Societies, but they have as much claim to the Prize as other similar Societies. What do you think? A few lines by return would oblige me.

You will have noticed in Daily Mail of today and yesterday crusade against the London Declaration. Admiral Sir Cyprian Bridge is the only advocate of the document. Very confidentially I am informed that the Admiralty would in case of war lock all entrances to the North Sea which would become a mare clausum. This they say they can do as well as protect our merchant shipping.

Canada, Australia, S. Africa are opposing the Declaration this is confidential.

I suppose in case of war Absolute contraband could reach Germany from Holland and Belgium without any breach of International Law as Contraband only exists in connection with maritime warfare. This seems very illogical.

Have you seen anything worth reading about the London Declaration? What is the harm of a book published on the 2<sup>nd</sup> Hague Conference? Was it by Baty? The Westminster Gazette is going to have a series of articles in defence of the Declaration. Germany and Austria take up a very defiant attitude with regard to the Flushing fortifications. They will not join in pourparlers. The Dutch cannot leave their ports open to attack. The only way out of it is to declare the Scheldt neutral and open at all times.

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<sup>26</sup> Hamilton Cuffe, 5th Earl of Desart (1848-1934). Irish peer and barrister. President of the International Naval Conference and first British delegate.

<sup>27</sup> See ‘Arrest and Return of Savarkar (France/ Great Britain)’ on website of the Permanent Court of Arbitration <https://pca-cpa.org/en/cases/79/> accessed April 10, 2019.

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Germany must have no excuse for undertaking the defence of Holland. The Bagdad Railway is also a bone of contention but I am convinced that the Emperor does not want war and I know that they are in a bad way financially.

Yours sincerely

R.

22. 11. II. 11 “Ans. 12/2/11” [See p.239 below.]

6, GREAT STANHOPE STREET,  
MAY FAIR W.

Dear Satow,

The F.O. are drawing up an answer to your queries. It takes a long time. Next Thursday we are to have a debate in the Lords. Do you agree with Westlake? Have you any fresh notes on the subject which you could send me? Is food belonging to a neutral immune in an enemy ship before delivery to the enemy? An American cargo of wheat for instance in one of our ships before it reaches our shores if we are a belligerent according to Declaration of Paris.

I saw Crowe yesterday before he left for the Hague to meet Renault as Arbitrator and Weiss as agent. They are to have no oral Controversy.

Yours sincerely

R.

23. Feb. 13. 11 “Ans[wered]. 14/2” [See p.241 below.]

6, GREAT STANHOPE STREET,  
MAY FAIR W.

Dear Satow,

Here is Nicolson's answer. The Statement by the Chairman of the Liverpool Steamship Owners' Association (Mr T. Royden?) Desart tells me is very good. F.O. has only one copy. I may perhaps add to what I said in my last letter that if an enemy ship is taken in transitu by a belligerent the neutral owner of cargo has of course only a right of compensation by the captor who need not deliver the goods to the enemy consignee. Here is what Hurst told me today = of the 12 conventions 8 have been ratified 4 require legislation = neutral maritime rights, land warfare, Geneva applicable to maritime warfare and another besides Intern. Prize Court. He does not know what the effect is of reservation in ratifying as we have done in some cases!

He expects that France will win in the Savarkar case.

Yours sincerely

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R

Law Quarterly of January has an art[icle]. by A. Cohen.

Copy [Handwritten]

Private

F.O.

February 1911

Dear Lord Reay,

Thank you for your letter and enclosure from Sir E. Satow, which I return.

It is of course a pure matter of speculation as to whether Russia and Japan, or either, will refuse to ratify the Declaration of London; we do not possess information tending to confirm Sir E. Satow's apprehensions; on the contrary, we have every reason to believe they are unfounded.

It is not proposed that ratification of the Declaration of London by this country should be conditional upon ratification by all other countries[;] in this connexion I would draw your attention to Article 66 of the Declaration, according to which the Declaration applies to the relations between the Signatory Powers in a war in which the belligerents are likewise parties to the Declaration: in any other war the Declaration as such would not apply.

As Sir E. Satow will perceive from answers given to parliamentary questions on February 9th, it is not proposed to take the second reading of the Naval Prize Bill until after the Colonial Conference has considered the Declaration of London; a convenient opportunity for discussing the Declaration of London will arise on the second reading of the said Bill; and Parliament will have full opportunity of discussing the provisions of the Declaration before His Majesty is advised to ratify it.

Sir E. Satow asks if the Naval Prize Bill contains a proviso that it shall not come into force until it is so declared by O. in C. Art. 28 of the Bill as follows: - This part (viz. relating to the Internl. Prize Court) shall apply only to such cases and during such period as may for the time being be directed by O. in C. yours sincerely

(sd) A[rthur]. Nicolson [Permanent Under Secretary for Foreign Affairs, 1910-16.]

24. 17. II. 11 "Ans. 19/2/11" [See p.242 below.]

6, GREAT STANHOPE STREET,  
MAY FAIR W.

Dear Satow,

Many thanks for the Liverpool Shipowners' (Royden) manifesto. It is very good. I shall return it after our debate next Wednesday. You will see in today's Times that T.

Bowles virtually opposes the International Concert and would make us independent of Intern. Law. Is not that his tendency?

Is not your impression that Germany at the Hague accepted proposals on Land Warfare with which she did not agree and that her position on land is very similar to ours at sea. I understand you to hold that after capture a prize can only become the property of the captor by adjudication. The conditions of what is saisissable are not so well defined or what is confirmable. Art. 19 of the Declaration seems to me to derogate from Art. 17 and still more Renault's comment.

Articles 23 and 25 seem to me to create uncertainty and ought to have been subject to limitations for instance no addition to be made during a war.

Robson<sup>28</sup> takes much exception to "base" in Art. 34. The expression is "base" not base of supply as used by many writers. We cannot maintain I think that we have always opposed sinking of neutral prizes? Blockade, contraband, unneutral service[,] transfer to a neutral flag, compensation are after all placed on a definite footing which is an advantage.

What can be said with regard to the Constitution of the Intern: Prize Court? is it not likely that it will be favorable to neutral rights.

The letter of *Civis* [Civis?] in today's Times is very good.

The 4th treaty not ratified is that of Pacific Settlement of intern. disputes. A "Second Peace Conference (Conventions) bill" will shortly be introduced into the H. of C. Reservations have been upheld in ratification of submarines mines and bombardments Convention. Robson told me confidentially he had never been consulted on Savarkar case. He says that [Sir Edward] Henry [Metropolitan] Police Commissioner asked French Police to prevent escape of Savarkar at Marseilles and they accepted this! He considers our case absolutely impregnable but he also dislikes the procedure of these Arbitration Courts which admit evidence which no English Court would tolerate.

Send me any remarks which may occur to you so that I may use them next Wednesday.

Yours sincerely

R.

25. 26. II. 11 "Ans. 27/2/11 that I agree" [See p.243-4 below.]  
6, GREAT STANHOPE STREET,

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<sup>28</sup> Presumably Sir William Robson (1852-1918). English lawyer, judge and Liberal politician.



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MAY FAIR W.

Dear Satow,

The Hague decision is very satisfactory. The French had really no case as Robson told me and I cannot make out why Hurst was so doubtful.

Many thanks for your last letter;

What construction do you put on Ellenborough's<sup>29</sup> letter in yesterday's Times? What does he mean by rules imposed on our own ships which should have to be observed by neutrals? Suppose we were to issue rules prohibiting ships to approach or enter certain harbours. These rules would also apply to neutral ships and the London Declaration does not clip our wings neither does it curtail our means of dealing with mines of the enemy anywhere or with our power of laying down mines. It seems to me that he misinterprets the hope of the Declaration. In our territorial waters we can make any regulations we like and no compensation would be due to neutrals.

The question of mines either as means of blockade or as means of defence remains as it was left by the Peace Conference. Our weapons of offence do not seem to me to be very much impaired by the Declaration.

I should be very glad to have your opinion.

The French crisis is unsatisfactory.

Crowe seems to have done very well at the Hague.

Yours sincerely

Reay

26. 3. II. 11 "Ans. 6/3/11" [See p.244 below.]

6, GREAT STANHOPE STREET,  
MAY FAIR W.

Dear Satow,

I was extremely disappointed with the result of the Oxford appointment. I do not know what special qualifications the new Professor has. You would have been a great acquisition to Oxford. I hear that the new Professor of English literature at Cambridge is also not the right man. And the loss of Kuno Meyer for Celtic [studies] ought to have been prevented. He goes to Berlin.

Have you seen on p.10 of today's Times the news of Sir Cyprian Bridge?

[Francis Edmond] Bray's British rights at sea [under the Declaration of London] is interesting but not always clear as it is so condensed. What does he mean p.25 "and if

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<sup>29</sup> Edward Law, 5th Baron Ellenborough (1841-1915). Royal Navy officer and member of the House of Lords.

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there is a siege those supplies become contraband.” Does it mean that if there is no siege and only blockade the food in a blockade runner is not contraband? Could a ship with conditional contraband as its cargo not be captured outside “the area of operations”. Does art. 33 not apply to goods destined for the region which is blockaded? Is there a distinction between blockade and siege unless it be that the latter presupposes an armed force [ ] and the former not necessarily? How do you interpret at p.44 “before which” (Decl: of Paris?) “cargos” etc. Why (1) and (2) and not (3)? The Decl: of Paris contains an exception for contraband without stating what constitutes contraband. Would not our Prize Courts have declared contraband goods having the destination of (1) (2) and (3) after the Decln. of Paris so that the Decl. of London does not expand the definition of contraband. The [ ] list of raw materials (p.48) is of importance to us as a belligerent and as a neutral it does not concern us very naturally as we do not export raw materials except coal.

Yours sincerely  
Reay

27. 10. III. 11  
6, GREAT STANHOPE STREET,  
MAY FAIR W.

Dear Satow,

Desart’s speech last Wednesday was very good[,] really exhaustive. You must read it in Hansard when it appears and also mine (badly reported) delivered yesterday. I condensed my remarks. The Lord Chancellor was also very good. I think a jury would decide in favor of the Declaration on the debate.

Base of supply is certainly a weak point and extension of contraband list by notification which latter point curiously is not taken up by the opposition who fasten on art. 33 and 34 and on Conversion on high seas which the Declaration does not touch and destruction of neutral ships which cannot be prevented.

Halsbury objects to the Declaration and to the Intern. Pr. Court “making the law” which is inevitable without the Declaration and which Lord Stowell did with the approval of Halsbury and *Byron* [?] thinks our Prize Courts decisions will be infinitely superior to those of the I.P.C. You will see that I said that it would be the duty of our Judges in the I.P.C. to get their decisions sanctioned by the I.P.C. where the Declaration did not give it guidance.

Yours sincerely

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R.

28. 14. III. 11 “Ans. 21/3/11” [See p.249 below.]

6, GREAT STANHOPE STREET,  
MAY FAIR W.

Dear Satow,

I am glad you liked my speech. I shall send it you and the whole debate. Yesterday Alverstone's speech was the best[?] and Salisbury pointed out the discrepancies of Report and Convention.

I had warned Morley of this. I think they will have to further consider whether they will enforce the Report and accept Renault's interpretation. Morley made fun of my suggestions. Your letters have been most illuminating.

We have elected you today on the Council of the R[oyal] Asiatic Society. I told them you could not attend and you need not. I hope you will accept if only for a year as your name on the Council will be of great value. [Sir Henry] Mortimer Durand was elected Director. I do not intend to go on much longer but I shall probably go on for a year. I want to know your opinion on the referendum. It is a great resolution and should be sparingly used. It is needless if we get a Senate with the same authority as that of the U.S. and that we must aim at to represent all the interests of the Empire.

I shall be curious to see the article in the Quarterly. The debate in the Commons last night is interesting.

Yours sincerely

Reay

I also refused to join Weardales Defence League of the Declaration as being a party move. I have not seen the invitation.

29. 23. III. 11 “Ans. 25/3” [See p.251 below.]

6, GREAT STANHOPE STREET,  
MAYFAIR W.

Dear Satow,

Very many thanks for your most interesting letter on the referendum. My conviction is growing that it would lead to encourage the growth of opinion among the masses that they are able to judge problems which are not within their powers of comprehension. We must adhere to the principle of the Constitution: elect the man you trust and leave him to decide.

The caucus may have deteriorated the independence of the voter, but the caucus will

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have the same influence on the referendum, which therefore will accentuate the evil in a second stage.

I am glad you have given your name to our R.A.S. Council. The annual dinner takes place on May 15<sup>th</sup> and earlier in that month Holland will make his onslaught on the Declaration at the B[ritish]. Academy. I can send you an invitation if you care to hear him. We may have an important debate.

Yours sincerely

R.

30. June 22. 1911 “Ans. 24/6/11”  
6, GREAT STANHOPE STREET,  
MAYFAIR W.

Dear Satow,

Very many thanks for your letter from which it was a great pleasure to me to find that our views with regard to the [1911 Imperial] Conference<sup>30</sup> are identical.

[Canadian premier Sir Wilfred] Laurier’s attitude also left on me a disagreeable impression as being centrifugal. Australia and S. Africa seemed to me to be much more friendly. But it is clear that our Government will have to take into account the opinions of the Dominions as regards foreign policy and defence.

The difficulty to obtain assent to Imperial naturalisation is ominous. There ought to be no doubt as to the Imperial status in the Empire of the King’s subjects giving effect to limitations of immigration where the race question complicates domicile.

There is still much opposition to the Declaration of London but I think the Government intend to carry it through. I think Renault’s report ought not to have the same authority as the Declaration. The International Court ought to be left free to use it or not as they may deem expedient. It is a bad precedent to give to a Report an Exposé de Motifs a binding character. What do you think

Yours sincerely

Reay

31. 26. VIII. 11 “ans 28/8/11” [See p.253 below.]  
CAROLSIDE,  
EARLSTON,

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<sup>30</sup> The Imperial Conference of 1911 was convened in London on May 23, 1911 and concluded on June 20<sup>th</sup>. It was held to mark the occasion of the Coronation of George V on June 22<sup>nd</sup>.

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BERWICKSHIRE, N.B.

Dear Satow,

When are you coming to Laidlawstiel? Ant time from Sept. 26<sup>th</sup> will suit us.

I am very anxious to have some conversation with you before the Naval Prize bill reaches the H. of Lords this autumn.

We have been going through stirring times. We had a narrow escape from the creation of Peers which would have been a calamity. The strike was civil war. Individual liberty is threatened by Socialists, visionaries and centralising bureaucratic tendencies. We must uphold liberal principles if the country is to hold its own.

There is no lack of intelligence if only it is properly guided. The Archbishop of York made an excellent speech on the Parliament bill. What a wonderful summer we have had. In Holland they seem in want of water!

The Americans were dissatisfied with the procedure of the Court in the Newfoundland case especially with the want of respect shown to the bar. They want to have English methods applied to arbitration between us and exclude foreigners. America only cares for what happens in England and follows closely our Constitutional and economic struggles.

Yours sincerely

Reay

32. 2. X. 11 “Ans. 4/10” [See p.254 below.]

LAIDLAWSTIEL,  
GALASHIELS, N.B.

Dear Satow,

We may have to leave this place on account of a failing water supply unless we get rain. I shall warn you in good time. I still hope we may be able to receive you as I very much want to talk over with you many things.

I have been appointed sur-arbitre in a dispute between France and Switzerland on an interpretation of the Tariff. Rosel is the Swiss arbiter you will remember him at the Hague. The Frenchman I do not know. This is confidential.

The failure to prevent the war is lamentable. It shows the very ineffective character of our Hague Convention and the importance of international law and of the Triple Alliance. But the French protectorate of Morocco and the Austrian annexation of Bosnia and H[erzegovina]. prepared the way for the realisation of Italian covetousness. We could hardly run the risk of intervention.

The economic struggle everywhere ought to induce Governments to concentrate their

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efforts on establishing better relations between employers and employed. Christianity ought to assert itself in a practical form if we are to destroy Socialism. The Bishops of Oxford and Birmingham and the Archbishop of York are well aware of this.

Yours sincerely  
Reay

33. Oct. 31. 11 “Ans. 9/11/11 sending him answers to the questionnaire”<sup>31</sup>

CAROLSIDE,  
EARLSTON,  
BERWICKSHIRE, N.B.

Dear Satow,

I should very much like to have your reply to the questions in enclosed which I received this morning at your leisure any time next month.

What an extraordinary display of self-condemnation of the Throne in China. Fancy Charles I or Louis XVIth appearing in a white sheet and making voluntary contributions to the Exchequer! Do you think the Manchu dynasty can be reformed or are they like the Stuarts and Bourbons incorrigible. The slaughter in Tripoli is lamentable and will irritate Mahomedans everywhere.

The feeling in Germany is very hostile to us. Lloyd George’s speech especially has given great offence but I am told it was inevitable to prevent a crisis.

The indemnity paid by the French to Germany for their breach of the Algeciras treaty seems to me extravagant and a damaging precedent. They may some day claim compensation from us for our occupation of Egypt.

Have you received Scott’s circular with reference to Carnegie’s endowment. And have you answered it? With Morocco and Tripoli our activity at the Hague seems rather melodramatic.

On Nov. 30<sup>th</sup> my arbitration court meets in Paris. Until that date we shall be here. I cannot tell you how sorry I was you could not pay your visit but I was laid up for a fortnight with a chill at Laidlawstiel so that it was rather fortunate you did not come as I was in bed.

Yours sincerely  
Reay

34. Nov. 11. 11 “Ans. 13/11 that I will write again abt. Sir E. Grey’s statement.” [See

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<sup>31</sup> See Satow’s letter in PRO 30/33 11/15, pp. 256-7 below.

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p.257 below.]

CAROLSIDE,  
EARLSTON,  
BERWICKSHIRE, N.B.

Dear Satow,

Very many thanks for your Answer to [Paul] Fauchille. Would you allow me to send it to Otley asking him to confidentially give me his opinion.

I think that the solution is to limit Art. 23 to “occupied territory” but I do not think the point was raised at the Hague.

Is Grey on safe ground in declaring that we are quite at liberty to deal with belligerents independently of any decisions of the International Prize Court? That would of course set aside all assimilation of Rules for land to sea warfare. The criticism of the personnel of the Intern. Prize Court and of its size is no doubt serious but there is no alternative. The Declaration must be ratified.

My impression is that some of the conventions have been ratified. Have you received the last Annuaire of the Institut de D[roit]. International. It is interesting with regard to mines. You would also be interested in an Arbitration: Africa No 1 (1911) Cd. 5857 and in a book by Mme Duclaux [Mary F. Robinson] The French Ideal.

These German parliamentary demonstrations against us are very ominous. I am afraid the anti-British feeling is widespread. They cannot tolerate our entente with France and our supremacy at sea. To disbelieve an official statement as they did with regard to Cartwright’s interview is without precedent. The whole Morocco business has been a series of blunders at Berlin.

Balfour is a philosopher and a gladiator. I delight in his speeches. There was a good deal of dissatisfaction in the Conservative party. He was too subtle for them. He is a charming personality. Bonar Law is a regular Scot. Whether he is a statesman remains to be seen. I am very glad Lansdowne has not resigned, he is a statesman.

Yours sincerely

Reay

First Meeting of my Arbitration in Paris Dec. 2

35. London 21. XII.

On arriving this morning I found your welcome letter here for which many thanks. I hope you are not going to Bath for a treatment. I had noticed the opposition of the Chambers of London and Glasgow and received the correspondence of the latter. We have till next session to form our opinion.

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I have not seen the Literary supplement of the Times and Desborough's speech but I shall look them up at Carolside on my return. You will find the Education Act very interesting especially with reference to agricultural Education and Winter Schools which are the great desideratum as you will see in the Report on Agricultural Education of which I was chairman I believe 1907.

I am also glad you have taken up Frederick the Great's views on capture of contraband.

With my best wishes

R.

36. 23. XI. 11 "Ans. 20/11."

CAROLSIDE,  
EARLSTON,  
BERWICKSHIRE, N.B.

Dear Satow

Many thanks for your 2 last letters.

I am very glad you agree that we shall have to accept the Verdict of the Intern. Prize Court also with regard to our status as belligerent.

I sent the papers to Ottley but have not heard from him. As I hope to be in London on Monday I shall see him and also find out from Crowe about the ratification to which you called my attention. You ought to see the last Annuaire of the Institut which was published yesterday. It contains further resolutions on mines.

There is a good deal of alarm about the support we gave to France this summer. It seems to be more of an alliance than an entente and this naturally excites the Germans. The situation seems to have been very critical in Septr. Only great blundering could bring us to the brink of war with Germany on account of Morocco.

Morier [Sir Robert Morier?] always was in favor of an entente with Germany which would have made for peace.

I shall be glad to have your opinion on the debate next Monday in the H of L.

The influence of industrial unrest here on the conversations between France and Germany is remarkable. I am quite in sympathy with Fry's crusade.

Fine weather here today.

Yours sincerely

Reay

The situation in China and Persia is unsatisfactory.

37. 22. XII. 11 "Ans. 24/12" [See p.261 below.]



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6, GREAT STANHOPE STREET,  
MAY FAIR W.

Dear Satow,

Of the 13 Conventions and a Declaration agreed by us at the Hague all have been ratified except Nos. 1, 5, 10, 12 and 13. No.12 is the Prize Court Convention, the other 4 will be ratified so soon as the Hague Convention Bill is passed next Session. The statement in the 1909 Report of the Hague Bureau was an error, corrected in the 1910 Report.

Mr. Thomas Barclay is against the International Court on account of its Composition and would ratify the Declaration to be applied by our Prize Courts. Do you think this feasible? The F.O. I believe have not yet come to any decision.

Jermingham considers that public opinion here will never allow an Intern. Court as proposed. I am afraid that is so.

You will find the Lords' Debate in Parl. Debates Vol 10 No. 96. Crowe told me confidentially that he would leave the preparation of the Menu for the next peace conference to the Imperial Defence C[ommitt]ee as they can summon experts to their aid and to the Law Officers omitting F.O. Clerks in whom the public does not believe.

I hope to see you at lunch on the 12<sup>th</sup> at 1.30.

The Germans I am told wanted Mogador not Agadir. They did not expect us to back France. Now they know that we support France and will be more cautious. Whether we shall succeed in establishing better relations remains to be seen. In China the situation does not improve.

I hope your interview with Asquith was satisfactory.<sup>32</sup>

Is Mr. Edward Fry going to Athens?

With my best wishes for Xmas and the New Year.

Yours sincerely

Reay

38. 29.III.12<sup>33</sup>

6, GREAT STANHOPE STREET,  
MAYFAIR W.

Dear Satow,

I was glad to see your handwriting and conclude from it that you are well.

A bill will have to settle the transfer of the London Institution and to be introduced in

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<sup>32</sup> Satow met Prime Minister H.H. Asquith on December 14, 1911 (diary).

<sup>33</sup> Satow's reply is the first letter in PRO 30/33 11/16, dated 2 April 1912, p.263 below.

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the H. of Commons where it will enter a congested district. The Cromer Commission have not yet settled the Constitution of the School and it is of course only after that we shall know who are to appoint the staff. You have therefore plenty of time before any Candidature can be submitted.

I greatly regret that legislation on a minimum wage \* was conceded. It is opposed to all liberal principles and will give rise to friction. \* which probably was inevitable

The first mistake was the 8 hours bill. The moment you depart from free bargaining and from the observance of contracts you have made you are exposed to caprice. Asquith certainly meant to keep the scales even but the owners have a grievance.

How a similar situation is to be made impossible it is difficult to see unless you are prepared to declare a general strike illegal until arbitration has been used.

The German Naval programme is not alarming altho' Tirpitz has probably got more than B. Hollweg was prepared to give.

Have you followed the American proposals with regard to the Panama Canal?<sup>34</sup> I believe they are determined to have fortifications.

Roosevelt seems to have lost his head.

We are going to Cannes next Monday[,] Hotel des Anglais. I shall be glad to get a letter from you there.

Yours sincerely

Reay

39. 19. IV. 12

6, GREAT STANHOPE STREET,  
MAYFAIR W.

Dear Satow,

I saw [Eyre] Crowe yesterday. He told me that the Japanese attached the greatest importance to the Alliance and were quite friendly.

I was very glad to see you. I am off to Holland and hope to be back on June 10<sup>th</sup>. I heard a fine sermon this morning on the Kingdom of God Christ opposing anarchy.

Yours sincerely

Reay

40. 17. VII. 12

6, GREAT STANHOPE STREET,

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<sup>34</sup> The canal was first used on August 15, 1914.

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MAYFAIR W.

Dear Satow,

I was very sorry to miss you at the India Office last Friday.

Many thanks for your notes on the Maritime Law Report.

In a Dutch paper I saw that the next Conference would meet in 1915 and that an International Committee would draw up a programme.

I have not yet got the French memorial in my arbitration. The delay is most irksome, but of course nothing can be done. The Queen of Holland made a confession of faith in public at the front of the Monument to [Admiral Gaspard de] Coligny in the Rue de Rivoli Paris which made a deep impression and is certainly a remarkable utterance.

The transformation of the entente into an alliance with France is unfortunately out of the question. I hope you will pay us a visit in Scotland.

Yours sincerely

Reay

41. 10. VIII. 12 “Ans. 12/8.”

CAROLSIDE,

EARLSTON,

BERWICKSHIRE, N.B.

Private

Dear Satow

I am delighted you are coming to us on Sept 26<sup>th</sup> and I hope you will stay as long as you can and tell us until what date in October you will be able to remain. I am not going to Christiania for the [Session of the] Institute of Intern. Law, but I gave your notes to Lord Justice Kennedy who is going and who was glad to have them. He will be able to check Holland.

When you come to Llstiel [Laidlawstiel] I will show you the documents in the Franco Swiss arbitration case. I gave the decision in favor of Switzerland on Aug. 3<sup>rd</sup> on the main issue.

We had our first meeting on Jan, 18<sup>th</sup>: then a Swiss Memo[,] a French reply[,] a Swiss answer and a final French memo received end of July. Aug: 2<sup>nd</sup> we had a discussion and Aug. 3<sup>rd</sup> the judgment. The procedure was simple, rapid and inexpensive. There were no separate agents or pleaders. Everything was left to the Swiss and French arbiters. Noël was a technical expert and Borel whom you met at the Hague a lawyer. The Swiss did not press for retrospective or indirect damages and behaved very well.

What do you think of [George Ernest] Morrison's appointment and of the Mongolian

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situation and the trans Persian railway?

In Brussels I found the Ministers I met very anxious about our relations with Germany and puzzled about the causes of the estrangement. In Paris they did not seem to think it likely that the next Hague Conference will be held in 1915.

We are going to have a triangular contest in Midlothian. Manchester is significant.

Yours sincerely

Reay

Have you written to congratulate Halback[?] at Essen[?].

42. 20. IX. 12

LAIDLAWSTIEL,  
GALASHIELS, N.B.

Dear Satow,

I am looking forward to seeing you here next week when I hope weather will be as bright as the last few days.

I mention what follows as a reminder. You will provide your own supply of tobacco as I limit mine to cigarettes which wisely you repudiate! Maxwell's Commercial Hotel provides a machine at Galashiels. I have a meeting in the afternoon next Thursday.

You will have been shocked by Nogi's suicide.<sup>35</sup> Kennedy sends me a letter this morning that Institute did not at Christiania deal with Fauchille's report as he was not there. Rather fortunate!

Yours sincerely

Reay

43. Oct. 14. 12.

LAIDLAWSTIEL,  
GALASHIELS, N.B.

Dear Satow,

Many thanks for your letter and for the most interesting volume of [Canon] Wilson.<sup>36</sup> I read his sermon on Unity with pleasure. Where one is in agreement on the great doctrines such as the Atonement, the efficacy of prayer, Sin, the spiritual guidance of the Holy Ghost, regeneration[,] the formal aspect of religion, episcopalian or presbyterian, sacerdotalism and sacramentarianism, ought not to divide.

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<sup>35</sup> In his reply dated 23 September 1912 Satow described General Nogi's suicide as a 'return towards barbarism'.

<sup>36</sup> Satow had sent Wilson's book with his letter dated 11 October 1912.

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You very naturally are loyal to the Church of England and I follow presbyterian instincts and traditions. But this does not preclude that we are going into eternity with the same trust in God's mercy and forgiveness. Since you left I met two members of the Churches' Committee on Union one a Minister of the E.C. the other a U.Fr both desiring union. The U.F.'s are afraid of state intervention even with the object of upholding the doctrines of the Church and on the other side there is fear of departure from the Confession of faith.

As regards the latter my Minister [Dr. Dugald Butler]<sup>37</sup> – a very good theologian who has written 2 books one on Thomas a Kempis and the other on Archbishop Leighton (would you like to see them?) would be satisfied with the Apostles Creed.

Pray return Rolin's article. I miss your genial presence.

Much wind today good for drying corn.

Yours ever R

Pray remember me a l'occasion, to your excellent Bishop.

44. Nov. 3. 12 "Ans. 9/11/12"

CAROLSIDE,  
EARLSTON,  
BERWICKSHIRE, N.B.

Dear Satow

I was very glad to see from your last letter that you would not object to immunity of private property at sea in case contraband were abolished. I believe that this should do more to improve our relations with Germany and the U.S.A. than anything else. But the Admiralty will not surrender. You may have noticed that the Greeks include coal in their list of contraband and distinguish between trade in general and cargoes for arsenals, armies, fleets and government establishments. I read this in my Dutch paper. What is exactly the situation of foreigners who enlist for instance Russians in the Bulgarian Army? How is the other belligerent to deal with them if made prisoners? And what punishment is inflicted here for breach of the Foreign Enlistment Act? During the Boer War I believe that we treated Dutch prisoners as humanely as Boer captives.

The collapse of Turkey is an unpleasant revelation for Germany and Austria and strengthens Russia. I was told that Iwolsky and Tcharikow had encouraged the formation of the Balkan League of which the Sultan was to be the first[?] brain! It will be interesting to see whether a Balkan federation will be the outcome of this war.

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<sup>37</sup> Satow and Reay went to hear Butler preach at Galashiels on September 12 and 19, 1915. (Diary)

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The inability of the Great Powers to prevent this war and to introduce reforms is not an edifying spectacle. I hope [James, Viscount] Bryce's book reached you. Wilson I am lending to various Ministers who are much interested. I enclose a letter from the Stow pastor who is a learned man and a report of a lecture on our Conference. We return to London on the 22<sup>nd</sup>. The harvest here is not yet concluded and a great deal of corn is still standing. Today was a very fine day.

What sort of man was Brinckman? I read Redesdale's letter in the Times. In the W[estminster]. Gazette of both 29 and 30 Chiozza Money<sup>38</sup> shows how heavily taxed land already is.

Yours sincerely

Reay

[At top of letter] Have you seen in Saturday's "Times" Greek regulations on transfer of ships to neutral flag?

45. 14. XII. (1912) "ans. 15/12/12" [See p.269 below.]

6, GREAT STANHOPE STREET,  
MAYFAIR W.

Dear Satow,

I have to thank you for your most interesting letters. I quite agree that the problem how to live the interior – the hidden – life and the life in the world is most serious and that it is so more and more when one is reaching the end of life.

I have no copy of [Henry] Scougal's Life of God in the Soul [of Man] neither have I seen De Montmorency's learned work or Die Haleging [?] by O.O. Spitzzen.

Do you believe in flogging as a proper penalty. The [ ] is very Dutch! Have you seen the Dean of St. Paul's [Dean Inge's] Brampton Lectures on the mystics.

Both he and Bn. von Hügel (a modern Catholic) ) are very deaf [,] both are mystics.

I was delighted that you are prepared to accept Immunity of private property coupled with abolition of contraband. I always held that view since 1907.

I believe that Germany would then be less militant.

We have a great historical international Congress in London from 2<sup>nd</sup> – 9<sup>th</sup> April. Will you contribute a paper on Japanese history to be read by you in the Indian and Colonial section or rather the Oriental one over which I am to preside. You can make your own selection and it need not be long.

Bryce will preside and Rosebery and George Trevelyan are among the Vice

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<sup>38</sup> Sir Leo George Chiozza Money (1870-1944). Italian-born economic theorist, politician, journalist and author.

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Presidents. The King is Patron. We expect 700 members. The last Congress was in Berlin.

I trust you will accept this invitation and if you cannot tell me who you think might be invited.

Do you know J.H. Gubbins Balliol Coll. Oxford? is he an expert?

If you like I can return Butler's T. à Kempis which I have lent to Geo. Horsell. I believe that peace will be concluded and that there will be no difficulty as between Austria and Servia. Salonica may be more troublesome. [Milenko R.] Yesnitch dines here next Monday and I shall then probably hear something.

We both wish you a pleasant Xmas. Where should we be without it? Do you know a book by [James] R[endel]. Harris Odes of Solomon. Very remarkable.

Yours ever R.

46. 4. I. 13 "ans 8/1/13"  
6, GREAT STANHOPE STREET,  
MAYFAIR W.

Dear Satow,

As soon as I got your letter I called on Crowe and this is the result.

Pray return encl[osed]. at your leisure.

Your reference was to Vol. II but the declaration is in Vol. III of Actes et Documents.

The Turks decline the peace conditions. Probably now the Powers will intervene. I hear they are agreed. The nub of course is Adrianople. I have seen Yesnitch, Streit, [ ] and Reshid Pasha. Yesnitch believes in peace:

The death of [Alfred von] Kiderlen Wachter is to be deplored because he understood the Balkans and was independent from the Austrians. Next week I shall meet [Take] Ionescu the Roumanian Minister of the Interior and let you know if I hear anything.

Fortunately Grey has the confidence of all the Powers on account of his uprightness.

Kato told me that there is no one in China but Yuan Shi ki which is a formidable fact.

In Servia however there is nobody!

With my best wishes for this year

Yours sincerely R

47. 23. I. 13 "ans 24/1" [See p.270 below.]  
6, GREAT STANHOPE STREET,  
MAY FAIR W.

Dear Satow,

We want a paper of Chinese history for the Historical Congress. Can you recommend some one? either here or abroad or China?

Confidentially I may mention that Loreburn<sup>39</sup> is writing a paper on immunity of private property at sea which he wants to secure – as well as abandonments of mines, blockade and conditional contraband if I understand him aright. He asked me whether we could stop neutrals going to Petersburg if we bottle up the Germans at Kiel. I told him we could not[,] Russia being neutral. What do you think? The Admiralty I think wants[?] closing the Baltic.

We are fortunately in sight of peace. I hope you are against female franchise.<sup>40</sup>

I shall ere long return Butler's and Inge's Volumes.

Since my last letter Mr Dunn the farmer at Llsteel died and Lady Wynford an intimate friend of Lady R's and another contemporary of mine; Boothby's death is also sad. Many reminders to prepare for the great transition and to be detached from our many attainments. When will your article appear?

Yours sincerely

R

48. 20. II. 13 “ans 21/2/13” [See p.272 below.]

6, GREAT STANHOPE STREET,  
MAYFAIR W.

Dear Satow,

Here is the reply which pray return to me. On Monday we are going to the Riviera. I am not quite sure whether you intend me to keep Inge's Mystics.

I send you a German book which may interest you and which you can keep as long as you like and I also return Butler's T. à Kempis. Loreburn (quite between us) sent me to criticise freely his essay to this effect:

“No capture of private property

No blockade except in support of a siege by land.

No contraband except absolute c.

No mines except in belligerent territorial waters.

No conversion of merchant ships.[”]

It is very clear and well written. He quotes your speech in favor of capture of private

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<sup>39</sup> Robert Threshie Reid, 1<sup>st</sup> Earl of Loreburn (1846-1923). Lawyer, judge and Liberal politician.

<sup>40</sup> Satow explains why he is against giving women the vote in his diary for December 19, 1913.



property. I am ashamed to say that I have not had time to read your article.

Welsh disestablishment worried me a good deal. I am in favor of disestablishment and with regard to dismemberment and disendowment I agree with the Bishop of Oxford. You should read the debate in Hansard.

Bishop of St. Asaph, St. Aldwyn, Balfour of Burleigh and Aberconwy made the best speeches. It is a mean bill and a scandal that Church and Noncons cannot come to a *modus vivendi*.

Yours sincerely

R

49. 14. II. 13 “replied 15/6 at length disputing Surie’s views.”<sup>41</sup> [See p.273 below.]  
6, GREAT STANHOPE STREET,  
MAYFAIR W.

Dear Satow,

I had hoped to see you on the King’s birthday.

Captain Turie<sup>42</sup> Dutch R.N. whom you may remember at the Peace Conference has written to a Dutch paper to criticise the action of our Admiralty in arming merchant vessels. This has been done in the case of the “Argon” and the “Amazon” carrying frozen meat from Argentina to Southampton each has 2 guns.

He considers that this is opposed to the Paris Declaration of [18]56. He points out that we have always advocated limitations of transformation of merchant vessels. He alludes to the preamble of the 7<sup>th</sup> Convention and the impossibility of agreement on transformation in open sea, and that Renault in his report on the London Conference had to admit: “la question de la transformation en pleine mer et celle de la retransformation sont donc restées entières.”

He thinks that this measure of the Admiralty is the answer to the refusal of other Powers to limit transformation which would have been favorable to neutrals. The question arises – he says – what régime must be imposed on these hermaphrodite vessels in the ports of other Powers in peace as well as in war. It introduces an element of personal combat in war and if practised by officers of ships of other nations less well acquainted with the rules for rights and duties of belligerents may lead to bad results. In 1856 privateering was abolished. This seems to restore the disquieting status ante by introducing armed merchant vessels. He then refers to an article in the Naval and Military Record of May 7<sup>th</sup> which says that shipowners fear that such vessels may be

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<sup>41</sup> See Satow’s letter in PRO 30/33 11/16.

<sup>42</sup> Satow has written ‘Surie’ here.

regarded as privateers. Surie contends that these ships will be considered as franc[tireurs [irregulars]. The Admiralty maintain that it is for purposes of defence only but Surie says that in the exercise of the right of search and detention and unneutral service and blockade running untoward accidents may occur which would be piracy. He says that other Powers must enter a protest against this new departure which is not sanctioned by International Law.

The proposals of immunity of private property and abolition of contraband he says cannot be considered as long as this new development of additional armed vessels is tolerated which is a menace for unarmed merchant ships. It is a treacherous engine of war. Maritime war must be limited to Navy men of war. Guy Barbosa [Ruy Barbosa?] in a speech pointed out that transformation of merchant vessels might easily lead to revival of privateering which is what has now been done as this measure sets aside all the guarantees required by the 7<sup>th</sup> convention. This is pointed out in the Naval and Military Record of 14<sup>th</sup> May that the armed merchantman has no connection with the Navy.

The open sea will become a highway of pirates. Immediate steps will have to be taken as to the hospitality to be given to these armed merchant vessels in foreign harbours.

What is your opinion? It seems to me that the Admiralty have weakened our case against transformation and opened up a very serious extension of maritime warfare.

Bencke[n]dorff<sup>43</sup> I am told is so pleased with the Ambassadorial Conference that he wants to make it a permanent Institution which would render a Peace Conference superfluous and make the Great Powers an Areopagus.

On Aug: 28 the Peace Palace is to be opened by the Queen at the Hague. I think I shall go to it. [Herman Adriaan van] Karnebeek showed me over it. I do not admire the internal decorations between ourselves.

Have you read Loreburn's articles in Manchester Guardian? I suppose they will be published separately.

Your article I read with much interest and on the whole I agreed with it.

Our relations with Germany at present are satisfactory.

Yours sincerely

R.

I hope to be able to leave London on July 19<sup>th</sup>.

50. 6, Great Stanhope Street, W. [address handwritten]

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<sup>43</sup> Alexander Graf von Benckendorff (1849-1917). Russian Ambassador to the U.K., 1903-17.

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July 12. 13. “ans 13/7” [See p.276 below.]

Dear Satow,

I am greatly in your debt and cannot acquit myself of it as I am engaged in other pursuits than those of Maritime war. I shall however be in the thick of it on Aug. 4<sup>th</sup> when Institute of Intern. Law meets at Oxford with Holland in the Chair. I have received a very elaborate report on the “lois de la guerre maritime” which I shall send you after the Oxford meeting and which we can discuss in Holland. When may we look forward to receiving your visit? 5[Satow’s handwriting: 5/9 till 17/9]<sup>44</sup> We can then also discuss your excellent article if you will kindly bring a copy.

Desart does not think much of Loreburn’s volume which he says ought to be answered by Admiral Custance who is an authority. I think Loreburn’s book very clear and persuasive. Cromer is much annoyed by delays in official correspondence and by Colonial Office theory that languages should be learnt after appointment on the spot which I believe is also your view. However the School has a home in Finsbury Circus, formerly London Institution but no endowment.

The Balkan savagery is terrible and no rules of Intern. Law are heeded in the process of internecine conflict. What is the idea these people have of Xianity?

Whether Russia will be able to settle the delimitation remains to be seen.

Meanwhile Germany and France with their increased armaments are incurring a financial and a personal load of debt which France I am told cannot bear.

I am going to Holland on 24<sup>th</sup>. Last elections have strengthened Socialists to an alarming extent and a man not in the front rank has been charged by the Queen to form a Cabinet including Socialists which is quite constitutional.

Yours sincerely

Reay

51. Aug. 17. 13

CAROLSIDE,

EARLSTON,

BERWICKSHIRE, N.B.

Dear Satow

We are going to spend this week at Laidlawstiel, Galashiels and I am going to attend the opening of the Hague Palace on the 28<sup>th</sup> and after that transact some business before returning here at Ophemert. We had a strenuous week at Oxford and only just managed

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<sup>44</sup> Satow visited Carolside between these dates (diary).

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to adopt our Manuel pour la guerre maritime. I carried an amendment to exclude transformation of merchant ships on the high seas. Mines in the high seas are prohibited, defence of merchant ships is allowed, prohibition of prize money was rejected. We were beaten on a clause which lays down that mines laid down before a harbour do not transform it into a fortified place. Hostages were prohibited against the German view. Capture has no retrospective effect. There was a good deal of discussion on the interpretation of saisie as distinct from capture. Saisie does not involve capture which entails confiscation. A pending litigation before a prize court does not conclude, when peace is arranged.

The Americans never spoke but Wilson told me the result was better than he expected. [Elihu] Root was there and I thought him a very good specimen of an American jurist, but no knowledge of French. The French were very conciliatory and avoided the Germans who were tame. [Francis] Hagerup was much in evidence and his Norwegian crusade was complimented by [Louis] Renault as an “éplucheur” of legal terminology! [T.E.] Holland presided as if he were lecturing to a refractory class of students, but the foreigners all respect him as straight. I send you Fauchille’s report, but pray bring it here as I have no other copy. I shall get a copy for you of the Manuel as adopted when it is distributed.

The drought is very serious.

[Tobias Michel Karel] Asser’s death deprives me of one of my oldest and ablest friends. [Eduard Nicolaas] Rahusen and General [Den Beer] Poortugael all passed away since the last Institut meeting. [John] Westlake also leaves a great gap. Oppenheim took a leading part in our debates.

I shall be curious to know what you think of the Concert of the Ambassadors and of the Balkan peace. I am told that the Germans do not want any more Colonies.

Yours sincerely

Reay

I trust you received my vindication of missions. Write to Mr. James Scott at Melrose for a motor to be at the Station on your arrival. You will also not mind having your own supply of tobacco. I am afraid I shall not have returned [from the Hague] in order to receive you but you will find Mc. Wallace and Mrs. Paris Singer and Lady R. will give you a cordial welcome. I think the Institut intends to edit another Manuel on the basis of immunity of private property.

52. 24. IX. 13.  
CAROLSIDE,

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EARLSTON,  
BERWICKSHIRE, N.B.

Dear Satow

You have certainly managed to put much matter into your paper.

The difficulty about showing hospitality to Dreadnoughts in time of war is that a weak neutral State would hardly be able to disarm a powerful belligerent.

Some saving clause about force majeure would be required. I am very much in doubt whether a great measure of freedom to neutrals to do what they like in case of war would not be more likely to prevent war than the important restrictions on neutral freedom. Of course "assistance hostile" cannot be tolerated but I should limit this to an undoubted exercise of amity. The whole tendency should be to simplify rights and duties of neutrals and to prevent belligerents from inflicting damage in any non belligerents.

I am glad you do not advocate the doctrine of the balance of power which is open to much abuse as also that of nationalities. I need hardly say that I cordially agree with your peroration.

We returned here last night from Glamis Castle and Blair Castle both very interesting and each having its own characteristics and traditions.

I am afraid there is no chance of a conference on Ireland and [Sir Edward] Carson's incitement to civil war seems to me quite unpardonable whatever may be the provocation he conceives he has received. Like the suffragettes it is pessimi exempli to the Socialists.

I was delighted to hear you had enjoyed your visit and so did we.

Yours Sincerely

Reay

53. "ans. 13/11" [See p.280 below.]

Carolside,

Earlston,

Berwickshire [handwritten on New Club Edinburgh notepaper]

Nov. 10. 13

Dear Satow

Many thanks for your interesting letter [of November 3<sup>rd</sup>] and report [on housing in Devon]. I quite agree that detailed information on the rural situation is required, that generalisation of evils and of remedies is impossible. Where landlords tenants and laborers are satisfied with rents, wages and tied cottages there is no reason to intervene

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and more harm is done than good. In the Lindean[?] farm which I mentioned to you the owner used to have a working capital of £6000, now the 136 small holders planted on it will not have more than £2000 to spend which of course means depreciation of the land. There was a significant letter of Charles Bathurst<sup>45</sup> 4 or 5 days ago in the Times and the Spectator also seems to go in for making deer forests playgrounds. I confess I do not think the latter are wanted in Sutherland. I have received the copy of the rules adopted at Oxford by the Institut and I shall send it to you soon, but pray keep it in case I cannot get another.

The Council of Uni: Coll. London have asked me to invite you to give them a lecture on some subject of Intern: Law at any time which may be convenient to you. You will have a very appreciative audience and I hope you will accept it.<sup>46</sup>

What do you think of the Mexican and the Turco-Greek imbroglios and the French budget. Redesdale had been welcomed in Berlin by everybody and is delighted with the great heiress his son has captured. Pouring [rain] here today very gloomy. We left Llstiel last Friday. I suppose Ulster will have to get a special Administration.

Yours sincerely

Reay

[End of File.]

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<sup>45</sup> Charles Bathurst, 1<sup>st</sup> Viscount Bledisloe (1867-1958). M.P. for Wilton, 1910-18. Governor-General of New Zealand, 1930-35.

<sup>46</sup> Satow declined this invitation in his letter to Reay dated 13 November 1913, stating that he was too busy with local matters. (PRO 30/33 11/16)

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Correspondence from Lord Reay (and Lady Reay and Mrs. Mitchell)

1914 July – 1917 December

1. July 20. [19]14

CAROLSIDE,

EARLSTON,

BERWICKSHIRE, N.B.

Dear Satow,

We are looking forward to your visit. From August 6<sup>th</sup> any time will suit us. On Sept. 17<sup>th</sup> I go to Internat[ional] Law Institute meeting at Munich but I should like to talk over with you the subjects to be discussed there. No progress has been made to give effect to London Conference Resolutions, and the Hague Conference seems also constantly put off. I cannot conceive that an agreement on Ulster will not be attained. The controversy is now limited to the exclusion of Tyrone and this is not sufficient cause to plunge us into civil war. The best solution would have been home rule within home rule which a year ago would have been accepted.

A more serious situation is likely to arise if railway men and miners strike. The prolonged strike in London in the building trade is ominous.

I was in hopes I should see you on the King's birthday celebration.

The sooner you can tell us when you can come the better.

Yours Sincerely

Reay

Have you seen Sir E. Fry lately ?

2. July 23 [19]14 "arr 3/7[?] 3 p.m."<sup>1</sup>

CAROLSIDE,

EARLSTON,

BERWICKSHIRE, N.B.

Dear Satow,

I am delighted you are free in September when we shall be at Llstiel [Laidlawstiel]. I have to leave on the 17<sup>th</sup> and therefore hope you will come early in September. Pray tell me which date suits you and at what hour you will arrive at Galashiels where good motors can be obtained for rapid transit.

You are in London at the juncture of a great crisis. It is hardly conceivable that 8 statesmen should be unable to come to an agreement on such a minor problem as the exclusion of Tyrone and Fermanagh. The industrial unrest is gradually attaining the dimensions of trial revolution. Modern Unrest and the Bible by Mr Andrew Wingate 2d

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<sup>1</sup> For Satow's answer see PRO 30/33 11/16, July 25, 1914, p.281 below.

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and The Religious Crisis in Ireland 1d by Rev Wm Corkey can be obtained from the Evangelical Alliance 19 Russell Square.

The tension between Austria and Servia seems to be increasing and the situation of the Prince of Wied is impossible if the Powers do not support him. The Caillaux trial<sup>2</sup> is a great scandal. The French P.O. opens letters to find out what people are inserting abroad! “Nous sommes gouvernés par des brigands” a Frenchman said to me and Poincaré lives in dread about revelations of his wife’s past!

Yours sincerely

Reay

3. Aug 5, 14 “ans. 7/8 to say that under present circs. & my duties as chairman of the Executive Committee of the Devon Patriotic Fund & Prest. of the Ottery Committee of Soldiers & Sailors Families Assocn. I shall not be able to go to them in September.”

CAROLSIDE,

EARLSTON,

BERWICKSHIRE, N.B.

Dear Satow,

We shall be very glad to expect you on Sept 3. You can order your motor from Adam Purves at Galashiels. What a terrible state of things. The Germans seem to have deliberately planned the whole thing and they could have prevented the war. They must have known that we could not permit the infraction of the neutrality of Belgium or the attack of the French coast even if there had been no entente or treaty. I suppose that they considered war at this moment favourable on account of the approaching crisis in Austria on the Emperor’s death, on account of the vulnerability of France on the Belgian frontier, on account of the impossibility of going on with Army and Navy expenditure on the present scale and on account of Russian unpreparedness for immediate action. I wonder whether they foresaw Italy would remain neutral.

Shall we have to send an expeditionary force? This will I suppose be decided after a naval engagement has taken place. Fortunately Ireland and the Colonies are perfectly loyal and the invasion of Belgium has silenced the extremists. The worst will be the unemployment and misery consequent on the war.

If France is beaten Russia will have to bear the brunt of a long war. Bismarck would not have contemplated a war with Russia and I do not think he would have given us cause to intervene. We can only rely on Divine guidance in this formidable crisis.

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<sup>2</sup> Joseph Caillaux (1863-1944). French politician of the Third Republic.



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I thought Grey's speech admirable and the King's telegram to the Tsar also very dignified.

Yours Sincerely

Reay

I've noticed that the American and not the Italian Ambassador is to look after Germans in England.

4. Sept. 17. 14 "ans. 21/9. Please return encl: cutting"

LAIDLAWSTIEL,

GALASHIELS, N.B.

Dear Satow,

Many thanks for your letter. I wish you were here but you are better employed.

The horrors perpetrated by the Germans are incredible. It only shows what unregenerate man is capable of. This war is a Judgment of God for the sins of the world. As a French friend said to me' we have abandoned God so He gives us up to barbarism.

The hatred of England in Germany is I believe very deep-rooted and will of course be exaggerated now that they see of what stuff our fleet and our Army are made and that we are gentlemen. The feeling in the masses is one of growing desire to crush the Germans and give them proper retribution for their misdeeds. On encl: paper I have put some queries on which you may be able to throw some light as I am without any

*fontes*

[fontes, i.e. sources?] here having left my books in London!

Holland has of course to deal with the question of contraband and as continuous voyage<sup>3</sup> does not apply to conditional contraband (Decl: of London) they are of course pressed by Germany but the Dutch Government have cut the knot by saying that they must lay hold of all grain[?] for their own needs. I believe that we have applied the

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<sup>3</sup> "Continuous voyage, in international law, a voyage that, in view of its purposes, is regarded as one single voyage though interrupted (as in the transshipment of contraband of war). The doctrine specifically refers to the stoppage and seizure of goods carried by neutral vessels either out of or heading to a neutral port. If such goods were to be transshipped to another belligerent (the enemy) at some point in the voyage, the state invoking the doctrine could claim that, regardless of the period of neutral possession, the voyage was continuously geared toward trade with the belligerent power.

Perhaps the most famous invocation of the doctrine of continuous voyage occurred during the Napoleonic wars, when American merchants attempted to evade British blockade restrictions by carrying goods from the French West Indies to France via U.S. ports. British courts ruled that such voyages were in fact continuous and were not entitled to be considered neutral commerce." (Encyclopedia Britannica <https://www.britannica.com/topic/continuous-voyage> accessed April 23, 2019)

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doctrine of continuous voyage to conditional contraband departing in that respect from Decln. Of London. What I say about Dutch Gov. pray consider confidential. In Holland they are of course well aware that the integrity of Belgium is to them a total condition of existence.

In Dépêche Coloniale latest number my article is republished which appeared 6 years ago in that journal in which a high German personage is quoted who said: war to French only in 5 years' time; weakness of support by Italy! Germany revived[?] if war lasted longer than 6 months if beaten[?]; restoration of Metz and Lorraine to France; neutralisation of Alsace; restoration of S. Holstein to Denmark; 100 millions to France indemnity with Togoland and Cameroons; surrender to us of Heligoland E. Africa S.W. Africa half a dozen battleships and 12 German cruisers; indemnity of 150 millions to Russia. This is rather curious and will do as a beginning. I believe that in Germany already the economic pinch is felt and that even milk and butter are scarce.

The prostration of Austria is phenomenal. Italy and Turkey will I suppose remain neutral and we are only just at the first phase of our Armaments.

You were wise not to enter into a dispute with T. Bowles who says (in the Daily Graphic of Monday or Tuesday I think) that the Germans have not infringed a trifle Hague Conventions meaning thereby that they are useless.

Yours sincerely

R.

5. 28. X. 14 [Answered on October 30, 1914. See p.295 below.]

LAIDLAWSTIEL,

GALASHIELS, N.B.

Dear Satow,

I was very glad to hear from you and at once sent your letter to W. H. de Beaufort who I am sure will answer your questions and obtain the information.

You will have noticed [T.E.] Holland's letter in yesterday's Times. It seems to me that doubts might arise as to when a territory is "not under occupation" and article 2 of the convention applies. It is clear that there is a transition from non-occupation to occupation which may give rise to difficulties. "The fixed distinctive sign recognisable at a distance" may also be doubtful. The Germans have refused to recognise the Garde Civique of Belgium who are superior to our volunteers. They might go so far as not to recognise territorials. I think Sir Ronald Ross is quite justified in asking for some explanation. I suppose Art 2 means: levée en masse is legitimate for purposes of defence against an invader; when the intruder occupies the levée en masse must be

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dissolved. We are evidently making concessions to the Americans as regards cotton and oil as contraband and as regards reservists in neutral bottoms to join the army. The Americans seem to me to have no justification for their claim that[?] if we were neutrals we should probably not allow grain or cotton or oil to be declared conditional contraband. We are prohibiting Holland to export grain to Germany and encouraging America to send us grain. We cannot expect logic in these circumstances!

Are the Germans justified in wearing Belgian or French uniforms art. 23 (f) and in using our flag on their cruisers? Are there no limits to “ruse de guerre”? Our worst anticipations as regards mines have been verified, also about aeroplanes over defenceless towns. A new and stringent code of war methods also with regard to hostages will be needed but how is it to be enforced? I suggested to Murray to obtain your signature and Fry’s to the manifesto[?].

The South African rebellion is deplorable. [Christian Frederick] Beyers was much made of by the Emperor when he visited Europe and he is very jealous of [Louis] Botha, who is fortunately very popular.

I suspect that Germany will soon be getting exhausted whereas we are only at the beginning.

Holland is behaving with great prudence and generosity towards refugees. I do not think we can complain and Germany is most careful not to give offence to Holland. Do you see Land and Water a weekly by Hilaire Belloc a very good account of progress of war. October 19<sup>th</sup> Century first article, that on Feltienne[?] and on Holland[?] are very good. How well our Indian troops have fought.

Yours sincerely

Reay

6. [Post Card] Llsteel 29 X. 14

Beaufort has sent queries to Dr. Fruin Head of Archives and recommends Maurice de Saxe et le Marquis d’Argenceau [d’Argenson] par le Duc [Albert] de Broglie Paris 1893. Beaufort sends me his pamphlet in Dutch on The War and Intern. Law. You saw that they revoked order with regard to transport of [ ? ]. Yours sincerely

R

7. [Post Card] Llsteel 30 X. [1914]

Have you seen in yesterday’s Morning Post p.6 “The Naval Position” p. 7 The Declaration of London and in Times of yesterday p.9 Choate’s introduction and the extraordinary poem of hatred p.5 Beaufort’s article contends that aircraft is subject to

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same regulations as bombardment Arts 25, 26, 27 and 28 of règlement; that stringent rules are required as to use of mines and as to dealings with population in occupied territory. The article is an indictment of Germany. Have you seen his article Deutsche Revue April 1913 Die Grossmächte und der Friede and Report of the International Commission to inquire into the causes and conduct of the Balkan Wars (Carnegie Endowment).

Yours Sincerely, R.

8. [Post Card] Llstiel 31 X. 14

What is address of Pearce Higgins? Have you seen Frederic Harrison's letter in yesterday's Morning Post p.11 and p.9 new Order in Council and elsewhere list of contraband articles omitting cotton.

This bombardment without declaration of war is quite irregular and "Emden" flying Japanese flag seems to exceed the limits of ruse de guerre. Weather has quite broken up now. German diplomacy at Washington seems to be blundering in their press campaign.

Yours sincerely

R

9. Nov. 2. 14

LAIDLAWSTIEL,

GALASHIELS, N.B.

Dear Satow,

Many thanks for your letter. The difficulty seems to me that when you once have a levée en masse before invasion it will be very difficult to control it in the transition period from non[-]occupation to occupation. However I do not think we shall have invasion here but we shall have it in Egypt. I do not think we can use our Mahomedan troops against Turks and I am told that in Northern India they look upon the Sultan as a Pontiff. I suppose that we shall now see Russia in Constantinople.

This slaughter in Belgium is appalling and perfectly useless as regards any benefit which can accrue to Germany from occupation of Calais which seems to be pure malice of the Kaiser. How long will the Germans stand this regime.

Your supposition as regards exports of grain from Holland is I hear the right one and I suppose Holland said to Germany: we take all imports of grain as we need them for our own use which is true as I know from personal experience[,] all corn in the country being seized or controlled by Governments. The excuse for not observing Declaration of London is I suppose that Germany does not respect Hague conventions. The hatred of

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England in Germany is evidently intense. Have you seen the translated Belgian blue books Miscellaneous No. 12 (1914) Cd 7627.

Yours sincerely

Reay

10. [Post Card] Laidlawstiel Galashiels 4.XI

Many thanks for postcard. I have 3 copies of Belgian grey book if you desire to have one. No. 12 is pretty clear! I strongly advise you to take in Morning Post which is excellent. In yesterday's paper you will find at p.11 a most admirable review of orders in Council maintaining Declaration of London whilst destroying it!

Did Pearce Higgins send you his article on armed merchant ships.

[Stevens?] and Sons London.

11. 7 XI. [19]14

LAIDLAWSTIEL,

GALASHIELS, N.B.

Dear Satow,

Many thanks for your letter. I am still in hopes that the principle of nationality will be widely adapted when Peace is made. I am much concerned about all the mishaps[?] to our Navy. The Army has been splendid, but the loss of life is terrible.

I send you by Bookpost Belgian grey book and encl: answer of Beaufort to whom you might write thanking him and asking him for his pamphlet, which would please him. You will find his address on first page of encl: he is Member of Second Chamber.

Here is epitome of contents of letter: The negotiations between Prussia and United Netherlands are contained in 2 memos of Prussian Minister d'Ammon dated 14 August 1747 and 11 Dec 1747 and Resolution of States General of March 5. 1748. In both memos Prussian Minister complains of trouble caused to Prussian subjects with their ships by visit[?] and confiscation of goods by Dutch seamen.

After consultation with delegates of Admiralty Colleges and inquiry of this complaint by delegates for Maritime attacks – the States passed resolution on 5<sup>th</sup> March 1748 which ordered that passports granted or to be granted by King of Prussia to ships of his subjects would have to be respected, if these ships carry no other freight than allowed goods and no contraband and that Prussian ships will not be molested further than is necessary for such[?] to ascertain nature of cargo as is sanctioned by laws and customs at sea.

These are the only documents exchanged between the 2 Governments on this subject

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in latter half of 1747 and begin[ning] of 1748.

For the active parts of United Province; in Austrian Secession war April 17 1747 will have to be taken as initial date if one does not concede as such the sending of auxiliary troops to Empress[?] of Austria in 1743 and the defence of ‘barrier’ towns in 1744 by their garrisons against the attacks of the French.

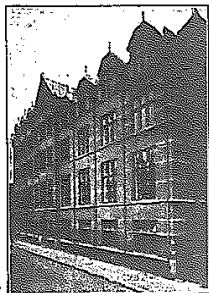
17 April 1747 the States received a memo of French Minister De la Ville with declaration of French king (both inserted in Secret resolutions of that day) in which the latter wrote that he was obliged no longer to respect the territory of the States [ ] of translation is in the encl:

Beaufort writes that he will be very pleased to send further information if required.

Yours sincerely

Reay

Enclosed typed letter in Dutch from R. Fruin at the Dutch national archives to Beaufort (3 pages)



's-Gravenhage, 30 October 1914.

ALGEMEEN RIJKSARCHIEF.

*N<sup>o</sup>.* 700 D.

*Bericht op schrijven*

van 26 October

Hooggeachte Heer,

1914 N<sup>o</sup>.

betreffende:

In antwoord op de vragen, gesteld in den hierbij  
aan U teruggezonden brief van Sir Ernest Satow, kan ik U het volgen-  
de mede deelen.

Bij een in het archief der Staten-Generaal ingesteld onderzoek  
is gebleken, dat de onderhandelingen tusschen Pruisen en de Vereenig-  
de Nederlanden, omtrent de behandeling der Pruisische schepen door  
Nederlandsche oorlogschepen en commissievaarders, vervat zijn in twee  
memories van den Pruisischen gezant d'Ammon, dd. 14 Augustus 1747 en  
11 December 1747 en de daarop gevolgde resolutie van de Staten-Generaal  
van 5 Maart 1748. In beide memories beklagt de gezant zich  
over den overlast, dien de Pruisische onderdanen met hunne schepen on-

dervinden

*Aan*

den Heer Mr. W. H. de Beaufort

huize Den Treek

LEUSDEN. (Utrecht).

12

dervinden door het visiteeren en in beslag nemen van goederen door de Hollandsche zeelieden.

Na onderzoek dezer klacht door gedeputeerden tot de zeezaken en in overleg met gedeputeerden van de admiraliteits-collegeiën namen de Staten den 5<sup>en</sup> Maart 1748 eene resolutie, waarbij bepaald werd, dat „de paspoorten die door den koning van Pruisen aan de schepen van zijne onderdanen zijn verleend of nog verleend zullen worden, door de Collegiën ter admiraliteit en de oorlogschepen en commissievaarders zullen moeten worden gerespecteerd, indien deze schepen geen andere dan gepermitteerde goederen en geen contrabande zullen hebben ingeladen, en dat de schepen van Pruisische onderdanen niet verder zullen worden gemolesteerd dan noodig is voor de visitatie om de ladingen te leeren kennen, zooals door de wetten en gebruiken ter zee toegelaten is”.

Bovengenoemde stukken zijn de eenige, die tusschen de Pruisische en Nederlandsche regeering over bedoeld onderwerp in de laatste helft van 1747 en het begin van het jaar 1748 zijn gewisseld.

Wat de tweede vraag, de feitelijke deelneming van de Vereenigde Provinciën aan den Oostenrijksche successieoorlog, betreft, zal als aanvangsdatum moeten aangenomen worden 17 April 1747, <sup>of</sup> <sup>at least</sup> indien men althans het zenden van hulptroepen aan de keizerin van Oostenrijk in 1743 en de in het daarop volgende jaar plaats gehad hebbende verdediging door de bezettingstroepen van de barrière-steden tegen de aanvallen der Franschen niet als zoodanig beschouwt.

Den 17<sup>en</sup> April 1747 ontvingen de Staten eene memorie van den Franschen minister De la Ville met eene declaratie van den Franschen koning (beide geïnserieerd in de secrete resolutiën van dien dag), waarbij de laatste meedeelde, dat hij genoodzaakt was, het grondgebied van

den



den Staat niet langer te ontzien.

Uit eene secrete resolutie der Staten-Generaal van 7 November 1747, welke als antwoord diende op bovengenoemde memorie, en waarin door de Staten hunne houding gedurende den geheelen oorlog uitvoerig beschreven wordt, blijkt dat de Franschen op den dag der ontvangst van bedoelde memorie, dus 17 April 1747, reeds een inval in Zeeuwsch Vlaanderen gedaan hadden, en dat hierdoor de Nederlanders gedwongen waren feitelijk aan den strijd deel te nemen.

Met de meeste hoogachting

Uw dienstw. dienaar.

R. Fini

*From a secret resolution of the States General of Nov  
1747 which gave the answer to the Memo and in which  
the States give an elaborate explanation of their  
attitude during the whole war it appears that  
the French on the day of the receipt of the Memo  
April 17<sup>th</sup> 1747 had already invaded  
Seeland & Flanders and that thereby the  
Netherlands had been forced to take an active  
part in the war*

The handwritten part is an English translation in Reay's handwriting of the last paragraph of the letter. It reads as follows:

"From a secret resolution of the States General of 7 Nov. 1847 which gave the answer to the memo and in which the States give an elaborate explanation of their attitude during the whole war it appears that the French on the day of the receipt of the Memo April 17<sup>th</sup> 1747 had already invaded Seeland Flanders and that thereby the Netherlands

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had been forced to take an active part in the war.”

12. Nov. 18. 14 “ans very fully 20/11” [See p.300.]

Have you heard anything of Redesdale’s son’s conjugal disaster?

LAIDLAWSTIEL,

GALASHIELS, N.B.

3 Encl:

Dear Satow,

I send you [Thomas] Brassey, Boutroux[?] and Jellinghaus which pray return.

I call your special attention to the article of the latter as indictment of our Orders in Council. There is no doubt that in declaring that we shall consider neutrality in certain cases non-existing for neutral countries which trade with the enemy we are taking a strong line also in virtually declaring the North Sea a British lake. I do not think Holland can complain as we are protecting it from undergoing the fate of Belgium. The Rotterdam trade loses the German transit trade but retains our custom and that of neutrals.

In order to bring the war to a speedy conclusion the attrition of Germany is our main weapon and we must therefore blockade the land frontier as well as the inlet of the Kiel Canal. We cannot of course touch transit through Italy and Switzerland. If Germany had our fleet they would certainly starve us.

I trust you will be able to decipher Jellinghaus.

There is a very remarkable pamphlet on the war by [Alexander de] Savornin Lohman a leading statesman in Holland which ought to be translated. When I write to him I shall ask him to send you a copy. He has been member of many Arbitration Courts. Have you seen Neutral Nations and the War by [James. Viscount] Bryce[,] London: Andrew Melrose.

The loss of life is frightful. I have lost a Cousin and Lady R.’s nephew Colonel Julian Hasler<sup>4</sup> is wounded. What will Italy do?

The Khedive<sup>5</sup> seems to side with Turkey. That will make the annexation of Egypt easier. Has Beaufort sent you his essay. I do not agree with all Lohman says especially about invasion of Belgium and in respect of our desire to crush German trade and about militarism, but his criticism of the Treaty of Vienna and biasedness[?] of treaties is good.

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<sup>4</sup> Hasler was a career soldier, wounded on October 22, 1914. He died in action at St. Jean near Ypres on April 27, 1915. A former pupil of Winchester College. (See <http://www.winchestercollegeatwar.com/archive/julian-hasler/> accessed on April 16, 2019.)

<sup>5</sup> Khedive: the title of the viceroy of Egypt under Turkish rule, 1867-1914.

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Yours sincerely Reay

Our hills are snowclad and sunlit.

13. 27. XI. 14

LAIDLAWSTIEL,

GALASHIELS, N.B.

Dear Satow,

I think the encl: will interest you. Pray return these at your convenience.

The Dutch article on maritime law 2½ centuries ago is very curious.

Have you read the article in the Fortnightly Review of which I have seen an extract – King Edward's opinion of the Emperor? I think it was Fortnightly. I hope you have received Lohman's article which I ordered for you.

There is also an interesting pamphlet on the war by Colijn<sup>6</sup> late War Minister. These submarines are most aggravating.

I see that at Washington they demur to bombs [being dropped] on undefended places.

I hope the news of the Russian victories is correct.

America does not consider Declaration of London binding I see.

The explosion at Sheerness was I am afraid result of carelessness in handling Lyddite shells.

Yours sincerely

Reay

14. 7.I.15

6, GREAT STANHOPE STREET.

MAYFAIR. W.

Dear Satow,

What do you think of the American note? They want to trade freely with neutral ports. They seem to deny that we may exercise any control over any trade of neutral nations on their land frontiers and enemy territory. To achieve the attrition of Germany we must prevent neutral countries being a base of supplies and making nugatory our blockade X of the sea coast of Germany.

[Note by Satow: X there is no 'blockade' of the German coast. None has been notified.]

If the Americans will guarantee that what they export is for neutrals only and if we

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<sup>6</sup> Hendrikus Colijn (1869-1944). Dutch Minister of War, 1911-13.

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can obtain from the latter pledges that no contraband (absolute or relative) will be exported to Germany we need not interfere with their trade. But I am afraid that what the Americans really want is a rich harvest in trade with Germany. The Democratic Party wants of course to throw the burden of complaint for bad trade etc. on our supremacy at sea. Their policy is entirely guided by the interests of the mercantile community. As regards all the iniquities of Germany they dare not make a single protest.

I think W.H. de Beaufort would like to have a line from you showing that you received the pamphlet he sent you. I suppose you got Lohman which I sent you. Beaufort's address is Huize den Treek, Leusden, Holland.

The loss of life in Germany seems frightful, but that does not seem to restrain them. Have you any solution for the Kiel Canal? The Danes will not have it. Can we shut it up?

Yours sincerely

Reay

15. 18. I. [19]15

6, GREAT STANHOPE STREET.

MAYFAIR. W.

Dear Satow,

Here is the translation:<sup>7</sup>

Gewin Profit may be: produce

Vurywerken fireworks everything that creates fire I should say ordnance.

Peckkranssen[?] literally: pitchwreaths, evidently a technical gunnery term

Rapier-hengsels rapier hinges

dorsslegels threshing flails

Gruys[?] small coals, dust, land gravel

Latoen is probably misspelt for katoen cotton.

rolpaarden Carriage of a gun

I have just heard that Lord Justice Kennedy is dead; a great loss. I quite agree with you about the threats of retaliation in our answer to the U.S. as against German barbarism.

The Dacia certainly infringes the London Declaration but do the U.S. accept it when we have not accepted it. Do you not consider that Hamburg, Bremen are de facto

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<sup>7</sup> Satow had asked Reay for help with Dutch words in a document received from the Rijkarchief in a letter dated 17 January 1915 (PRO 30/33 11/17).

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Correspondence from Lord Reay (and Lady Reay and Mrs. Mitchell)

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blockaded and that our proclamation as regards the North Sea is identical with a declaration of blockade which certainly is effective as regards the end of the German fleet. How are we to deal with the German attack on our mercantile ships threatened by von Tirpitz and how are we to prevent Brussels and Alsace Lorraine being devastated before they are evacuated? It is incredible that the Germans should approve of such vindictive destruction. And I should think that if America were to sound a note of warning the Germans would feel some sense of shame[,] demoralised as they evidently are. This invasion of Persia destroys all pretence of a holy war.

There is no doubt that the Germans bribed Beyers and others in S. Africa. If Rumania declares war it may make a great difference and keep Bulgaria straight.

We have both been laid up for the last week, but are gradually recovering.

I hear that our troops have hardly done any fighting these last 5 weeks and that the La Barrée attack was quite insignificant.

Yours sincerely

Reay

16. 6 Great Stanhope Street W.

April 10 [19]15

Dear Satow

I wish to call your attention to a letter of Burroughs in "Times" of Tuesday 6<sup>th</sup> which is very remarkable. I wish I could have your views on many subjects especially on terms of peace.

How are we to obtain guarantees that Germany will not reopen the trade[?] for armaments especially at sea, will respect neutrality of Holland and Belgium and Hague Conventions in case of another war.

Intern. Law is at present extinct. The attitude of U.S. of A. in taking its stand on Intern. Law seems to me quite correct. To prohibit all non contraband trade by neutrals with Germany where there is no blockade seems to me creating a very awkward precedent.

What do you think of treatment of captured submarine crews? What punishment can we inflict at peace conclusion on all German crimes? I am very anxious about the Dardanelles adventure (Winston's) and the Basra campaign. We have (secret) netted (sic) by a new method 18 German submarines.

Germany will not I hear be exhausted but outnumbered. In the Balkans Bulgaria is the determining factor. Have you seen Sir E. Fry lately?

Are you coming to London?

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Correspondence from Lord Reay (and Lady Reay and Mrs. Mitchell)

1914 July – 1917 December

The drink[?] campaign of Kitchener and L. George is rather exaggerated.

I return to London on Monday.

Yours sincerely

R.

17. July 3. 15 “ans 6/7” [See p.312 below.]

CAROLSIDE,

EARLSTON,

BERWICKSHIRE, N.B.

Dear Satow,

I read with much interest the paper on the “precarious position” and regret I was not present at the discussion and that so few attended. A very curious member is Sir Graham Bower,<sup>8</sup> an old salt, who lectures Oppenheim, Lawrence as if he was a Profr. of Intern: Law! I see that you are not in favor of internments of Alien Civilians and the Crusade against Speyer and Schröder has certainly been malevolent.

I think that just as you give terms of grace to merchant ships (also men of war?) so at the outbreak of war you should give a short period to soldiers of belligerents, reservists, etc. to clear out \* also belligerent subjects and then intern those who do not depart if there is reason to believe that they are spies or otherwise objectionable. I agree therefore with Westlake.

\* if they do not make use of it, they must pledge themselves to stay.

I hope you will send your paper to some magazine in order that it may be widely read. Curzon’s speech certainly is very outspoken. My greatest anxiety is about the Dardanelles. It is incredible that it should have been undertaken without counting the cost, as is evident from Winston’s utterances.

The submarine evidently is a new element in our naval supremacy. Until means are forthcoming to repel it and until limits are imposed and observed by belligerents to curtail its destructive powers on fishing boats and unarmed merchantmen its presence at sea is very damaging.

I think we ought never to have yielded to the U.S. with regard to cotton and declared it contraband ab initio and stuck to it. Are we justified in declaring a blockade of German ports (because that is what we have done de facto) without making it effective in the former sense of a definite radius on account of the impossibility of defining such a stretch on account of submarines? Have we the right to declare the North Sea a mare

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<sup>8</sup> Sir Graham John Bower (1848-1933). After service in the Royal Navy he became a colonial official.

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Correspondence from Lord Reay (and Lady Reay and Mrs. Mitchell)

1914 July – 1917 December

clausum? This is serious as regards the U.S. of A. who take their stand on Intern: Law unamended.

I send you encl: letter from [Thomas] Baty which may interest you and which pray return. He sends me his art. in an American Review of June on supposed chaos in the law of nations. This I keep as a bait to land you on the shores of the Sender! May we look forward to your arrival in Sept. The true facts about munitions are that Kitchener kept asking if explosive shells were not wanted and that [Sir John] French or his gunners said they preferred shrapnel as ever war had taught them. Neuve Chapelle convinced them of the error of their ways whereupon the Harmsworth<sup>9</sup> Press assailed Kitchener whom they knew to be blameless and who never tried to vindicate his conduct – a grand attitude! And now Weardale<sup>10</sup> attacks Asquith who of course relied on Kitchener. I hope later on an inquiry will bring all this out. Bulgaria holds the keys of the Balkan situation. How Ferdinand could join the Turks against the Tsar is incredible even if he has been promised Bessarabia by the Germans or more likely Macedonia[,] the former going to Roumania. Have you a good opinion of Inouye? Yours sincerely

Reay

18. July 8

CAROLSIDE,

EARLSTON,

BERWICKSHIRE, N.B.

Dear Satow,

I am delighted to hear that you are coming. 3<sup>rd</sup> or 4<sup>th</sup> September will suit us admirably at Laidlawstiel. Perhaps if we happen to be shorthanded your faithful valet [Saburō] will not mind waiting at table. I returned your paper to Baty. I am glad you think Haldane has been very illtreated. In yesterday's Daily Mail there is a whole column of extracts from his speeches to show his Germanophilism! His object: to prevent this war was politic. The cotton question is certainly very perplexing. According to Sir Wm. Ramsay<sup>11</sup> there is no more deadly material than cotton which ought to be declared absolute contraband under present circumstances.

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<sup>9</sup> Alfred Harmsworth, 1<sup>st</sup> Viscount Northcliffe (1865-1922). British newspaper and publishing magnate.

<sup>10</sup> Philip Stanhope, 1<sup>st</sup> Baron Weardale (1847-1923). British Liberal party politician and philanthropist.

<sup>11</sup> Sir William Ramsay (1852-1916). Scottish chemist who discovered the noble gases and received the Nobel Prize in Chemistry in 1904.

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As regards export of arms from U.S. there is no doubt that it is of the greatest benefit to us and to Russia and that the Germans have a real if not a legal grievance. As regards the Declaration of London I agree with you. The question which seems to me most intricate is: when your adversary does not observe any precept of Internl. law – are you thereby entitled to do likewise? Your description of the Shanghai incident is very curious.

The submarine has certainly created a new situation and abolished the existing rules with regard to “visite” and search and prize court decision. It can never justify the murder of the crew of the merchant ship. It will be necessary to limit strictly the powers of attack of submarines against merchantmen in future. Hill I always respected as the best type of an American.

I am looking forward to the perusal of the chapters of your book as a primeur. Why does Bax Ironsides<sup>12</sup> leave Sofia? The Dardanelles expedition was rashly undertaken, and will be the most costly of all our wars.

Yours always      Reay

19. July 13    “ans 14/7” [See p.316 below.]

CAROLSIDE,

EARLSTON,

BERWICKSHIRE, N.B.

Dear Satow,

They sent me your interesting paper by mistake and I at once return it to you. I am glad you will send it to the Quarterly.

You will have seen what Lord R. Cecil said in the H. of Commons yesterday. The Trust [Netherlands Oversea Trust?] at Rotterdam has been a great success. I believe it applies to all imports not only to those from our ports. I am not sure whether it applies also to exports from Java to Holland. I wonder what Wilson is going to do with the German note. It is quite true that the submarine raises questions which Intern: Law hitherto has not considered, but that is no justification of piratical methods.

I visited yesterday the Newfoundland Regiment and the Prisoners of War and Interned Camp at Stobo. The latter are certainly very well looked after and the Newfoundlanders are a fine body of men. They get a dollar a day! More than a Serjeant Major! Campbell Bannerman’s South African policy has been marvellously vindicated by Botha’s great victory.

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<sup>12</sup> Sir Henry Bax-Ironside (1859-1929). Diplomat. Minister Plenipotentiary to Bulgaria, 1911-15.



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Correspondence from Lord Reay (and Lady Reay and Mrs. Mitchell)

1914 July – 1917 December

Yours always

Reay

20. 27 July 15 “ans 30/7” “must be here Sept. 6” [See pp.316-7 below.]

CAROLSIDE,

EARLSTON,

BERWICKSHIRE, N.B.

Dear Satow,

I send you encl: which pray return. If you get the Peace Foundation American publications let me know as I shall then not send you any more. Have you read [John Pawley] Bate’s article in the Quarterly? I am rather puzzled about one part of the Article. The Americans he says only admit continuous voyage at sea. They do not accept it on land. This would lead to the conclusion that we could not prevent contraband reaching Germany through the railway system of neutral countries. But Bate states that contraband (both absolute and relative) may be seized if the ultimate destination (no matter how it is reached) is belligerent. The only explanation would be: that the ship which conveys the contraband to a neutral port and no further cannot be seized whatever may happen to the goods[,] the destination of the ship being different from that of the goods.

I suppose that interference with neutral non contraband goods whatever their destination and whether in belligerent or in neutral merchant ships is prohibited by the Paris rules except by blockade. If therefore the Order in Council of March does not establish a blockade the exclusion of all trade with Germans (either imports or exports) imposed on neutrals is distinctly illegal. As regards contraband we can of course stop it but for non contraband goods there is no other means than blockade and the Government have stated that the Order of March does not establish a blockade. We can therefore only prevent the Germans from getting cotton by declaring it to be contraband which they themselves have done.

As regards blockade I suppose we shall have to adopt the French Theory (is it not also that of the Decl: of London?) that the ship can only be taken at the time it tries to run the blockade and not en route. The Americans seem to have a good case as regards the Order of March. They have I believe prohibited through traffic of contraband on one occasion differentiating between that and export of contraband by private traders. Have you read: J’accuse a German pamphlet published in Lausanne strongly anti[-]German? I hear confidentially that they hope to make a great advance in the Dardanelles in the next 3 weeks as the position is not tenable in winter.

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The friction between Germany and America seems to increase.

Yours sincerely      Reay

[Notes by Satow answering Reay. These notes are included in Satow's letter to Reay dated July 30, 1915 in PRO 30/33 11/17.]

21. Aug. 5. 15

CAROLSIDE,

EARLSTON,

BERWICKSHIRE, N.B.

Dear Satow,

Many Thanks for your 2 last letters.

Pray return enclosed when read.

Have you still the paper of the American Peace Foundation on neutrals. If so pray take it with you when you come here. Now that you only appear on the 7<sup>th</sup> I hope you will remain longer than you intended.<sup>13</sup> Have you seen: Prize Law and Continuous Voyage edited by T. Baty. If not I shall put it at your disposal at LLstiel also an interesting pamphlet by Vollenhoven<sup>14</sup> a Dutch professor at Leiden on the Order in Council of March which letter strikes me as absolutely indefensible and Baty concurs. The Americans cannot object if they are placed in face of cotton as contraband because they have done so themselves in the war of North v South. Whereas it seems to me that Grey's recent Notes are untenable and incompatible with the Paris rules.

The motor is provided at Galashiels by Mr. Purves.

The Americans will never accept that non contraband goods are intercepted especially when consigned to neutral countries but also to unblockaded belligerent ports.

We had a very good meeting yesterday at St. Boswells. I shall try and get the information you desire from Holland.

Do you know Bax Ironsides? He seems to have failed at Sofia.

Yours sincerely

Reay

I suppose the English and French rules of days of grace will be mentioned in your article.

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<sup>13</sup> Satow travelled to Laidlawstiel from Ottery on September 7<sup>th</sup> and returned home on September 23, 1915. (diary)

<sup>14</sup> Probably Cornelis van Vollenhoven (1874-1933). Dutch law professor and legal scholar.

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Correspondence from Lord Reay (and Lady Reay and Mrs. Mitchell)

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22. 6. VIII. 15

CAROLSIDE,

EARLSTON,

BERWICKSHIRE, N.B.

Dear Satow,

Baty has sent me another copy so I send it to you to keep. I hope the Grand Duke [Nicholas Nikolaevich of Russia] will succeed in extricating his Army. One cannot help admiring German Strategy.

I am told that at the War Office they are confident of success in the Dardanelles.

There seems to be a lull in Zeppelin raids not in submarine attacks and outrages in Belgium. Germany is for the moment triumphant. An orator at our meeting said: if pride comes before the fall the fall of Prussia will be very great.

Yours sincerely

Reay

23. 27 Sept.[?] [1915?] “ans. 30/9” [See p.325 below.]

LAILAWSTIEL,

GALASHIELS, N.B.

Dear Sir Ernest,

Your delightful note gives me great pleasure. I wish you could have stayed here longer, for we miss you very much. Thank you many times[?] for so kindly thinking of the cream which arrived this morning, Sunday the Dies non[?] having made it belated.

Thanks also for the book which I will read through with great pleasure and return to you “in due course”.

We are rather elated today with the good news from the French front, which will probably have to last us and the French for some time!

Sir Aylmer [Hunter-Weston] is, I hope, always gaining a little daily strength. He is very bright and entertaining.

The Dutch Minister came for three days – making little jokes. You did not take away Palgrave which I ventured to offer you as I thought you liked the edition. I will send it to you as a souvenir of the diningroom here. There it has lived for long[?]. Write again soon I hope – one of your charming notes. I am glad Tertius [Saburō] was not lost this time.

Yours most sincerely

F.J.G. Reay<sup>15</sup>

PRO 30/33 11/13

Correspondence from Lord Reay (and Lady Reay and Mrs. Mitchell)

1914 July – 1917 December

Reay is showing me the clever French[?] translations.

24. Sept. 28. 15

LAIDLAWSTIEL,

GALASHIELS, N.B.

Dear Satow,

Have you read the Bishop of Carlisle's Diocesan Conference Address published by Thurmans and Son Carlisle of which the "Scotsman" gave an extract which Rosebery (who was here yesterday) told me he had cut out. Do get it. It is the best thing I have read. Your gloves are not to be found. I enclose letters from Dr. [Dugald] Butler which pray return.

The Dutch F.O. has no ceremonial rules. The same procedure is followed for the request and grant of recognition of Ministers, but there are no regulations. The reception for presentation of credentials and leave taking audiences are regulated by Court officials. The Minr. of F. Affairs is present at the reception audience by the Queen because he introduces the Minister; he is not present at the leave taking audience which I believe is generally followed by a dinner at Court. If the Queen is presented the Minr. of F. Affairs receives the letters for H.M.

The letter also contains details on the diplomatic relations with the Pope. If you wish to have them I shall send them.

Bryce tells me confidentially that the strongest entreaties were repeatedly addressed to the F.O. six months ago and later to deal firmly with Serbia, and Bulgaria! It might have prevented the Turks accepting German control. The news from West and East is good, but the Italian progress is slow. The Italians will have to assist the Greeks if the Bulgarians attack them. Rosebery was very low. Our General [Sir Aylmer Hunter-Weston] here agrees with Kitchener's view that the war may last 3 years unless the Germans collapse. Sorry you have had bother about your establishment. Lady H. W. [Hunter-Weston] is very grateful for botanical indications.

I am more and more anxious about Dardanelles after the visit of our General. Rosebery's second son Neil<sup>16</sup> late under the F.O. has been sent with Bucks Yeomanry. Today M. W. [Sir Donald Mackenzie Wallace] leaves us. He considers the rivalry between sects a guarantee for the prosperity of the Churches! As if Xianity could thrive on discord! It is curious how the essential principles of Xianity are ignored.

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<sup>15</sup> Lady Fanny Georgiana Jane Reay.

<sup>16</sup> Captain Neil Primrose (1882-1917). Liberal M.P. and soldier. Died of wounds in November 1917 received in action at Gezer during the Sinai and Palestine Campaign.

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Correspondence from Lord Reay (and Lady Reay and Mrs. Mitchell)

1914 July – 1917 December

Yours sincerely

R.

25. Oct. 3. 15 “ans 21/10” [See p.326 below.]

LAIDLAWSTIEL,

GALASHIELS, N.B.

Dear Satow,

Lady R. begs me to thank you for your letter received today. I enclose translation of [Rene de Marees] van Swinderen's letter. Read B[ar]on. Beyens l'Allemagne avant la Guerre most interesting. I hear that the Churches in Germany are crowded and ours[?].

He [Baron Beyens] was Minister at Berlin. I know him.

Very confidentially I am informed that Venizelos [Eleftherios Venizelos?] will allow our troops to land at Salonica if Bulgaria moves. Ferdinand is furious because the German Military Attaché at Athens informed him that Greece would not mobilise. I see that British and French officers are at Salonica. The talks in France are very sanguinary.

In yesterday's Daily Mail there is an interesting account of Mme [Olga] Novikov on Russia. It seems that there is a great conflict going on between the bureaucracy and the Progressives and that the former is inflexible. This involves the problem of Finland and Poland.

Splendid weather today and yesterday. I never saw your notes on the Congresses of Aix-la-Chapelle etc. I shall be very glad to have your “Silesian loan”<sup>17</sup> and shall certainly read it.

Rosebery is depressed entre nous on account of his second son's departure to Egypt. He is the apple of his eye, very like him. We had again an excellent sermon of Dr. Butler. Sins of commission of which we are conscious[,] sins of omission which subconsciousness discovers and then further an unconscious condition. I did not grasp exactly the difference between the 2 last. [William] James the American philosopher dilates on subconsciousness.

Yours sincerely

Reay

26. Oct. 16. 15 “ans 21/10” [See p.326 below.]

LAIDLAWSTIEL,

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<sup>17</sup> Sir E. Satow, *The Silesian Loan and Frederick the Great*, Oxford: Clarendon Press, 1915. Satow offered Reay a presentation copy in his letter dated 30 September, 1915. See p.326 below.

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Correspondence from Lord Reay (and Lady Reay and Mrs. Mitchell)

1914 July – 1917 December

GALASHIELS, N.B.

Dear Satow,

Very many thanks for your most welcome volume which coincides with the Anglo American loan and should attract all who are engaged in international finance.

At Ed[inburgh]: Profr. of Public Law Sir Ludovic Grant discusses in his opening lecture how we are to behave after peace is restored whether it will be possible to accredit an Ambassador to William II whose hands are stained with English blood and suggests that we should have a Chargé d'affaires to transact business at Berlin with the F.O. He further suggests that German representatives in London should be British subjects and the Embassy closed as it would be the abode of spies.

He says that the only really satisfactory conclusion to the war would be the "annihilation of this reptilian race". He admits that this is impracticable and abhorrent to Germany's magnanimous foes. He expects that Germany for many generations to come will be ostracised by its neighbours so far as concluding treaties is concerned. It seems to me very tactless to introduce the prose of hate into the academic atmosphere.

The Daily Graphic insists on reprisals for the raid and the execution of a British woman at Brussels<sup>18</sup> will further exasperate the man in the street. I hear on good authority between ourselves that the Russian ultimatum at Sofia has alienated the Bulgars from Russia and that our policy was to treat them leniently. Greece and Roumania will have to join us.

Did you not feel surprised that Milner<sup>19</sup> of all men should advise the Government as to their policy and strategy. Morley also has entered the fray. I think it is our duty not to embarrass the Government.

We have splendid weather. Fagel<sup>20</sup> left us today.

I spent an evening with Rosebery who was very depressed and thinks Beyens's book the best book of the war.

Lady R. returns Mallet with many thanks.

What did you think of Bishop of Carlisle?

Yours sincerely

R.

27. Nov. 5. 15 "ans 9/11" [See p.328.]

LAIDLAWSTIEL,

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<sup>18</sup> Edith Cavell (1865-1915) was executed by a German firing squad on October 12<sup>th</sup>.

<sup>19</sup> Alfred Milner, 1<sup>st</sup> Viscount Milner (1854-1925).

<sup>20</sup> Reay's cousin Baron Jacques Fagel – see Satow's diary for September 7, 1915 et seq.

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Correspondence from Lord Reay (and Lady Reay and Mrs. Mitchell)

1914 July – 1917 December

GALASHIELS, N.B.

Dear Satow,

I am in utter confusion. I have just discovered that I had mislaid your manuscript. I unearthed it and offer you a thousand apologies. I only hope it has not caused you trouble and that you will be magnanimous.

I send you a letter from Dr. [Dugald] Butler which pray return. He is a cheerful Xian [Christian]. I am rather anxious about the Balkan situation. It is quite clear that there has been want of foresight and misapprehension of German plans. Whether they are wise in creating another war theatre seems to me doubtful. Hardly anything is left of the Declaration of London. It is curious that the German defence of the Cavell murder is that it was legal as if such a legal system could be tolerated when we give a woman a German spy (which the nurse was not) 6 months and do not allow a Court Martial to sentence a woman. The H. of Lords or rather some of its members seem to me to be injudicious and unpatriotic.

I have now organised canvassing aid (Red Cross and comforts to soldiers) Food reform and war savings in the country.

What do you think of Redesdale's Volumes and his vindication of King Edward versus Sidney Lee?<sup>21</sup> Have you seen The Near East from within[,] anonymous by I suppose a German diplomatist. It is very interesting. Bright weather here. [General] Sir Bruce Hamilton is coming here today. We are alone.

Your contrite friend

Reay

28. Nov. 13. 15 “ans 17/11 Delbrück has written defence of Militarism rebutting his views. Deutschland und der Weltkrieg Leipzig” [See p.330 below.]

LAIDLAWSTIEL,

GALASHIELS, N.B.

Dear Satow,

I am glad my remissness [mislaying M.S.] has not caused you inconvenience. I am still much concerned about it. Oppenheim's letter is very interesting.

Have you read the Privy Council judgment in Times of Thursday Nov. 11 p.3. It is an assertion of sea power which America and neutrals will resent. It practically throws over the Paris Declaration. In a Dutch newspaper two leading articles appeared one against

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<sup>21</sup> Sir Sidney Lee (1859-1926). Biographer, writer and critic. In Satow's reply to Reay dated November 11<sup>th</sup> he says he likes Redesdale's "chapter on King Edward and the castigation of Sidney Lee." (PRO 30/33 11/17, see p.329 below.)

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Correspondence from Lord Reay (and Lady Reay and Mrs. Mitchell)

1914 July – 1917 December

German militarism the other against British marinism showing that our present practice was the reverse of our Instructions in 1907 and those given to Desart. Those were upholding neutral rights as we were probably not thinking of being a belligerent.

Baty has just sent me a paper in which he tries to prove that the doctrine of preventing anything reaching Germany was repudiated by Stowell<sup>22</sup> and that it cannot be sanctioned on the ground of a blockade of Germany which in the Baltic at all events does not exist. He also argues that the distinction between absolute and conditional contraband has been obliterated.

The discussions in Lords and Commons have lately been discreditable and will affect our prestige. Next week St Davids has some mischievous questions on our staff a very vulnerable point.

I am afraid we have very few good generals and very few good diplomatists. The Balkan business has been muddled all through and I hear that at Salonica there was no efficient commander!

Redesdale's defence of King Edward is admirable. How they ever allowed Sidney Lee to write his biography is to me a mystery. It might have been entrusted to Redesdale. I am glad we agree about Union. I enjoy more and more Dr. Butler's sermons. M[ackenzie]. Wallace has been successfully operated for a stone. He is in a nursing home.

Yours sincerely

Reay

Hills covered with snow.

29. Nov. 20. 1915 "ans. 22/11/15" [See p.372 below.]

LAIDLAWSTIEL,

GALASHIELS, N.B.

Dear Satow,

Many thanks for your letter. I encl: Dutch leading article. You will see what Portsmouth stirs in the H. of L. next Wednesday. The tendency now is to try and get rid of the Declaration of Paris in neutral bottoms enemy goods free.

In the Privy Council judgments our supremacy at sea is mentioned as an argument in favor of our maritime law when we are a belligerent different from what we maintain as neutrals. Baty is of course not an authority but he gets up his subject and is a useful Secretary of the Grotius Society. He adheres to Stowell who never consulted our interest, but only asked Quid juris? In this I think you should concur.

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<sup>22</sup> William Scott, 1<sup>st</sup> Baron Stowell (1745-1836). Judge of the High Court of the Admiralty, 1798-1828.



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Correspondence from Lord Reay (and Lady Reay and Mrs. Mitchell)

1914 July – 1917 December

I forget whether I undertook to obtain for you the publications of the World Peace Foundation in Boston. I find them very useful as they print Official Documents concerning Neutral and Belligerent Rights. Perhaps Scott would be pleased if you wrote for them yourself. His address is: James Brown Scott[,] State Department[,] Washington D.C. Have you seen Miscellaneous No. 18/19 Cd. 8104 Italian Decrees relative to enemy merchant vessels?

I cannot understand why the Greeks allow Tino [Prince Constantine of Greece]<sup>23</sup> to act against the interests of Greece and why there is such delay on the part of Russia and Italy to send troops to the Balkans as they are more concerned than we or the French.

M. Wallace has made a rapid recovery. We are staying on here as the air suits us. Bonar Law seems to be more sanguine about the war than beforehand and he is cautious.

What an escape the King has had first the horse and then the hospital ship lately blown up by a mine. These floating mines are a real danger.

Redesdale tells me that a 3<sup>rd</sup> edition of his book is being prepared.

Yours sincerely

Reay

30. 27. XI. 15 “ans 29/11” [See p.333 below.] Where can I get Gore’s sermon?

LAIDLAWSTIEL,

GALASHIELS, N.B.

Dear Satow,

Many thanks for your last letter. It is bitterly cold here 13° [Fahrenheit? -10.5 degrees Celsius]. But we are better here than in a London fog.

Have you seen in Times supplement review of “The Evolution of Prussia” by [J.A.R.] Marriott and Grant Robertson Oxford? And another book sent to me by Balkanicus Bulkley Aspirations?<sup>24</sup> Fitzmaurice writes [Graf Ernst zu] Reventlow’s Deutschlands Auswärtige Politik 88-14 [1888-1914, actually 1913] is interesting. There is a good deal about the Hague Conventions but he carefully avoids specifying clearly what the points were on which Germany and G. Britain differed or what is meant by German talk of “liberty of the sea”. Is there any summing up in the papers which were circulated to Parliament or which you may have which states what these points were? I have no papers here. Can you send him anything or give him the reference because he can get parl: papers form H. of Lords. Pearce Higgins is I think the best book.

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<sup>23</sup> Constantin I of Greece (1868-1923). King of Greece 1913-17 and 1920-22.

<sup>24</sup> *The Aspirations of Bulgaria* by “Balkanicus”, trans. from the Serbian, London, 1915.

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Correspondence from Lord Reay (and Lady Reay and Mrs. Mitchell)

1914 July – 1917 December

Can you explain how it is that Venizelos asked us to send troops to assist Serbia and when they appeared at Salonica entered a protest pro forma? I only hope the Russians will manage soon to send an Army to the Balkans and also the Italians because the present Anglo French expedition is not in a favourable situation. I am told that our military authorities were unanimous against the Salonica venture.

A French friend writes to say that in France they do not think we are doing our duty, that we are removing troops from Flanders to the East and that for the restoration of our prestige we must have a brilliant victory of British Arms. I wrote back that we are spending 5 millions a day giving loans to our allies[,] have swept the seas, made an army of millions of men, are approaching Bagdad, have gone to Dardanelles to please Russia, to Salonica to please France, are everywhere fighting with them. The French nature always is the same – suspicious and curious that our own territory is not occupied!

Portsmouth takes the floor next Wednesday. You see that he ignores the Paris rules.

Yours sincerely

Reay

Enclosure – House of Lords November 23<sup>rd</sup>

6 GEO. V.

H. L. 23<sup>o</sup> *Novembris.*

1171

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BILL APPOINTED AND NOTICES.

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*Wednesday the 1st of December.*

The Earl of Portsmouth — To ask His Majesty's Government —

1. Whether the adoption of the Declaration of London by Order in Council involves the creation of an International tribunal.
2. Whether His Majesty's Government has given any pledge, undertaking, or reason to hope to any neutral that there will be a reference of questions or claims connected with our exercise of sea power to an International tribunal after the War.
3. Whether Lord Reading, formally or informally, held out any such hope to the Government of a neutral Power.
4. Whether His Majesty's Government intends to take any action to reverse the judgment in the Court of Appeal by which Companies substantially of enemy character are by mere registration given the status and rights of British Companies.
5. Whether His Majesty's Government has by the Order in Council of 11th March or by any other ordinance deprived this country of its ancient right to confiscate enemy goods wherever found and of whatever character.

1172

H. L. 23<sup>o</sup> *Novembris*.

A. 1915.

BILL APPOINTED AND NOTICES — *continued*.

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(*No day named*) — *continued*.

(b) the desirability of encouraging visitors to frequent our English holiday resorts, which are fully equal in attractiveness to those of the Rhine and other resorts in enemy countries,

it would be possible for the Government to suggest to the Railway Executive Committee that, without interfering with the movements of troops and munitions of war, they should consider the possibility of restoring the facilities for long-distance excursions at reduced fares to the summer resorts of Scotland, Wales, and England.

The Earl of Halsbury — To present a Bill to amend the Companies Clauses Consolidation Act in respect of a company of whom the individual corporators are wholly or in the great majority alien enemies.

The Lord Saye and Sele — To ask His Majesty's Government whether they will recognise the fact that there are numerous unsatisfied claims for bounties all over the country from National Reservists, which although they do not come strictly within the scope of existing Regulations, have arisen from causes in no way attributable to National Reservists themselves *viz.* :

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31. Dec. 4. 15 “ans 8/12/15” [See p.334 below.] I cannot find any reference in “Times” supplement to Volume on “Guarantees”. Can you give it me?

LAIDLAWSTIEL,

GALASHIELS, N.B.

Dear Satow,

Many thanks for your letter and Gore's remarkable essays. What he says about super national Xianity is quite true and also as to a regenerate England and the danger of excess poverty and of luxury. But he seems to me to lay too much stress on organisation and Sacraments and not to give due recognition to the spiritual factor which constitutes union. I once was told of a French friend of mine: he is a good Churchman, but a bad Xian. As long as you accept Spiritual guidance in order to regulate your life on Xian principles strengthened by prayer the *modus quo* seems to me very secondary. I can perfectly understand a very saintly man partaking of the Holy Communion every Sunday and Sir E. Fry never both being equally acceptable in the Kingdom of Heaven. Where I draw the line is at Unitarianism and Agnosticism and an utter absence of the

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belief in Revelation and the Spiritual factor.

I enclose the letter of my French friend which is quite incomprehensible when one thinks that our casualties up to date are over ½ a million [and] that we went to Dardanelles to please Russia, to Salonica to please France.

This week's Belloc article in Land and Water makes too much of Peace[?] altho' I suspect Germans are getting weary of the war and Austrians of German tutelage. We must get the Germans out of Belgium Poland and Serbia[,] a tough job.

Vol. 20 No. 84 Parl. Debates contains Lansdowne's reply to Portsmouth. Portsmouth tried[?] T. Bowles's theories. If we were neutrals he would attack the Government on exactly opposite lines. The fundamental notion of law that it cannot be adjusted to what self interest suggests, but is meant to control it, seems to me to be lacking. The Lord Chancellor and Desart might well have been more positive than Lansdowne and Crewe. Bryce spoke as a jurist and a diplomatist. The mischief is that both in H. of L. and of C. there is a good deal of irresponsible chatter.

I suppose I may keep Gore's sermons. Many thanks for enlightening Fitzmaurice. Snow is falling country looks beautiful, but what suffering on the various battle fields! Do not you think that Government laying hands on all American securities is rather a large order and an invasion on Socialistic lines.

Yours sincerely

Reay

32. Dec. 24. 15 "ans 26/12" [See p.335.]

LAIDLAWSTIEL,

GALASHIELS, N.B.

Dear Satow,

Did I mention that Sir Robert Laidlaw and Carlie Spedding died since you were here? Can you tell me whether in the 11<sup>th</sup> Hague Convention Art. I the words en mer mean: en pleine mer excluding territorial waters. I cannot recollect any discussion on the point nor that such a limitation was intended. The question is confidential and your answer will be ditto. What is your view as to sale of German liners now in N. York harbour to Sweden or to the U.S. by the German owners. Can we prevent this transfer to a neutral flag and the German owner getting his money?

Emmott<sup>25</sup> made a very good speech; Milner was deplorable. Crewe seemed also to show up the perfect anarchy which Milner would establish. I hear that the Germans are

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<sup>25</sup> Presumably Alfred, 1<sup>st</sup> Baron Emmott (1858-1926). Businessman and Liberal party politician.

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very confident, that Grey is still absent from the F.O. where R. Cecil now is the great man.

I doubt very much that Haig is up to the mark altho' better than French. Our great desideratum is a Scientific Hall[State?].

My best wishes for Xmas and New Year. What an irony [:] Xmas in a world steeped in hatred and destructiveness.

Yours always

Reay

33. Dec. 30. 15 "ans. 31/12" [See p.337 below.]

Confidential

LAIDLAWSTIEL,

GALASHIELS, N.B.

Dear Satow

Many thanks for your letter. The question of the mails has arisen because our Government has removed mails from Dutch liners, not only enemy mails, but neutral mails – The Dutch Government has protested and sent a communiqué to the press which is very unusual – that it had entered a caveat. The F.O. maintain that they have the right to do this in territorial waters. Today I see that America is also going to protest against this interference with Dutch mail transports.

You will also see Communiqué from F.O. that from parcel mail on board Oscar II<sup>26</sup> 45 bags of rubber were removed and remainder of mail 734 bags returned. It is quite clear that this abuse of parcel post for carrying contraband raises a question which was not foreseen at the Hague and will have to be regulated.

Meanwhile there can be no doubt that parcel post is included in mails and must reap the benefit of exemption it seems to me. I understand that your point of view is: the Hague convention refers to pleine mer because in neutral territorial waters there can be no interference with either enemy or neutral liners. This leaves open the question what rights we can exercise in our own territorial waters as regards mails of the enemy and of neutrals on board neutral liners. I do not think that at the Hague there was any other aim than to make all mails wherever found immune.

This would include enemy mails on enemy ships in the territorial waters of the other belligerent a case which in this war cannot arise. What I write about Holland is of course confidential.

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<sup>26</sup> A Swedish vessel. The rubber was seized on December 28, 1915.

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The F.O. Communiqué does not say where the rubber was removed from Oscar II. I was very glad to see in Times of last Tuesday p.3 a letter from H. Reason Pyke dealing with a very extraordinary answer by R. Cecil to Butcher in H. of C. on Thursday Dec. 23 which struck me at once as showing great ignorance of fundamentals which does not inspire confidence.

The year ends in gloom. God grant us victory and peace in 1916.

Yours ever

Reay

[Thomas] Baty has got the Tokio appointment [and] attributes it to our intervention.

I am trying to find out whether the Kaiser has cancer in the throat.

Fancy Dutch exchange now is 10.90 for the £.<sup>27</sup>

34. Jan. 31. 16. “ans. 3/2” [See p.338.]

Wilson seems to be losing patience.

LAIDLAWSTIEL,

GALASHIELS, N.B.

Dear Satow,

Have you seen: Life and Letters of John Hay by W.R. Thayer. It is very interesting and in Vol. II p.248 the account of the China crisis will recall to you a page of history in which you were a leading figure. In the Times Literary Supplement of Jan. 20 there is a review of a book on the law of contraband which seems to be well done. I hope to see it at the Athenaeum on my return to London in March. I suppose you have the Parl. Debates No. 153. Many speeches are good. That of Leslie Scott<sup>28</sup> is a model of brevity and close reasoning. Grey took a firm tone in the remarks he addressed chiefly to Washington. If we could conciliate Wilson by declaring a blockade of Germany I do not see what the objection is. We have virtually blockaded the German Fleet and prevented anything going in or coming out by our arrangements with Holland and the Scandinavian countries (with the exception of Sweden), but we can prevent excess imports to Sweden and Swedish exports of German goods. We must of course maintain that the doctrine of continuous voyage applies to all trade of neutral countries with Germany and is an infringement of blockade (see article on blockade in Times of Wednesday). That is undoubtedly an expansion of the doctrine of blockade, but if the Americans will accept it we shall be saved a correspondence in which Renault will now

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<sup>27</sup> These last three sentences are being treated as postscripts. They appear at the bottom of pages in the letter.

<sup>28</sup> Sir Leslie Frederic Scott (1869-1950). Conservative politician, M.P. and judge.

have to swallow much which appears in his Report on the Declaration of London! Reventlow admits that the tightening of the blockade is a very serious blow. Another way of dealing with the continuous voyage section would be to give a further extension to the list of contraband articles. I was glad to see that Grey laid stress on the rights of neutrals as necessary to our Trade with them in articles we need.

The debate in the Commons was on a much higher level than in the Lords.

What is your opinion with regard to the purchase of German ships interned in America by the American Government or by American citizens? I am glad the Government is going to tackle superfluous imports and hope they will also get hold of ships which are now trading between neutral countries. The question of freights is a very serious one. The amount of money squandered on amusements is a great scandal and the obligation to economise is by no means generally recognised. I foresee much trouble with labour after the war. They are very egotistical and unpatriotic at least a socialistic minority. What war means is not realised by a large section of the Community.

The mail controversy is still going on. It appears that the German proposal was: “expédiée par mer” accepted by Ottley (Actes III.1122) and as interpreted by Kriege accepted by our Government (Actes III 860). These words were changed in the Convention into “trouvée en mer”. “en mer” in our blue book has been translated “on the high seas”. A mailboat says R. Cecil to a Dutch Correspondent which voluntarily gets into territorial waters of a belligerent loses the privilege. But says Holland we are forced to enter them by your mines. R. Cecil answers: You can go by North of Scotland! The real argument is: “correspondence postale” only refers to letters and does not allow letters containing rubber sent by a S. American to a Hamburg firm and German jewels[?] and gems[?] to N[ew]. York. To this the answer is: Fromageot (Actes I 266) says that “Contrôle du service postal” was abolished. R. Cecil did not appeal to para 2 of Art 1 of the Convention! A curious feature is that the change to “trouvée en mer” was introduced by Kriege assisted by Fromageot (Actes III 1128) and cannot therefore limit the original German text as R. Cecil with some show of reason maintains. But no one objected to “la correspondance postale expédiée par mer est inviolable.” (Actes III. 1173) No excuse is possible for a letter sent from Java to Holland on Dutch mailboats being opened by censor, as it was.

I am[?] outside inundations which are very destructive. If by any chance you hear of a butler or a footman will you let me know? Carolside gardener is a conscript. New Viceroy is an excellent choice. I know him. I am very anxious about Townsend’s force on Tigris.



Yours always Reay

35. Feb. 5. 16 [Answered February 10, 1916. See p.343.]

Pray return encl: Panic on German bourse I see. Would Choate be right in saying that U.S, would join us?

LAIDLAWSTIEL,

GALASHIELS, N.B.

Dear Satow,

Many thanks for your letter. I conclude that you think that the F.O. are justified in seizing mail bags in order to see that they contain letters and not parcels, but not justified in seizing letters on a neutral ship addressed by a Java merchant to his correspondents in Amsterdam. About parcel post there is no contention. The Americans are I am afraid justified in applying the Treaty of 28[?] to the Apparu otherwise it seems to me quite clear that Art 22 of the Hague Treaty is applicable. Art. 23 was not recognised by us and by U.S. cannot therefore be applied. Art. 23 ought never to have been inserted because it deprives the Neutral Power of control of the prize and makes its fate dependent on a belligerent Prize Court. The neutral gives hospitality but this virtue must not develop in aid to the captor. How does it strike you. Clearly the Apparu does not come under Art 28[?] of the Convention.

A Dutch translation has appeared of England und das Kriegsrecht auf See von Dr. Ernst Schulse. It seems good from their point of view.

As regards the Zeppelins I think we ought to have the Coast watched if it is true what a letter to the Times says that the Zeppelins were seen during an hour in a Coast locality. It seems incredible that no telegram was sent to the War Office by a Coast Guard.

This destruction at Ottawa is deplorable. I saw the buildings which were very fine.<sup>29</sup>

I suppose you have received this questionnaire<sup>30</sup> and I should like to know what you intend to reply so that it may be identical. I propose as follows

I Decl. of London is sufficient.

II On the whole satisfactory.

III As area of blockade is extended on account of submarines mines may not be used. Neutrals may prevent access to their harbours by any means which do not cause peril.

IV No

V Yes

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<sup>29</sup> The Centre Block of the Parliament in Ottawa was destroyed by fire on February 3, 1916.

<sup>30</sup> Satow received Sir John MacDonell's typed questionnaire from the Grotius Society, but did not answer it, except privately to Reay. It is in PRO 30/33 11/17. See pp.341-2 below.

PRO 30/33 11/13

Correspondence from Lord Reay (and Lady Reay and Mrs. Mitchell)

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VI No limitation but extension as in [ ] III. Continuous voyage should be applicable to blockade and therefore art 17 modified.

VII What is long range blockade?

8 Cannot be legitimate would constitute a casus belli.

9. If the mouth of the river is in neutral territory (Scheldt and Rhine) no. Yes if the riparian State is between a belligerent and neutral or 2 belligerents.

10 No

11 Yes according to F.O. practice.

12 No

13 Yes

14 Certainly

15 Defence Sea area, etc. is a different institution from a blockade. Would you recognise it and if so under what restrictions?

I suppose that you agree with me that we are not justified in killing German women and children on account of Zeppelin raids.

Yours always Reay

The gardener at Carolside has been rejected [for military service] by Doctor.

Do you know whether F.O. employs Desart?

36. July 31. 16 “ans 5/8”

CAROLSIDE,

EARLSTON,

BERWICKSHIRE, N.B.

Dear Satow,

I see that your last letter is May 21<sup>st</sup>! so I feel very guilty. The war continues in an ever increasing degree to absorb all one's thoughts. Germany cannot have any illusion as to the ultimate issue. The declaration of B. Hollweg that their last trump card is the independence of Poland[?] seems to me to be a counsel of despair. Meanwhile the judicial campaign, the treatment of prisoners and of the civilian population in the occupied zones shows a latent barbarism which has to be rendered innocuous.

The Kaiser's threat to the Spaniard[?] owners of property in Belgium (Times of last Saturday) is a revelation of his mentality. The attitude of America is not chivalrous. In Holland our interference with the herring fishery is a great grievance and measures are being taken to prevent scarcity of food. Taxation is very oppressive on account of mobilisation which constitutes a state of siege. [Foreign Minister John] Loudon upholds neutrality with great dignity and steadiness.

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Correspondence from Lord Reay (and Lady Reay and Mrs. Mitchell)

1914 July – 1917 December

Ireland is an insoluble problem. We cannot govern it as a Crown Colony. They can hardly be trusted to govern themselves. [John] Dillon<sup>31</sup> is afraid of the disloyal element. Conciliation does not seem to have any effect. The exclusion of the 6 counties [Northern Ireland] creates a situation especially as regards finance hopelessly entangled. How in such a crisis a temporary truce cannot be enforced is an enigma. As to Asquith the calumnies which are current in tory circles are phenomenal. As if A. Balfour, Curzon and Selborne would have followed Asquith if he was pro-German. I have gone through a similar campaign against Gladstone.

Everyone had confidence in Robertson<sup>32</sup> and Jellicoe.<sup>33</sup> The recent naval battle was a great victory. Are you coming to pay is a visit in September at Llstiel? Last year you came on the 7<sup>th</sup>. We shall be alone except probably M. Wallace. We are leading the simple life.

I hear there is a great demand for nurses and doctors.

Victor Horsley's<sup>34</sup> death in Mesopotamia is tragic. He ought not to have gone there. He was needed in London. Our brain-power must not be wasted, cannot be replaced.

Yours always

Reay

Remember me to [Sir John] Kennaway.

37. Oct. 19. 16

LAIDLAWSTIEL,

GALASHIELS, N.B.

Dear Satow,

Many thanks for your interesting letter. This Irish debate is unfortunate especially on account of the impression it will create abroad in neutral countries. Our efforts to conciliate the Irish seem to be vain and Redmond<sup>35</sup> evidently cannot control the disaffected element. The Americans are also guided by their own internal party contacts and not by any moral considerations. It is clear that their fleet did not prevent the U.53 from sinking neutral ships as they might easily have done by giving protection to the

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<sup>31</sup> John Dillon (1851-1927). Last leader of the Irish Parliamentary Party. Advocate of Irish nationalism.

<sup>32</sup> Field Marshal Sir William Robertson (1860-1933). Chief of the Imperial General Staff, 1916-18.

<sup>33</sup> Admiral of the Fleet John Jellicoe, 1<sup>st</sup> Earl Jellicoe (1859-1935).

<sup>34</sup> Sir Victor Horsley (1857-1916). Pioneer of neurosurgery. He volunteered for field surgery duty in Mesopotamia where he died of heatstroke and hyperpyrexia.

<sup>35</sup> John Edward Redmond (1856-1918). Irish nationalist politician. M.P. in the British House of Commons.

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1914 July – 1917 December

ships before they were attacked and compelling the German submarine to observe the proper forms of visite[?]. The case of the Blommersdyk [sunk on October 8, 1916] is outrageous. The German contention is that any ship – whatever its destination or cargo – if on the voyage frequenting a belligerent harbour to coal or to get supplies may be sunk. Will the Americans accept that? Roumania seems to be doing well. I am rather

anxious about the next naval battle with *Espe*, [?], mines, submarines. I hear that 2 of our battleships in the Jutland affair were sunk by an internal explosion provoked by a draught in the lift for shells which attracted sparks. The lift was close to the ammunition store and since then lifts have all been removed to another part of the ship. In Sept. at an engagement in the Somme where the Guards suffered heavily a mistake was made[,] tanks and reserves taking a wrong road. Disarmament might be possible if after the war Germany adopted Constitutional methods otherwise I agree that we shall have to submit to increased estimates for Army and Navy. Hardinge<sup>36</sup> dismisses diplomatists who are no longer fit. This applies to [Sir Henry] Howard, [Sir Henry] Lowther at Copenhagen and [Sir Evelyn] Grant Duff at Bern.

Have you received Brown Scott's last Volume proceedings of 5<sup>th</sup> National Conference? Many thanks for the waistcoat I received one. I am inquiring who J.M. de

Beaufort is. *Hirrell*, [?] is I believe very able. Have you seen [Edward Harold] Begbie's Vindication of the War<sup>37</sup> (really of Haldane) and Major Corbet[t-]Smith's The Retreat from Mons and Philip Gibbs The Soul of the War? I enclose a stirring appeal by the Savonarola of the Church of England. Butler whose last sermon was admirable writes: "I wish that I could preach and write as he can." In asking after the wounded brother of our parlourmaid she said: they like being wounded because then they come home! A new angle of vision! She has 3 brothers in law in the army.

Why have the Government dallied with Tino?

Pray return Burroughs at your leisure.

[illegible sentence]

Yours always Reay

38. Oct. 23. 16

LAIDLAWSTIEL,

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<sup>36</sup> Charles Hardinge, 1<sup>st</sup> Baron Hardinge of Penshurst (1858-1944). Permanent Under-Secretary at the Foreign Office, 1916-20.

<sup>37</sup> E.H. Begbie wrote *The Vindication of Great Britain*, published in 1916.

PRO 30/33 11/13

Correspondence from Lord Reay (and Lady Reay and Mrs. Mitchell)

1914 July – 1917 December

GALASHIELS, N.B.

Dear Satow,

I wonder whether you have seen in last Saturday's Times p. 11 an article on Collective Sin[?] and in yesterday's Observer p12 a remarkable article by Temple of S. James's Piccadilly. They are both worth reading. I have received an article by Giulio Dena Pour l'Adoption d'un Droit International Conventionnel entre les Etats de l'Entente. If you wish to read it I can send it to you, but this tendency to boycott Germany after the war in all directions which is also rampant in France seems to me impracticable especially if German Militarism is discredited and the Germans assert their rights.

You had better warn Prothero that [J.M. de] Beaufort who writes in Quarterly is an imposter – a dangerous one. His real name is Uhlenbeck [Uhlenbeck?]. Scotland Yard knows all about him, but they will not deport him because he is of use to them. He was a Dutchman but had been naturalised in America, where 10 years ago he was met by my informant.

This attitude of the American destroyer is below contempt. Instead of placing himself between the German submarine and the neutral merchant ships as did the Swedish man of war he becomes particeps Criminis [partner in crime] by removing passengers and crew. This is unneutral service with a vengeance!

The dogs send their respects. Freddy has become uncontrollable with the sheep and has improved on Lietza's Strategy of isolating one of their number. Corruptio optimi!<sup>38</sup>

Pouring, yesterday beautiful, harvest not in yet.

Yours sincerely

Reay

Ireland seems hopeless.

39. [Post card] Llstiel 2. XI. 16

Many Thanks for your 2 letters and the invitation to Fred[?] who regrets he cannot leave his relatives and is depressed having had to give up hunting.

I am writing to Prothero and have sent you Dena.

After many days of rain today it is fine.

The question of new rules for neutral hospitality to submarines is one which will have to be settled by a Conference on International Law. Wilson's admission that this was the last war in which U.S.A. could remain neutral was remarkable. R.

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<sup>38</sup> Corruptio optimi pessima: the corruption of the best is the worst of all.

PRO 30/33 11/13

Correspondence from Lord Reay (and Lady Reay and Mrs. Mitchell)

1914 July – 1917 December

40. Jan. 14. 17

6, GREAT STANHOPE STREET,  
MAYFAIR W.

Dear Satow

You will probably have seen in Times that I had an accident on Jan. 4<sup>th</sup>. I lost suddenly my balance and tumbled down helpless in middle of Lond[on?] St James's Place. The bone of my left leg near the hip (not the hipbone) was worn out[,] snapped and so I was thrown down fortunately not in Piccadilly but in a cul de sac. It cannot be set[?] and so I must remain in bed until I can again stand on it. The wound does not hurt but the nerve of the left leg above the knee is sensitive. I have an excellent man nurse a clansman Mackay who lifts me to change my position. He must join the Army unless I obtain an exemption of a few weeks.

My general health is very good. Hitherto the nights have not been very good. I can write and read. Lady R. is also restricted to 2<sup>nd</sup> floor but is well though very sensitive especially to [    ].

Johnstone is very sore, he has been sacked as unceremoniously as Howard and G. Duff. Hardinge evidently is a rough master. You know Towneley [Townley] I believe and I should much like to have your opinion of him and of her for my private information.

It seems to me impolitic to publish our war aims which will exasperate all our enemies.

The Russian situation is not satisfactory. Constant ministerial changes of a reactionary character. Munitions and Artillery deficient. Greek position is also anomalous with two governments and 2 armies and a Constitution in suspense.

Jellicoe's speech was very good, but not comforting.

The present Cabinet arrangements seems to me unworkable as regards responsibility to Parliament. Fisher is the only good man for Education. How do you like your new Bishop? The new loan will I trust be a success. Austrian situation is interesting.

How entirely dependent we are in small and great matters on God's guidance.

Yours sincerely    Reay

41. [From Mrs. Elinor Frances Mitchell]

6, GREAT STANHOPE STREET,  
MAYFAIR W.

Jan. 24. '17

PRO 30/33 11/13

Correspondence from Lord Reay (and Lady Reay and Mrs. Mitchell)

1914 July – 1917 December

Dear Sir Ernest

I know you will be grieved to hear Lady Reay died yesterday evening, but her end was very peaceful. She did not suffer at all, & lies looking so calm and happy now among her flowers.

Lord Reay would have written himself, but he is overwhelmed with the shock, besides being helpless from his broken leg – he is wonderfully well considering everything I think, but he has much to think of.

The funeral is to be on Saturday in Scotland at the little Kirk near Laidlawstiel.

Yrs. Very Sincerely

Elinor Mitchell

42. Feb 28, 1917 [Answered March 1, 1917. See p.346.]

6, GREAT STANHOPE STREET,

MAYFAIR W.

Dear Satow,

I know that I can rely on your sympathy and on your prayers in this great crisis of my existence. God has been very merciful to me. Lady R passed away without any suffering [on January 23] and was gradually failing so that I was quite prepared when the end came. My helpless condition aggravated the trial. Fortunately Mrs. Mitchell came to stay with me and she has been a great comfort being very capable and having a very good judgment. Her husband is here for a few days for a Court Martial but returns I believe tomorrow to France. That is of course a source of anxiety but she is very brave and religious.

I have to start life de novo. [Ian] Mitchell is now the owner of Carolside and Laidlawstiel and I leave this house which is too large for me. I do not know where to go for the Summer somewhere near London and the winter at Cannes where I have a few intimate friends. I do not want a domicil in England because Dutch taxes on real property which I cannot avoid are too much with English income tax. I intend therefore in future only to spend a couple of months in England. This is all absolutely confidential and I shall be very glad to have your advice and suggestions. I think I am justified in spending the short remainder of my life without attending leas [?]. In the H. of Lords there is no other course than to support any Government which will prosecute the war. Speeches by outsiders are of no use. I am still and shall be for some time motionless, but the wound is healing. What I have suffered most from is sleeplessness.

I am trying to find a good valet. What has been most evident to me is that God is near, when one feels without any support and [He] is entreated of us.

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Correspondence from Lord Reay (and Lady Reay and Mrs. Mitchell)

1914 July – 1917 December

As regards the war I hear that the Germans are falling back in order not to lose more men, to force us to construct new trenches and to keep more men for the Eastern frontier. It is also considered likely that they wish to shorten their line and that they rely on the U boat campaign. They are very anxious to end the war. There are no new weapons against the U boats.

Wilson is very cautious in order to carry the country with him. If the new Lusitania incident does not rouse them it is difficult to see what will. My impression is that they are more useful to us as neutrals and that at the Peace Conference they might be embarrassing. Punch this week has a good cartoon on China.

Wells's last book on the war is very remarkable. He comes to the conclusion that the service [?] of God is to be the object of all nations and can only rescue [secure?] us from a repetition of all this misery. He looks upon the Churches as the negation of God!

I have been much touched by the tokens given me of the admiration felt for Lady R in Scotland and in India wherever she went.

Yours always     Reay

43.    March 2. 17

6, GREAT STANHOPE STREET,  
MAYFAIR W.

Dear Satow,

Your letter has been a most pleasant surprise and I cannot sufficiently thank you for your exceedingly tempting invitation which you will allow me to take into serious consideration.

I do not wish to become a burden to anyone in any way, but if my conscience can be set at ease on that score I need not say what a comfort it would be to enjoy your hospitality and encouragement. You place at my disposal every comfort and break my sense of loneliness through the bond of the faith.

I have much to arrange here as I need not tell you and am much disturbed[?] by the new employment order as it seems doubtful whether I can engage a valet age 44 who is very fit. In my present condition he is absolutely indispensable.

You will be pleased to hear that Townley has made a very good impression at the Hague.

Legation here has not sent letters to Holland since Jan 27 tho' it receives them through Harwich boat.

I shall[?] be extremely glad to read Hague[?] diplomacy.

Yours always



PRO 30/33 11/13

Correspondence from Lord Reay (and Lady Reay and Mrs. Mitchell)

1914 July – 1917 December

Reay

44. March 28, 17 “ans 29/3” [See p.348 below.]

6, GREAT STANHOPE STREET,  
MAYFAIR W.

Dear Satow,

After leaving this house I am perplexed where to go for the summer. I would have gone to Holland but the war makes this impossible. I feel the need of being received by a friend as a wounded officer towards the end of June in the homeless circumstances in which I find myself. You very kindly gave me a tempting invitation, but I m not sure that I am warranted in giving it such a wide interpretation.

With the pleasant recollection of the 4 months we spent together at the Hague I know that we could spend a happy time together without encroaching on our independence. You would of course consider me a paying guest which is now a very common modus vivendi. I would bring my valet. You know that I eat no meat and drink no wine.

I can only make a proposal to you on the understanding that you will tell me quite privately whether it is not too serious an invasion into your domestic life. I need not say that it is with much hesitation that I approach you in a manner in which I would hardly dare to approach anybody else. I am getting on slowly but satisfactorily.

Have you read Arthur Elliot's<sup>39</sup> letter in yesterday's Times? The submarine is a serious foe{?}. Russia [ ] assault.[?]

Yours always Reay

45. March 30, 1917. “ans 1/4” [See p.349 below.]

6, GREAT STANHOPE STREET,  
MAYFAIR W.

Dear Satow,

I am very grateful for your most kind offer of hospitality in my present forlorn condition when real friendship is of inestimable value. I must be allowed to make the figure £15 a month for myself and the valet because my food consists mainly of chicken and fish which articles are dear as also fruit – apples. I want to have a clear conscience. The valet drinks no beer and receives beer money from me.

You will I trust allow me not to turn up before lunch as I am apt not to sleep and then sleep in the morning.

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<sup>39</sup> Arthur Elliot (1846-1923). Journalist and Liberal Unionist politician.

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Correspondence from Lord Reay (and Lady Reay and Mrs. Mitchell)

1914 July – 1917 December

Russia a republic seems hardly possible as regards the country districts where the Tsar was looked upon as a Divinity. The Army fortunately on the frontier has accepted the new regime but (this is secret) the troops at Petrograd have declared that they would not fight. I am told by a good authority that not a single Grand Duke is fit to succeed the Tsar.

Altho' we are losing a good many ships the Admiralty are not dissatisfied with their campaign against them (the submarines). Arthur Elliot's letter was directed against tackling important problems such as tariff, agricultural rents and wages, franchise, etc in times of stress by emergency men[?].

Russian Court 1914-16 will [     ].

I can now sit on a chair, but I cannot bend my knee.

Can apostolic succession be proved historically.

Yours always

Reay

46. March 31. 17 "ans1/4" [See p.349 below.]

6, GREAT STANHOPE STREET,

MAYFAIR W.

Dear Satow,

This morning I was agreeably surprised in receiving your opus magnum<sup>40</sup> which will be a vademecum for all future diplomatists and prevent many blunders. It must give you the utmost feeling of satisfaction to have contributed this standard work to international literature.

The introduction of Oppenheim will pacify [Thomas Erskine] Holland from whom I had a very friendly visit the other day and who sent me his last volume – A Collection of Times letters. The German Socialists have evidently been encouraged by the Russian revolution and the Kaiser is committing the same mistake which the Tsar made of "non possumus" as regards a Constitutional change.

The last week has been very bad as regards submarine destruction and the situation is very serious and requiring the greatest economy. Italy cannot get the coals she wants from us.

It was fortunate that the Government managed to silence Charles Beresford who had

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<sup>40</sup> At the end of March and beginning of April Satow also received letters of thanks for copies of his newly published two-volume *Guide to Diplomatic Practice* from several others including: L. Oppenheim, Lady M. Fry (for Sir Edward), Sir Thomas Sanderson, E.C. Blech (F.O. Library), Harold Temperley, D. Mackenzie Wallace. The letters are in PRO 30/33 13/4.

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Correspondence from Lord Reay (and Lady Reay and Mrs. Mitchell)

1914 July – 1917 December

a question on maritime law which would have required a regular exposition binding us in advance for what may have to be very carefully considered hereafter.

Ian Mitchell has returned from France having had an attack of malaria. He is now on duty in Sussex training machine gun squadron.

Yours ever

Reay

47. April 25. 17 “ans 26/4” [See p.351 below.]

6, GREAT STANHOPE STREET,

MAYFAIR W.

Dear Satow,

The more I think of it the more I feel grateful to you for your prospective hospitality. Yesterday Sir William Bennett<sup>41</sup> was quite satisfied. Six months [from the accident] are required before I may stand on my leg which therefore is June 4<sup>th</sup>. June has always been to me an eventful month.

This house must be empty on June 24. I trust it may suit you if I come before that date. D.V. I shall bring no books relying on your library. Which newspapers do you take in, then I shall order others. I shall give as little trouble as I can to your household. I eat very little bread and hardly any solid food. Everything in the form of mince, fish pudding and soup and rice and porridge and prunes. I can get potatoes from Ireland if you wish me to order them. I have had better nights these 2 last days.

Quite between ourselves Ian Mitchell has taken a house in Berkeley Square in which two rooms will always be at my disposal and where I shall probably spend next winter. It is a small house in very good order. Ian is now at Uckfield [Sussex] with a machine gun Cavalry Squadron. His wife is giving me most efficient aid in clearing this house. The librarian of Univ. Coll. Dr Chambers is sorting my books selecting those he wants for the Coll:[,] those I ought to keep and those which are to be sold. I am now sitting on a chair but still keep to my 2<sup>nd</sup> floor.

We have not got the submarine in hand yet. Russia is precarious. It ought with Italy to bring a strong offensive to bear on the front simultaneously with ours. Financial support of U.S. is very valuable. They may not agree with our peace conditions which France will make very stringent. France and Belgium will certainly require a big indemnity.

Yours ever      Reay

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<sup>41</sup> Sir William Henry Bennett (1852-1931). British surgeon.

PRO 30/33 11/13

Correspondence from Lord Reay (and Lady Reay and Mrs. Mitchell)

1914 July – 1917 December

48. May 26. 17 “ans 29/5” [See p.352 below.]

6, GREAT STANHOPE STREET,

MAYFAIR W.

Dear Satow,

I have not made as much progress as I expected. Rheumatism makes the part of the leg above the knee very sensitive when I move it, but I sleep and eat well and my health is good. I shall however reach you in an invalid condition which I hope you will not mind; it only means that I must be carried. This renders necessary an ad hoc chair which perhaps you have got and otherwise I suppose I can easily get. Bennett tells me that Russell Combe at Exeter is a good surgeon and that there is a good Swedish masseuse he thought at Sidmouth. In my helpless condition it is also desirable that the bell from my room reaches my valet.

I must apologise bringing these details to your notice but it is better to let you know what you have so kindly undertaken and which I hope you will not regret.

I suppose I can read the Times before it goes to your partner.

You must have seen Choate's sudden end<sup>42</sup> just after his wishes had been fulfilled with regard to union of the 2 countries. There is a rumor that A. Balfour is not satisfied with the result of his mission. I think Wilson is helping us as much as he can and I hear that a new bomb[?] has been discovered to deal with U boats.

[Paul] Cambon came to see me. He regrets the Russian revolution[;] he does not think Russia will keep together under a Republic. He says the Tsar would never have made a separate peace because he adored his Father who hated the Germans after the Berlin Congress. Why they send [Count Alexander] Izvolsky and not [Sergey] Sazonov I do not know and forgot to ask M[ackenzie]. Wallace who was here today. A great number of Russian soldiers have deserted in order to look after their land not being partitioned. I am still on the same floor and have not the courage to go in a Bath Chair, but I shall be glad to be in the open air when I am under your hospitable roof.

I hear that Redesdale's place [Batsford] is to be sold.<sup>43</sup> What a pity.

How you must be enjoying the country.

The situation in Austria is very complicated. The fall of Tisra [Abu Jisra?] much displeases the Germans. If the Russian revolution puts an end to Panslavism and wish to annex Constantinople it is a very great change.

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<sup>42</sup> Joseph Hodges Choate (1832-1917). U.S. Ambassador to the U.K., 1899-1905.

<sup>43</sup> Redesdale (A.B. Mitford) died in 1916. In 1919 Batsford was sold to cover death duties to Gilbert Wills, 1<sup>st</sup> Baron Dulverton, an heir to the W.D. & H.O. Wills tobacco fortune.

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Correspondence from Lord Reay (and Lady Reay and Mrs. Mitchell)

1914 July – 1917 December

Yours always      Reay

49. June 3. 17 “ans. 5/6” [See p.353 below.]

Dear Satow,

Many thanks for your 2 letters and your solicitude. My progress has been much slower than I expected and I am afraid I shall not be able to stand on my leg when I reach you so that a chair to lift me from the ground floor will be needed. If I could get a chair on wheels to be moved from the house into the garden and for a walk in which I could also sit in the open air it would be a great convenience. The important thing is that in the latter I could stretch my legs on a support.

I am sorry to give you so much trouble. A deck chair such as you describe on wheels would be the thing. I suppose I can either hire or buy the chairs. As regards biscuits oatmeal biscuits are those I use.

Rothschilds thought war would break out in 1916 as Prussia was not ready.

Is there a newspaper agent through whom I can get my papers or must I order them from here? I have hardly any war books. If by any chance any printed matter reaches you before my arrival will you please keep it and the P Office had better be warned where they should deliver.

I am trying to be ready to start on Monday the 18<sup>th</sup>. Would it be quite convenient to you to receive me in that day?

Lindley's account<sup>44</sup> is I am afraid not exaggerated. Here there is much anxiety felt about Russia.

This new diplomacy through members of our labor party meeting Russian Socialists whose idiosyncrasy they can understand as little as that of Orientals seems to me a very hazardous proceeding not likely to smooth [Sir George] Buchanan's path.

An officer from the W.O. tells me the Army is not sanguine and expects the war to last another 2 years. Can Germany stand this? The treatment of prisoners in Germany is infamous. The German Emperor is vindictive. I have not seen Rose, nor Marriott, nor Seymour. Publication of cheap books is at a standstill on account of price of paper.

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<sup>44</sup> Francis (Frank) Lindley is quoted in Satow's letter dated May 29, 1917. “We have been passing thro' a most difficult time and our troubles are far from over. The Revolution has quite pushed the war into the background here & is having a deplorable effect on the Army and the Fleet. There is a wave of international social-democracy sweeping over the country, the effects of which are impossible to foresee. Up to now we have, by a miracle, escaped serious civil disorder, but everyone thinks it is bound to come, and class feeling seems to be growing every day under the influence of bands of agitators who have a perfectly free hand. We are vilified in the extreme papers worse than any Germans; as capitalists, imperialists & God knows what.’ (PRO 30/33 11/17)”

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Correspondence from Lord Reay (and Lady Reay and Mrs. Mitchell)

1914 July – 1917 December

The Russians in France became troublesome after the Revolution. Austria must be in a very bad way. We must now rely on America especially for troops for France. Italians seems to be doing well.

With my renewed thanks

Yours always

Reay

50. June 11. 1917

Dear Satow

I am really quite touched by your fraternal solicitude. I hope you will not find me an unmitigated nuisance. The Railway Authorities are doing all they can to make me comfortable. I am bringing a chair. I have countermanded the potatoes I had ordered in Scotland.

Either chicken mince or fish pudding not both will be quite sufficient. Prunes I have here every day and a tapioca or rice pudding. Of bread I only eat very thin slices and no toast. The only eccentricity about my food is abstinence of meat and that I take it minced. This will I trust not give any trouble. At breakfast I take porridge and cocoa but coffee will do just as well.

The only other necessary is a night commode.

We are very busy clearing out of this house which is a great wrench to me after 40 years.

Perhaps you would order through the News Agent for me:

Daily Mail

Westminster Gazette

Punch

Educational Supplement of Times if you do not get the latter beginning with W.G. of next Monday. I am quite able to drive from the station to your house in whatever trap there is. It can then take very small things.

I greatly admire Wilson's letter to Russia.

[J. Butler?] Wright's description of the Russian Character in Friday's Times is interesting.

Yours gratefully

Reay

51. Letter sent to Reay c/o Satow at Beaumont by Hugh Butler:<sup>45</sup>

PRO 30/33 11/13

Correspondence from Lord Reay (and Lady Reay and Mrs. Mitchell)

1914 July – 1917 December

14 Aug. 1917

Dear Lord Reay,

I am sending you three volumes of Hansard for 1867 (Vols. 186-188 of the 3<sup>rd</sup> Series), as it is not possible to get unbound numbers of so distant a date. These volumes cover everything that was said in either House of Parliament on the subject in question<sup>46</sup> in the year 1867, and the references are the following: -

April 5<sup>th</sup> (vol. 186, pp. 1248-1257). A reply by Ld. Stanley to a question by Sir R. Peel.

May 9<sup>th</sup> (Vol.187, pp. 259-260). A reply by Ld. Stanley to a question of Mr. Labouchère.

June 14<sup>th</sup> (Vol. 187, pp. 1910-1926). A speech by Ld. Stanley on a discussion raised by Mr. Labouchère.

June 20<sup>th</sup> (Vol. 188, pp. 144-158). Reply by Ld. Derby to some observations of Ld. Russell.

July 4<sup>th</sup> (Vol. 188, pp. 966-979). Reply by Ld. Derby to a question of Ld. Houghton.

I can find no traces of any discussion either in 1871 or since the present war.

I think the reference in Calvo to a speech by Ld. Stanley in the H. of Commons on June 14, 1871 is clearly a mistake. He must mean June 14, 1867, on which date Ld. Stanley did make a speech. He was not in the House of Commons in 1871, as he succeeded to the Earldom in 1869.

As the House of Lords was not sitting yesterday, I took a day's holiday, or I would have sent you the information earlier. When you have done with the volumes, will you very kindly return them to the Library?

I am very glad to hear you are recovering from your accident, which I was grieved to hear of at the time, but fear it is a cruelly slow business.

With very kind regards yours sincerely

Hugh Butler

52. October 19. 1917 "ans 21/10" [See p.355 below.]

MAIDEN BRADLEY,

BATH.

My dear Satow

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<sup>45</sup> Arthur Hugh Montagu Butler (1873-1943). Librarian of the House of Lords Library, 1914-1922.

<sup>46</sup> The subject was apparently the Luxemburg question in Parliament, 1867 – which is written on the envelope containing Butler's letter.

PRO 30/33 11/13

Correspondence from Lord Reay (and Lady Reay and Mrs. Mitchell)

1914 July – 1917 December

How can I give expression to my feelings of utmost gratitude? I cannot tell what a benefactor you have been to me mentally and spiritually and physically. When I came to you on the 18<sup>th</sup> of June I was an exile from 3 homes and felt like a waif and stray.<sup>47</sup> You made me so comfortable that I at once felt at home.

My excuse as to correspondence is: that it is mainly of a business nature and – where it is not – is the means of maintaining friendships to which I attach importance and of getting news not to be found in the press. As regards the letter it keeps me up to date as regards political, religious, economic and social transformations. That is the result of a parliamentary career and of the circle in which I have lived.

You will have seen that Sir E[dwin]. Cornwall is preparing a bill on National Insurance in “Times” Political Notes. That confirms what I mentioned to you the other day that he is now at the head of that branch’s administration. May I ask you to send this letter of thanks for photo of my little friend Nora to Mrs. Godfrey.

You will have seen that Burton’s only son has been killed. Burton the Governor of S. Africa.

The Germans evidently mean to keep the Baltic Provinces.

Your most grateful

Reay

53. Maiden Bradley Bath [handwritten, answered November 10, 1917. See p.356.]

9 Nov. 1917

Dear Satow

Encl: is the receipt which you also received. What can be done with it? Have you seen “Japan at the Cross Roads” by A[ndrew].M[elville]. Pooley,<sup>48</sup> who contends that Japanese can assimilate not create! [Elihu] Root’s Effect of democracy on Intern. Law you will have received.

The speeches of Archbishop of York, Lords Milner and St Davids in last

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<sup>47</sup> In Satow’s diary for that day he noted that Reay was “looking much better than expected. We had tea in the loggia. He has to be carried up and down stairs and wheeled about the garden.”

<sup>48</sup> Satow in his reply of November 10<sup>th</sup> to Reay says he does not know who Pooley is. Andrew Melville Pooley (1881-1959). Educated at Cheltenham College, Dover College and Cambridge University (Exhibitioner at Clare College). History Tripos, M.A. Journalist and author. *Secret Memoirs of Count Tadasu Hayashi*, 1915; *Japan’s Foreign Policy*, 1919 etc. (From *Australian Who’s Who*, 1947, p.689). On the Siemens scandal in which Pooley was involved see Peter O’Connor, *The English-language Press Networks of East Asia, 1918-1945*, Global Oriental, 2010, p.40. Pooley’s activity was condemned as ‘mischievous’ by Sir William Conyngham Greene, Ambassador at Tokyo, 1913-19. (National Archives of UK, F.O. 371/3233, Greene to Balfour, 7 Jan. 1918 cited in Ian Nish, *Taisho Studies Part II*, International Studies IS/18/602, STICERD (LSE), 2018.



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Correspondence from Lord Reay (and Lady Reay and Mrs. Mitchell)

1914 July – 1917 December

Wednesday's debate on Industrial Unrest are very remarkable. To define what is the share of capital and of labor in a business seems to me a hopeless undertaking – also to draw the line where profiteering begins. St Davids's absorption of all wealth created by the war is a most extraordinary theory. How did it strike you? [Charles] Gide the French economist in the last Friedens-Warte sent to me of October p 267 develops the Theory that after the war there will be such a rise in prices and such a depreciation of money that it will not be difficult to find the money for war debt. Income of France before the war was 30 to 33 milliards. If after the war by inflation this becomes 66 taxation of 12 milliards in the first case would be 1/3d in the second 1/6th. What would be the situation of the owner of £10,000 war stock?

Russia and Italy are I am afraid both victims of German corruption which seems only too well organised. I see no other escape for Russia than a Dictator and for Italy our absolute partnership. All the mishaps seem to fall on us and all the windfalls on Germany.

I had a letter from Lady Fry whom I congratulated on his 90th birthday. [ ] transit of sand through Holland is a most complicated question. I have a bad cold and am interned, but take exercise on crutches. I often am sitting[?] opposite you and following your methodical movements. Do you ever see the little girl Nora? Mrs. Mitchell came to see me from Bath. Duke and Duchess left yesterday for a few days.

[Letter ends here.]

54. Maiden Bradley, Bath

Nov. 20. 14. “ans 22/11” [See p.358 below.]

Dear Satow

Here at last is [René de Marees] van Swinderen's answer about the agnates[?] – which pray keep. I also send you by bookpost Eysinga's treatise which van S. returned to me. These pray return at your leisure.

I have asked Grosvestins to send you a German dictionary which pray accept as a Xmas gift. G. tells me there is a book by Blok on a mediaeval “Municipality”. I do not know if you consider that within the Zone of your operations.

I have not yet read Lloyd George's Apologia. In any case the speech in Paris was I thought most ill advised. Every attempt by civilians to discuss strategy on air, sea or land must be discouraged. I put my trust in God, King, Robertson and Beattie<sup>49</sup> and would not dream of criticizing what is obviously beyond me. [Field Marshal] Sir Henry

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<sup>49</sup> David Beatty, 1<sup>st</sup> Earl Beatty (1871-1936). Admiral of the Fleet, 1916-18.

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Correspondence from Lord Reay (and Lady Reay and Mrs. Mitchell)

1914 July – 1917 December

Wilson is a first-rate man, so is [Marshal Ferdinand] Foch, so is [Marshal Luigi] Cadorna. How can you prevent these 3 from expressing an opinion on the doings of Haig, [Armando] Diaz and the French general, if they have strong views? And is the War Cabinet the body to decide?

We have no Napoleon so the scheme may turn out trumps. The sand difficulty with Holland is between ourselves likely to bury itself.

Yesterday for the first time I had a doctor on account of a bronchial attack which kept me indoors. He was quite satisfied with my leg. I deeply regret the death of Neil Primrose whom I knew since his childhood. He was the apple of the eye of Rosebery whom he resembled in many respects. I think he would have had a brilliant career.

I tremble for Venice and the condition of Russia seems desperate.

Yours Sincerely

Reay

55. Maiden Bradley, Bath

Dec. 8. 17 “ans 16/12” [See p.360 below.]

Dear Satow

Many thanks for your 2 last letters and for the books received this evening. I told Bellot to send them to me through you thinking you would like to see them.

The Representative Council did not do much. I shall be curious to read your letter to the “Times”.<sup>50</sup> I think they were wrong in declining Lansdowne’s letter which did not contain any thing objectionable, restated our aims and doubtful issues.<sup>51</sup>

I should have laid more stress on Serbia, Bagdad and the Dardanelles, Arabia, Armenia and on the fact that Germany will not surrender until she is beaten and we are on German soil. I also think that L. had better have spoken in the H. of Lords.

The prospect of the continuance of this war for a lengthened period cannot be viewed without alarm. The Germans are evidently bent on making the most of this period antecedent to American intervention. We can only rely at present on France and how long will our people and the French people bear the burden?

I am very anxious. The letters of Cox and T. Bowles in Times of today and yesterday

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<sup>50</sup> Satow wrote a letter to the Times in response to one by Lord Lansdowne published in the Daily Telegraph of November 29<sup>th</sup> on the Freedom of the Seas (Satow’s diary, December 1, 1917). Satow’s letter was accepted, but apparently not printed, even at a later date.

<sup>51</sup> J.H. Gubbins had a different view in his letter to Satow of December 4, 1917 (PRO 30/33 11/8). “His [Lansdowne’s] letter has done harm of course both at home & abroad, but if it leads to more vigorous dealing with the situation the ultimate effect may be good. Everyone speaks of him as very estimable & courteous and amiable in private life. But that has nothing to do with statesmanship. I wish the “Times” had published your letter.”

PRO 30/33 11/13

Correspondence from Lord Reay (and Lady Reay and Mrs. Mitchell)

1914 July – 1917 December

are also ominous as regards conscription of wealth.

My servant had heard from Mrs Godfrey who was grateful to you for accepting her as a tenant. Mrs. Mitchell has purchased a present for little Norah for Xmas. She is very anxious about her mother who lingers on and she cannot well leave her.

I am spending Xmas here with my very kind hosts. This weather allows me to take drives in my chair. The death of Neil Primrose is a crushing blow to Rosebery and now I see that Kinnaid has lost a second son. Colonel O'Connor<sup>52</sup> who was with [Francis] Younghusband in Tibet [in 1903-04] left this morning an interesting man whom you know.

Is Lovering's steed still active?

Yours always

Reay

My progress continues at the same slow rate.

56. Maiden Bradley, Bath

Dec. 18. 17 "ans 19/12" [See p.361 below.]

Dear Satow

Many thanks for your letter and the pamphlet in which the author commits the extraordinary error with regard to the rule of Paris "free ship free goods". I also send you some notes about Siam which may interest you and need not be returned. Who is the writer? Did you know the same[?] ?

These North Sea raids are lamentable. Our Navy seems particularly unlucky. I am anxious as regards Salonica, Palestine and Mesopotamia if the Germans give Falkenhayn additional troops from the Russian front and we are unable to send more men. The collapse of Russia alters the whole aspect of affairs. For France and Holland now payment of Russian Coupon is disastrous.

At Cambrai the Russians [Satow: Germans] surprised 2 of our divisions , got through until they came to Delisle's division which arrested their progress until reserves came up. 1 General of Division, 3 Brigadiers have been recalled. Lady Fry writes that she is convinced we shall never get through.

There is a good deal in what Sydenham said in yesterday's debate about this electoral bill which is very revolutionary. I agree with Bryce. The Government ought to have the courage of applying Comp[ulsory] Service to Ireland which would give them 200,000 men. If they could have the support of the priests they could do it.

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<sup>52</sup> Lt. Col. Sir William Frederick Travers O'Connor (1870-1943). Irish diplomat and soldier. Cartographer.

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Correspondence from Lord Reay (and Lady Reay and Mrs. Mitchell)

1914 July – 1917 December

Grovestins is overjoyed by the engagement of his youngest daughter to Baron d'Amerongen son of a landed proprietor. I think if you were to drop him a line he would be much pleased. His Excellency Lieut. General Bn. Sirtema de Grovestins, Nassaulaan, den Haag. He got Blok and Dictionary.

I do not go out: it is too cold even in the house. Who is Ramsay Muir?

[Letter ends here.]

57. M. Bradley Dec. 24 17 “ans 27/12” [See p.364 below.]

Dear Satow

Many thanks for your letter and Phillimore which I shall have to keep some time as end of year brings me many letters. Yesterday I wrote 11. And I am not yet clear of taxation [ ]!

Pray keep Eysinga. I shall be glad to have your opinion on enclosed which pray return. It emanates from Grotius Society.

I am glad you agree about Morley who represents the anti-clerical[?] element which has done so much harm to France and Holland.

[ ] and Co will run the Church of England.

I thought [Henry Charles] Beeching's letter very good.

[William] Sanday I know and esteem highly.

Can you imagine so astute a man as Kühlmann<sup>53</sup> talking to Lenin[?] of Kultur and heilGedanke. It seems to me that their people are getting impatient and that they want to make them believe in peace. As the supplies are in the South they will not get them as long as Ukrainians and Cossacks prevent it and famine reigns in Northern Russia.

Pray wish a happy Xmas from me to housekeeper and butler.

Yours always

Reay

58. Maiden Bradley Bath

Dec. 27. 1917 “ans 28/12”

Dear Satow

I hope you had a blessed Xmas that great festival of a redeemed but not regenerated world. You will be interested in Alfred M. [ ]'s letter. The Swiss Constitution is perhaps the nearest approach. The card is from Escott<sup>54</sup> the Author who evidently is

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<sup>53</sup> Richard von Kühlmann (1873-1948). Germany's Secretary of State for Foreign Affairs, August 6, 1917 – July 9, 1918.

<sup>54</sup> Thomas Hay Sweet Escott (1844-1924). English journalist and editor.

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Correspondence from Lord Reay (and Lady Reay and Mrs. Mitchell)

1914 July – 1917 December

very feeble and I am afraid a pauper. You will probably have seen some of his works. “England” is very good. He was a friend of late Duke of Marlborough and moved in London press and literary circles. What is the name of the place he mentions at back of card.

I sent present to Mrs Godfrey’s little daughter. She wrote a very nice letter and I should be glad if you would thank her. She evidently has been well educated.

Russia seems to be getting worse and worse and last speech of Emperor is blasphemous.

Yours ever

Reay

[End of File.]

PRO 30/33 11/14  
Correspondence from Lord Reay (and Mrs. Elinor Mitchell)  
1918 February – 1921 July

1. Maiden Bradley “ans[wered]. 7/2” [See p.383 below.]

Bath

Feb. 4. 18

Dear Satow<sup>1</sup>

I was very glad to get your letter and to see that you keep your mind off the terrible war events. I always belonged to the Orangist and Calvinistic parties in Holland as did my ancestors who fought for William III and were not Jacobites. It seems to me clear that the great issues now are: Divinity of Christ and Socialism. The latter will ruin us. To attract capitalists by 5% and then to levy a tax on Capital seems to me as foolish a proceeding as can well be imagined by a Socialistic brain.

I think you will be interested in these papers on submarine warfare which pray return at your leisure.

I have still got Phillimore and must confess that I have not yet been able to peruse it which I intend to do. Wynveldt I showed you when I was your much favored guest and you told me it was not very good. Het neutralitaetsrechtte land.

I am told there is a very good article in Ed: Review on Russia. It is now splitting up in various republics. Do you believe it will ever become a whole again? We shall now have a different outlook on the East. As for balance of power in Europe without Russia it is a bad look out for France and Italy. Is our F.O. alive to the entirely new situation?

I am still here until 25<sup>th</sup> when Duke and Duchess (who have been more than kind) go to London which I confess I dread not on account of raids, but of isolation. In Holland 5 o'clock tea in public places has been abolished: no tea. Do you find it difficult to get supplies? My servant's eldest son went to France last Saturday with Coldstream draft; youngest son is Lance Corporal in Devons. What did you think of Henley Henson's heresy? Austria is evidently exhausted. Wilson seems very determined.

Yours sincerely

Reay

2. From Mrs. Elinor Frances Mitchell to Satow

MAIDEN BRADLEY [printed letterhead]

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<sup>1</sup> The first page of this letter and many others in this file is framed in black, indicating Lord Reay's mourning for his deceased wife who died in 1917.

PRO 30/33 11/14

Correspondence from Lord Reay (and Mrs. Elinor Mitchell)

1918 February – 1921 July

BATH.

Feb. 8. 18

Dear Sir Ernest

Lord Reay begs me to thank you for your letter & to say how sorry he is that you are ill. He is in bed himself & I am afraid it will be a shock to you to hear that he underwent an operation on Wednesday night. He had been perfectly well up till Tuesday night when he awoke with pain which continued till it became acute on Wednesday evening. The Dr. diagnosed it as obstruction, & as it failed to yield to treatment an immediate operation became necessary.

The Duchess telegraphed us late on Wednesday evening but when we got here early on Thursday the operation had already taken place in the middle of the night. It has been a complete success & he is doing as well as possible, but it will be some days before the Dr. can pronounce him completely out of danger. However as he has got over it all so well we are beginning to feel hopeful, & I do wish & pray that he may recover. He has been so patient & so brave all through. I will write again & tell you how he gets on.

Ian<sup>2</sup> is going back to London tomorrow, but I am staying on for a while.

Yrs. sincerely

Elinor Mitchell

3. Postcard from Mrs. Mitchell to Satow

Printed Letterhead

Maiden Bradley Bath

Feb. 9. 18

The patient is getting on splendidly, the Dr. is much pleased with him. Today his temperature is normal & he may have solid food. We are all very hopeful that everything will go on well. I hope you are better. E.M.

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<sup>2</sup> Captain Alexander Ian Mitchell residing at Carolside died on January 1, 1920.

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Correspondence from Lord Reay (and Mrs. Elinor Mitchell)

1918 February – 1921 July

From Her Grace, THE DUCHESS OF SOMERSET, 35, GROSVENOR, SQUARE, W.1.  
Tel.: MAYFAIR 6872.

Maiden Bradley Bath  
Feb. 9. 18

The patient is getting on splendidly  
The Dr. is much pleased with him  
1. Day - his temperature is normal  
& he may have solid food. We  
are all very hopeful that everything  
will now go on well. I hope you are better &c.

4. Handwritten Postcard from Mrs. Mitchell dated Feb. 10. 18

Maiden Bradley Bath Feb. 10 18

So many thanks for your letter to-day. The Dr. is much pleased with Lord Reay's progress which he says is excellent. We are very glad to hear that you are better. I will send you further bulletins. E.M.



A photograph of a handwritten letter on aged paper. The text is written in cursive ink. The address at the top reads 'Maiden Bradley Bath Feb. 10. 18'. The body of the letter expresses gratitude for a letter received the previous day, mentions that the doctor is pleased with Lord Reay's progress, and states that the letter is excellent. It concludes with a hope that the recipient is better and a request for further news, signed 'Sh'.

Maiden Bradley Bath Feb. 10. 18  
So many thanks for your  
letter 1-day. The Dr. is  
much pleased with Lord Reay's  
progress which he says is  
Excellent. We are very glad  
to hear that you are better &  
with kind regards for further bulletins.  
Sh

5. Reay to Satow "ans[wered] 18/2" [See p.384 below.]

Maiden Bradley Feb. 17. 18

Dear Satow

Thank God I have come through this crisis. On the 6<sup>th</sup> I suffered the most intense pain and an operation was judged necessary. It was performed at 5 AM on the 7<sup>th</sup> by Mr. Swayne "the little big man of the West," a very clever surgeon who is now a Colonel in the R.A.M.C. and fortunately was not in France. I never had any pain after the operation which removed a knot in the bowels and saved my life. I have 2 nurses one for the day the other for the night. Their skill is considerable and especially their gentleness. I cannot say what I owe to the Duke and Duchess for their kindness. I was very sorry to hear of your illness which I am afraid is painful and difficult to deal with. We can only trust in God's mercy to restore us to health.

What do you think of Trotzky declaring the war is at an end and at the same time refusing to conclude peace!

The Germans by way of illustrating what they understand by "no annexation" annex Cholm [in eastern Poland] to Ukraine and initiate a 4<sup>th</sup> partition of Poland thereby

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Correspondence from Lord Reay (and Mrs. Elinor Mitchell)  
1918 February – 1921 July

making the Austrian situation impossible.

The Repington trial<sup>3</sup> is an unfortunate event. I do not see why the Government could not explain what the functions were of the Versailles Council without saying what their decisions were. But the relations of Haig and Robertson to the Council might very well have been stated. The difficulty of course is that the British and French armies cannot have one head for which the Council is a poor substitute. I cannot make out why the Premiers should deliberate with the Generals on Army tactics. This attack on Dover and the sinking of trawler and drifters seems to show greater boldness of the German navy.

There seems to be some exaggeration in the number of German Divisions actually present in Flanders.

Roumania is in a tragic position.

The Dutch Government submits to our Prize Court the question: if English man of war conveys neutral ship to its (English) port illegally and German U boat torpedoes on voyage neutral British Gov. is responsible?

Yours ever

Reay

What is the name of the surgeon you believe in at Exeter?

[Henry] Wilson is very able but Jellicoe and Robertson had confidence of Sh.[?] and A.

#### 6. Reay to Satow [first page of letter framed in black]

Maiden Bradley

Bath

Feb. 26. 18.

Dear Satow

If you address:

Den Hoog geleerden Heer

Dr. Blok

Leiden

it will reach him.

A history of guarantees will be very interesting. This process of cutting up Russia is skilful, preparing any amount of strife and friction for the future which the Prussian

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<sup>3</sup> Lt. Col. Charles à Court Repington (1858-1925).

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Correspondence from Lord Reay (and Mrs. Elinor Mitchell)  
1918 February – 1921 July

staff needs for its *raison d'être*. Shall we be able to resist it? An officer on leave says Germans do not contemplate offensive, but have made their defences behind their lines as strong as possible evidently expecting our offensive.

Foreign Office did not object to publication of discussion on sub-marines in “Grotius”, but Admiralty did! I am glad you are so much better.

I am out of bed several hours undressed, still weak, easily tired but Dr is quite satisfied with my progress, is giving me a tonic.

In Brassey<sup>4</sup> I lose a valued old friend. Eric Barrington<sup>5</sup> I always liked. He seemed to me an ideal P[rivate].S[ecretary]. My contemporaries are all going at a rapid rate. God hitherto spared me.

Yours always

Reay

7. “ans[wered] 22d.” [See p.385 below.]

Maiden Bradley Bath

March 21. 1918

Dear Satow,

Would you submit to your brother [Sam Satow, Master of the Supreme Court] for his kind interpretation the following controversy with the Edinburgh solicitors.

The Supertax Commissioners wrote March 9<sup>th</sup> : “the basis of Supertax liability for any year is taken to be the income of husband and wife for the previous year, and in strictness it would be in order to calculate for the purposes of 1917-18 Supertax in your case the proportionate amount of your late wife’s income up to the date of her death (23.1.1917) and the proportionate amount of the income receivable by you under her will from the date of her death to the 5<sup>th</sup> April 1917. In the circumstances the Commissioners are willing to take, as the basis of computation, only the amount of annual income derived by you under her will, together with your own income for 1916-17.”

I interpret this as meaning that I must return what I shall derive under the will after

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<sup>4</sup> Thomas Brassey, 1st Earl Brassey (1836-1918). British Liberal party politician. Governor of Victoria, 1895-1900.

<sup>5</sup> Sir Bernard Eric Edward Barrington (1847-1918). Principal private secretary to foreign secretaries Lord Salisbury and Lord Lansdowne.

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Correspondence from Lord Reay (and Mrs. Elinor Mitchell)  
1918 February – 1921 July

payment of legacies, death duties, etc. The Solicitors say as these have not been paid in 1916/17 'You must return the income received in 1916/17 from Lady Reay's securities before reduction as that income was intact. The Commissioners only mean that they do not take into account income which Lady R. received from other sources than what she left to you.[']

I hope this statement is clear. I shall be much obliged if your brother will send me his opinion as soon as possible altho' the Commissioners do not press for an answer.

I left my room the day before yesterday and went out yesterday and today, shall now soon be going to 35 Berkeley Square. The wound is still open and causes much inconvenience but no pain.

The situation in Holland with regard to the requisition of the ships is very critical as Germany is dissatisfied and Dutch opinion resents this compulsion. International law I see justifies the requisition of ships in American harbours but how about ships in Holland?

Are the Japs going to Siberia?

The Germans seem to be invading Russia and to prepare an offensive on the West to get to Calais. Only by an absolute defeat shall we be able to get them out of Russia.

I hope you are better and enjoying this beautiful weather.

Yours sincerely

Reay

8. Maiden Bradley Bath

March 22

I return to 35 Berkeley Square W.1 next Monday. Nearly the whole day I take in the open air.

R.

The hospital chair will be returned with many thanks after I have left. The crutches will accompany me to London with your approval I hope.

9. Ap[ril]. 13. 18 "ans[wered] 18/4" [See p.387 below.]

35, BERKELEY SQUARE, W.1. [printed letterhead]

Dear Satow

This crisis seems to me to be terrible. If the Germans get to Calais or Boulogne we

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Correspondence from Lord Reay (and Mrs. Elinor Mitchell)  
1918 February – 1921 July

shall be threatened as in the days of Napoleon only by more formidable weapons. Military men are still sanguine as long as the line remains unbroken and Foch may at a given moment attack[,] reculer pour mieux sauter.

30,000 Americans land daily in France, but they are unfit to fight.

Gough ought long ago to have been recalled; he had shown his want of capacity. His retreat was the result of unpreparedness. The respectable Russians are furious with the Entente for not having taken proper steps to secure order, when the Tsar fell. They now rely on the Germans to restore order. The Government ought to have foreseen the revolution and taken steps to prevent anarchy. Would it have been possible? The Irish development is curious. Asquith is forced to accept compulsion, Midleton<sup>6</sup> is to accept Home Rule proposed by a government of strong Conservatives; only [Sir Edward] Carson does not surrender. And [Joseph] Devlin states the terms on which he will enlist. The priests are opposed to compulsion. I send you a little book I read daily and it would give me pleasure to find myself in communion of thoughts day and evening with you. It is unadulterated scripture nutriment.

Sir W[illiam]. Bennett who had not seen me since June came today, was satisfied about the wound and also about the leg. He could give no opinion as yet whether the wound should remain open or be closed! It is very awkward to have it acting as a drain. I for the first time after the operation went on crutches today.

Yours sincerely

Reay

What desecration was perpetrated at your Church by Sotheran?

10. April 15. 18 “ans[wered] 18/4” [See p.387 below.]

35, BERKELEY SQUARE, W.1. [printed letterhead]

Dear Satow

Many thanks for your letter. The chair was sent to the Hospital so pray inquire whether they got it with my grateful acknowledgement. The news today fortunately is good and time is in our favour. We have sent 250,000 men to France and the Americans send mthly 30,000 men but they have no officers I hear and can only be used mixed with our troops who are doing wonders thank God.

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<sup>6</sup> St John Brodrick, 1<sup>st</sup> Earl of Midleton (1856-1942).

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Correspondence from Lord Reay (and Mrs. Elinor Mitchell)  
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The post from Holland is at a standstill. I have not got any newspapers for a long time but I get my letters regularly through the legation bag and send them likewise. If you send a letter for Holland to me I can forward it through the bag. I am sorry to see in the Times that the Hague has been the scene of much disorder. Admiral [Richard P.F.] Purefoy the naval attaché just retired says he had not enough to eat! Lord Brougham says the same here but I get all I want, my French cook is very sagacious.

Sir Wm. Bennett is quite satisfied as regards my leg and the wound of which he cannot say whether it will be closed which would be very awkward as it gives much trouble having to be cleaned constantly. The leg hurts on account of the nerve above the knee which has to get over an excrescence which will disappear caused by the puncture. Everybody says they never have seen me looking so well!

Tell your brother that I have not yet received my supertax assessment although I have sent in my return on 9<sup>th</sup> of April. Increase of income and supertax and doubling of death duties are expected! The country however is very rich. No information comes here from Russia which is saturated with secret societies and Bolshevism. Sir Wm. Bennett said he thought this the coldest day we had had. I was out this morning and found it very chilly and damp.

I am very comfortable here and very quiet.

You seem to have undertaken a very onerous task with the guarantee treaties.

Reform H. of Lords will be by election by Peers, H. of Commons, County Councils and large electoral districts.

Yours sincerely

Reay

[Notes in Satow's handwriting in pencil on a tiny piece of paper]

A few of the questions we wld. like to get decided by an international Court.

The right of Russia to a free passage at all times for her merchant ships thro' the Bosphorus & Dardanelles.

The reconstitution of Poland, with a sea front somewhere.

The restoration of Alsace-Lorraine to France.

Italia Irredenta.

The partition of the Balkan Peninsula South of the Danube betw. Bulgaria, Greece, Serbia & Montenegro.

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If the Roumanians of Bessarabia & Transylvania shld. desire to be joined to their  
countrymen of Moldo[va]-Wallachia can they be severed fr. Russia & Austria-Hungary.

N. Sleswig

Ireland a nation

India & Burma.

What are the lawful possessions across the seas of the Great & Small Powers of Europe,  
and the United States (the selfgoverning dominions of the British Crown belong to a  
different category).

Shall the Turks continue at Constantinople?

11. 35 Berkeley Square W.1.

May 6. 18.

Dear Satow,

Many thanks for your letter [of May 2nd - see p.389] and mention of [the Austrian]  
Rothbuch. Curiously enough Rosebery told me that he considered we should have  
trouble with the Italians in case we wanted to make peace with Austria. The Italians are  
one always feels rather slippery.

Did I write to you that Theo Russell got a tel: message from the War Cabinet that he  
should tell Bertie<sup>7</sup> that his service had come to an end and that Derby<sup>8</sup> would be in Paris  
next Friday. T.R. went to Hardinge who at once said: it was impossible as French Gov.  
had not been consulted. H said he should go to the King (why not to Balfour?) who told  
him to go to Cambon<sup>9</sup> who was much annoyed but said he would tel: to Paris which of  
course accepted Derby who does not understand a word of French[,] is certainly quite  
undiplomatic, a good fellow, but whose mother in law Duchess of Devonshire was a  
German which of course the French do not like. Balfour it appears does not attend  
regularly at F.O. and consulting the King was not constitutional.

Ireland is a most distracted condition.

I send you an article by a leading Dutch statesman on league of nations which you  
need not return.

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<sup>7</sup> Viscount Bertie of Thame (1844-1919). British Ambassador to France, 1905-18.

<sup>8</sup> Edward Stanley, 17<sup>th</sup> Earl of Derby (1865-1948). British Ambassador to France, 1918-20.

<sup>9</sup> Paul Cambon (1843-1924). French Ambassador to U.K., 1898-1920.

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The last despatch on the requisitioning of the ships by our Government is very able probably by Crowe. There must be no anxiety about relations of Holland and Germany but Holland is in a very bad way as regards meat and grain.

Kühlmann<sup>10</sup> seems to have sent somebody to find out here whether we would make peace and R. Cecil<sup>11</sup> has rather ostentatiously snubbed him which was unnecessary.

Our troops I hear are tired and the Germans are constantly bringing in new troops. There is a prohibition to neutrals to allow arms, troops etc. to be conveyed through their territory by belligerents, but is there any prohibition to a neutral to carry them over sea for instance from America to France at the risk of being taken before a prize Court on account of contraband.

I sit in the garden and have received daily the result of one mail 40 Dutch papers in driblets! The dressing of my wound is troublesome. I have many visitors and the days are too short.

Yours always

Reay

Bertie as you saw will probably have to undergo an operation.

[More notes by Satow]

Who is to have Mesopotamia?

Shall the Ottoman Turks be recognized as having any authority over the whole of Arabia?

Shall the Zionists acquire Palestine, & what are to be the rights of Latin & Greek churches to the Holy Places?

Africa is the present division, or whatever status quo may be at the end of the War [to] be regarded as permanent

Is England to restore Gib. to Spain

Finland

Asia Minor

Vomdal[?] 1.28

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<sup>10</sup> Richard von Kühlmann (1873-1948). Germany's Secretary of State for Foreign Affairs, August 6, 1917 – July 9, 1918.

<sup>11</sup> Robert Cecil, 1<sup>st</sup> Viscount Cecil of Chelwood (1864-1958). Under-Secretary of State for Foreign Affairs, 1915-19.



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Correspondence from Lord Reay (and Mrs. Elinor Mitchell)  
1918 February – 1921 July

12. 35 Berkeley Square W.1. “ans[wered] 11/6” [See p.392 below.]

June 10. 1918

Dear Satow

I enclose some observations on the *jus angariae*<sup>12</sup> which may interest you and which at your leisure pray return to me. There is another important question viz. the inviolable character of neutral merchantmen escorted by neutral navy men-of-war. We have never recognised it and the compromise in the Declaration of London is dead. I forget whether we dealt with the matter at the Hague and what the compromise was. What are your views on the subject? Have you received the last annual report of the Grotius Society?

There is in today's Daily Mail an interview with Count Kato [Takaaki] now leader of the opposition in which he says Japan has no need to go to Siberia as the situation is now so bad and that Japan only entered into the war as the Ally of England. He evidently is not keen about the war. I hear that the Japanese are making money out of the war. We ought it seems to me to occupy Siberia and make it a rallying centre for decent Russians who want to escape from Bolsheviks and now have only Germany to fall back upon for restoration of order. Why the Japanese are not urged to occupy Siberia no one understands. The reason given is that Lloyd George does not want to tackle Bolshevism because Socialists here look upon them as their friends! What do you hear from Japan. Their fleet in the Mediterranean has been of great use.

The Americans I hear are well disciplined, shoot well, drill well but ask the reason of things! The French hospitals are very full.

Do you know of anybody in London who has experience of Turkey? M. Wallace has, but he is in a nursing home recovering I do not know from what. Lewis [Louis] Mallet can hardly be considered an authority. I want to know as a Committee is being formed to liberate our prisoners in Turkey.

Were you not indignant with the Belling trial? Belling's extremes[?] were well known at Scotland Yard. And now [Horatio] Bottomley in J. Bull says that if the Government do not take further steps ere long he has 47 names which he intends to

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<sup>12</sup> Angary (Lat. *jus angariae*) is the right of a belligerent to seize and apply for the purposes of war any kind of property on belligerent territory, including that which may belong to subjects or citizens of a neutral state.

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proclaim and to stand trial for libel. Among those 47 every class is represented, free Church and Church of R[ome] clergy.

It is incredible that in such a crisis of our destinies the lowest elements should thus assert themselves and that undoubtedly entertaining Maud Allan,<sup>13</sup> Sarah Bernard<sup>14</sup> formerly, was a great mistake.

I had a pleasant visit from Chirol[,] has he found a house? I sit in the garden of this square, have again regained my facility of going on crutches, attend meetings, go out to lunch and am very well but the dressing of the wound and adjusting of the belt is annoying. The Mitchells join me tomorrow from Scotland.

Are the farmers satisfied with the Food control measures and requisitioning of day[?]. In Holland the food supply meat bread butter cheese eggs is very bad. I hear this on all sides. How have your strawberries and asparagus done and what is the prospect of apples and pears? Batsford to be sold this week. Vanity of vanities!

Always yours

Reay

13. July 18. 1918.

35 BERKELEY SQUARE, W.1.

Dear Satow

Very glad to see your handwriting and to hear of your good fruit harvest. Has Lovering still got his steed?

My leg is not improving, my wound is in statu quo [in the same state as before] and acts as a drainage channel. Nights and appetite are good, but my eyes are getting tired. I rather fret my helpless position but I hope to go to Laidlawstiel about August 15 as soon as the fate of Gross<sup>15</sup> is decided. It will require some courage to face Llstiel under new conditions but the people there are all anxious to see me.

I read Beyens. The question is difficult. It has certainly been to our advantage that Holland was separate from Belgium and did not share its fate. Belgium will need our protectorate hereafter being as also Holland and Denmark always exposed to a German

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<sup>13</sup> Maud Allan (1873-1956). Pianist, actress, dancer and choreographer.

<sup>14</sup> Presumably Sarah Bernhardt (1844-1923). French stage actress.

<sup>15</sup> Gross was Reay's manservant. See August 19th letter below on p.114.

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attack. League of Nations would render Belgian neutrality superfluous. What do you think of it? Without Germany it would simply[?] be the entente crystallised. With Germany – unless military regime collapses – impossible.

Is the neutrality of Belgium different from that of Luxemburg? I cannot remember what you told me. The former I think was collective, but did not absolve each Power to vindicate its guarantee, whereas the latter according to Lord Derby's interpretation merely entailed collective action, was therefore nugatory.

What the opinion of the Belgian government or of Balfour is I cannot tell you.

You mention Krabbe? Is he a Dutch author on neutrality. What is the title of his book?

I enclose 2 cuttings which may interest you. Return them at your leisure.

The outcry about the Dutch convoy was as the Lord Chancellor pointed out absurd. The search in port previous to departure was of course much more efficacious than at sea or in a harbour on the voyage. Beresford sacrificed la prime[?] au fond.

The India reforms are very important. It was inevitable sooner or later. If you admit Indians to the War Cabinet you can no longer refuse them a home Cabinet with a restricted franchise. It will require great dash and skill in those we send out to govern India. The native chiefs are a great bedrock.

What do you think of the education bill? I suppose I shall again be able to get some apples from your neighbour?

Proportionate representation has made the Catholics so strong that the Queen has asked a R.C. priest Nolens<sup>16</sup> (adsit omen!)<sup>17</sup> to form a Cabinet which not long ago would have been unconceivable.

Yours always

Reay

14. July 22. [1918]

35 Berkeley Square W.1

Dear Satow

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<sup>16</sup> Willem Hubert Nolens (1860-1931). Dutch politician and Roman Catholic priest.

<sup>17</sup> 'absit omen' means 'may what is said not come true'. But if it is (as it appears to be) 'adsit omen', then Reay may be pointing out that 'Nolens' means 'not willing' in Latin and then 'adsit omen' will mean 'there's an omen'.

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Many thanks for encl. which makes things quite clear. Will you ask Chirrol [I.V. Chirol] to pay me a visit as I should much like to have some conversation on India.

What must the Emperor feel in his association with Regrendes[?]? More criminal than the murderers of Louis XVI as they had no excuse whatever. He was not fit for his position but he did not fail us.

Order a pamphlet The future of democracy by Haldane Headley Bros. Publishers. It will interest you. Haldane contemplates as entirely new order of things after the war. A 6 hours' day which of course is impossible in rural districts. Lord Mersey[?] on the other hand told me that he considers the future of England depends on the willingness to work of the working classes which alone will enable us to compete with Germany. Much depends on what Germany will be after the war. The moral[e] of the German Army is I hear bad. If they cease to believe in the infallibility of the Generalstab as Hasslen[?] does we may see the edifice beginning to crack.

My correspondence with Holland is in great arrears which is very awkward.

[Home Secretary George] Cave has shown great moderation in this "stunt" cry of "intern all" except of course those spies (Englishmen or women) whom no one suspects and who are really dangerous especially the Irish ones.

[Lord Charles] Beresford who represents Maritime International Law (?) in H. of Lords said that Admiralty was at a disadvantage because it had no Secretary of State as Board of Trade. Saunderson who came to see me yesterday says that silence is in H. of L. best policy. That is also my conviction.

It may interest your brother if you tell him with my compliments confidentially that I have not yet final account of Edinburgh Solicitors with regard to Lady R's estate.

Yours ever

Reay

I enclose an account of conversation with [James] Bouchier<sup>18</sup> Times Balkan correspondent which pray return.

15. Laidlawstiel Galashiels

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<sup>18</sup> James David Bouchier (1850-1920). Irish journalist and activist. Times correspondent in the Balkans from the end of the 19<sup>th</sup> century until the end of the First World War.

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Aug. 19. 1918

Dear Satow

I arrived here last Friday after a very comfortable journey in a reserved compartment. I need not tell you how painful it was to me to face so many memories of a happy past in my supine condition and how everything accentuates my loss notwithstanding the great kindness of the Mitchells who insisted on my occupying your room and my former sitting room.

A further depressing circumstance was that I had to part with [my manservant] Gross whose efficiency I now realise more than ever that the man I had to engage at the last moment is slow and has not the physical strength of Gross. As regards myself Gross was most attentive and I envy any one who engages him. The Duchess of Somerset had the highest opinion of him and I believe you never had any reason to complain. Mrs. Mitchell and 2 old servants of my former establishment took such an unfavorable view of his morality that it was impossible to keep him. This is of course in strict confidence as I could only give him a testimonial of good service.

You will have seen that Alfred Mitchell Innes<sup>19</sup> at Montevideo is engaged to Mrs [Eveline] Hunter whom I do not know.

You have read the Bishop of Hereford's letter in Saturday's Times with which I agree. I have always understood that the Russian clergy were by no means moral or well educated with some exceptions and that the worship of icons was not edifying.

I sent you Observer with article on continuation of war.

Crowe attaches much importance to assistance of Japs which I am afraid is too late. Ackermann on German Republic and Robertson on Bismarck are well worth reading I am told.

Balfour's last speech in H. of C. was I thought very good.

Have you asked Mrs. Whetham whether I could get any apples.

Yours ever

Reay

16. Laidlawstiel Galashiels

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<sup>19</sup> Alfred Mitchell-Innes (1864-1950). Diplomat, economist and author. Minister to Uruguay, 1913-19.

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1918 February – 1921 July

Aug. 26. 18

Dear Satow

I was delighted to get your letter with the expression of your sympathy in my present surroundings and infirm condition which more and more constitutes a burden and is more sensible here than in a different atmosphere without local memories of freedom of movement.

I am always happy when I know that we are agreed on fundamentals and when you approve of such letters as that of the Bishop of Hereford. The “filioque” of the Nicene creed<sup>20</sup> is as you say an insurmountable obstacle to reunion with the Russian Church. I think a beginning might be made by having joint evening services in which Church and dissenting ministers might alternately preach. It would benefit both parties and create a sense of Xian unity without in any way touching on questions of liturgy and ritual.

Remember me please very kindly to Whethams. Weather here is not warm and damp. The farmers complain about the insufficient quantity of fodder left them for their horses. The Germans are acknowledging defeat, but I suppose they will try to organise the military resources of Russia unless we can obtain a footing there.

You saw I suppose that Hurst has been promoted and now is our Kriege. I asked Grovestins to send you a most excellent little daily exhortation “Keurgarven” which he and I read every day. G. is suffering in his throat and from want of meat. They also have scarcity of coal. Loeff<sup>21</sup> a R.C.M.P. [Roman Catholic Member of Parliament?] succeeds [Willem Hendrik de] Beaufort as Chairman of Dutch Peace Conference Cee [Committee] and [H.G.] Surie the Naval Officer is made a member. No Cabinet yet as leading men refuse to run the risk. It is quite incomprehensible how a Dutchman can be pro-German as some men I know are.

Yours always

Reay

P.S. I have just been reading Whetham’s letter in Saturday’s Times (of 24/8). Pray tell him that what he says applies to Dutch universities which (there are 4) often get German

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<sup>20</sup> The Latin term ‘filioque’ describes the Holy Spirit as proceeding from both the Father and the Son (not from the Father only). This has been a great controversy between Eastern and Western Christianity.

<sup>21</sup> Probably Johannes Alouisius (Jan) Loeff (1858-1921). A Catholic and conservative Dutch politician. Minister of Justice, 1901-05.

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professors as the country has not the necessary personnel of sufficient eminence.

Medical students I believe visit Vienna and Berlin and the surgical methods are barbarous Sir Wm. Bennett told me. In German Switzerland of course the “Wechselwirkung” is very strong.

Dutch theologians also imbibe German divinity and missionary literature. Pray tell Coleridge how sorry I was he never looked me up in London.

I suppose you will agree with me that we must in our Universities after the war follow closely the trend of German research and science. Some people want to boycott all German books and not to have German taught. This seems to me very shortsighted. I am sure that Germans will more than ever take notice of what we are doing.

The Mitchells wish to be remembered to you. They are most kind to me and are making many improvements, opening the view. A Miss Fitch is staying here who is connected with Canon Pike(?) [Pryke] your great friend at Exeter. I am getting accustomed to my new man who is very slow but very anxious to help me. What is the address of Mrs. Godfrey. Foch is evidently a great General. The feeling among our officers is I am told not very favorable as regards our Generals.

17. Laidlawstiel Galashiels “ans[wered] 12/9” [See pp.412-3 below.]

Sept. 9. 18

Dear Satow

I send you encl: [letter in Dutch] from Dr. Geyl. Colenbrander is very good and the London Library ought to have his works. [Hendrick Peter Godfried] Quack on Socialism is interesting. Fluin is first rate and would probably attract you most from a literary point of view. I enclose an article on Intern. Law which you can keep and a letter from Marrock which pray return. I look upon the Brahmins as an intellectual élite such as we had for years in the Whig oligarchy. It is – if well managed – a valuable instrument for us to use against a possible perturbation of the ignorant masses such as we see in Russia and with which we may have to contend at the next election. The Brahmins are not hostile to our rule, but wish to be recognised as the natural leaders of the native community. I found them very useful if they trusted me. The officials distrusted them and looked upon the Mahomedans as our friends. This was a mistaken policy as the events showed because now the Mahomedans have joined the Brahmins in claiming reforms. The breach between the moderates and extremists caused by the

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Montagu reforms<sup>22</sup> is a very happy result. If no reforms had been proposed the moderates would have been powerless.

Who is Putnam Wade author of “The fight for the republic in China” who is not complimentary to the Japanese? [Satow’s handwriting: L. Simpson.]

Do you think we shall have to restore order in Russia? We cannot abandon it to terrorism and German treachery.

I am puzzled by Italian inaction, when at this crisis they might contribute to our victories. My French friend [Comte de] Chabrol<sup>23</sup> writes that they only think of their own interests.

The new Minister of foreign affairs in Holland is [Herman Adriaan van] Karnebeek whom you may remember as our Colleague at the Peace Conference, a level headed man. [Jospeh] Addison will be a good successor of A[ustin]. Lee. Haig I hear is to step down. Robertson, Allenby and Plumer are mentioned as his successors. The Arabs think of Allenby = Allah Bey!

Weather is cold and often rainy, but good air and most kind hospitality do me good although getting very weary of my helplessness.

Yours always Reay

Letter in Dutch (enclosure) from Dr. P. Geyl.

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<sup>22</sup> The Montagu-Chelmsford reforms introduced self-governing institutions to India. Edwin Montagu became Secretary of State for India in 1917.

<sup>23</sup> Presumably Marie-Henri-Guillaume de Chabrol-Tournoël (1840-1923). French politician.



1918 February - 1921 July

Beteekenis.

Als uw vriend over een nader gespecificeerd onderwerp meer literatuur wil hebben, zal ik hem met alle genoegen helpen, voorzover ik kan.

Geloof mij,  
Hoogaeracht,

M.M.

J. J. J.

Muller, Onze gouden eeuw, is een goed werk over de toestanden, staatsinstellingen, economie enz. van ons land in de 17<sup>e</sup> eeuw.

DE P. CEYL.  
LONDON EDITOR OF THE NIEUWE  
ROTTERDAMSCH COURANT.  
TELEPHONE FIVEHOLEY 1768.

STADTWYCK,  
2, BROOKSIDE ROAD,  
GOLDERS GREEN, N.W.

6 Sept. 1918

Hooggeachte Lord Reay,

als uw vriend in het algemeen Nederlandse boeken over Nederlandse geschiedenis wil lezen, is er natuurlijk heel wat te noemen. Vreede, opkoms, stelli; een interessant boek, is wel wat verouderd. (Het is voorhanden op de London Library) Dan is er natuurlijk Fruin, wiens verspreide geschriften onschatbaar zijn met een

voegpunt van stijl zoowel als van geschiedkundige waarde. Dan Musken Hhet, het land van Rembrandt. Blok's Hollandse stad is ook een heel interessant werk, maar, zooals al zijn boeken, ongelukkiglijk zwaar en ongedistingeerd van stijl.

Volumineuse werken van algemeenen aard zijn in den laatste tijd weinig verschenen, maar goede monografieën zal uw vriend vinden in Meulenhoff's Historische Bibliotheek, bijvoorbeeld Brugmans Geschiedenis

van Amsterdam en Japikse Leven van de Witt. Verder zijn er de werken van Colenbrander over 18<sup>e</sup>-eeuwse en vroeg-19<sup>e</sup>-eeuwse geschiedenis.

Voor parlementaire geschiedenis van de 19<sup>e</sup> eeuw, van Melderen Rengers.

De beste rechtsphilosophische en volkenrechtelijke schrijvers die wij nu hebben, zijn zeker wel Krabbe en Van Vollenhoven.

Quack's Socialisten behandelt geen Nederl. onderwerp, maar is natuurlijk een werk van

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18. LAIDLAWSTIEL “Ans[wered]. 8/10” [See p.413 below.]

GALASHIELS

Oct. 4. 18

Dear Satow

Many thanks for your letter. “Choice Sheaves” is quite correct. I think you will find the hymns very edifying. There are some strict Calvinists and Ministers in the Dutch Church who close their books ostentatiously when the hymn is sung and in some parishes they have only a Minister who ignores the hymns especially in appendix which is admirable and which the Minister in my parish boycotts. He only allows for one hymn in the service and is very narrowminded and pro German as the people say because he has Austrian securities! This I do not believe but rather because he considers the French atheists. My burgomaster also is pro German probably admiring of their organising capacity. A very humble official in the village writes to me that he rejoices over our success but keeps his opinion dark! My agent is very reserved and neutral. The fact is they are afraid of Germany and will now understand that Rhine and Scheldt are safe which they would not have been if Germany had been victorious. The German débâcle seems to me complete. They will however not give in and although hopeless will cause the sacrifice of many lives. I think we must make our position in Syria, Mesopotamia and Persia absolutely safe by Protectorates, not annexations. I do not quite trust Wilson also as regards German Colonies. We cannot surrender them. I also hope Wilson will not object to a very heavy compensation being exacted from Germany for Belgium, France, Serbia and U boat destruction. If the Japanese take Moscow which is just possible the impression in the East will be tremendous. I do not understand why the Italians do not attack the Austrians. As soon as we enter Sofia I suppose Roumania will break lose and Austria will be threatened. The new regime in Germany is significant even if it is only camouflage. The ostracism of Bulow their ablest statesman shows what autocracy inflicts on a nation. The refusal to ratify the Hague Convention for extradition of prisoners is outrageous. I send you the title of the Dutch bible I use which the Bible Society will send you. I am not well up in bibliography, but shall inquire. This version is very good.

I am still very rheumatic, suffer from bad circulation causing cold feet and tired eyes which I must spare but my health is good. I take drives, when weather permits, which lately has been very bad: stormy, rainy, cold. I shall stay here as long as I can dreading

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my small rooms in London and fuel shortness.

I suppose Coleridge has left; he never came to see me. Did you know Dr. [Henry] Dyer who lately died in Glasgow and was the head of a Coll: in Japan. I met him. Gross whom I daily miss is unemployed. If you hear of anything let him know. P.M. Gross  
111 Festing Grove, Southsea, Hants.

Yours always

Reay

19. Oct. 25. 18. “ans[wered] 30/10” “wrote 29/10 to Pryke to ask for information about the marked passage.” [See p.415 below.]

35 BERKELEY SQUARE, W.1.

Dear Satow,

I have often thought of you in seeing Fry's<sup>24</sup> death. The Times memoir was interesting. I wonder how he would have dealt with the German murderers, brigands and U boat pirates. He was a God-fearing man absolutely straight seeing through camouflage.

I am very anxious to hear your opinion on the Communion controversy, the g[overnment?] vs. 35 Bishops, not edifying and to think of the H. of C. having to deal with such a solemn subject.<sup>25</sup>

Bishop Boyd Carpenter<sup>26</sup> was a great friend of mine, very charming, very simple and a real Xtian. We are living in a historic upheaval[,] Austria disintegrating, Germany lying down under Wilson's stern rebuke that they are liars and inhuman and must ignore the Kaiser. I only hope our Statesmen will behave as Xtian gentlemen in applying the proper punishment. The reparation and compensation must be adequate. We must make our Indian frontier secure and reduce Turkey and establish order in Russia. The question of the Scheldt is important for Antwerp and Holland. We shall have difficulty with Americans about the freedom of the Seas and the German Colonies which we cannot surrender altho' we need not annex them.

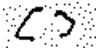
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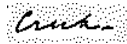
<sup>24</sup> Sir Edward Fry (1827-1918). Quaker. Judge. Led British delegation at the Hague Peace Conference, 1907.

<sup>25</sup> This passage is marked by Satow with a single vertical line on the left.

<sup>26</sup> William Boyd Carpenter (1841-1918). Bishop of Ripon, court chaplain to Queen Victoria.

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I am told that latterly there was some friction with Wilson. Pershing<sup>27</sup> is a failure and the Americans have had terrible casualties through faults of Generals. Foch<sup>28</sup> wanted them to act as pincers  They were too late and French had to attack Centre. The Americans fought well when brigaded with our troops. Wilson will not withdraw Pershing. The Americans were 20 miles from German territory.

I hear that the Emperor is in favor of a Constitutional regime. I have got rid of Gross's successor and fortunately Sir Bruce Hamilton has found me a very nice man. The last man was most insolent, treated me as a lunatic and made himself disagreeable to everybody and shirked his work as much as he could and took delight in every symptom which was unfavorable. Sir Wm. Bennett considered him most objectionable. A swollen foot was the result that he would not apply massage. It was a real  [crush?].

Then we had a fright because the Government inspected this house for an office. I pointed out that it was unsuitable and offered them 6 Great Stanhope St which is still vacant and last Saturday they informed us that they would not take this house[,] a great relief. Do you know Sir Francis Piggot[t] and anything about him?

Eysinga has sent me his last report on sundry Intern. Law questions during the year. Has he sent a copy to you? I am asking him to do it.

Portsmouth has taken his seat in H. of L. When you see him ask him to look me up. I hope you are well in your new quarters.

Yours always

Reay

20. 35 Berkeley Square W.1.

31. X. 18

Many thanks for your letter and for encl: which I can submit to "Grotius Association." I shall be very glad to have the perusal of the American little book on freedom of the Seas and your opinion on the league of nations which Fitzmaurice considers impracticable

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<sup>27</sup> General John Pershing (1860-1948) commanded the American Expeditionary Forces (AEF) on the Western Front, 1917-18.

<sup>28</sup> Marshal Ferdinand Foch (1851-1929). French general who served as Supreme Allied Commander in First World War.

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and Bryce<sup>29</sup> advocates. A line by return of post on Sir F. Pigott would greatly oblige me as I have an interview on Saturday for which it would be of great value to me. Of course what you say I would consider confidential. How dramatic the Austrian Army fighting on the [River] Piave for a Power which is dissolving with Generals at home accepting rule of revolutionary committees. Lammasch<sup>30</sup> will act as liquidator.

Yours ever

R.

21. 35 Berkeley Square W.1.

Nov. 7. 18

Many thanks for your last letters. Your observations on the League of Nations are very interesting especially the article of the Peace of Westphalia. I have to preside at a lecture at King's Coll: on the league and I shall refer to it. I confess I am not sanguine about the conversion of Germany. It will I am afraid prepare for revenge after its humiliating defeat. The Kiel mutiny is significant. I do not think the Emperor will abdicate, will consider it his duty to see Germany through its ordeal. It is a Divine Judgment on the misdeeds of Germany, Austria and Turkey. I am very glad you agree with Bishop of Manchester and trust I may keep his speech which is very clear.

Is it true that R.C. are strong at the F.O.? Do you make out that Pola<sup>31</sup> is not transferred to Italy and Fiume?

I shall read with interest the American book on the freedom of the seas you sent me. We must get to an agreement with Wilson on the subject before we enter Peace Conference in which the Allies should have their programme settled beforehand.

Your article I have given to the "Grotius". [Margin: forgotten to post this.] In the Armistice conditions there is one "waiving neutral rights". I suppose this means by Austria but how does this concern neutrals to whom it must be communicated. It safeguards our troops passing through Austria to attack South of Germany.

You will have noticed that our colleague General Grundell goes to Foch with white flag. I hear that German officers and soldiers prisoners are still arrogant! and that

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<sup>29</sup> James Bryce, 1<sup>st</sup> Viscount Bryce (1838-1922).

<sup>30</sup> Heinrich Lammasch (1853-1920). Austrian jurist. Served as the last Minister-President of Austria, October-November 1918.

<sup>31</sup> The Italian province of Pola was created after World War I.

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Germans continue to devastate occupied areas.

This dissolution is solely to secure L. George's position. I enclose a letter on Pigott and an interesting one by a leading Dutch statesman. Pray return them. You ought to read [Mme. Augustus Craven's] *Récit d'une Soeur*. My new excellent servant has to look after his wife and daughter down with influenza so I have again to have another a locum tenens most aggravating. Pigott wanted the Grotius to endorse his publication of the Series and his notes on the lines of Tommy Bowles!

Yours ever Reay

Nov. 10

To my horror I found last night after post had gone that this letter had not been posted. It had been mislaid under other letters. It shows how events are developing in a marvellous way. The Hohenzollerns represented by a boy under a Regency with a Socialist Chancellor Eberts<sup>32</sup> who I hear is a very remarkable man and will certainly not tolerate Bolshevism which in Russia seems to be crumbling with Trotzky resigned and Lenin['s] reported death. Shall we now have Germany a federal Republic or a Regency and a constitutional Cabinet? How shall we get the formidable indemnity required from Germany to which Austria can hardly be made to contribute especially the States Jugo Slavs Czecho Slavs who have all along been friendly to us. We shall have to reconstruct Russia. To think of Lloyd George as the man who has to remodel the map of Europe!

Balfour will have to play a leading part with Robert Cecil to keep him up to the mark. It seems to me that the German nation cannot repudiate responsibility for the war which the majority Socialists have backed. Foch I hear is very ill. I know Oberndorff<sup>33</sup> who went with the white flag. He comes from Baden. I knew him as a Secretary of Embassy son in law of Dutch Minister in Paris who is very anti German. [Karl Max, Prince] Lichnowsky and Kühlmann must feel quite justified by this collapse.

I hope the Emperor will not go to Holland, where his presence would be annoying, especially to the Queen. I know the beautiful Château of Middachten placed at his disposal by Count Bentinck who is very fond of England where he has many friends. I shall now be able to go to Holland next summer. Fortunately I have a good servant a highlander an ex Life Guards man who was wounded in 4 places in 10 minutes time!

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<sup>32</sup> Friedrich Ebert (1871-1925).

<sup>33</sup> Alfred von Oberndorff (1870-1963).

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Have you received “Neutrality versus Justice” by A.J. Jacobs dated Bristol August 1917.<sup>34</sup>

Sir Felix Schuster<sup>35</sup> a leading banker takes a very gloomy view of our finances and thinks Government mistaken in its optimism. Observer today has an interview with Bonar Law.

Yours ever Reay

22. Nov. 14. 1918 “ans[wered] 17/11” [See p.428 below.]

Dear Satow,

Very many thanks for your letter. It seems to me that our principal duty is to prevent anarchy from spreading through Europe. We must support the new German Government in its anti Bolshevik attitude and restore by all means at our disposal order in Russia. I suppose we shall occupy Southern Russia now that the Black Sea is at our disposal. The news from Holland is bad.

Troelstra<sup>36</sup> who until now was a Constitutional Socialist seems to have rejoined the revolutionary Socialists. Everything will now depend on the Army. Near Arnhem there was a disturbance in a Camp. The deluge of refugees aggravates the food deficiency for which we are to a certain extent responsible. The Labour party meeting today is ominous and if Bernard Shaw and Webb<sup>37</sup> join the extremists we may have a crisis. Lloyd George was reckless in promising high wages for 6 months. The Liberal party will have to exercise a moderating control. The situation strikes me as more critical than it was during any time of the war.

I have read today R. Cecil’s Birmingham speech in yesterday’s Times. What do you think of it? It seems to me very good. He agrees with Jacobs who does not want an International Tribunal but an agreement between nations to suppress any outbreak of war without entering upon its motives or justification simply because force is not the remedy for injustice. The knowledge that war should not be tolerated would compel using other means such as arbitration. I want to keep Jacobs until I have had my

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<sup>34</sup> A.J. Jacobs, *Neutrality Versus Justice: An Essay on International Relations*, London: T. Fisher Unwin, 1917.

<sup>35</sup> Sir Felix Schuster (1854-1936). British banker, financier and Liberal politician.

<sup>36</sup> Pieter Jelles Troelstra (1860-1930). Dutch lawyer, journalist and politician active in the socialist workers’ movement.

<sup>37</sup> Sidney Webb, 1<sup>st</sup> Baron Passfield (1859-1947). An early member of the Fabian Society with George Bernard Shaw.

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meeting and shall then send it to you.

Bonar Law seems rather optimistic as regards our finances. Will you tell Mrs. Godfrey that I am glad her husband will now return and that her sons are doing well. Would you be so kind as to get a Christmas present for me for the little Nora and give it to her at Xmas and ask Mrs. Godfrey if she knows where Gross is now. I have not heard from him. My present man is very satisfactory and I take exercise on my crutches in my bedroom and go out on my chair when the weather allows it. At the R.A.S.<sup>38</sup> it was proposed – this is confidential – that the German members should be expelled. I opposed it as petty vindictiveness, not compatible with the non-political character of a learned society. If Germans found a remedy against cancer we should use it. The majority took my view. I hope you agree. B. Academy has not moved in the matter. 10 P.M. The last news of Holland is better.

Yours ever

Reay

23. 35 Berkeley Square W.1.

Dec. 1. 18. “ans[were]d. 8/12” [See p.430 below.]

Dear Satow,

Many thanks for your letters of 24<sup>th</sup> and 29<sup>th</sup> Nov. I shall bring [Charles Stewart] Davison’s very lucid article to the notice of the “Grotius” and also your articles. The destruction of private property at sea has hit us harder than any other Power. If we had been immune from destruction by U boats we should not be so hard up for shipping. If private property had been safe we could have obtained every advantage through blockade and contraband and forced German ships to seek refuge in their own and neutral harbours. The destruction of ships, mines and oil wells inflicts damage not only on the belligerent but on everybody else it seems to me.

I am ashamed still to have not finished Davison’s book you sent me but I try to spare my eyes and I have had so much Correspondence that you must forgive me.

I do not see how we can force Holland to extradite the Army [Kaiser?]. To talk of an “indictable offence” as L. George does seems to me absurd. His crimes are many, but they are political, worse than those ever committed by any individual sovereign or

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<sup>38</sup> Reay was President of the Royal Asiatic Society, 1893-1921.



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criminal. Divine Justice has already dealt with him by humiliation greater than any incurred before by a sovereign. The surrender of the fleet, his pet creation, of Alsace Lorraine, of Posen<sup>39</sup> must inflict a mortal wound and his conscience must constantly smite him and also the consciousness that God has visited his sins on him. If he wishes to retire to Corfu and the Greeks will act as gaoler I should let him go.

The weather these last days obliges one to remain indoors a great trial also that visitors are numerous on some days, absent on others. This election seems to be very confused. L. George undoubtedly asks for a blank cheque which he will fill in according to the result of the election. The labour program is very ominous. It would lead to bankruptcy and this adumbration of a new earth is pure deception.

Yours sincerely

Reay

Encl: may interest you. I was unable to preside at Barker's lecture.

24. Dec. 10. 18. "ans[wered] 11/12" [See p.443 below.]

Dear Satow,

Many thanks for your letter and encl: which I return. If you will thank Dr. Eysinga a sufficient address is: Leiden. Professor is in Dutch: Hoogleraar. I hope you agree with Halifax's letter in yesterday's Times. I am asked to give names for the Dutch Institute of 2 Englishmen and 1 Scot. May I give your name and I shall then add Goudy as President of Grotius. I do not know any Scots unless it be the Lord Chancellor.

If you do not wish to undertake the duties of a Correspondent I shall give Oppenheim's name unless you can suggest anyone else. If you decline pray return the papers. [T.E.] Holland's letter is characteristic.

There seems to be some scandal connected with the resignation of McAdoo<sup>40</sup> Wilson's son in law and his wife (Wilson's) is said to have been very intimate with Bernstorff.<sup>41</sup> Altogether Wilson's idealism will not be acceptable to French and Italians.

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<sup>39</sup> The Province of Posen, part of the Free State of Prussia within Weimar Germany from 1918, then mostly ceded to the Second Polish Republic by the Treaty of Versailles. Posen (now Poznań, Poland) was the provincial capital.

<sup>40</sup> William Gibbs McAdoo (1863-1941). American lawyer and statesman.

<sup>41</sup> Johann Heinrich von Bernstorff (1862-1939). German politician and ambassador to the U.S., 1908-1917.



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intrigue with a wife of a Professor at Princetown [Princeton?]. The divorce was heard in camera, the lady bought off and his present marriage arranged. Bernstorff had some letters of the President which he held up in terrorem.<sup>43</sup> Pray tell me what I owe you for Nora's doll.

With all good wishes and many grateful recollections

Yours ever

Reay

26. Dec. 23. 18

Dear Satow

Many thanks for your letter and good wishes which I cannot reciprocate better than by sending you to read the very touching posthumous Xmas card of Bishop [William] Boyd Carpenter the most charming man I think I have known, a really spiritual nature. Pray return it. A thousand thanks for the ceremony of the doll to the future voter! I enclose postal order. The secretiveness of the women voting has been the surprise of the election as well as their number wh. will not be the only surprise, but it is rather ominous that we are in the dark and are left to L. George's impromptus who as a member of the Government told me is like a grasshopper. Clémenceau and Sonnino<sup>44</sup> are I believe Statesmen. It is a great pity that Lansdowne and Rosebery (very ill) cannot represent us. No one believes in Curzon, and Milner will not abandon conscription I hear. Both are to my mind our best men at such a Conference. Spender<sup>45</sup> writes to me "that the armistice is only the opening of a new phase." This I suppose means that we shall have to fight Bolshevism in Russia and probably in Germany. A very shrewd observer after spending a week in Berlin says that Prince Max [von Baden]<sup>46</sup> = Prince Lvoff<sup>47</sup> Ebert<sup>48</sup> = Keritsky [Kerensky?]<sup>49</sup> Liebknecht<sup>50</sup> = Lenin. Did I mention that

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<sup>43</sup> 'in terrorem' is a legal threat, usually one given in hope of compelling someone to act without resort to a lawsuit.

<sup>44</sup> Sidney Costantino, Baron Sonnino (1847-1922). Italian Minister of Foreign Affairs during the First World War, represented Italy at the 1919 Paris Peace Conference.

<sup>45</sup> Probably Harold Spender (1864-1926). British Liberal party politician.

<sup>46</sup> Prince Maximilian of Baden (1867-1929). Chancellor of Germany, October-November 1918.

<sup>47</sup> Prince Georgy Lvov (1861-1925). The first post-imperial prime minister of Russia, March-July 1917.

<sup>48</sup> Friedrich Ebert (1871-1925). Chancellor of Germany, 1918-19. President 1919-25.

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before? We cannot allow the greater part of Europe to be in anarchy. Have you seen a curious book by Bertram [Bertrand] Russell: *Socialism, Anarchy, Syndicalism*.<sup>51</sup> Pray remember me to your brother and tell him that I have not yet received the final account of the Edinburgh Solicitors and do not know what succession duties I have to pay! If you see Coleridge ask him to come and see me.

Yours always

Reay

27. 35 Berkeley Square W.1

Dec. 30. 18

Dear Satow

Many thanks for your letter [dated Christmas Day, 1918, see p.445 below] with Canadian's [Davidson Ketchum's] information. In Belgium in the Palace at Brussels nothing was moved, also not in the Bank and farmers made profits by selling produce to Germans. Where the country was flooded it will take 10 years to recover.

Part of Belgium was ravaged, but Antwerp has been rebuilt. Relations of Holland and Belgium are not cordial, but with settlement of Scheldt may well improve.

Mitchell consulted Raby who cured him for an injury of the knee. Thereupon I consulted him – he says my bone is not broken although it may have been. He says the trouble is a nerve between ligaments which he can remove and that at Easter I shall walk! This is an answer to prayer and a complete surprise. Do not mention it as he may fail. He says that he has been successful in similar cases. Americans come to consult him. He is a Guernsey man, has a home at 12 Half Moon Street.

Have you seen: *League of Nations* by Theodore Marburg formerly U.S. Minister to Belgium. 2 small Vols. I can send it to you. What do you think of Wilson's speeches? The impression he made was favorable. He is a scholar with great power of expression, but none of execution very like L. George. The election gives the latter too much power. He will however be subject to Tory influence. Universal suffrage will lead to constant

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<sup>49</sup> Alexander Kerensky (1881-1970). Minister-Chairman of the Russian Provisional Government, 1917. His government was overthrown on November 7<sup>th</sup>.

<sup>50</sup> Karl Liebknecht (1871-1919).

<sup>51</sup> Bertrand Russell, *Roads to Freedom: Socialism, Anarchism, and Syndicalism* (Allen and Unwin, 1918).

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landslides. The great danger seems to me to be: bolshevism in Russia and parts of Germany. Serbia seems unsettled and disarmament impossible at present.

Many thanks for your interview of Nora. You may like to see encl: cutting from "Observer" which pray keep. France and Italy are opposed to League of Nations and Wilson's idealism.

Yours ever

Reay

Clémenceau and the Italians are against the League of Nations and there may be trouble. Serbia seems not to be quite settled and Poland has to fight for its existence.

28. Jan. 19. 19 "ans[wered]. 21/1" [See p.448 below.]

Dear Satow

You will be glad to hear that Raby's operation [on my knee] last Monday was a complete success. By a violent effort putting his knee on the illiac [iliac: broad upper portion of hipbone] he pushed it back into the socket and all pressure on the nerve was removed. Tomorrow he will operate on the knee and ankle and I shall be in statu quo ante. The result will not be apparent until September at earliest. He is quite pleased with the outlook

It is obvious that he is gifted by God with a special power. He is a Wesleyan and a republican, very religious and simple. It is extraordinary that surrounded by friends who had been healed by him I was never told of him in these 2 years of helpless surgical advice, leaving me under the false impression that the thigh bone was broken, whereas it was in perfect condition. I am still obliged to lie down in my bedroom.

As far as I can see the only diplomatists in Paris are Jules Cambon and Sonnino(?) and perhaps Pichon. It is rather alarming that the others are politicians looking to popular applause and not to principles governing international relations. Self determination cannot be applied to Ireland and Egypt and India and the German Colonies. Statesmanship will have to find the solution also for the amount of the indemnity. The clamour for publicity strikes me as absurd as if it were demanded that the Cabinet should admit to its deliberations journalists. There is nothing undemocratic in Secrecy.

We must now hope that the Assembly elected today in Germany will give it a settled Government with which peace can be made.

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I hope you received the Volume of Marburg I sent you. I have not got a copy of the other Volume. Did you ask Coleridge to call on me? This death of Prince John is very sad. Russia remains a puzzle.

The Conference was right in not recognizing bolshevik representatives I think. Lenin and Trotzky are brigands not a government. Their fate will probably be the same as that of Liebknecht and Rosa L[uxemburg].

Yours ever

Reay

29. 35 Berkeley Square W.1

Jan. 29. 19

Dear Satow,

Many thanks for your last letter and for your recommendation of virol which I am taking and which was exactly what I needed. Not having fresh air is a drawback and I am very soporific which is good for my eyes which rather trouble me. Raby is quite satisfied with my progress and says I shall walk at Easter. Massage and various exercises must now restore strength to the muscles which rather tries me. Pray keep the book on Japan. Today I send you an article by Eysinga which you can also keep. The Townleys have been recalled from the Hague. After a series of very popular British Ministers they were the first who made the legation unattractive. She was impossible and her motor expedition to see the Emperor arrive at Amerongen<sup>52</sup> was the final straw. For the English Church at the Hague I hope that a Protestant Minister will be appointed. Granville would be a good choice. In Paris they are evidently not agreed about the Colonies. The League of Nations will certainly not be an administrative body and if Germany is to enter the League it would be rather absurd to give her a share in the government of territories which had been taken from her on account of this government! Wilson is evidently thinking mainly of how he can satisfy his American public on his return. For the Colonies the British regime is the test. FitzMaurice does not see how Dantzig is to be dealt with as it is German and the only port of Poland. It seems to me that the solution is to lease it to Germany and then for the League of Nations to

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<sup>52</sup> Amerongen Castle. In 1918 Kaiser Wilhelm II signed his abdication there, and stayed till 1920 when he moved to Huis Doorn.

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guarantee to Poland access to it. The same applies to the Adriatic ports. Yesterday Sanderson came to see me. He does not think that we can send an army of 250,000 men to Russia. He would leave Constantinople to the Turks, but internationalize the Dardanelles and thinks it absurd to blame the small neutral countries near Russia because they are afraid of their big neighbour 76 million Germans. He is rather blind. I am very anxious to find work for Willoughby Rochfort Morton Clarke whose specialité is mathematics and who has had a preparatory school of his own and is now very hard up. If by any chance you know of any job either educational or other pray let me know.

Yours ever

R.

Inland Revenue do not send receipts for paid taxes until 3 or 4 days after!

30. Feb. 28. 19 “ans[wered]. Mar 2/19”

35 BERKELEY SQUARE, W.1

Dear Satow

These articles may interest you pray return them. There is no doubt that the French and Italians will amend it and also our Dominions making its intervention more effective. Wilson assumes too much that America only represents a moral and pacific element which the peoples not the governments hail as a divinity.

There is a saying Washington was first in war and peace Wilson last in war first in peace! The Peace conference is by no means unanimous on many questions. The relations between Holland and Belgium are strained also because supplies are sent to Army of occupation not by Antwerp but by Rotterdam, between which ports there has always been rivalry. The [River] Scheldt and [River] Meuse questions can easily be settled without cession of territory. Most serious at present are relations of Germany and Russia. 1300 German officers have gone to Russia to drill Red Guards who are beginning to resemble trained troops. All railways are to be handed over to Germany. Can we allow Russia to be restored by Germany or to remain a seat of massacre and brigandage? Traditions of English Statesmanship by Arthur Elliott will interest you. Curzon intends to stick to Foreign Office. We were sailing into a revolution, but the prospect now is brighter. Labour is getting more sensible. Concessions may have a bad effect on trade. Great profits and the daily statement of large fortunes left by people in trade have led the working classes to believe that wealth is inexhaustible. The weakness

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of the Churches is also lamentable. There is a general feeling that labour has grievances. Lloyd George alone seems to be able to handle this crisis.

We are still spending millions and everybody clings to his office. The Americans are execrated in Paris and the Franco American Alliance is a myth. We back Wilson.

The Mitchells have gone to Carolside. My eyes get tired. Raby this morning was quite satisfied, milder weather will secure more rapid progress. We must strengthen the muscles. What do you think of the enabling act and the discussions in the Church Representative Council? I signed a petition to recover St. Sophia at Constantinople for Xianity as not being a holy place for Mahomedans. Do you see any objection?

I hope you are quite well and enjoying your garden.

Yours always

Reay

31. May 14. 19 “ans[wered]. 20/5”

35 BERKELEY SQUARE, W.1

Dear Satow,

I was delighted to see your handwriting. I have been much troubled by my open wound and prolapse which can only be kept within bounds by a proper belt and by avoiding exercise whereas Raby orders exercise for the muscles of the leg. It is very disappointing. My health thank God is good enough except for occasional violent disturbance of the bowels. I am in doubt whether I shall be able to go to Holland as I wished this summer. I suppose I mentioned to you the death of [Jan Elias Nicolaas Sirtema van] Grovestins on March 8 and now I have lost de Stuers the Dutch Minister in Paris[,] one of my oldest and best friends. The gap left by Grovestins is of course irreparable.

Both died without suffering. My cousin [Baron Jacques] Fagel is staying with me and reads to me which saves my eyes. The Mitchells are on a tour of visits and only make short stays here. I have many visitors.

Mckenzie Wallace left £60,000. As he was a Jewish foundling at Paisley he must have had good financial advisers as even with his frugal temperament – always boasting of his financial ignorance – could hardly have saved that sum. He left it to the family of Sir Noël Paton who adopted him and his books to the London Library. I wonder whether the Notes would be of use to you for a Diplomatic History.



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I should be much obliged if you would ask your brother whether we may appoint an alien Executor by letter or whether some formal document is needed. Perhaps he knows this as of course I do not want to trouble him.

Coleridge and Chirrol [Chirol] never turned up.

I sent you the “Observer” on the peace terms. I am afraid there is a good deal of truth in their comments. I am afraid neither Wilson nor L. George were of sufficient calibre. L. George making during the negotiations electoral pledges of what was then sub judice. It was a fatal mistake. Leaving the most controversial topics to the end was impolitic. I hear that the conversations of the big 4 were very confusing as no minutes were kept and they constantly misunderstood each other. Wilson is hated by the French. L. George is trying to conciliate. The Italians are “Fiuming”. Clémenceau says: “les 10 commandements étaient difficiles les 14 de Wilson sont impossibles.” Wilson would not have his League at the Hague because he considered the Hague Conventions had been a fiasco.

The Dutch press is very critical[,] condemns the peace conditions as the negation of Wilson’s points and as creating an unstable situation. Arthur Balfour pressed the extradition of the Emperor on which the French were lukewarm and which again had to satisfy a pledge of L. George. “L’Europe est Balkanisée” seems to be the general opinion. It is feared that Rantzow<sup>53</sup> will not sign and that then other delegates will be sent to sign who may not be acceptable to Allies.

How delightful your garden must be. Empress Maria is I hear penniless. Display of jewels in Opera does not betoken poverty or fear of death duties. People spend recklessly on motors.

Yours always Reay

32. Aug. 22. 19. “ans[wered]. 26/8”

LAIDLAWSTIEL,

GALASHIELS N.B.

Dear Satow,

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<sup>53</sup> Ulrich von Brockdorff-Rantzau (1869-1928). German diplomat who led the German delegation at the Paris Peace Conference but resigned over the signing of the Treaty of Versailles.

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It is a very long time since I have heard from you, but I take for granted that you are enjoying the Summer as I did in 1917 away from the maddening crowd which does not seem to realise the critical condition in which we are. I agree with the admirable letter of Canon Burroughs in the Times which is I am afraid a vox clamantis in deserto [Latin: a voice crying in the wilderness]! The refusal to work ought to be made criminal for all classes even more than the refusal to fight on conscientious grounds. Employment should be considered as a gift from God.

The first duty of the Government is to withdraw the paper currency, to retrench vigorously, to give free trade without any Government interference either at home or with foreigners. Consumers can deal with profiteers by combining. Lloyd George took three hours to show that he had no policy! The Treasury I hear lacks power. The men and women who have been engaged in the Civil Service are without the traditions of the Service and the sooner they are dismissed the better.

What our policy is in Russia no one understands. Wilson has to meet the opposition of the Senate and cannot undertake to manage Turkey which is a very delicate question for us.

Belgium is wanting terms which Holland cannot grant, although it is quite ready to give Belgium all the guarantees its trade may require on the Scheldt and on canals. The Emperor has bought a country home [at Doorn] in Holland and the Allies will I suppose not allow him to settle there.

[Margin: I asked Mrs. Whetham whether she could again supply me with apples at 35 Berkeley Square, but have had no answer. Can you find out?]

I hope you agree that the [German] Emperor should not be tried. His guilt is established. His punishment cannot be made more severe and to make a martyr of him is impolitic. To exile him and take no notice of him is the obvious course. What is your opinion on Shantung and the Japanese claims. Are you hopeful with regard to League of Nations? [Sir Edward] Grey's appointment to Washington seems to me very opportune as he agrees with Wilson and we must keep the U.S. in close partnership. The French will always be suspicious as was shown in their apprehension of our own Persian policy a subject with which Curzon is very competent to deal. I was sorry to see [Reverend Thomas Joseph] Lawrence's death. He ought to have received a Deanery or a Canonry as a reward for his sound knowledge of Intern: law. He never received any distinction. I am well in health Thank God. I had to part with my bonesetter and Arbuthnot Lane

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ordered a splint for me which enables me to use my left leg with Boot[?] crutches. The maker of the splint a Dutch Jew charged me £105! I got a slight reduction. It should have been a case under the Profiteering Act! It certainly is a very remarkable instrument, fits well. Tell your brother that I have not yet received the final account of my Ed[inburgh]: Solicitors!

The American Treasury has sent me papers to fill in with regard to Lady R's estate. Their Estate Tax Act imposes a succession duty on bonds situated in the U.S. There were only 5 Railway bonds which Lady R. had deposited with the Treasury here on Jan. 8. 1917. The Treasury sent them to America as guarantee for a loan, but cannot say whether they had arrived in America on day of death Jan. 23. My contention is that as Executor the bonds were not under my control, that the Government had sent them to America for a public purpose and that they were detained by the U.S. Government not sent to the U.S. by the owner. It would be outrageous that succession duty should have to be paid as the result of a transaction between 2 Governments. This is of course between ourselves.

The drought is disastrous and it is not warm.

Yours ever Reay

33. Sept. 4. 19. "ans[wered]. 11/9"

LAIDLAWSTIEL,

GALASHIELS N.B.

Dear Satow,

I was very glad to receive your letter and to find that we are in complete agreement about the aspects of the present situation. I concur in your opinion as to the "Kingdom of God" and as to the value of Churchmanship which will not be the best on the Day of Judgment. Sin remains the dominant factor in our life and redemption the crowning mercy. I do not know Clutton Brock's little book but I have Glover which is excellent.

We are very anxious about our water supply here, but at this moment it is pouring. We need a good deal of water to replenish reservoirs. I should be much obliged if you could arrange with Mrs Whetham or otherwise that 3 or 4 sacks of cooking apples should be delivered at 35 Berkeley Square end of October.

The Belgian claims and their use of agents in Limburg to shake the loyalty of Dutch subjects are lamentable. Before the war Belgium was quite satisfied with the way in

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which Holland kept up the Scheldt and the [Ghent-]Terneuzen canal. The grievances are an afterthought.

I have read the Dutch answer which shows clearly that the Treaty [of London] of 39 [1839] did not prevent Belgian industries and trade from obtaining a high degree of excellence. Holland wants to meet Belgium as it is essential that the 2 countries should be friendly. Belgium has a swelled head. The Flemish element in Belgium strongly disapproves all attempts to obtain territory from Holland. There is a difficulty with regard to Maastricht from the military point of view but that is capable of a settlement. The profiteering act Ilbert<sup>54</sup> tells me is a legislative monstrosity. Lloyd George does everything by impulse, has no convictions.

A bill has been introduced in the Dutch parliament by which 30% is taken from all increase of capital of individuals as from May 1<sup>st</sup> 16 to May 1<sup>st</sup> 19. Apart from profiteering which in those years has been by taxation already – it is a tax on Savings which ought to be encouraged. It will not be easy to ascertain which is the excess value of my landed property on May 1<sup>st</sup> 19. I think our Government might very well enter a protest against such a tax being levied from non resident foreigners. How does it strike you? The measure is a result of expenditure to defend neutrality[,] a purely Dutch concern. Yours ever

Reay

34. Sept. 24. 19. “A[nswered]. 28/9” [See p.454 below.]

LAIDLAWSTIEL,  
GALASHIELS N.B.

Dear Satow,

I send you some extracts which may interest you especially those concerning law. But the address of the female Professor is curious as regards the subject she is to teach. There is very little belief in the efficacy of the League of Nations in Holland and the Army and Navy estimates are 100 million florins for 1920. Hence proposals to take 30% of all increase of capital between May 16 and May 19 and a great increase of Succession duty besides these bills introduced by radical members to levy a capital tax yielding 600 million florins. All this result of mobilisation in defence of neutrality,

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<sup>54</sup> Probably Sir Courtenay Ilbert (1841-1924). Lawyer and civil servant.

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increase of prices and recent loans. These are the results of the policy of Berchthold and William II to crush the Slavs.

I am here alone. Mitchells had to leave on account of dwindling water supply. Today it has been pouring, unfortunate for harvest, but good for turnips.

Have you followed the letters in Times on exchange of pulpits and seen that Gore is to preach in a very high Church near me. We are threatened with a railway strike and the moulders are now having one. Unless means are found to put an end to strikes we cannot recover our trade and lower prices.

I was told here by Mrs. Whetham's cousin that she and her husband are separated as he could not stand her any longer; is this true? Sir Ronald Graham<sup>55</sup> is I hear a good appointment [to the Hague], but Young<sup>56</sup> and Clerk<sup>57</sup> are not equal I hear to fill difficult posts at Belgrade and in Yugo Slav territory. We have mismanaged Russia – judging by reports of eye witnesses – and the Germans are establishing themselves in Russia. By giving the Baltic States support it is said we might long ago have been in Petrograd which is now a ruin. Crowe Ambassador!

In yesterday's Times I see that [Sir Donald] M[ackenzie]-Wallace left £75,000.

Yours always

Reay

35. Oct. 17. 19. "A[nswered] 20/10" [See p.455 below.]

LAILAWSTIEL,

GALASHIELS N.B.

Dear Satow,

Many thanks for your 2 letters of Sept. 26 and 28.

I have been laid up with a bronchial catarrh which prevented me from returning to London, but which is now improving.

Mr. W.A. Wedlake Cadhay Farm [Ottery St. Mary] informs me that he will supply me with 5 cwt apples but that he has nothing to send them in! Here we have what is

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<sup>55</sup> Sir Ronald William Graham (1870-1949). Diplomat. Minister at The Hague. Ambassador to Italy, 1921-33.

<sup>56</sup> Sir Alban Young (1865-1944). Minister to Serbia, 1919-25.

<sup>57</sup> Sir George Russell Clerk (1874-1951). Diplomat. Consul-General in Czechoslovakia, 1921-26.

required but it seems to me rather absurd to send from here to South of England and I hope you will excuse me if I trouble you to find out whether in O[tttery]. St. Mary there are not sacks or baskets which can be returned if necessary. In an ordered country there must I think be second hand materials to be used as a loan or bought for a trifle.

I shall not want the apples immediately, but it may be as well perhaps to send them to Berkeley Square before the weather gets frosty.

Loreburn<sup>58</sup> is obsessed with hatred of the triumvirate Asquith Haldane Grey because they did not inform the Cabinet of what they were doing with regard to negotiations with France especially. If I may ask for the book later on after my return to London I shall be very glad if I can find a reader.

I suppose that William III wrote to [William Bentinck, 1<sup>st</sup> Earl of] Portland and Heinsius [Hemsius?] in Dutch which would explain discrepancy between Macaulay and Grimblot. I do not know of a Dutch publication of William III's Correspondence. The new professor of Dutch Dr. Geyl at University College would probably tell you.

Can you conceive a worse muddle than the Baltic policy of the Allies asking the Germans to oppose Bolsheviks, to recall v. d. Goltz<sup>59</sup> blockading Riga and alienating everyone. Are Denihin and the other Generals Hatchkow(?) and Judentlich fighting to reestablish Russia as it was before the war? How would we then establish Lithuania, Esthonia, Finland as independent states? Is the League of Nations to assert itself by armed intervention? If we are asked to disarm our fleet can we submit and if we do not, how can we prevent France and Italy from keeping up their armies.

Holland has joined League of Nations altho' not satisfied with Peace Treaty regulations. [E.F.] Crowe is not in an enviable position in Paris if he has had anything to do with the invitation to the Germans!

Is [Milne] Cheetham<sup>60</sup> a clever diplomatist? Do you follow the proceedings at Leicester of the Church Congress?<sup>61</sup> They are certainly dealing with a wide area. Spiritualism, venereal disease, birth limitation condemned by Bishop Gore<sup>62</sup> absolutely

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<sup>58</sup> Robert Threshie Reid, 1st Earl Loreburn (1846-1923). Judge and Liberal politician.

<sup>59</sup> Rüdiger von der Goltz (1865-1946). German general.

<sup>60</sup> Sir Joshua Milne Cheetham (1869-1938).

<sup>61</sup> The Church Congress is an annual meeting of lay and clerical members of the Church of England. It was suspended 1914-18.

<sup>62</sup> Charles Gore (1853-1932). Bishop of Oxford, 1911-19.

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and very conditionally by B[isho]p. of Birmingham.<sup>63</sup> Somehow the Congress does not increase one's impression of strength of Church and makes the need felt of concentration on a definite number of subjects. Pray thank Mrs Whetham for apples.

With many apologies

Yours ever

Reay

36. Nov. 4. 19. "A[nswered] 10/11" [See p.457 below.]

LAILAWSTIEL,

GALASHIELS N.B.

Dear Satow,

I hope your case was the case they wanted. It can be sent again to take another lot and returned finally. I am not in a hurry because my bronchitis does not allow me to move from 2 rooms. It is a great trial as I am very lonely and must save my eyes. Air however is good and I am very comfortable. Mitchells motor over. H de Labroyn is staying with them. You will be pleased that Tower<sup>64</sup> goes to Dantzig. At Riga the Germans seem to be fighting. Several nephews of the late Lord [George] Armitstead merchant in Russia seem to have been killed by Bolsheviks. He was a great friend of Gladstone and we frequented same church Campbell Morgan.<sup>65</sup> When I return to London you must send me Gore and Coleridge.

I hope [Austen] Chamberlain<sup>66</sup> is justified in saying that we do not need more taxation, but I doubt it. I am opposed to a capital levy and a forced loan will I trust be unnecessary. The great thing now is increase of exports which will enable us by and bye to redeem debts more easily than now.

America seems to be in a very bad way economically and politically. If they do not accept mandates the burden for us and France will be excessive. And there will be a difficulty in starting League of Nations. After 29 years retirement Profr. [Alfred]

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<sup>63</sup> Henry Wakefield (1854-1933). Bishop of Birmingham, 1911-24.

<sup>64</sup> Sir Reginald Tower (1860-1939). Temporary Administrator to the Free City of Danzig, 1919-20.

<sup>65</sup> Presumably Rev. Dr. George Campbell Morgan (1863-1945). Pastor of Westminster Chapel in London, 1904-19.

<sup>66</sup> Sir Joseph Austen Chamberlain (1863-1937). Chancellor of the Exchequer, 1919-21.

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Marshall has again published a 1<sup>st</sup> Vol. through McMillan. He is our first economist. He deals with industrial problem, is rather favorable to claims of artisans.

Have you any notion where the money is to come from for houses and higher education. Here they do not need continuation schools in rural districts, but apprentices in farms. I am in favor of discriminating progress in social improvement.

Do you read in Saturday's Times the religious article generally good? We shall require in India the best men we can get. The extremist party is by no means loyal. Agakhan<sup>67</sup> favored referendum and female franchise. I always gave him credit for sound sense! The Mahomedans are much exercised about Constantinople. I do not see how we can relegate the Sultan to Asia Minor. I think Curzon will be a good F.S. [Foreign Secretary] do you know him? He is very capable and industrious, not tactful. Remember me to your Minister and your fidus Achates [faithful friend].

Yours ever

Reay

37. 35 Berkeley Square W.1 "Ans[wered]. 14/12" [See p.458 below.]

Dec. 4. 19

Dear Satow

I returned here last week. Wednesday [was] fortunately a very mild day as I had only just recovered from my bronchial attack which kept me in Scotland from Oct. 11 – Dec 3rd nearly all the time first in one then in 2 rooms and in perfect solitude. Thank God I am well and on the 22<sup>nd</sup> I shall have attained the age of 80. I hear that a paper at the Hague gives me 89! I can not venture out in this temperature and can only take exercise in the house on crutches. Bishop Gore is now preaching every Sunday quite close by, but there is a crowd and I should have to be moved in my chair.

I suppose you are pleased with the Enabling bill and the Lords' amendments of the Aliens bill which the House of Commons' extremists had turned into a negation of our previous hospitable policy. It is not a question whether we like the Germans but whether we can do without them.

Have you seen [Karl] Kautsky's<sup>68</sup> book of extracts from archives in Berlin? It shows

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<sup>67</sup> Aga Khan III (1877-1957).

<sup>68</sup> Karl Johann Kautsky (1854-1938). Czech-Austrian philosopher and journalist.



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up the [German] Emperor completely as determined to have war. He has now bought a residence in Holland so he does not think of returning to Germany which these revelations would render difficult. Lord Grenley[?] writes to me saying he regrets Austria has been destroyed instead of being reformed as he thinks those newly created States will fight among themselves. I confess I also feel rather sorry for the disappearance of Austria with which we might have reestablished cordial relations having transformed it into a federal republic. The situation of Vienna must be appalling.

Have you still got [Mrs. Kassburg] your old housekeeper? Mitchells are coming here on 22<sup>nd</sup>.

Eysinga has published an essay on plural jurisdiction Rhine etc.

The American question strikes me as not insoluble if Wilson will only recognize that the Senate is a powerful factor in executing the Treaty. It seems to me all important that America should sign also the Treaty for the defence of France which ought not to be left to us alone. If Wilson had brought [Henry Cabot] Lodge and [Elihu] Root to Versailles the Senate would have approved. To give you an idea of American methods I have received last night 3 today 2 circulars of the Agent for the Receiver of the Missouri Kansas Tenay Ry simply to tell me to send coupons to him whereas the bonds are on deposit in America having been requisitioned by our Treasury.

Will you again oblige me by giving a little Xmas present to Norah. What is her father doing? Is she intelligent? What is the name of her mother? Will you remember me to her.

I hope the cases in which apples came have been returned. Mrs. Whetham sends me her French poetry. What do you think of it? Coleridge never came to see me.

Yours Sincerely Reay

38. 35 Berkeley Square W.1

Dec. 15. 19

Dear Satow

Very many thanks for your letter and for the trouble you have taken to remember me to little Norah in such an apt way. I enclose 5/-. Let me offer you my best wishes for a joyful Xmas and a happy New Year both of which are denied to thousands on the continent. Russia and Austria are in an awful condition.

I am glad you agree with the dissenting bishops on the Enabling bill. I should like to

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see a National Church including all those who believe the main truths: Christianity with a great variety of forms of worship. The Church would then not be open to the reproach that it is divided on matters of secondary importance instead of closing its ranks to hold the citadel of Christianity.

I quite agree with you on our relations with our late enemies.

The statistics of divorce, of venereal disease, of drunkenness, of irreligion are appalling.

I hope we are not going to have an Anglo-French Alliance. The French aspirations are not ours and it is quite possible that, if Germany recovers, France may want to go to war as a precaution.

Is Walter Townley who invites me to a British Chamber of Commerce dinner of which he is Governor for the Dutch Colonies not an ex diplomatist who was last Minister at the Hague whose wife a sister of Lord Albemarle was very tactless?

I have not got the Kautsky volumes or would be delighted to send them to you.

The cases were returned to Wedlake.

Who reads those French verses of Mrs. Whetham?

Are you never coming to London so that I may have the great privilege of seeing you once more?

Yours always

Reay

39. 35 Berkeley Square W.1

Dec. 23. 19 "A[nswered] 4/1/20" [See p.459 below.]

Dear Satow

Many thanks for your letter and [birthday] card. I was deluged yesterday by telegrams and letters from Holland from the Queen Mother and Foreign Affairs Minister downwards to the humblest individuals at Ophemert. It was really overwhelming and showed a side of the Dutch character which is very uncommon. The Senatus of the Leiden University sent me a telegram which is a very rare distinction. Here fortunately the press did not allude to it. How did you find it out?<sup>69</sup>

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<sup>69</sup> Reay mentioned it in his letter of December 4<sup>th</sup> above. Satow pointed this out in his letter of January 4, 1920 replying to this one.

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Bruised reed<sup>70</sup> is a perfect translation of “gekrookte riet”. gekrookte is an adjective. I have also just taken off my name of the Travellers and did so last year of St. James’.

I am now full member of Athenaeum and of New [club] in Ed[inburgh]: although I may not see either of them.

If you go to Oxford in May you must come and stay with me here.

Have you read [John Maynard] Keynes on the economic results of the war. It is a brilliant performance and it is sold out but another edition is sure to come. He was at the Treasury, went to Paris, was so disgusted with the incapacity of the delegates that he resigned. He is a young economist.

I do not think German children should be ignored on account of sins of their fathers. Holland and Denmark are collecting Austrian children who otherwise would die.

In the middle of January Haldane’s apologia of pre war activities will appear and in April I believe Mrs Asquith’s Reminiscences.

The University of Strasburg conferred a degree on me not stating of what faculty.

My best wishes. May God keep you in good health and with your remarkable powers of work unimpaired.

Yours ever

Reay

40. 35 Berkeley Square W.1

Jan. 15. 20 “A[nswered] 22/1” [See p.460.]

Dear Satow,

I ought to have thanked you sooner for your much appreciated letter of Jan 4 but I have been so overwhelmed with correspondence on account of my birthday from Holland and on account of the terrible event on New Year’s day [Ian Mitchell’s death] that I had to rely on the indulgence of such friends as you are.

Poor Ian died of angina pectoris and God released him from what would have been a life of suffering. This comforts his wife [Elinor] who is wonderfully brave and thinks more of the various retainers on the estate than of herself. Quite between ourselves the lawyers are not agreed whether he could dispose of the estate not having proved his title to the fee simple, the last heir in the entail having predeceased Ian. This is all important

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<sup>70</sup> This is from the Bible, Isaiah 42:3.

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for Mrs. M[itchell]. Another lawyer's opinion has been asked for. Litigation must be avoided as it would be ruinous with estate duty twice within 3 years. It may perhaps be reduced if she inherits and not the next of kin of the last heir in the entail. I am very anxious of course for her sake and for the various dependents who cause her more concern than her own interest.

He was buried at Caddonfoot in the same grave as Lady R. he was the kindest and most generous of men and had endeared himself to all the people at Earlston and Stow. It is a mercy that he did not survive her as he left everything to be managed by her. To me ever since Lady R's death he showed the greatest affection and she is to me indispensable.

My health is thank God good. She is in Ireland but will return to Carolside before the end of the month.

I am reading [Richard Burdon] Haldane and shall be glad to have your opinion. The labour situation is unsatisfactory. In America they have grasped that dearness is the root evil and that paper currency must be reduced. The increase of the labour vote is ominous. They are quite incompetent to deal with Foreign and Indian affairs. The Mahomedan world is stirred about Turkey and we must be very cautious. Russia is in a frightful state. They are inhuman and want the world to come under a Proletariat Reign of Terror from which Germany may extricate them. Many thanks for giving an interview on Xmas day to Mrs Godfrey and Nora.

Yours sincerely

Reay

41. 35 Berkeley Square W.1 "A[nswered] 18/1/20"

Jan. 17

Can you send me title of Blok's Volumes, period of history covered by them and your opinion of their merits. I shall be much obliged. Situation in the East seems to be very grave also international financial situation. Defeat of Clémenceau is significant.

Yours sincerely

R.

42. 35 Berkeley Square W.1 "A[nswered]. 30/1" [See p.462.]

Jan: 28. 1920

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Dear Satow

Many thanks for your two letters which convince me that we are in complete agreement as regards the internal and external situation.

Lloyd George's opportunism is sickening and demoralizing. Asquith ought to be definite in proclaiming what the liberal party ought to do as regards finance, bolshevism, disarmament, league of nations, Turkey, Ireland. We cannot allow a bolshevist propaganda outside Russia. It is dangerous in the East because it encourages brigandage and revolt. It aims at the overthrow of Christianity and civilization. We must have the support of Germany in forming a barrier against its expansion. The Dutch note on the extradition of the [German] Emperor seems to me to be a statesmanlike document and a rebuff for the Allies. Wilson and Lloyd George were quite unfit for negotiation on subjects which neither of them understood. The French were much better equipped. Clémenceau was impossible I am told, had become very rude.

[Margin: Lord R. Cecil strikes me as the most trustworthy leader. Do you agree?]

The financial situation is serious, the mark: a penny, the £: 9 florins! In consequence much speculation.

Last Sunday I was able to attend the Communion Service in the Scotch Church and heard an excellent sermon on Xian unity as existing in the faith of the Person on the cross the centre rallying all believers without distinction of forms of worship or Church formulae.

The Congregationalist Dr. Jowett will preach in Durham Cathedral Bishop and Dean being present. The Church of Rome in Ireland seems to have lost its authority and not to be able to prevent crime.

I have not yet got Keynes. He is very much blamed by some critics for the use he makes of information obtained as an official.

May I look forward to a visit from you here on your way to Oxford in the spring?

I saw Miss Fry last Monday at Un[iversity]: Coll[ege]: where she appeared as Member of a Commission to report on the needs of Colleges throughout the United Kingdom.

Yours ever

Reay

43. 35 BERKELEY SQUARE, W.1 "Ans[wered]. 15/2/20" [See p.463.]

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Feb. 7.20.

Dear Satow

Many thanks for the loan of Keynes which is most interesting. The more one hears of Wilson's ignorance, of Clémenceau's<sup>71</sup> chauvinism, of L. George's superficial impulsiveness, not heeding expert advice, the less one is surprised that the treaty fails to satisfy critics such as Keynes. What is inexplicable is that A. Balfour and Curzon allowed L. George to play up to the Gallery in such matters as extradition of Emperor and indemnities and relations with Bolshevism. This is now the great anxiety. B. wants to upset all Governments and it is therefore necessary to establish a barrier. To invade Russia was a fatal mistake because it rallied the Russian people. But if we had prevented the export of anarchical pamphlets probably the Russian peasants would have got rid of Lenin and Trotsky. Mrs. [Nesta Helen] Webster has written a very good book on French Revolution. She believes we are to have a revolution which [R.B.] Haldane denies but he is prepared to accept nationalization which is a revolution.

I am reading Keynes thanks for it. You would not have written your impressions of Salisbury or Rosebery! Nor would you have written Grey's letter which is certainly admirable but has displeased Wilson and his adherents, and is welcomed by the Republicans who do not want the treaty to be a plank in the election. Grey never saw Wilson and none of the Ministers saw his letter.

I shall be delighted to receive you here at the date you mention with Sro [Saburo]. Last Sunday my Cousin Fagel's youngest sister d. [died] from decomposition a very rare case at Geneva. It gave me a great shock, also the death of Van Swinderen's boy 9 years old at Washington from meningitis after an operation to remove infectious matter below and around the eye. He was in despair, when I saw him before he started for U.S. where he arrived just in time to see the boy alive a most charming boy the only one. How mysterious God's ways are in every direction.

The death of Pryce [Canon William Emanuel Pryke]<sup>72</sup> must be a great loss to you. Do you ever see Monteath and Portsmouth? What is your opinion of Pearce Higgins? The Dutch Colony have given me an album with all the houses connected with my career. Mrs. Mitchell is at Carolside very calm.

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<sup>71</sup> Georges Clemenceau (1841-1929). Prime Minister of France, 1917-20.

<sup>72</sup> Pryke died on February 1, 1920. Satow noted the loss in his diary next day.

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Yours ever

Reay

[Sir Thomas] Sanderson advises to read: Some ethical questions of peace and war<sup>73</sup> by Father Macdonald of which Ireland only took 2 copies and Letters of Miss Eden.<sup>74</sup> S. wants Emperor tried in absentia and also the German criminals in order to give satisfaction to the treaty and to have a statement of what is breach of intern. law. He thinks bolshevists now only want peace.

You would find S. very changed. Did you see that Mitford's German divorced wife was engaged to Kùhlmann? Will you tell me what wine you drink as I drink none. Orlando<sup>75</sup> told Clemenceau that he could not attend meeting at 2[,] Balfour not at 5 (lawn tennis). Cl: nous aurons notre reunion à 3 hrs. Orlando dormira avant, Balfour et moi pendant la séance!

The last account is that Emperor is very active, making plans for the future, Empress very ill.

44. 35 BERKELEY SQUARE, W.1 "A[nswered]. 29/3" [Letter not in file.]

March 9. 1920

Dear Satow

I must apologize for not having written sooner but I have been very busy. Many thanks for your offer of Bourgeois. Will you bring it when you come. April 30<sup>th</sup> is I believe the date, and I am looking forward with great pleasure to your arrival. I shall probably be alone as Mrs. Mitchell is going to Menton next Friday. I do not appear at breakfast and you must accept invitations to lunch or dinner which you may receive many other engagements. My reader comes every day from 11.30 to 1.15 and I lunch at 1.30.

Our Government has been blundering about Turkey and Kaiser and has no prestige. The Adriatic white book is a revelation of impotent diplomacy. Clémenceau said L. George was ignorant and would not learn. That also applies to L. George.

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<sup>73</sup> Rev. Walter McDonald, *Some Ethical Questions of Peace and War: With Especial Reference to Ireland*, London: Burns and Oates, 1919.

<sup>74</sup> Violet Mary Dickinson (ed.), *Miss Eden's Letters*, 1919.

<sup>75</sup> Vittorio Emanuele Orlando (1860-1952). Italian statesman who represented Italy at the 1919 Paris Peace Conference with his foreign minister Sidney Sonnino.

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[Clemenceau?]

An eminent banker says all taxation of capital is impossible on account of valuation on such a large scale.

Labour is discontented and does not make an effort to produce more. It is more and more difficult to obtain unskilled labour.

The display of luxury, the profits made by combinations of capital encourage the working classes to demand a greater share.

There is much suffering among people with small incomes especially the clergy.

You will oblige me if whilst you are here, you will allow your butler to act as such as I may be without one. I know how good he is at cleaning plate.

Herbert Stephen's letter was very polite.

Yours ever

Reay

45. Apr. 26. 20 [Answering Satow's letter of April 25, 1920. See p.466 below.]

Delighted at prospect of seeing you next Friday. At last I had a visit from Coleridge yesterday. The debate on Friday was very interesting. I must spare my eyes hence brevity.

Yours ever

R.

46. 35 Berkeley Square W.1 "A[nswered] 27/5" [See p.467 below.]

May 22.20

Dear Satow

You must have been wondering what became of me. Soon after you left me I had a bronchial catarrh which weakened me. I lost all appetite, but slept too well. Today I had a dry cupping<sup>76</sup> in the back. I am still obliged to keep to my bedroom and feel good for nothing. Fagel is coming on Tuesday or Wednesday. Poland and Russia seem very disturbed. The Turks will not accept the peace conditions. Have not the Greeks received

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<sup>76</sup> Cupping is an ancient form of alternative medicine. Cups are applied to the skin and a suction is created, pulling the skin up. It is meant to increase blood flow, but there is no good evidence of health benefits.



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in Asia Minor more than they ought? Will the Americans come to an arrangement with the Soviets? Are we to receive payment of French and Italian debts only in case they receive the sum from the Germans? The French middle class will not accept direct taxation.

A big loan is to enable the Germans to buy raw materials and begin paying indemnities. The Council evidently do not believe in the League of Nations which might have been used for the Dardanelles and for Poland. Germany must still have a great deal of war matériel and disarmament is as far as ever. Financiers are of opinion that the budget imposes a burden beyond our strength that either expenditure ought to have been reduced or payment of debt redemptions deferred.

May 23. The Dr. has allowed me today to be moved to my sittingroom which is a step in advance. I had a visit from Rosebery today who wonders if any statesman can sleep. In a letter recently the writer expressed the opinion that matters were beyond the powers of statesmen. We ought to have a first rate representative at Teheran.

How you must be enjoying your garden. How privileged a situation we are in as compared with the continent of Europe.

Yours ever

Reay

I thoroughly enjoyed your visit only it was too short.

47. CAROLSIDE,      “A[nswered]. 28. July” [See p.468 below.]  
EARLSTON,  
BERWICKSHIRE.

July 27. 20

Dear Satow

Who is at fault in this long interval of correspondence? I suppose I am but I have had a long bronchial catarrh which weakened me against which I have been inoculated 7 times. I am thank God all right, and arrived here today for the first time since 1916. It was rather emotional. Will you write me by return if you are prepared to join the Institut de Droit International as Associé as we (English members) want to propose you. In case you accept will you give me a list of your publications. You will get the Annuaire and find the meetings very interesting especially now that Intern. Law has to be reconstructed.

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Trevelyan's Grey is very good also Gooch ["French Revolution and Germany"] and a book on the Peace ["A History of the Peace Conference"] Oxford University Press by members of the Institute of International Affairs which is most damaging, for the terms of the Peace Treaty[.] Never have we been in such a critical situation as now with regard to Poland, Mesopotamia, India and Ireland. The Bolsheviks are impertinent and I hear they have a General who is a Napoleon and their Army is first rate.

I hope you are well. The hay crop is ruined and there is no fruit I hear – no sun. You see that they have solved at the Hague the puzzle of the International Court which we could not unravel. Excuse these few lines but I am rather tired.

Yours ever

Reay

48. Carolside, Earlstoun, Berwickshire.

August 19. 20 "A[nswered]. 22/8" [See p.470 below.]

Dear Satow,

I was very glad to get your letter and to hear that your opinion of Dizzy [Disraeli] has not changed. I look upon him as a chauvinist and an adventurer, but – and this he has in common with L. George – an extraordinary power of playing on the weakness of the nation. I am glad I backed Gladstone's Irish and Balkan policy. If home rule had been adopted in 86 we should not have seen Irish Unionists asking for dominion home rule now as the only remedy for the present Crisis.

I am much grieved to see that the Censor has passed a play "The Unknown" in which a woman in despair asks the question: "Who can forgive God?" for the loss of her son. This seems to me worse than atheism or idolatry and the stage seems to me not the right place for discussing such sacred subjects. To my amazement I read in a Sunday paper that my old friend the Bishop of Birmingham did not disapprove this play. I wrote to him and he says that press and theatre have more influence than the pulpit. He says: "The teaching of the play is not against God; indeed I regard it as helpful to Faith. We must get rid of the idea that religion is not to be touched by the stage. We must not leave them to the frivolities and follies of social life. They should teach I think and I would rather have discussion on religious subjects as the result of a play than comments upon the shortness of skirts and suggestive dialogue." I certainly should not care to hear Irving<sup>77</sup> or Bouchier<sup>78</sup> discuss the origin of evil. Neither do I understand that the

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Conference as he says was “not very definite as to spiritualism and that the general feeling was that the knowledge so far gained was worthless, the manifestations final and the natural desire of one’s heart is not to have our dead return but to be fit to join them.” If that was the general feeling they ought to have condemned it as the Bible does. We cannot invade a region which God has closed to us. I should much like to have your opinion also on the proposal of the Conference with regard to method of reunion.

The disagreement with France about bolshevism is deplorable and not creditable to the diplomacy of both countries. There was a very good article on bolshevism in Times by Williams. The Council of Action is a revolutionary body like a Comité de Sureté. Do you know anything of Miss Mason<sup>79</sup> of Ambleside and her education system? C.G. Vardell D.D. President of Flora Macdonald Coll: Red Springs N.C. asks me to send to Mr. John Orr 74 George Street Edinburgh any books relating to Scotch history, literature as he is forming a Scotch library for Americans of Scotch origin to consult. If by any chance you should have any will you send them? Orr forwards them to Vardell.

Yours always

Reay

Thank God I am very well but my left leg and foot are swollen so that I cannot apply splint and use crutches.

49. CAROLSIDE,  
EARLSTON,  
BERWICKSHIRE.

Aug. 29. 20

Dear Satow

Many thanks for your 2 letters and for your offer to send me the Yearbook of Intern[ational]. Law but I intend to get it in London. As long as the Americans, Russians & Germans are not in the League we cannot expect to have disarmament carried out. I have just read an article by a Dutch officer in which he exhorts the Dutch nation that they must have a small but up to date Army because Belgium is well

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<sup>77</sup> Presumably Henry Irving (1838-1905). British actor.

<sup>78</sup> Arthur Bouchier (1863-1927). English actor and theatre manager.

<sup>79</sup> Charlotte Mason (1842-1923). Satow replies on August 22<sup>nd</sup> that he knows nothing about her.

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equipped & hostile to Holland and in league with France. I see that the Czech and Yugo Slavs are thinking of an alliance which is wiser. I doubt very much that the League when it is complete will get France to disarm or obtain a reduction of our fleet and our Indian Army. I also doubt that it could have prevented the Poland war.

Will the Germans give up revenge and an alliance with Russia? The enclosed article is interesting; pray return it. It was sent me by [Comte de] Chabrol who asked me to send him the Lambeth Conference Reports as he – a devout R.C. – is convinced that all Churches must join against bolshevism.

I also send you a letter from a Parsi author of a successful play married to an English authoress which do not return.

As regards retention of episcopacy in a reunited Church as long as it was not made essential I should not object. My difficulty would be the confessional and substantiation which are dogmas and touch faith not only order. I shall be very curious to read your article in the Quarterly.

I am very glad we agree as regards the religious teaching of the theatre. Sound economic doctrine might very well be inculcated in a play. There is an excellent pamphlet by Lord Emmott<sup>80</sup> on Nationalization if you have not seen it.

The tragedy of the Romanoffs as described in the Times is horrible. Our Royal Family certainly cannot cause fierce republican passions. But even in my rural parish in Holland the Schoolmaster is leading the Socialists and trying to entrap the proletariat by proposing a popular festival on the Queen's birthday paid for by themselves not by the bourgeoisie! My bailiff accepted to be a member of his Exec[uti]ve. C[ommitt]ee! Hitherto nothing could be done without my financial support.

How is Lovering getting on? And your former housekeeper? Pray remember me to your gardener.

I shall probably return to London early in October. I hope you will always let me know when you can come and stay with me. Meanwhile I rely on your remembering me in your prayers so that this eventide of my life may be a preparation for the entrance in the Kingdom.

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<sup>80</sup> Alfred Emmott, 1<sup>st</sup> Baron Emmott (1858-1926). Businessman and Liberal Party politician. Author of *Nationalization of Industries: A Criticism*, London: T. Fisher Unwin, 1920.

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Yours always

Reay

50. CAROLSIDE, “A[nswered]. 19/9”<sup>81</sup>  
EARLSTON,  
BERWICKSHIRE.

Sept. 12. 20 by mistake only sent 14<sup>th</sup>

Dear Satow

One sentence in your last letter touched me deeply that “you have for many years past been mentioned among the friends for whom you pray daily.” That is invaluable amidst the trials of my recent life which at this moment worry me. When we meet I can enter into details as I shall then have gone through a crisis. I am very glad you can pay me a visit next month. I return D.V. to London October 4<sup>th</sup> and shall look forward after that date to see you.

I have got a very interesting Volume “The Holy Communion in Great Britain and America” by John Brett Langstaff which I can lend you when you come. Two books are worth reading. Repperton<sup>82</sup> on the War and Eckhardstein’s Reminiscences. He was Secretary of the German Embassy, always travelled with the German Emperor and relates the previous attempt to establish an entente between Germany and England. The Emperor inspired such want of confidence that it led to the Anglo-French Alliance. It now also is clear that the Tsaritsa and the Tsar were anti-german.

Does Crowe succeed Hardinge?<sup>83</sup>

I send you a letter from Bryce which may interest you; pray return it.

The Socialists are active in Holland even in my village hitherto perfectly quiet. My absence makes it more difficult to remedy grievances. The labourers have their own homes which are very bad, but they cannot be condemned because there are no others for them to occupy.

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<sup>81</sup> Satow’s answering letter dated 19 September 1920 has not been found in PRO 30/33 11/18.

<sup>82</sup> Presumably Charles à Court Repington (1858-1925). Army officer and later war correspondent. Author of *The First World War, 1914-1918*, 2 vols., London: Constable & Co., 1920.

<sup>83</sup> Eyre Crowe did succeed Charles Hardinge as Permanent Under-Secretary for Foreign Affairs in 1920.

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Can you induce [Lord] Portsmouth to come and see me when he is in London?

I was very sorry not to be able to attend the commemoration of the pilgrims in Holland and Plymouth as all my sympathy is with them.

The Report of the Lambeth Conference as regards spiritualism and Xian Sc.[Science?] strikes me as weak.

An employer of labour tells me the miners cannot strike as they have not got the means and that they will give in at the last moment.

My cousin Fagel asks me to remember him to you. He leaves tomorrow, but will meet me in London on Oct. 4<sup>th</sup>.

Yours always

Reay

51. CAROLSIDE,  
EARLSTON,  
BERWICKSHIRE.

Oct. 6. 1920

Dear Satow

Many thanks for your last letter. I had intended to go to London today but a bad cold keeps me here. I do not know when I shall be able to return not before next week. But this will make no difference as regards your stay at 35 Berkeley Square where everything will be ready to receive you and the faithful follower. It is a privilege that cannot be sufficiently appreciated to have such a servant. My male nurse was most skilful, but could not resist drink and I tried in vain to reform him. He left me last week altho' he considered me his "best friend" and his loss to me is irreparable because he knew how to deal with my case, which was quite exceptional for a nurse.

Crowe will be a good Secretary.

I am sorry that you and Lady Fry have not left the books to University College which is the older Institution and has always encouraged the Study of Law. The Inns of Court have always rendered the creation of a Law Faculty with a Law degree difficult though their exams and dinners. I tried to come to an agreement between the University and the Inns of Court, but failed.

I am very anxious that the University should accept the Bloomsbury site offered by Fisher.<sup>84</sup> The opposition is suicidal because it is very unlikely that any other offer will

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be made. It was due to Fisher's knowledge of the needs of London higher education that we got it. It will give London a University quarter and combine Univ and King's Coll: which will greatly increase their efficiency. It will supply all present wants. It seems to me that we have civil war in Ireland, that it would be worse if we left the country and that we could not look on whilst Ireland was being devastated. It is the Irish dissensions which render solution on self determination lines impossible. The Brussels Conference was interesting. Repperton[Repington] was Mil: Attaché at the Hague ruined his career by living with the wife of the foremost Engineer in Egypt[,] was Times and M. Post correspondent[,] is very able. Belonged to Rifle Brigade. It is curious how great intellect is often combined with moral deficiency as with Parnell, Dilke.

Yours always

Reay

52. CAROLSIDE,  
EARLSTON,  
BERWICKSHIRE.

Oct. 29. 20

Dear Satow

I have thank God quite recovered from my cold and am enjoying this fine weather and hope to return to Berkeley Square with Mrs. Mitchell next Tuesday. You will be welcome there whenever it suits you after Nov. 15. This strike has caused unnecessary loss. The worst feature was that the miners refused to submit to arbitration because the Government would not accept it – a very insulting hypothesis! The miners have been very patriotic during the war and it is curious that they have shown no patriotism nor Xian self-sacrifice, but stubborn intransigence. We must get rid of constant threats of strikes and find a peaceful method of settling disputes about wages. This death of the Mayor of Cork<sup>85</sup> and reprisals will do us much harm in the U.S.A. and the continent in circles where we are considered cold blooded and impersonal.

France looks upon our concessions to Germany as treason and the letter of the Oxford

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<sup>84</sup> Presumably Herbert A.L. Fisher (1865-1940). President of the Board of Education in Lloyd George's coalition cabinet, 1916-1922.

<sup>85</sup> Tomás Mac Curtain (1884-1920). He was an IRA commander and Lord Mayor of Cork, assassinated on March 20, 1920.

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dons will be very unacceptable to them. We must of course resume intercourse and trade with Germany, but we need not be effusive or patronizing or insist on a confession of guilt by Germans. The great issue now is to arrive at disarmament.

I am very curious what will happen at Geneva at the first Assembly of the League of Nations with Indian and Dominion Representatives. We shall have quite an overwhelming influence.

Last year I had some apples from Mr. W.A. Wedlake, Cadhay. This year I suppose there are very few and very dear. Can you oblige me by inquiring what he could supply me with and at what price.

What is your opinion of property of Germans in England, ought it not to be restored to them after peace and the same with regard to property of Englishmen in Germany. The military convention of France and Belgium places Holland in a peculiar position and the Scheldt is also a bone of contention.

Yours sincerely

Reay

53. 35 Berkeley Square W.1

Nov. 5. 1920

Many thanks for your most interesting letter and postcard. I returned here last Tuesday in good health. Can you find out whether any apples could be obtained from some grower in your neighbourhood.

Very sorry not to welcome you here. The weather has not enabled me to go out. The Aga Khan's letter in today's Times is very weighty.

R.

Excuse brevity on account of my eyes.

54. 35 Berkeley Square W.1

Nov. 12 [1920]

Dear Satow

Very many thanks. Will you ask Mr. Mortimer to send me two bushels of Bramley seedling [apples].

I wish also again to give Nora at Xmas a present if you will kindly find something adapted to her present development.



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Yesterday's commemoration and funeral were I am told very impressive. It was an undergraduate from Oxford Keble [College] who suggested the funeral of the Unknown Soldier and the King suggested the 2 mins Silence. I think both were wonderful inspirations. Unemployment is a hydra. 2 officers in uniform with masks parade the streets with a barrel organ!

Charitable appeals are innumerable. How money can be found for races, theatres, etc. is to me a mystery. I am crushed by double taxation. Holland is facing the same financial and housing problems as we are. The Downing Street mirror by a dustman is worth reading, does tardy justice to Haldane.

My new male nurse is very satisfactory, most respectable.

Kuyper's<sup>86</sup> death removes the most eminent Dutchman.

Yours ever

Reay

55. 35 Berkeley Square W.1

Nov. 19. [1920] [Answered November 21st. See p.478 below.]

Dear Satow

Very many thanks. I offer payment in non deteriorated material! The apples have arrived. Would you kindly ask the grower to send his bill. I am glad you are an optimist. I am not altho' a Xian should be. The Greeks evidently did not like Venizelos's<sup>87</sup> aggrandising policy. I am curious to see what the League Assembly at Geneva will do for disarmament and the H. of Lords for Ireland.

At last the country seems to have awakened to the necessity of economy. I hope you are pleased with the Church Assembly and Bishop Gore's letter in today's Times. McKenna<sup>88</sup> is outspoken about the burden of taxation damaging our industrial expansion.

I had interesting visits from 2 Indian Chiefs with whom I was on very friendly terms in Bombay: the Gaeluvar[?] of Barodu and the Thakore Saheb of Gondal. They are alive to the change in mentality of their subjects.

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<sup>86</sup> Abraham Kuijper (1837-1920). Prime Minister of the Netherlands, 1901-05.

<sup>87</sup> Eleftherios Venizelos (1864-1936). Greek leader and statesman.

<sup>88</sup> Reginald McKenna (1863-1943). Chancellor of the Exchequer, 1915-16.

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I have not been able to go out yesterday and today on account of an incipient cold.

Dean Inge aspires to the rôle of Savonarola. I greatly regret the departure of [Paul] Cambon<sup>89</sup> [Guglielmo] Imperiali<sup>90</sup> and [John William] Davis.<sup>91</sup>

Yours ever

Reay

56. 35 Berkeley Square W.1

Nov. 23. [1920]

Many thanks for your letter. Could you ask the purveyor of the apples to send me in addition 2 more bushels. I am kept indoors by a bad cold which makes it impossible to attend H. of L. debate which will be most interesting. The savage outburst of barbarous assassination last Sunday is horrible.<sup>92</sup> I know the fiancée of one of the victims. Excuse brevity. R. “Ans[wered]. 5/12”

57. 35 Berkeley Square W.1

Dec. 6. 1920 [Answered December 8th. See p.479.]

Dear Satow

Many thanks for your interesting letter. Who is your new vicar and how do you like him? Have you still got the same Curate?

Your man could not send me the apples I wanted. Those he sent were excellent. Do you think you could find another who could send me 4 bushels or 2 cooking apples? Revendications seems to me much more likely than renonciation altho’ unnecessary as it is included in reclamation. Cambon and [Herman] Wrangel the Swedish Minister came to say goodbye. I shall miss them as they were very friendly and good representatives of their country. Giolitti<sup>93</sup> wanted to recompense an Editor of the

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<sup>89</sup> French Ambassador to the U.K., 1898-1920.

<sup>90</sup> Italian Ambassador to the U.K., 1910-20.

<sup>91</sup> U.S. Ambassador to the U.K., 1918-21.

<sup>92</sup> Twelve men including British Army officers, Royal Irish Constabulary officers and a civilian informant were killed on the morning of November 21, 1920 in a planned series of strikes in Dublin engineered by Michael Collins. The events were the first killings of Bloody Sunday.

<sup>93</sup> Giovanni Giolitti (1842-1928). Italian statesman and Prime Minister five times between 1892 and 1921.

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Stampa the only paper which supported his pro German policy and he therefore had to remove the Ambassador at Berlin de Martino to London and to dismiss Imperiali whom everybody likes.

An American banker from Washington Glover<sup>94</sup> father in law of [Reneke de Marees] van Swinderen was vehement in his condemnation of Wilson who he said did not represent America and mismanaged the Peace Conference. Glover's chief objection to League of Nations was that it had established an International labour dictatorship which was pernicious. Wilson appointed socialists in his Cabinet and men who were not trustworthy. They were extravagant and billions had been spent also on new Officials the same as here. The present Ch[ancellor]. of the Exchequer is honest which Melido was not. He has a very good opinion of new President who will restore good relations between Exchequer government and legislature. America will join League of Nations only if its self government is not menaced. Glover said that with new President there would be a rise in all securities! Gompertz<sup>95</sup> the labor leader did not carry any of his candidates at last election.

I am told that Chamberlain wants to retire and that Churchill wants to succeed. This would be a calamity. My cold is better but not quite gone. The Franco-Belgian treaty is considered in Holland as threatening its neutrality and Harcourt told me that when he asked in Holland: Why do you keep up an army the answer was: against Belgium! Please return encl: letter from Comte de Chabrol.

Yours always

Reay

58. 35 Berkeley Square W.1

Jan: 26. 1921

Dear Satow

Very many thanks for your interesting letter about Wells [dated January 23rd. See p.481.] I am told that Admiral Simms's letter on our naval victory is most admirable. It is a book not a letter. Bishop's Roosevelt is also curious with regards to his estimate of

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<sup>94</sup> Charles Carroll Glover (1846-1936). Banker and philanthropist.

<sup>95</sup> Presumably Samuel Gompers (1850-1924). Founder of the American Federation of Labor.

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the Monarchs he met.

Today's Times contains an extraordinary account of Curzon meeting L. George's arguments which shows an incredible want of cohesion between our 2 delegates.

Bryce writes to me that it is madness to construct battle Ships, but that our cussed government will perpetuate any folly. I find among my visitors a consensus of want of confidence in L. George granting that he has a touch of genius.

Did you see that per head of population taxes are:

England	£22
America	15
France	9
Germany	3
Italy	1-10
Japan	1-10

Lynch says that the Irish are a Latin race and that we cannot understand them. That also applies to India.

It is difficult to ascertain the financial situation in Germany. Accounts are given of reckless expense of balls [parties] by profiteers.

In Holland they are anxious about Belgian Chauvinism which would accept annexation by France as desired by Poincaré.

This evening's paper says that Briand and L. George are agreed about German disarmament and reparation.

Do you receive American publications on international affairs? International Conciliation. The last on Russian bolshevism is instructive. [President Warren G.] Harding's opinion on Anglo American Coöperation seems hopeful. Chamberlain will have a difficult task in forming his next budget and wages will have to come down.

Mr. Stewart Thompson Secretary of British Mission in India may pay you a visit in spring.<sup>96</sup> It is valuable for Europeans in isolated localities. I am thank God very well.

Yours ever

Reay

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<sup>96</sup> Satow met Thompson in the Club in Exeter on February 25, 1921 (diary) and introduced him to Lord Portsmouth as requested by Reay in his letter dated February 17th.

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59. 35 Berkeley Square W.1

Feb. 17. 1921

Dear Satow

From your last letter [dated 30 January 1921. See p.482 below.] I was sorry to conclude that you do not consider a war between U.S. and Japan inconceivable as I hope you do between U.S. and us. You saw the Naval Holiday at p. 11 of today's Times. The American Ambassador who is alas! leaving us told me he considered an understanding between us Japan and U.S. desirable. Nothing ought to prevent one. A dreadnought costs in annual repairs £50,000 to build I believe 5 millions. Harding fortunately has declared himself in favor of disarmament. I have to congratulate you on your standard work on Japan, your article in Quarterly. When will your Peace Volume be ready?

Sanderson came to see me and I was sorry to see how much he had declined since I last saw him. He told me he could not stand long on account of rheumatism and he walks by very slow steps and is nearly blind. His sister accompanies him. He had been to Curzon's dinner to Cambon which he said was very sumptuous but Haldane told me that L. George rules F.O. and Fisher<sup>97</sup> says that in Cabinet everyone submits to his decisions. He knows that there is no one to succeed him.

The French are I hear mad as regards their claims on Germany. My cousin Fagel writes from Amsterdam that Germans are flooding Holland with cheap articles and are as arrogant as ever.

Would you ask [Lord] Portsmouth to come and see me when he is in town.

In India extremists led by fanatic Gandhi are causing much unrest. Gandhi wants to make India uninhabitable for us by forbidding natives to be servants. His non coöperation movement however has failed in most directions except students who leave college against wishes of their parents.

Taxation in Holland is just as bad as it is here.

I had a very interesting visit from a Hungarian Felix Valyi. H. had 20 million inhabitants before war, now 7! Plenty of cereals which they will not send to Austria as

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<sup>97</sup> Presumably Herbert A.L. Fisher (1865-1940). President of the Board of Education in Lloyd George's coalition cabinet, 1916-1922.

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long as A. retains 3 Hungarian districts. Hungarian Government is Conservative through combination of landlords and farmers. Monarchy will be restored is not extinct. Emperor Charles has not been deposed.

Mrs. Mitchell who returns on 24<sup>th</sup> asks whether I expect your visit. I do. Will you send encl: report to Portsmouth after perusal and tell him that he will receive a visit from S. Thompson.

Yours ever

Reay

60. 35 Berkeley Square W.1 “A[nswered]. 9/5”

May 7. 1921

Dear Satow

Some one was telling me today [that] the Japanese Prince does not talk a word of a foreign language and I at once thought of you and then reproached myself for not having written to you hoping you would turn up for this Imperial visit.

What also made me think of you was [Sir Henry] Howard's death of cancer. So you and I now remain of that [1907 Hague Peace] Conference which was so little respected during the war. I lost 2 other friends Sir A. West and Lord Burghclere the Memento Mori being always more sensible. And the world certainly is not becoming more attractive. The working classes are thoroughly demoralized. They want higher wages for less work and do not grasp that capitalists are their friends and not their enemies. The influence of the Churches has been slight. They ought to take as their motto Christ is all in all. The idolatry of sport, the laxity of morals as shown in the Divorce Court, the love of pleasure, of money are all serious signs of decay. Then the parochial system of Squire, Vicar and tenant farmer is breaking down[,] any number of country houses being for sale. If the farmers buy and labourers get houses it may give us a Conservative class as in France. This invasion of the Ruhr by the French is very serious. They want to crush Germany and we want to trade with her. They do not believe in disarmament or League of Nations. America fortunately is again sending delegates. Her new Ambassador is a drunkard who has taken the pledge I hear.

I quite agree with the appeal by Burroughs and Shepherd and The Churchmen to have a Day of Humiliation and to unify the Spiritual element in our National Life. Dukes of Portland Newcastle, Bath, Salisbury, Pembroke all hard up. The occupation of

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Lansdowne House by Selfridge proclaims the new regime, new tithes. Have I given you  
[the Dutch prayer book] “Keurgarven”?

Yours always

Reay

61. 35 Berkeley Square W.1

July 19 [1921]

Many thanks for your letter. I hope to go to Carolside next Friday and to write from  
there as I am very busy but thank God very well. I regret not having seen you for so  
long. R.

[End of File.]

Donald Mackay, 11<sup>th</sup> Lord Reay, died on August 1, 1921. Satow noted the passing of  
his friend in his diary for the next day:

“A telegram of yesterday fr[om]. Mrs. Ian Mitchell from Carolside saying that Reay  
died there that morning after a short illness. Before he left London 10 days ago he sent  
me a postcard to say that he would answer my letter when he got there. He is a great  
loss, the best of all my surviving friends.”

1. July 23. 1882.

My dear Lord Reay,

I must send you a few lines to convey to you my deep sense of personal gratitude for the great kindness which you did me last night - & that gratitude covers many other acts of kindness which I have received from her ladyship & yourself.

It is simply impossible that the task you so kindly fulfilled last night cd. have been better discharged, & in the whole of London where is the one whom I wd. sooner have seen discharge it than your lordship.

Your speech was a perfect model. It said exactly what ought to have been said. It was sagacious, felicitous, kind, impartial. That is the opinion of everyone who was present last night, & I cannot resist the gratification of communicating this opinion to you.

Again I thank you from the bottom of my heart – for this & much else.

With my best compliments to my lady,

Believe me,

Sincerely Yours,

A handwritten signature in cursive script, appearing to read 'J. H. T. P. Reay', written on a background of small dots.

1

2. Letter in Dutch dated 29/6 [18]95. Not in Satow's handwriting.

Waarde Donald:

Dank voor den brief...

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<sup>1</sup> This letter does not appear to be in Satow's handwriting. He was in Japan in 1882, therefore it is surely misfiled, and was written by someone else. Likewise the letters in Dutch (Nos. 2-7) are not from Satow but probably from a Dutch relative of Reay. Letter No. 9 is from Lord Fry. Letter Nos. 14 and 15 are from an as yet unidentified sender.



29/6/95.

Waarde Donald:

Dank voor uw brief voor de  
begroetings kerse.

Gy zult een geluks engel. nu de vrienden  
leed te gese over gevonden om mede te  
regeren, is het een geluk dat de Minister  
op die wijze zijn outdijg kan nemen. Leunt  
Reay het schijnt de men. Overig is het  
vrij brief. exacte, actieswaardig <sup>is</sup> schijnt te  
zijn. Ik hoop dat u het bekint, hebt  
ge al de lichte, en der lichte en een  
Minister gheant.

De dwaze die geen ~~verstand~~ dat er kan  
was op een veel lichter kerse van  
door Tak voorgesteld, die juist de meestste  
teleurgesteld over het men. v. Kerse. dat  
elgemen een goede uitdruk maelt.

Uit aantal kuren ges tot v Tak met  
veel outdijg. maar de kerse <sup>3</sup>



de voorraad opgebruikt. Alomte slaan de  
kanten.

Roefjes Lief zoudt uwey geest dat  
vrouw en die genoegeten der vleden  
Lief en de kerkelijke aanwelen en  
influenzen, een overduidelijk verlykt is  
raden, i.

Ik bezorg uwe overduidelijk Lief; want  
Lief en op reis gaat. Het is  
dat by uwe en met uwe, dat  
en by uwe met op aan.

Op de jaarvergadering en de hoge kerk  
en de een en een en een en een  
onderget of kerk en met uwe - de  
Lief is. Het is kerk en een  
Commissie kerk en kerk. Ik heb de  
Lief en de een en een en een; dat  
deze kerk en kerk kerk te kerk.  
vare, kerk 11. P.

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Private correspondence from Satow (and others) to Lord Reay

July 23, 1882; July – December 1895; November 1907 – December 1911

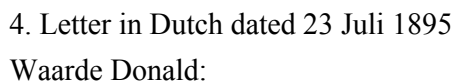
3. Letter in Dutch from the Hague, dated 10 Juli 1895

Waarde Donald!

Haar Donald!

4

Private correspondence from Satow (and others) to Lord Reay  
July 23, 1882; July – December 1895; November 1907 – December 1911





23 Juli 1895. -

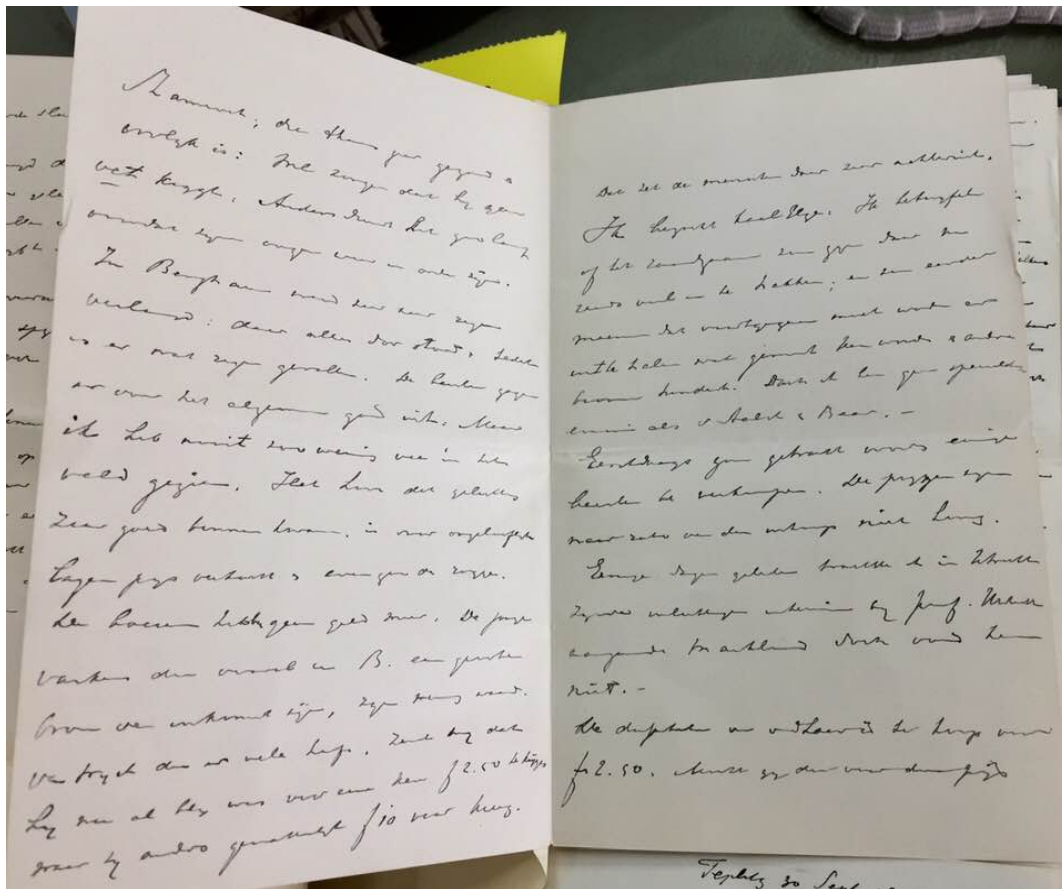
Waarom Donald!

De Liding der B. Leden nog  
 gering bemerkt. De Liding neemt  
 nu niet meer toe, maar de enige  
 bevestiging is eenig of niets te bevestigen.  
 De Liding zegt dat er zijn overschrijven  
 overal die dan in de Liding der Leden  
 eenige uitwerking te geven heeft.  
 De Liding eijervoud der Leden en Leden  
 der Liding. De Liding der Leden  
 eijervoud en Leden der Liding.  
 Daar is zeker een uitwerking.  
 Johannes en de Leden der Liding 3

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5. Letter in Dutch

Teplitz 30 Sept. 1895.

Waarde Donald

Leipzig 30 Sept 1895.

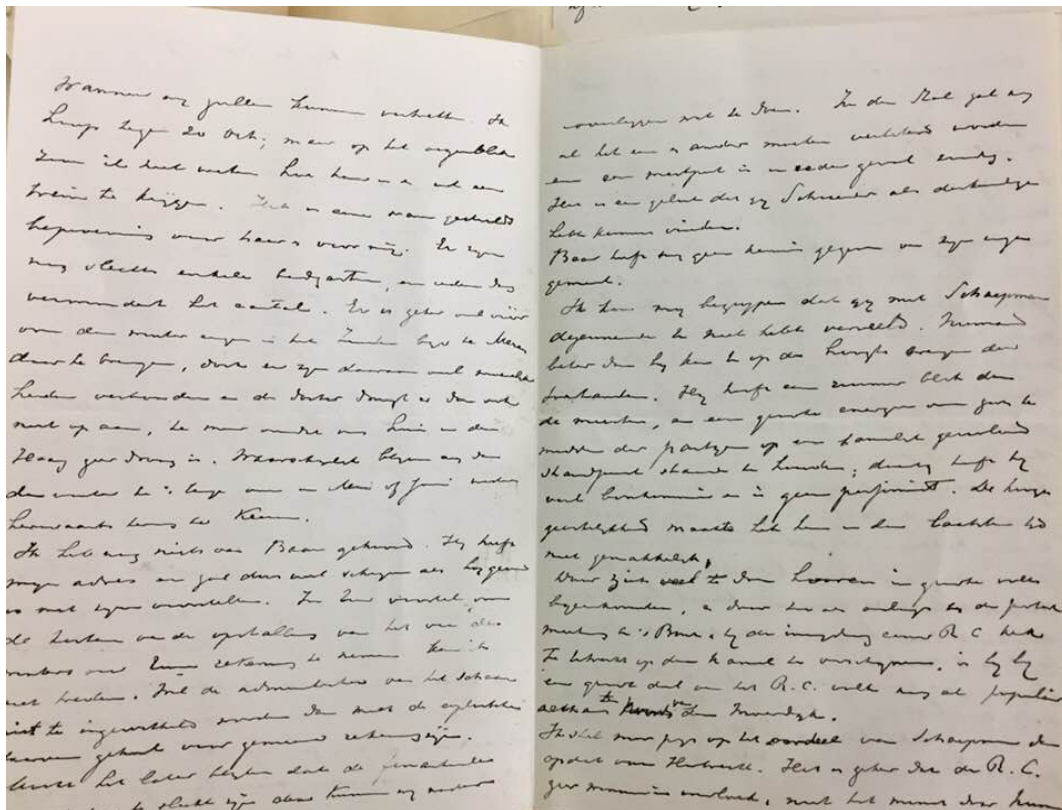
Waarde Donald,

Dank u voor uw enthousiasme, waarvan ik zeker met Leedweg merkt dat zij nog al ingeheld is geweest. Ik heb aannemen dat het een bronchitis was, maar influenza is al niet veel beter, en in beide gevallen is voorgeschikt aan hen om de gewoone te komen te komen. Het ongetrouwe proces. Wanneer Leedweg zal te hen gaan komen, en als hij hier is van Jönköping, Lindel B. en goed dank van de dag in de banken van Stockholm. Het is niet veel voor hen tot klagen maar ook niet om te roemen. Reeds schikt Leedweg te Leif B. uitbreiden aan de kniegewrichten. Het gaat wel beter maar is nog niet over de knieën en er is nog sprake van lopen. De dokter is tevreden, maar laat zich nog niet

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Private correspondence from Satow (and others) to Lord Reay

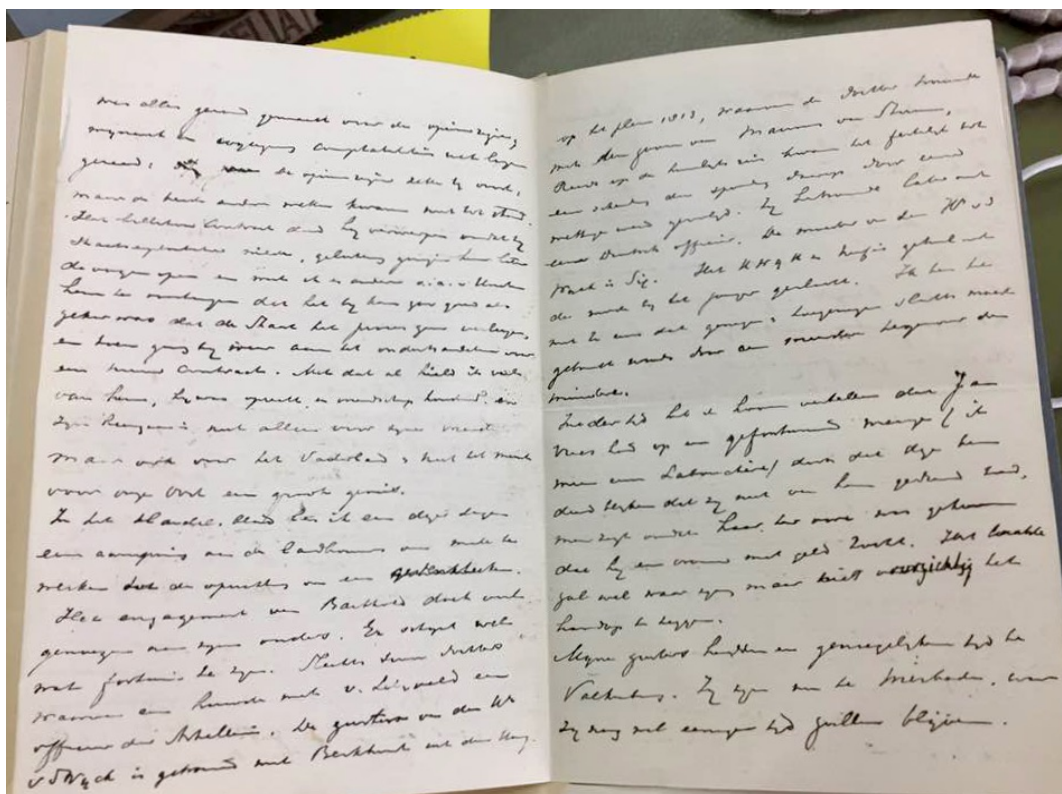
July 23, 1882; July – December 1895; November 1907 – December 1911



Volkstouw, die zich kenmerken door oordeel  
 en gematigdheid en als jongens en volwassenen  
 leden de Soc. Dem. van gods dienstdoend mens  
 ik niet wil. Een dergelijke vrouw die C. den  
 k en gronping en de dagelijkse werken alleen de  
 vindingen by een R.C. kerk: en dat nog wel  
 en gronping, de bakermat van de anti papieren  
 van de andere partij geeft zij niet veel gods  
 gekend hebben. Naar twee personen, die het  
 niet met elkander vinden kunnen, zonder  
 willen zijn, gaat het zinnig voort. Als een deel  
 soms het vermenen ontbreekt dat het wel werd  
 anti te wil en het nog wel, en de andere  
 die het niet geven - het nog wel de zaak  
 geven ons wel met een ander met gekend  
 worden met de dem. schennis die is veel  
 raar bedding met geleid worden; deze  
 Partij om, de klod hebben twee leden.  
 Een niet bekende maar de kegel heeft, som  
 een deel van hen die de Soc. Dem.  
 te zijn bekend.  
 Jammer dat twee mannen die zulke uitstekende  
 talenten hebben, het niet met elkander vinden  
 kunnen, en elkander voor liefdy berispen. De  
 partij is het kind van de rekening.



Het genooijende Carle he sprak over v. Dedem.  
 Toen de he om te zien nog veel hebben kunnen  
 preken over onze werk.  
 Die de he. antwoorden over my bevelen van in  
 overzigt de daaren teke schynen dat de veel  
 het medevan aan hem werk. Hi wande gesen  
 en, over een bevelen van he gewonden van het  
 van het Plein van de aankomst, (3 soms antw/ke  
 mak s d. stikken lang te geven, teken he veel  
 en deken. geve werk in de in gesen overvullen  
 blief. Teer teken en veel he, mende van de he  
 of, teken aangewende doer was de he mende, over  
 ik he de schepende dat eendek de ontvallen s  
 beken in he. He. He. teken overvullen. s. dat  
 ik aan my opvullen, teken teken van beken  
 beken overvullen, maar teken teken teken teken teken  
 in overvullen als ik van my overvullen  
 heken overvullen. Teer ik he van dedem van teken  
 overvullen teken, teken ik he. de Heken teken  
 teken; het teken teken teken teken teken teken  
 de teken overvullen. Teken teken teken teken teken  
 teken teken teken teken teken teken teken teken  
 Teer ik teken teken teken teken teken teken  
 overvullen v. d. van teken teken, teken teken,  
 teken teken, teken teken: en teken teken  
 teken  $\frac{1}{2}$  s  $\frac{1}{2}$   $3\frac{1}{2}$  teken teken teken teken  
 de teken teken in de teken teken teken teken  
 teken teken teken teken teken teken teken  
 teken teken teken teken teken teken teken



Ik kan hier niet veel zeggen. Ontbreken  
 van Brouwer. Het eerste belofte opmerk  
 over de Ver. Staten. Het is hier niet heel, het  
 is de laatste aanblik, want dat is  
 al is het al hier gelede over de gewone  
 zij. Het is een klein beetje in een goed als  
 op. Ik heb niet gezien dat er een veld  
 alhier een klein beetje in een goed.  
 Het is een klein beetje in een goed.  
 Reay - veld - dit is H.

H.



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6. Letter in Dutch 22/11 95

Waarde Donald:

22/1195.

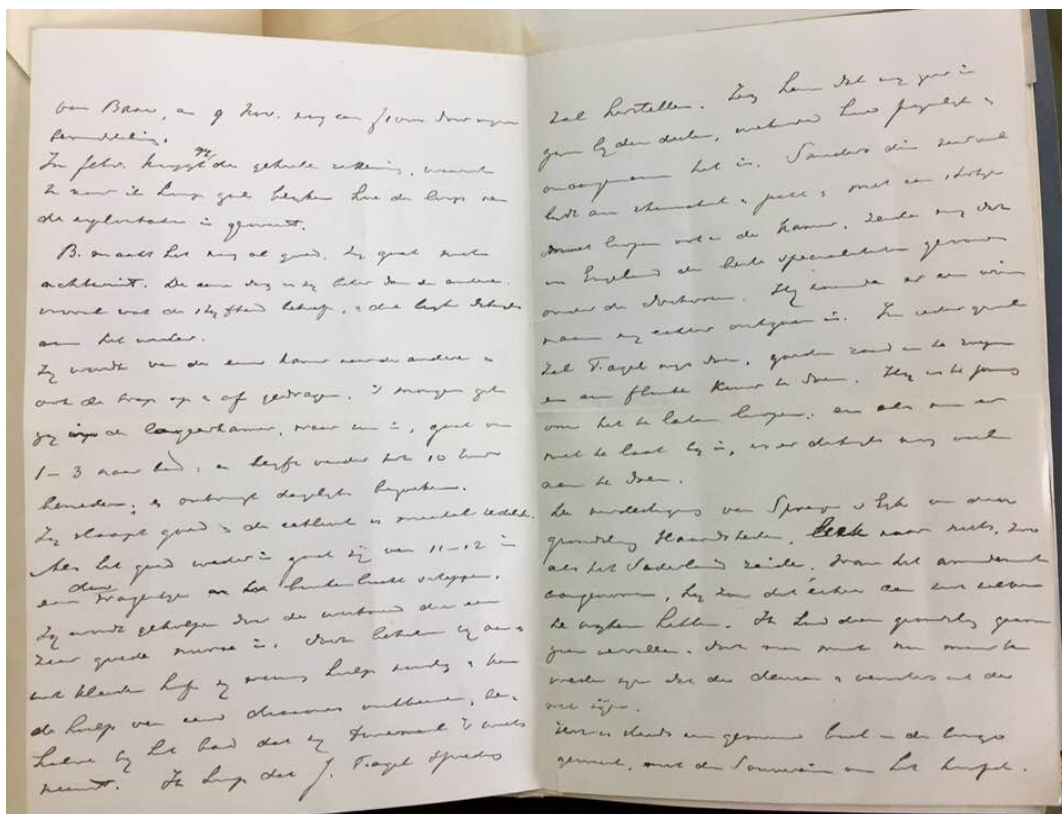
Waarde Donaar:

Hartelijk dank voor de prachtige  
 Capite die u mij heeft geschonken, die  
 gisteren avond in mijn bijt kwam,  
 waaraan ik u zeer erkentelijk ben, en die  
 spijtelijk te haren vergadering en voor de dienst  
 die ik u presteer. Ook dank aan Lady Reay  
 voor goede smaken en goede haren waardingen.  
 Het haren om haren voortdurende vriendelijkheid  
 ik zeer op prijs.  
 De haren aanvang van de haren. Bank is in  
 orde: de Stille winter om eeggen volgen  
 de haren alle warden: de haren haren draalgen  
 terge haren ook de haren warden veranderen, haren.  
 Haren de aanvang by de warden der pypen  
 met meer op de haren haren haren haren haren.  
 Het haren warden haren haren de  
 pypen haren warden. De bank haren haren  
 met de haren.  
 over haren 15 Oct. en 2 Nov. haren haren

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July 23, 1882; July – December 1895; November 1907 – December 1911



Jammer dat Engeland - Duitsland om  
 niet helpen in de tijd te de onbekende  
 rechten. Ook dat om een koninkrijk.  
 Het moet een vrede overnemen het land  
 in de vrede. Maar het moet een  
 vrede zijn. Er is een schade friende dat  
 de beide koninkrijken en zelf onder  
 met een een vrede koning en de koning.  
 Gys Heemstra overnemen een koninkrijk  
 Het is er niet koning dat koning een een  
 goed vrede.  
 v. Pracht koning <sup>direct</sup> met een koning.  
 Het moet een een koning. Het moet een een  
 koning, een koning koning koning. Het  
 moet een een koning en koning koning  
 de overnemen met; en vrede een een  
 koning met een een koning.  
 Verder koning koning, als koning; als koning  
 op het koning koning. Het is een een  
 vrede koning een een koning koning  
 koning, vrede een koning koning koning  
 met.  
 Het koning koning een koning is op een  
 koning, de koning koning koning koning.  
 Maar koning.  
 Het koning koning koning koning koning

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Private correspondence from Satow (and others) to Lord Reay

July 23, 1882; July – December 1895; November 1907 – December 1911

7. Letter in Dutch

Hage 9 Dec. 1895

Waarde Donald

Slage 9 Dec 1895 -

Vaande Donald!

Claret ik over de schyn  
 & over de deelen van de schyn  
 die by werd - stille dreyende,  
 trouwen de opzonders van B. leet  
 geen drukke toe. Een gite druk  
 te werken te druk. De leet die te  
 spreken slage en de opzonders.  
 Sedert de te het leet schyn leet  
 veel storm gehad, & op menige plaats  
 leet men veel laste gehad van het  
 opzonders water.

De kame gite en de drukke leet

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gemaakt te de Lijsting.  
Het gaat ons al om te zien, alleen  
om Houten puittelt de reeds groen  
dat, dat een andere dacht is met  
trekken, ons een andere beschikking  
voor kennisgeving; en voor  
een tekenend: dat is het punt de  
Houten de een tekenend was,  
en een andere tekenend was.  
Het punt is om te zien, dat een  
Kennisgeving voor kennisgeving is  
te maken van tekenend.  
Om Houten tekenend tekenend  
tekenend was de tekenend  
tekenend; en een tekenend was.

De tekenend de tekenend de tekenend  
tekenend. De tekenend de tekenend  
aan een tekenend de tekenend de tekenend  
tekenend en tekenend tekenend.  
tekenend de tekenend was, dat de  
dat alleen de tekenend en tekenend  
Vulkaan tekenend was tekenend een  
tekenend.  
Tekenend de tekenend was, dat de tekenend  
dat is tekenend tekenend tekenend  
tekenend de tekenend tekenend. De tekenend  
tekenend was tekenend de tekenend de tekenend  
tekenend was tekenend tekenend.  
De tekenend de tekenend was tekenend  
tekenend de tekenend was tekenend  
tekenend de tekenend was tekenend



van beelden opneem: ~~Indien~~  
 die is ook geld rendis om - het eigen  
 de beelden en de beelden in het vroege  
 Ivoorn gesloten in de vroege. wordt  
 dat voor mij als beelden: Als  
 22 over dat geld wilt geven den  
 beelden 22 en een beelden. Het wordt  
 Ik was gesloten in de eerste  
 Komt ontvanger; de 3/4 beelden  
 beelden om de beelden beelden. is niet  
 niet de beelden om de beelden beelden  
~~beelden~~ <sup>over</sup> het geld van het beelden 1/4 de vroege.  
 Ichik geniet rendis als 22 beelden  
 beelden beelden.  
 Het wordt niet ontvanger op B. beelden  
 de beelden de beelden beelden en niet in de beelden.  
 Ik was 11.  
 S. H.



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8. Satow to Reay (first letter by Satow in file)

29 November 1907

Dear Reay

I saw Lord Fitzmaurice<sup>2</sup> yesterday afternoon. He opened upon me by saying that he had mentioned to Sir Edward Grey the idea that it would be useful if you could tell [Louis] Renault<sup>3</sup> confidentially what the Government wished in regard to Maritime Law, whereupon Sir Edward said "We are in the hands of the Admiralty, and they are talking it over, but will not be ready so early as January." Lord Fitzmaurice also hinted to me that they would not like to stir up sleeping jealousies, and that Bertie would make a fuss if he were passed over. I protested against the idea of leaving everything to be decided by the Admiralty, and said that Ottley was a man who did not know his own mind.

Then he talked to me about a bluebook the F.O. propose to publish, containing the correspondence with Russia and Holland prior to the Conference, our instructions, the Acte final and the draft conventions and Sir E. Fry's despatch of October 16, with hereafter a supplementary volume containing the procès verbaux. Some of the F.O. people wish to edit the instructions, leaving out paragraphs 5,6,7 and part of 20, others think it safer to print them as they stand. Hurst suggests the publication in this blue book of the long despatch about the Rights and Duties of Neutrals in time of war at sea, but to this it is objected that people would say, where are the other despatches. Lastly they think of asking Sir Edward Fry to, either amplify the despatch of October 16, or to write a further one containing a fuller report. I remarked that Sir Edward Fry would probably object to altering in any way at this late date a despatch signed by him and sent off on October 16, for his puritan ways of looking at the truth would make him jib at the proposal to put that date to a document written long after; also, that as you and I knew a great deal more than Sir Edward about the 2nd, 3rd and 4th commissions, we should have to be taken into council and for my part I do not possess the print of our correspondence from the Hague with the F.O. We shall see what Sir Edward says to this suggestion about amplification of his despatch, but I do not think he will like it. I also saw Davidson, who said he had not been consulted about the bluebook. I told him that he ought to look carefully at the Rights & Duties of Neutrals at Sea, and Transformation of merchant ships into war-vessels, neither of which I liked. Then I

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<sup>2</sup> Lord Edmond Fitzmaurice (1846-1935). Under-Secretary of State for Foreign Affairs, 1905-08. "Afterwards to the F.O. and had a talk with Lord Fitzmaurice about the Hague Bluebook..." (Satow's diary, November 28, 1907)

<sup>3</sup> Louis Renault (1843-1918). French jurist who won the Nobel Peace Prize.

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Private correspondence from Satow (and others) to Lord Reay

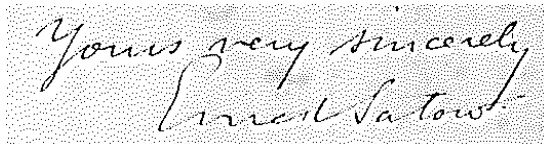
July 23, 1882; July – December 1895; November 1907 – December 1911

went to Tyrrell the private secretary and said I placed myself at Sir Edward Grey's disposal if he wished to see me; but I think he was not there. Anyhow, I made no appointment. Sir Edward Fry has not been to the F.O. since we returned [from the Hague Conference], and I gather that they have had as yet no communication with him.

[W.E.] Davidson<sup>4</sup> told me he was greatly pleased with the International prize court scheme, and that Sir Ed. Grey had taken on himself the responsibility of approving the draft we went him, and had purposely not consulted the Lord Chancellor, which was rather a fine action.

It seems that Stead<sup>5</sup> repents now his so-called retraction of hard words uttered against us, and that in the next number of the Review of Reviews he will return to the charge, and describe Sir Edward Grey as having been hoodwinked and circumvented by "a wily old Quaker." [Fry]

I go to the Frys on the 4th December, and return here on the 6th.

A handwritten signature in cursive script that reads "Yours very sincerely Ernest Satow". The ink is dark and the handwriting is fluid and personal.

---

<sup>4</sup> William Edward Davidson (1853-1923). Law Officer (legal adviser) at the Foreign Office.

<sup>5</sup> William Thomas Stead (1849-1912). Newspaper editor and journalist.

29 November 1907

BEAUMONT,  
OTTERTY ST MARY.

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10

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Private correspondence from Satow (and others) to Lord Reay

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16. for his private wars  
7

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after; also, that as you  
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It seems that Stead repeats now his so-called retraction.

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I go to the Frys on  
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Yours very sincerely  
Ernest Satow



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9. Sir Edward Fry to Reay

7 Dec. 1907

FAILAND HOUSE,

FAILAND,

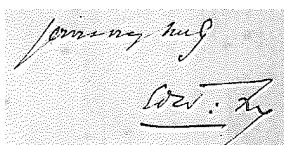
NR. BRISTOL

Dear Ld. Reay,

I have to thank you for two interesting papers – the one your own inaugural address to L'Institut de Droit International & the other the report of the Debats in the Belgian Chamber. It is refreshing to find the veteran M. [Auguste] Bernaert taking so favourable a view of the result of our labours.

Sir Ernest Satow has been with me for a very short visit & has told me of his pleasant visit to you.

We have shared together the sad news of Lady Howard's death. I feel very sad for poor Sir Henry & the daughters. Believe me to be

A handwritten signature in cursive script, appearing to read 'Edward Fry', with a horizontal line underneath.

Yours very truly

Edw. Fry

10. Satow to Reay

8 December 1907 [in answer to Reay's letter of 6 December, see p.1 above.]

Dear Reay,

I stayed a couple of days with the Frys, and found her indignant both with Stead's articles in the Contemporary and in the Review of Reviews, especially with the story that Sir Edward in reply to the proposal of a friendly ambassador to help us out of a difficulty with the Russians about the coaling rules replied simply "C'est Sale?" The whole story is apocryphal. They will not take any notice of Stead, but Sir Edward has written to Sir E. Grey, to take an opportunity of vindicating the Delegation against the aspersions that have been uttered in the press. I told you in my last that the F.O. were thinking of asking Sir E. Fry to either enlarge his despatch of 16 October, or to write a somewhat detailed report, for insertion in the forthcoming blue-book, but he had heard nothing from them when I was there. You will have seen in yesterday's Athenaeum a letter of Fry's correcting a misstatement in the review of Westlake's<sup>6</sup> book that

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appeared in the issue of the preceding week. As Westlake writes to me that the Acte Final containing the Conventions has been published in the *Revue de Droit International*, the reviewer and the editor ought to have been aware that we had not prevented the inclusion of the Convention about the Prize Court.

I think the telegram from Tokio in the Times that though the Japanese will not sign any agreement to restrict immigration to the U.S. and British Columbia, they are ready to give verbal assurances is probably correct. When I was at Tokio as Minister I received a verbal assurance of this kind, which continued to be observed until Canada became a party to the British treaty of commerce of 1895 and I am confident that if this assurance is renewed in the same manner, we shall be safe.

Yours sincerely

Ernest Satow

11. Satow to Reay

26 December 1907

Dear Reay,

Many thanks for your letter of the 21st and kind wishes for Christmas and the New Year. The same to you! I was much interested in the account of your visit to the F.O., and hope they will set to work seriously at their proposals as to naval war. It will be no light task to reduce the whole to a series of legal propositions, and I am afraid they do not realize how complicated it is. The interdepartmental committee was not well constituted last time. There ought to be an under-secretary of state on such an important body, and the chairman ought to be some one who can give his whole time to it, and not one likely the Attorney-General, who just attends the sittings and rushes off almost before it is over.

I don't think I told you that Westlake's book on international law in time of war, containing a chapter on the Hague Conference, has been withdrawn from sale for the present; I suspect on account of some mistakes he made through relying on Stead's newspaper. I have lent Westlake a complete set of papers, from which he will be able to learn the correct facts. I shall be curious to see his article in the next Quarterly [Review].

As you suggest, I will prepare a memorandum setting forth my views on the study of Oriental languages in England, and send it to you for circulation among the members of your committee, about the time you return from Paris. Then if it is thought necessary I

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<sup>6</sup> Prof. John Westlake (1828-1913). Whewell Professor of International Law at Cambridge, 1888-1908.

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can come up to town to be cross questioned on it.

I read the letter you enclosed from the matron of the hospital at South Brent, but do not know whether I can give any help. However, I will think over it.

Yours very sincerely

Ernest Satow

Newspaper cutting: A PRACTICAL CRITICISM OF SMALL HOLDINGS

One long column.

## A PRACTICAL CRITICISM OF SMALL HOLDINGS.

MR STEEL said the country was passing through a critical time; for its Constitution, which had lasted so long and worked so well for hundreds of years, was being threatened, by a few Radical leaders. They had introduced a few obnoxious measures, and because the Lords had failed to pass them they wished to abolish the House of Lords and denude it of all power. The people of this country would never allow their destinies to be settled by one Chamber, and he was satisfied that at present the permanent will as opposed to the temporary will of the people was being carried out. (Applause.) Looking over the history of the past century they would find many instances where the Commons did not represent the true will of the people, and where that will was best interpreted by the Lords. (Applause.) To take but one measure, there was the Home Rule Bill. It was rejected by the Lords in the belief that the majority of the people were not in favour of it, and the correctness of that belief was proved by the election which returned a large Unionist majority. (Applause.) If the Premier's resolution were carried into effect, and the House of Lords' veto taken away, what would the Commons care for the criticism of the Lords? To check hasty and immature legislation it was necessary to have a second Chamber. One argument against the Lords was that they would never pass a Bill about the land. But every Bill ever yet passed which dealt with the land had been passed by them. (Applause.) Last session, for example, they had passed the English Small Holdings Bill and the Irish Evicted Tenants Bill. (Applause.) They had rejected the Land Values Bill, which would be a costly, and was an intricate and expensive scheme, until they could ascertain what its ultimate object was. With regard to the Scottish Bill, which had for its object the creation of small holdings, everybody would sympathise with the object of getting the people back to the land. (Applause.) All regretted the rural depopulation, but he thought it was partly due to the improved means of travelling, the growth of education, the labour-saving appliances, such as self-binders, and the preference of many for town life. But if the depopulation was to be checked it should be checked by practical methods, and the Bill proposed was not practical. (Cheers.) It was denounced by everyone who had any practical agricultural experience at public meetings throughout the country, and by great numbers of petitions. (Applause.) It would kill the demand for land, and landlords would not spend money as at present on its improvement. Under the English Bill the number, nature, and size of the holdings to be created were left to the County Councils. Under the Scottish Bill the maximum rent was to be £50, and the maximum size irrespective of rent 50 acres. But who could say what uniform size would be suitable for all Scotland? If a small holder made a living off 50 acres in East Lothian or Berwickshire it would not follow that he



15  
acres. But who could say what uniform size would be suitable for all Scotland? If a small holder made a living off 50 acres in East Lothian or Berwickshire it would not follow that he could make a living off a holding of similar size in Ettrick, where the rent would be one-fourth to one-sixth the amount, and the land one-fourth to one-sixth the value. (Cheers.) Suppose now that a holding of, say, 48 acres, were cut off a farm in that district and a small holder planted on it. The farmer at present might be paying 18s an acre for it, but suppose the Land Court let the small holder have it at 15s. That would make the rent £36. Then the small holder would have many things to do to his holding. He would have to build houses and a steading, and to drain and fence, and generally equip the place. If they put the expenses of all this at £500, a moderate sum, and charged the small holder  $3\frac{1}{2}$  per cent. upon it, that would mean an addition of £21 a year to the rent. The repayment of this £600 was another matter, but taking rent and interest he would have yearly to pay £57, or £1 3s 9d an acre. If the farmer at present found it hard to make ends meet with the land at 18s an acre, how would the small holder do at £1 3s 9d an acre? Where would he be in a season like this? In bad seasons proprietors sometimes reduced the rent. There would be no reduction with the Land Court. (Applause.) That was why the Lords rejected this Bill. It would mean an injustice to proprietors, to present tenants, and to the small holders it would itself create. It was a vast experiment which, no matter how it might turn out, ought to be carried out at the cost of the Government itself. (Cheers.) Mr Steel also spoke on the Fiscal question, and declared himself in favour of a re-adjustment of the basis of taxation in order to meet the increasing expenses of the Empire. It would be well in any such re-adjustment to give when possible, without injury to this country, preference to our great Colonies, whose trade with us was already so large and important. (Cheers.)

PRO 30/33 11/15

Private correspondence from Satow (and others) to Lord Reay

July 23, 1882; July – December 1895; November 1907 – December 1911

SYLLABUS OF A COURSE OF TEN LECTURES ON INTERNATIONAL  
MARITIME LAW

DELIVERED TO NAVAL OFFICERS, 1906-1907,

BY T.J. LAWRENCE, LL.D.

SYLLABUS  
OF A  
COURSE OF TEN LECTURES.  
ON  
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---

LECTURE I.

Extent of territorial waters. Jurisdiction within them. Right of innocent passage. Special treaty stipulations with regard to the Dardanelles and the Bosphorus. Immunities of public vessels visiting the ports and waters of friendly powers. Respect due to local law. Cases of political offenders and fugitive slaves. Belligerent vessels in neutral waters. Duty of such vessels to refrain therein from (*a*) acts of hostility against the other belligerent, (*b*) increasing their fighting power, (*c*) making the neutral waters a base of operations against the enemy.

PROBLEM I.

France and Italy are at war, Spain being neutral. Would it be lawful for an Italian torpedo flotilla, which had been allowed to provision itself in Cadiz, to sally forth and attack at night a French Squadron on its way to the Straits of Gibraltar?

LECTURE II.

Distinction between acts which a neutral government is bound by International Law to forbid in its ports and waters, and acts which it has the right to subject to regulations of its own making. The duty of belligerents to submit to such regulations when reasonable in themselves and impartially administered. Questions connected with the supply of coals and information. Angary.

PROBLEM II.

What do you take to be the duty of a neutral State on the outbreak of war with regard to stations for the transmission of information which it had previously allowed one of the belligerents to establish and operate in its territory?



### LECTURE III.

Allowed and forbidden instruments and methods of destruction. Bombardments of open and undefended coast towns by fleets. The use of submarine mines. The three Declarations of the Hague Conference of 1899. Stratagems. Flags of Truce. The extension of the principles of the Geneva Convention to maritime warfare by the Hague Conference. Questions arising out of it.

#### PROBLEM III.

Ought Hospital Ships to be allowed to carry wireless telegraphy installations?

### LECTURE IV.

Belligerent ships of war may capture from the enemy (*a*) both public and private vessels with certain exceptions, (*b*) goods of the enemy found on board vessels of the enemy, (*c*) contraband goods of the enemy even if found on board neutral vessels. What is regarded as enemy property for purposes of capture at sea. Transfer of enemy vessels to neutral flags. Papers carried by merchant vessels. False papers. Spoliation of papers.

#### PROBLEM IV.

In a war between England and Germany German ship-owners transfer their vessels to neutrals, and they are used to transport German goods from neutral continental ports. Can we interfere with this trade?

### LECTURE V.

The right of search. Its application to pirates and slavers. Methods of search. Detention, and adjudication by a Prize Court. Circumstances in which the destruction of enemy property at sea is allowable. The proper treatment of neutral property which cannot be sent in for adjudication. Ransom. Recapture.

#### PROBLEM V.

In time of war you capture an enemy merchantman loaded with a mixed cargo, much of which is neutral property. You cannot send her in for adjudication. What ought you to do?



## LECTURE VI.

Convoy. Dangerous divergence of British and foreign views with regard to it. Reprisals. Embargo. Pacific Blockade. Blockade as an operation of naval warfare. Days of Grace. Commercial Blockades. How effective blockades can be (*a*) established, (*b*) terminated.

### PROBLEM VI.

A neutral vessel is lying in a blockaded port at the commencement of the blockade. She immediately loads up with non-contraband cargo, and attempts to run out. Can she be captured, assuming that no special indulgence has been granted to such vessels by the blockading power?

## LECTURE VII.

Knowledge of blockade an essential element in the offence of blockade-breaking. Difference between British and French practice as to notification and warning. Acts which amount to a violation of blockade. Penalty for breach of blockade. The nature of contraband of war. Belligerents may capture it on its way to their enemies in neutral vessels; but neutral governments are under no obligation to stop a trade in it carried on by their subjects. Lists of contraband goods.

### PROBLEM VII.

State A., being belligerent, declares boots, leggings, and saddles contraband. State B., a neutral and a great exporter of leather goods, remonstrates, and is told in reply that it is for belligerents to draw up lists of contraband goods. What ground ought it to take up in its answer?

## LECTURE VIII.

The British distinction between absolute and conditional contraband. Questions connected with ships, coals, and provisions. Belligerent destination an essential element in the offence of carrying contraband. When the offence is completed, and when "deposited." Can a ship be captured on the return voyage, assuming the latter to be innocent? The penalty for carrying contraband. Pre-emption. May contraband goods be taken out of the vessel which carries them, she herself being allowed to proceed on her voyage?

### PROBLEM VIII.

Great Britain being at war, you overhaul a neutral vessel bound for an open port of the enemy, and find on board apparatus for wireless telegraphy consigned to a firm of civil engineers in that port. What steps would you take, and why?

### LECTURE IX.

The doctrine of continuous voyages, and its application to (a) contraband, (b) blockade. The nature of unneutral service. It cannot be dealt with adequately under the law of contraband. Acts of unneutral service may be classified roughly under the heads of (a) carrying certain despatches for the enemy, (b) carrying certain persons for the enemy, (c) doing for the enemy certain other acts which amount to participation in the war on his behalf. The peculiar position of mail steamers. When is the offence of unneutral service deposited? The penalty.

### PROBLEM IX.

You have good reason to believe that a balloon owned and worked by neutral subjects has signalled the disposition of your forces to the enemy. A few days later the balloon falls into the sea in the midst of your fleet, and you rescue the aeronauts. What should be done with them and their gear?

### LECTURE X.

The rights of belligerents and neutrals as regards submarine cables. Protection to be afforded to British subjects abroad. When persons who are not British subjects should be protected. Combined naval and military operations. Points not previously dealt with.

### READING.

In following this course of lectures and working the problems naval officers will find it very useful to refer to Hall's *International Law*, especially Part I., Chapters III. and IV., Part II., Chapters II.—VII. and XI., and the whole of Parts III. and IV. Another useful work is Lawrence's *Principles of International Law*, especially Part II., Chapters II and III., and the whole of Parts III. and IV. Many questions connected with the Russo-Japanese war are discussed in Lawrence's *War and Neutrality in the Far East*.

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12. Satow to Reay

25 January 1908

Dear Reay,

As you offer me the choice of February 27, either 11 or 12.30 or three, or the same hours on March 5, I will say 11 o'clock February 27. Please let me know where the Commission [on Oriental Languages] will sit.

You ask me whether I do not admit that Oriental literature, theology, philosophy, sociology and archaeology are subjects which ought to be taught in the London University.

If you could find the really competent men to profess history and literature &c. of China and Japan, I should not be against the creation of a professor's chair. With regard to Japanese history & literature &c. I know of only two Englishmen who are really learned, but they are both invalids and could not undertake it. The only competent men in Chinese are Giles and Parker; one is at Cambridge, the other at Liverpool. In Siamese the only competent man anywhere is O. Frankfurter who lives in Bangkok. But if the reason why we ought to have such professorships is that they exist in other countries, and we are the only one that has them not, then I suppose the same reason would suggest that we ought to have an Englishman to fill the post.

I have not Ernest[?]'s book on the Conference nor the German blue-book. Westlake's article in the Quarterly is poor, he allows his book on International Law to be put on sale again with his misstatement about Sir E. Fry proposing to omit the International Prize Court convention from the Acte Final uncorrected. I hope Lawrence's lectures will be published. Choate of course thinks we were too conciliatory to the Germans in regard to his two schemes of a Court of Arbitral Justice and Obligatory arbitration, but it was clear that we could not carry them by a majority vote. We fought the Germans vigorously enough on all other questions. If you will kindly give me the title of Kuyper's book on the Far East, I will get it, even if it be only procurable in Dutch, as I can make my way through Dutch books with the aid of a dictionary.

I condole with you on your fogs. Here we have cloudy weather, but not much fog, what there is merely lends a mysteriousness to the landscape which is picturesque.

Yours sincerely

Ernest Satow

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13. Satow to Reay

23 February 1908

Dear Reay,

I send you two pamphlets that Lady Lyell, who was over here to tea the other day [on February 18<sup>th</sup>], has given me about the Scottish small holdings bill. She, who is a liberal and mother of a Liberal M.P., is indignant about it. A Scotchman of very great intelligence who was with me a day or two ago,<sup>7</sup> was also strongly against the bill. I know you are not a supporter of it. You perhaps read Sir E. Fry's speech at the Poor Law conference, in which he said that it would be better if we worked the laws we have, instead of rushing through so much new legislation without adequate consideration. How any one can pretend that a House of Commons which is constantly muzzled can be a better legislative machine than the House of Lords passes my comprehension. All that talk about the "will" of the people seems to me the worst kind of demagogism. If the will of the people is to govern England, the uneducated, ignorant and unthinking people, the country will be ruined. Fortunately it is not the will of the people that prevails, but the will of the few hundred men whom they have been induced to elect, who put the guidance of their will in the hands of two dozen autocrats. You will laugh at my enthusiasm. But at 65 one is driven to become a conservative, lest the young men in a hurry should rob us of everything worth preserving.

Yours sincerely

Ernest Satow

14. Princess Helena of Waldeck & Pyrmont<sup>8</sup> to Reay

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<sup>7</sup> Sir James MacIver MacLeod (1866-1944). Diplomat. He served under Satow in Morocco. (Diary, February 21, 1908)

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Private correspondence from Satow (and others) to Lord Reay

July 23, 1882; July – December 1895; November 1907 – December 1911

Claremont

April 5<sup>th</sup>, 1908

Dear Lord Reay

Please help me in my scheme to raise £50,000 for the Jubilee of the National Hospital for the Paralysed & Epileptic (Albany Memorial). I hope you will find it possible as Lord Lieutenant of Roxburgh to assist us to a collection of a Purse in your county.

As this Hospital is really a National Hospital, I am anxious to make this Jubilee Fund a national gift, by collecting the money all over the United Kingdom & Colonies & beyond. Therefore we hope to systematically organize our beggin[?] in the counties by the help of the Lord Lieutenants & in the Towns through the Lord-Mayors or Mayors.

Though it is a large sum I aim at, £1 is not much for the individual, but the difficulty is to find the 50000 donors to give me the £1.

The enclosed Chart will show you how wide-spread the benefits of this Hospital are, & on this fact we rely for general support.

So far my official request to the Lord Lieutenant of Roxburgh but now I ask of Lord Reay personally for £1 for the cause[?].

I am collecting from my friends & well-wishers. I need not add how anxious I am to succeed with this Jubilee Fund.

Believe me

Yours very sincerely

Helen

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<sup>8</sup> Helena Friederike Auguste, later Duchess of Albany (1861-1922). Wife of Queen Victoria's youngest son Prince Leopold, Duke of Albany, who died in 1884, she loved welfare work.

Claremont  
April 5<sup>th</sup> 1908

Dear Lord Reay

Please help me in my scheme  
to raise £50,000 for the jubilee  
of the National Hospital for  
the Paralyzed & Epileptic (Albany  
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assist us to a collection of a  
Cruse in your County. 19



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As this Hospital is really  
a National Hospital, I am  
anxious to make this jubilee  
Fund a national gift,  
by collecting the money  
all over the United Kingdom  
& Colonies & beyond. There-  
fore we hope to systematically  
organise our begging in the  
Counties by the help of the  
Lord Lieutenants & in the  
Towns through the Lord Mayors  
& Mayors.

Though it is a large sum  
I aim at, £1 is not much  
for the individual, but the  
difficulty is to find the 50,000  
donors to give us the £1. -  
The enclosed chart will show  
you how wide-spread the benefits  
of this Hospital are, & on this  
fact we rely for general  
support. -  
So far my official request  
to the Lord Lieutenant of Probus,  
but now I ask of Lord Reay  
personally for £1 for the fund.

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I am collecting from my  
friends & well-wishers.--  
I need not add how anxious  
I am to succeed with this  
Jubilee Fund.  
Believe me  
Yours very sincerely  
Stellen



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Private correspondence from Satow (and others) to Lord Reay

July 23, 1882; July – December 1895; November 1907 – December 1911

15. Princess Helena to Reay

CLAREMONT

ESHER

April 18 1908

Dear Lord Reay

Many grateful thanks for your kind promise to help me in my undertaking on behalf of the National Hospital.

Perhaps the fact that this Hospital is a memorial to One, who bore the old Scotch title may make your people more inclined to take an interest in it! I quite realize the difficulties & in consequence I do not expect large amounts, but in such a big sum every penny more counts.

I was indeed thankful to leave the young Queen of the Netherlands looking so well & fresh & bright.

I fear [     ] weather is no pleasanter than ours just now.

Believe me Yours very sincerely,

Helen

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CLAREMONT,  
ESHER.

April 18: 1908

Dear Lord Reay

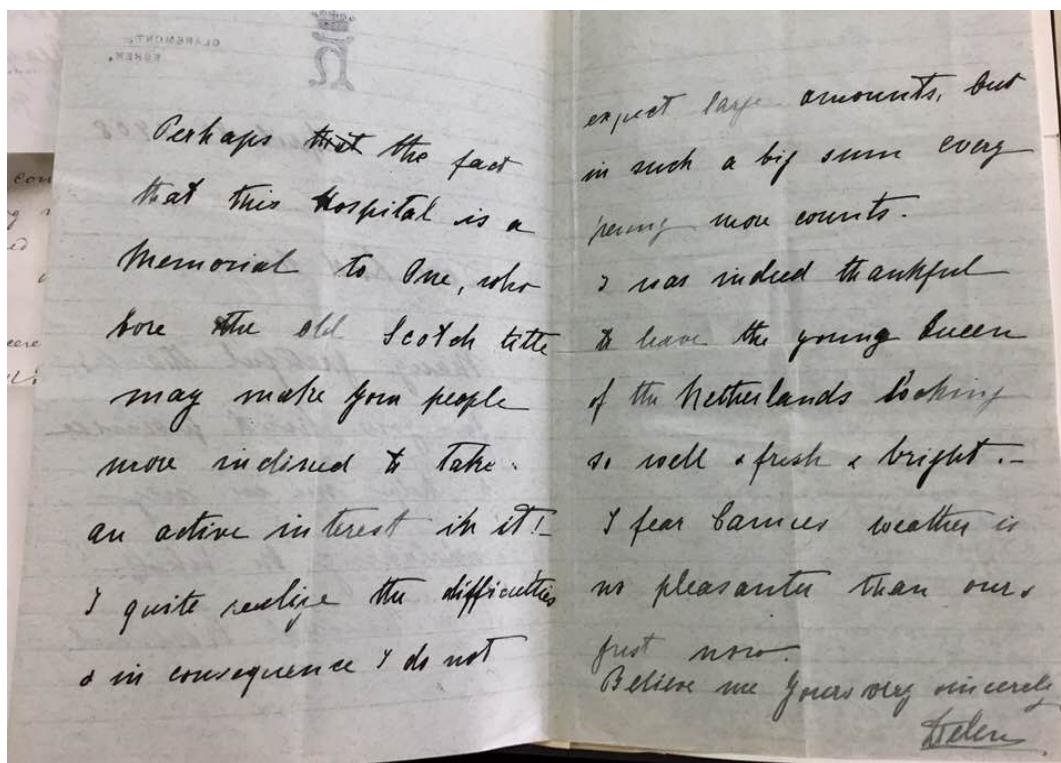
Many grateful thanks  
for your kind promise  
to help me in my  
undertaking on behalf  
of the National Hospital.

20

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16. Satow to Reay

11 August 1908

Dear Reay,

I enclose a letter [of introduction] to Lady Jordan for Mademoiselle Labrosse. If I might offer advice to her, it would be to take Peking first before going on to Japan, for after October is over the former is too cold to be agreeable, while the early part of winter in Japan, say November and December, is very pleasant. I heard that Westlake was backing Oppenheim, and though I gave [T.J.] Lawrence a testimonial at his request, I am inclined to think that Oppenheim is the sounder international lawyer of the two. Lawrence has caught a certain breezy manner from his association with naval men. I have received the volume from the Hague and the French Yellow book, and read the introduction contained in the latter on the whole with satisfaction. Probably our friend Renault compiled it. Takahashi is quite a good writer. He published a book on the negotiations which led up to the Russo-Japanese war, which is an excellent book of reference. His treatise on International Law is no doubt interesting, but I have not seen it. Possibly it is founded in part on Despagnet.<sup>9</sup> The work of the latter is being translated

<sup>9</sup> Probably Frantz Despagnet (1857-1906). Professor of Law at Bordeaux.

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into English by a man named Higgins, who has lectured at Cambridge on International Law.

I agree with what you say about the Archbishop's Encyclical, the tone of which I thought admirable. But the discussion begun in the "Times" by two articles from the pen of a Nonconformist has not seemed to me likely to do any good. I have not read Morley's Essays, but hope to have an opportunity.

Gerard Lowther is certainly fortunate in arriving at Constantinople at such a time. I don't know Turkey at all, but my own feeling is that possibly a regeneration of Turkey may be at hand. It is merely ignorant instinct that makes me say this. For Berlin I have an idea that Fairfax Cartwright is a likely man, and really I think, from all I have heard, he is the best man.

Thank you for your kind inquiries about my health. I hope to be all right again before long, and am looking forward to coming to you quite early in October, especially as you will have to come to town for the session.

Yours sincerely

Ernest Satow

17. Satow to Reay

11 October 1908

Dear Reay,

I have been reading in vol. 4 of John Wesley's Journal this morning that he paid a visit to Holland in June 1783 and was delighted with the people he met there. In October of the same year he was at Winchester, where he found many Dutch prisoners still remaining there. I have no history upstairs, so cannot find out how it was possible for an Englishman to visit Holland, and yet for Dutch prisoners to be in England at the same time.

My doctor [Bartlett] does not take such a gloomy view of my case as Dr. Kennedy did, but says nevertheless that an operation may become necessary. Before that however I am to see some one else in Exeter,<sup>10</sup> who will use the stomach-pump, which may perhaps give more precise indication than they have at present of the real nature of my trouble. If it is proved to be an ulceration of the duodenum, then the surgeons will have to take out the affected part, and join the two ends together. It is not pleasant to look forward to, but I hope for the best. The journey to Birmingham was rather tiring, but yesterday I had a slow train and was not shaken, so I arrived at home without any

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<sup>10</sup> Satow was examined by Dr. W. Gordon in Exeter on October 13-14<sup>th</sup>. (Diary)

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discomfort. Except when I have an attack of pain, which only comes on when I exert myself too much, I feel perfectly well and cheerful.

The F.O. have sent me the Index to the French Yellow Book, but I hear nothing about the December conference. The National Review seems to contain a very intemperate article on Germany, accusing her of having already drafted the Note to the Powers in which she justifies her having suddenly attacked England, on the ground that a prominent member of the Board of Admiralty has repeatedly declared that England will fall upon Germany without delay!

I conjecture that the proposed Conference on the Eastern Question may cause the Maritime Law Conference to be postponed. I should be inclined to suppose that if Austria declines to submit her conduct to the judgment of the Powers, the other proposal may fall through. The protest which the papers say England, France and Russia have addressed to Austria must render it difficult for her to join in a conference.

If I go to London for an operation I shall not fail to let you know where I am, and how I get on.

Yours ever sincerely

Ernest Satow

18. Satow to Reay

12 October 1908

Dear Reay,

Many thanks for your kind letter. Whatever may be in store for me I hope for God's grace to accept it with gratitude. I feel all the better for the 48 hours rest I have had since I got back, and am more hopeful than I was after my interview with Dr. Kennedy.

If you can spare me Kuropatkin's book I should be greatly obliged, and I will return it without delay. I have sent for Thursday's Times to read what the Institute of International Law says about mines; thank you for directing my attention to it. The Eastern question seems, to judge by today's "Times", to wear a more hopeful aspect, but if the answer of Sir Edward Grey to the Cretans represents the principles which he regards as the *sine qua non* for its settlement, I am afraid the chances of Austria agreeing to a conference are rather remote. d'Aerenthal<sup>11</sup> appears to [be] inclined to play an ambitious part in politics, if the Neue Freie Presse really speaks for him. I cannot think a wise statesman would beat the big drum in that way. Saunders has got the best of the argument about the secret protocol of 1878. It is too late in the day to argue

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<sup>11</sup> Alois Lexa Graf von Aerenthal (1854-1912). Austrian diplomat. As Foreign Minister he executed the annexation of Bosnia and Herzegovina.

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that Austria's being obliged to conquer Bosnia & Herzegovina cancels the obligation; it should have been stated at the time.

I had some talk with the Findlays about her brother Edmund Backhouse,<sup>12</sup> who was at Peking in my time and is still there. He is a wonderful linguist, and I found him very useful in translating from Russian & Chinese. But he is eccentric, and is rather a source of anxiety to his father old Sir Jonathan.

Yours sincerely

Ernest Satow

19. Satow to Reay

17 October 1908

Dear Reay,

My own doctor and another whom I consulted in Exeter came to the conclusion that it would be better to have an operation at once, rather than continue the merely palliative treatment with the great probability of its being necessary later on, and it has been decided that I go to a nursing home at 22 Beaumont Street W. on Monday, to put myself in the hands of Mayo Robson,<sup>13</sup> who is a first rate man. It will be necessary to keep quite quiet at first, but I am making arrangements for you to be informed of the result.

I have read the report of the proceedings of the International Law Society in the Times of the 8th, and am glad to see that they proposed to prohibit laying mines any where in the open sea. For the rest their draft treaty seems to be much the same as what we signed in June last. I don't quite understand why they put it in the form of a treaty, as I should have thought the Institute would have preferred to have it in the form of a code.

Kind regards to Lady Reay

Yours sincerely

Ernest Satow

P.S. I reopen this to acknowledge your letter of yesterday, just received. Please don't send me Kuropatkin's book unless you hear again from me. I am sorry that I cannot tell you offhand what is being done in Devon about small holdings. In Ottery parish they exist alongside of big farms, and there seems to be no further demand. E.S.

20. Satow to Reay

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<sup>12</sup> Sir Edmund Trelawney Backhouse (1873-1944). British oriental scholar, recently condemned as having forged the main source of his *China Under the Empress Dowager*.

<sup>13</sup> Sir Arthur William Mayo-Robson (1853-1933). Surgeon.

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1 November 1908

22 [Beaumont] St. W.

Dear Reay,

Very many thanks for your letter and the kind interest you have taken in my welfare. I am glad to say that I am getting on nicely, and am allowed solid food again. Perhaps I shall get out of bed on Wednesday for a bit. The operation showed that it was appendicitis, and not either of the alarming ills prognosticated by Dr. Kennedy, that I was suffering from since June last.

I felt convinced that no diplomatist had a hand in the composition of the Emperor William's famous "interview", and that it was a piece of unabashed (unverschämter) journalism. Today's Observer brings telegrams from Berlin giving an account of the genesis of this document, which reads like the truth. I am sorry for the Emperor William. He is so "naïf" in supposing that his protestations of friendship to England would not produce the contrary effect to what he desired. My old nurse used to say Master Ernest Hactions speak louder than words. He must be having a bad time of it. What a series of blunders he has committed. Like other Germans, he does not understand the English mind. He does not know how we all laugh at the showman with his "Codlin's the friend, not Short".<sup>14</sup> When Bismarck in 1870 published the facsimile of Benedetti's draft convention relative to Belgium, I do not believe he gained the respect or thanks of Englishmen for the attempt to make mischief.

Will you kindly read the enclosed letter and tell me how I ought to proceed to bring the application it speaks of before the Authorities who have the disposal of appointments in Northern Nigeria? Kind regards to Lady Reay. I hope the dogs and all well and the roses blooming.

Yours sincerely ever

Ernest Satow

21. Satow to Reay

18 December 1908

Dear Reay,

I am much obliged for the contents of your letter, which I shall keep to myself. It seems strange that Renault should preside a conference called by Great Britain,<sup>15</sup> but I suppose Desart is too busy. I daresay Renault is right in saying that there are too many specialists in the conference; each naval man is thinking of what facilities he can secure

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<sup>14</sup> A line from Charles Dickens, *The Old Curiosity Shop*, Ch. 19.

<sup>15</sup> The London Naval Conference ran from December 4, 1908 to February 26, 1909.

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for the destruction of the commerce of the foreign devil who is sitting next to him. At the same time I don't think that a conference composed of diplomatists is much more trustworthy, teste [witness] the Agreement of Paris in 1856, which was not carefully considered, and was incorrectly worded. I think it would be difficult to find a better board of arbitrators for the Casablanca affair than the set of men chosen. I shall ask [Eyre] Crowe for the volume issued to members of the conference. There was an interesting article in the "Times" a short while ago forecasting the programme of the conference, which I presume was pretty correct, but it would be interesting to compare the two.

I am glad to tell you that I feel quite like myself again, nurse departed, doctor says he shall not call again until sent for; the only thing is that I am not yet in training for my favourite walk to the top of Ottery East Hill. I hope you will enjoy the New Year in Paris.

Yours very sincerely

Ernest Satow

22. Satow to Reay

4 April 1909

Dear Reay,

Are you going to preside at the Royal Asiatic Society Dinner on 10 May, because if you are, I think I will attend it, though I shall not find many of my acquaintance there. I am coming up to town on the 27[th] of this month, to stay till May 17.

Our F.O. friends seem to have got rather into a difficulty about the words 'commerçant' and l'ennemi in articles 33 and 34 of the Declaration. Evidently the latter ought to have been à l'administration de l'Etat ennemi. The report seems to show that this is what the declaration means, but the report is not binding on the Court. I shall be curious to see how they get out of it.

Hurst,<sup>16</sup> who with his wife was here last Sunday, told me that a letter was under consideration to Sir Edward Fry requesting us to go over to the Hague and sign the Prize Court Convention, but it was not, he said, yet drafted. It seems likely that this letter will be kept back until the Declaration has been discussed in the House of Commons.

I should like to know what you think of the so-called 'naval scare'. Grey's speech was excellent. But it was hardly fair of [Prime Minister] Asquith to speak of an

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<sup>16</sup> Sir Cecil Hurst (1870-1963). F.O. legal adviser who attended the Hague Peace Conference.



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‘unscrupulous agitation’. It seems to me that the alarm was perfectly justified after the speeches of himself and McKenna<sup>17</sup> on March 16, though possibly their object was to close the mouths of the advocates of further limitation of construction of Dreadnoughts.

Yours sincerely

Ernest Satow

23. Satow to Reay

16 April 1909

Dear Reay,

I am writing today to the Secretary of the Royal Asiatic Society for a ticket for the dinner on the 10<sup>th</sup> May. It will give me great pleasure to lunch with you on the 11<sup>th</sup>. I have not seen the report on the Oriental Studies.<sup>18</sup> You said you would send me a copy confidentially, but it has not reached me. Redesdale’s introduction to [Houston Stewart] Chamberlain’s *Grundlagen [des neunzehnten Jahrhunderts]* is well done, and it is a great pity the project of publishing a translation of that book has fallen through. The comparison between Buddhism and Christianity is I think very just.

I have looked at the Hague Prize Court Convention. Art. 1 seems to provide only for an appeal in cases of capture. It was no doubt an oversight not to provide for the case of detention followed by release, and perhaps the next Hague Conference may amend the convention in this sense.

Many thanks for what you say about the naval scare and foreign politics. It seems rather unjust to call the agitation “unscrupulous” and to attribute it to the Unionists. When I read Asquith’s and McKenna’s speeches I confess I was alarmed, though no doubt the object of their disclosures was to stop the mouths of the “Little Navy” men, and not to alarm the country. But they could not do one without doing the other. Balfour’s speech was really in support of a Cabinet honestly determined to maintain our naval superiority. It seems to be an open secret that the Board wanted six Dreadnought to be laid down this year. Naval men I gather do not think that any but Dreadnoughts will count in a naval battle, one of which would be able to “flatten out” two Edward VII. Now subordinate members of the government are going about the country saying that the scare is a party move. I think this is what in Pitt’s time would have been called “profligacy” in politics.

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<sup>17</sup> Reginald McKenna (1863-1943). First Lord of the Admiralty, 1908-11.

<sup>18</sup> Report of Committee appointed by the Treasury (and presided over by Lord Reay) to consider the organization of Oriental Studies in London, with... Appendices. (Cmd. 4561). Usually referred to as the ‘Reay Report’.

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Yours Sincerely

Ernest Satow

24. Satow to Reay

Friday evening [Undated, May 14, 1909?]

TRAVELLERS' CLUB

PALL MALL,

S.W.

Dear Reay,

I have written to Lady Reay to explain why I am going home tomorrow instead of coming to lunch and telling you about the Hague.<sup>19</sup>

The Yarde-Bullers are there. She has been unwell, but came down to dinner the night before last and I saw her yesterday. Her inability to offer you the hospitality of their house was evidently a great grief to her. She did not look at all well. Neither did Lady Acton, with whom I took tea. They have taken the Boreal house, No. 6 Kneuterdyk [The Hague], and are very proud of it. Buying furniture in keeping with what they found there is their chief occupation.

I gave [Knut] Hammerskjold your message, and had a talk with him. He seems to think Sweden may not be in a hurry to sign the Declaration of London.<sup>20</sup> He recognizes the impossibility of inviting all the South American republics to the Naval Conference, and regret they were had to the Peace Conference. But for that Sweden would have been able to take the part in the Naval Conference to which the importance of her 'marine militaire et marchande' and her past history would have entitled her. Evidently he is rather sore.

I also saw [Professor] Kriege, who took the trouble to get up and pay me a visit in my room this morning before seven. He was very friendly, and very satisfied with the results of the Naval Conference.

In Fry's opinion Renaud [Renault?] (whom I did not see) has had a very softening

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<sup>19</sup> Satow travelled to The Hague from London on May 12, 1909. The next day he signed the Prize Court Convention. He returned to London on May 14, 1909. (He had also gone to The Hague on June 27, 1908. The purpose was to sign conventions, which he did with others on June 29<sup>th</sup>. He returned to London on the next day.) (Diary entries)

<sup>20</sup> The London Declaration concerning the Laws of Naval War is an international code of maritime law, especially as it relates to wartime activities, proposed in 1909 at the London Naval Conference (December 4, 1908 to February 26, 1909) after a multinational conference that occurred in 1908 in London. It consisted of 71 articles and restated much existing international maritime law. It was signed by most of the great powers, including Britain, the U.S. and Japan, but no state ever ratified it and so it never came into force.

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effect on Kriege's character. They have become inseparable, dine together every night, and make excursions to Haarlem and elsewhere in each other's company.

[Guido] Fusinato I met in the street as he was going to a sitting of the Casablanca Arbitration but did not learn anything from him.

Howard was asked by Acton to come over and sign at the same time as myself, as he does not like troubling the Foreign Minister too often; and I found he had come by Harwich on Wednesday morning. So we went yesterday to Van Swinderen and signed. Neither Russia, Japan, Brazil, Greece, Roumania nor Servia had yet signed. The Japanese minister [Satō Aimaro] whom I saw, said he had received no instructions, and evidently did not expect any.

The Deux Villes is a much nicer hotel than the Indes, cleaner and brighter, and the people are very civil.

I wrote my name at the Palace and on the Queen Mother. There were a few remains of decorations on Wednesday night, but they have now quite disappeared. The Hague was looking very beautiful in the fresh green of spring.

I hope you will accept this as a substitute for a personal narrative.

Yours sincerely

Ernest Satow

25. Satow to Reay

27 August 1909

Dear Reay,

Many thanks for your letter. I see you have escaped from London for a little, pending the arrival of the Budget in the House of Lords. I should be very glad to pay you a visit, but am afraid there are obstacles; as I am going to Lynton for a fortnight with some Exeter friends on September 1, then on the 22nd I have to take the chair here at a meeting on behalf of Dr. Barnardo's homes, and my friends are coming to stay with me about that time; and on October 5 I am going to stay with Bishop Gore for the Birmingham musical festival. After your return from Bordeaux I suppose it will be too late for Scotland.

Apart from the telegrams and articles in the "Times" I have heard nothing of the relations between China and Japan. I imagine that there is no likelihood of their ever combining together against Europe, as at one time writers in the press, not well-informed, fancied there was. Chirol's articles on the Far East seem to me excellent. He has a wonderful knowledge of the inside of Far Eastern politics. His criticism of the arrangements made by the British and Chinese corporation with French and German

financiers is most just. The principal mover on the side of that corporation is William Keswick M.P. for Epsom, of whom I have no high opinion. I think the F.O. are misled by him and his friends.

Mrs. Little is the widow of Archibald Little, formerly a merchant in China and the author of several good books. She is the advocate of anti foot binding, and is herself an author of inferior merit. I suppose Barclay's appeal is on behalf of what is called the China Emergency Committee, a body which seems to me to have gone on the wrong tack. My sympathies are with the "Oxford and Cambridge Committee", which aims at establishing a University for Chinese students at Hankow, on English university lines, and in sympathy with the missionary bodies in China. It consists of graduates, some Church of England, others Nonconformist, all very first rate men. Lord Salisbury and I are to be the trustees of whatever funds are collected, but I have not yet heard what money has been promised.

I read some correspondence of [Andrew] Carnegie's, I think in the Spectator, on the subject of naval armaments, which he seems to think would cease if England would give up the doctrine that private property may be lawfully seized at sea. He argues that private property being immune on land, it ought to be so at sea. But is it? I think an examination of arts. XXIII (g), XXVIII, XLVI, XLVII, XLIX, LI, LII & LIII of the 'Laws and Customs of War on Land' will show that they do not by any means protect private property on land. The chief thing prohibited is pillage, i.e. looting by the troops. That is also prohibited at sea by international law. But the laws of war by land do not prohibit the annexation of territory, by which a private person is either deprived of his nationality or is forced to sell his real property and remove his home. Nor do they prohibit the exaction of war-indemnities, which form a tax on private persons. Even supposing that we gave up the seizure & confiscation of enemy ships and cargoes, that would only apply to 'innocent' ships and cargoes, but not to blockade runners nor to contraband either absolute or conditional. So that the proposal (i) does not go far enough (ii) it goes far beyond what is agreed to for the protection of private interests in land warfare, and (iii) aims at destroying the power of a maritime nation to make war at all with effect. I hope you do not agree with him.

Germany is responsible for the enormous extension of waste on ships of war. I don't blame her for trying to wrest from us our predominant position on the sea, but no one can blame us for doing our best to keep it. An island power must either hold the sea or become altogether impotent either to defend herself or to make her voice heard in international matters. But for our superiority at sea Napoleon would have completely subjugated Europe. We were fighting for our own land, but incidentally for the liberties

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of the whole world.

I have lately been collecting correspondence about Frederick the Great's dispute with England regarding the capture of Prussian ships and contraband cargoes during our war with France which ended with the peace of Versailles in 1748. There is a good deal at the Record Office, and I find a great number of documents in Frederick's political correspondence. There must be a good deal of unpublished material in the Prussian and French archives, and some day I shall ask Kriege and Renault to help me in procuring it. The Dutch were allied with us in that war, and gave the same cause of dissatisfaction to Frederick. There must be some correspondence relating to it in the archives at the Hague, and later on I must either go there or write to the keeper of the archives. If I succeed in getting all the documents together, I might perhaps induce the Clarendon press to print them in a volume [published in 1915].

We have had a good deal of rain lately, which has done much harm to the harvest.

Kind regards to Lady Reay,

Yours very sincerely

Ernest Satow

26. Satow to Reay

December 14 1909

Dear Reay,

Many thanks for your reply about the proposed school of Oriental Languages in London. When the scheme develops, I hope you will let me know what is proposed about a Professorship of Japanese, as I might perhaps be able to recommend a candidate. I have no criticism to offer on the report, which I feel sure represents the general consensus of opinion of the witnesses.

Kriege has not sent me his memo. on the Maritime Conference, so if you can lend me a copy I should be greatly obliged.

As to the Budget, I have a good many objections to make. Firstly the undeveloped land tax and increment duty. These will I think make building land dearer for this reason. It seems evident from the high prices which owners of building land are able to obtain, that there is more desire to buy than to sell, and under those circumstances the purchaser will have to pay the tax. Land is generally held by people who are in no hurry to realize, and they can usually make their own terms. This enhancement of price is a sufficient condemnation in my eyes. The same of course as regards the increase in the stamps on conveyances.

The tax on mining royalties and wayleaves [rights of way granted by a landowner]

will also, I think, have to be paid by the purchaser, and will consequently increase the price of coal and minerals.

As regards the excise on spirits, although the effect seems to have been to reduce consumption, my belief is that it is the temperate and moderate drinker who denies himself, and that the slave to drink will go on as before.

I learn from my local experience that the grocers' licences, especially the grocers' on-licence, work a great and serious amount of harm. Yet these are left untouched, for political reasons no doubt. It will be said that we must tolerate some abuses, because this toleration secures votes that enable us to deal with greater evils. Contrary to the maxim *fais ce que dois[,] advienne que pourra*, ["Always do your duty, come what may"] I am convinced that grocers' licences of both kinds ought to be abolished, and that is the opinion, I find, of my fellow magistrates on the local bench.

I think that the great increase in the death duties is bad, for it is spending capital as if it were income. The extension of the period within which gifts *inter vivos* are to be treated as part of a deceased estate is very unfair in many cases. Where a man makes allowances to his poorer relatives it is unjust to tax them as part of his estate. I do not know how these clauses were left in the final form of the budget, but if they had the effect which many people feared, they would in my opinion be morally justified in evading them by every means in their power, short of lying.

I have no objection to the grading of the income tax, but I think it is wrong to make a distinction between income derived from investments and income obtained as the result of a man's business or profession. The term "unearned" suggests that the income so designated is undeserved, which is not true. Many a man in his later years lives in the interest of money he has earned and invested. To call pensions deferred incomes, and to levy income tax at the lower rate is not fair; they are as much 'unearned' as the interest on investments. For if instead of pensions, higher salaries were given during the period of employment, the difference would by a prudent man be invested, and the income then derived from these investments would be treated as "unearned". It is an invidious term.

I confess I am not much moved by the denunciation of the Lords for hanging up the Budget, and the arguments for abolishing the power of the Lords to reject bills sent up from the Houses of Commons do not seem to me good. It was curious to read what Northampton said about Liberals when made peers going over to the Conservatives. It is natural enough that they should. They have no longer to depend upon the voices of a crowd of uneducated, ignorant and unreasoning voters. I doubt whether the ordinary man will be much interested in the constitutional question. He will care much more for Free trade v. Tariff reform. No doubt a good many will vote for the budget, because it

pleases them to see that the objects of their envy are hard hit, and they will suppose that impoverishing the well-to-do will in some indefinable manner enrich themselves. Old age pensions are of course popular, for they relieve a good many people of the duty of contributing to the support of indigent parents & relations. Perhaps too the indigent parent would rather have a small income from the Postmaster than be dependent on an ungrateful son.

Lord Cawdor's illustration of the manner in which the Budget was inspired by a pamphlet of Snowden's was interesting. No one seems to have attempted to answer it.

I don't attempt to forecast the result of the elections, but I should deplore such a triumph of the present government as would enable them practically to abolish the house of Lords, and leave us at the mercy of the house of Commons, which does not represent the electors at all fairly. Courtney's analysis of the number of votes cast at the last election shows that the majority for the government was out of all proportion to the number of votes received by their supporters. It seems absurd that Newry with less than 2000 electors should have the same representation as Romford with over 45,000.<sup>21</sup> It cannot be denied that the present distribution into constituencies requires a great deal of amendment. In theory election is a good way of choosing a deliberative assembly, just as competitive examination is a good way of selecting public officials, but neither produces the exact result aimed at. There is a good deal to be said in favour of the hereditary principle. This does not exhaust all that is in my mind on this subject, but I do not like to weary you.

I think there was an official statement published lately that all the Hague Conventions that did not require legislation had been ratified, and this would except the Prize Court Convention. It has been signed, but I think need not be ratified till next June. It was promised by the government that an opportunity should be given during the session for discussing the Declaration of London, but of course time does not admit of this.

I am very sorry to hear that you have lost your cousin Baron Aeneas Mackay. I think I can remember having met him at the Hague.

Next month I shall be in town for a joint committee of Plymouth and Portsmouth for appealing to the nation for assistance in building churches in those towns, which are the creation of the navy, but I expect to come down again the same day; and I hope to be able to come up to vote at the election for the University of London if it can be done

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<sup>21</sup> Satow made this same point in a long speech to the Primrose League at Sidmouth on 'Lords and Commons' on April 21, 1909. It was reported verbatim in the *Sidmouth Herald and Directory* for April 24<sup>th</sup>. (Diary)

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without interfering with my voting down here. Otherwise I do not expect to be in town to stay until May or June, for at this time of year I find the country pleasanter than London.

With kind regards to Lady Reay

I remain, Yours very sincerely

Ernest Satow

27. Satow to Reay

13 January 1910

Dear Reay,

[Alexander] Pearce-Higgins' "The Hague Peace Conferences" is a very useful book. It gives in opposite columns the different conventions of 1899 and 1907 both in French and English, and also the Declaration of London, with the Report translated into English.

If you look at articles 30 and 34 of the Declaration you will see that l'ennemi in the first of these clearly means the enemy state or nation, and in the latter it is explained by the Foreign Office to signify 'l'administration de l'Etat ennemi', an ambiguity which to say the least of it is unfortunate.

Wehberg's "Das Beuterecht in Land- und Seekriege" is a thin pamphlet, published under the auspices of Zorn who was a German technical delegate at both conferences, and is based on what took place in regard to this question; it is not exempt from errors.

I have just received Bustamante's book, which is a translation from the Spanish original. It does not look as if it would be very useful, and as a book of reference Pearce-Higgins' seems to me the best imaginable.

The London University sent me a voting paper for the election, so that I have not to come up to town to give my vote. That is a great convenience, for the journey to town and back in one day is very fatiguing, and I am glad to be relieved of it. What a comfort it will be when the elections are over, and the papers are free to fill their columns with more interesting matter. The speeches by candidates and their supporters are scarcely worth reading, for one's mind is long ago made up.

Yours very sincerely

Ernest Satow

28. Satow to Reay

19 January 1910 [See p.10 above.]

Dear Reay,

Many thanks for Professor [Carl Ludwig von] Bar's article, which I return with Mr.



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Corbet's. The latter is beyond me altogether. But Professor Bar's is very interesting and if you could induce him to give me a copy I should be very grateful to you and to him. I have made some extracts for his own use. Against what he says regarding Frederick the Great's proclamation on entering Saxony in 1756 might be advanced what Max Lehmann suggests in *Friedrich der Grosse und die Entstehung des 7-jährigen Krieges*, that his underlying object was to conciliate the inhabitants of a country which he proposed to conquer and annex. His view of the Court of Arbitral Justice seems to me very just, and also what he says about the limitation of armaments. Also what he says about conditional contraband. I hope that by this time he has seen the protocols of the Naval Conference and that he has abandoned the idea (p.24) that our consent covered a design to drive Germany into extravagant and ruinous expenditure on naval armaments. I think it is incontestable that the proposal of the English government at the Hague was made in order to get rid of troublesome international questions such as arose during the Russo-Japanese war. Finding however that most of the great maritime Powers did not favour the abolition of contraband, and anxious to get something settled, she accepted the views of the majority at the naval conference, as a pis-aller [last resort]. On p. 22 he says that "perhaps it never occurred to anyone to treat as Contraband such things as raw cotton", but I think he will find that Russia in 1904 declared raw cotton absolute contraband. No doubt the articles relating to conditional contraband in the Declaration of London will give far too much latitude to belligerents as against neutrals.

Can you lend me, or tell me where to get Robertson's speech, which he mentions on p.20, at the Interparliamentary Union at Berlin in 1908 contesting the idea that to make war less cruel is to interpose an obstacle to the maintenance of peace.

I hope you are less dissatisfied with the results of the elections. The Liberal party had, I feel, too large a majority in 1906 for prudent legislation. But I fear that it will come back in dependence on the Irish vote.

Yours very sincerely

Ernest Satow

P.S. I did not read Balfour's speech about Germany, but I agree that it is wrong to say what, as I gather, he did. It is too dangerous.

29. Satow to Reay

19 August 1910 [See p.13 above.]

BEAUMONT,

OTTERY ST. MARY

Dear Reay,

It would give me great pleasure to pay you a visit at Laidlawstiel when you go there in September. If convenient I could come to you on Saturday the 10<sup>th</sup>, when I shall be quite free from engagements in this part of the country, but if you would prefer it to be later, I am free at any time in September or October. I should come via Leeds as I did two years ago, and get to Galashiels in the afternoon of my second day's travelling.

I should like very much to talk over the Declaration of London, as to which I agree with you that there are regrettable omissions as well as positive provisions. Professor Bar's view seems to me sound, that conditional contraband is treated in a way that is a distinct retrogression. The omission of arrangements about transformation of merchant ships is to be deplored. Strangely enough, there is nothing about the formalities to be observed in stopping a neutral vessel suspected of carrying contraband, which was always attended to in the treaties of the 18th century. But the old rules are no longer applicable, tho' writers on international law often speak of them as still holding good.

I have written an article on "immunity of private property", which I have offered to Prothero for the Quarterly, but he has not yet made up his mind whether he will take it or not.

I have not given a testimonial to any one for the Chichele [Oxford University] professorship. Lawrence asked me for one,<sup>22</sup> but I told him I thought of standing myself for it, and I have since done so, sending the usual application to the Registrar. I consulted Sir Edward Grey beforehand, who replied that he entirely approved on the ground of my diplomatic experience. I asked Sir Edward Fry for a testimonial, which he readily gave me, but Westlake answered a similar request in the negative, as he had already given one to Pearce Higgins. I don't know that testimonials are likely to weigh much with the Electors, who are 1° a representative of All Souls, 2° The Foreign Secretary 3° The Lord Chancellor 4° The Attorney-General 5° The Archbishop of Canterbury. And I do not suppose that canvassing the electors would be a proper thing, otherwise I would ask you to use your influence on my behalf, if you thought it right to do so.

I am glad to hear that [Sir George] Buchanan has a hopeful view of our Fisheries Arbitration. The Permanent Court at the Hague must mean the existing Court of Arbitration, which I believe is officially styled "Permanent", though its constitution is a shifting one.

I am quite pleased with the King's Declaration as it now stands, which I agree with Gore in preferring to the form first proposed by Asquith.

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<sup>22</sup> By a letter dated June 29, 1910. Satow declined by letter the next day. (PRO 30/33 12/5)

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As to the Japanese tariff, though there is no doubt that it is strongly protective, and will injure our export trade to Japan, it does not seem reasonable to expect that because we are the political allies of Japan, she should postpone what she believes to be her own economic interests to what we regard as ours. She may be in error in adopting protectionist views, but that is another question altogether. Each country must judge for itself. [Philippe] Millet in “La Crise Anglaise” is clearly of opinion that we are wrong in sticking to free imports in these days, but we are not guided by the opinion of any foreign authority, whether a government or a professor of political economy. We go our own way. Even our own colonies put on protective duties against us, tho’ Canada gives us a preference. How then can we expect a people much less closely bound to us than our own colonies, to abstain from protection. We can hardly expect Japan to accord us a preference.

There was an interesting letter lately, I think in the “Times”, showing how the “most favoured nation clause” is evaded to our detriment. I recollect that a similar thing was done by Argentina when I was in South America. She put Rodgers’ steel cutlery in a class by itself, and taxed it more highly than German and other cutlery.

I am glad that the necessity for intervening in Thibet is thought to have passed away. When I was at Peking and negotiated the adhesion of China to Younghusband’s convention, I foresaw that we were merely restoring to her the position in Thibet from which she had fallen. We broke Thibetan prestige, and China has taken advantage of the fracture. I know O’Conor who is trade agent at Gyantse. He is very vexed with H.M.G. for having, as he holds, thrown away all the results of the Younghusband expedition; he probably would be greatly pleased if his agency were attacked by the Chinese or Thibetans, and next time a Thibetan bluebook comes out, it will probably be found that the reports that led to the Indian government mobilizing troops came from him.

Yours sincerely

Ernest Satow

30. Satow to Reay

10 September 1910

BEAUMONT,

OTTERY ST. MARY

Dear Reay,

Many thanks for your letter of the 2nd. [See p.15 above.] I am bringing Dupuis & v. Bar [books]. I hope you have the full report of the Interparliamentary Conference, for the Times evidently did not give all the details. You of course have all the papers

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relating to the Declaration of London. There is another omission which I have discovered. This is the rules to be applied in the case of the recapture of a neutral prize by the adversary of the original captor, which ought to be regulated by international agreement. I am bringing some notes of what Hautefeuille says on this subject. I will provide myself with some cigars, but my chief smoking is of a pipe. And I am writing to the Commercial Hotel at Galashiels to send me a conveyance to the station, where my train is due at 3 o'clock on Thursday afternoon. I am looking forward to much interesting talk and to stroll over the hillsides.

Yours sincerely

Ernest Satow

31. Satow to Reay

30 September 1910

BEAUMONT,

OTTERY ST. MARY.

Dear Reay,

I got home very comfortably this afternoon by an earlier train from Templecombe than I had expected. The Queen's Hotel at Birmingham is quite a decent house, but the cuisine is rather too luxurious and refined for me. It was a poor imitation of French cookery.

Yesterday's "Times" as you may have seen had a short account on p. 3 of a paper entitled "Prize", by a solicitor named Botterell, on the Declaration of London. I shall write to my brother [Sam] who is a master of the Supreme Court and must have relations with the Solicitors branch of the legal profession, and try to get a couple of copies: if I succeed you shall have one.

Charlie Beresford<sup>23</sup> has been writing an inflammatory letter to the Prime Minister on the danger of privateers preying on English Commerce if we are involved in war. The Times relegates it to the outside sheet, gives it only small type and very little space, so I suppose the Editor thinks it rubbish. It is a pity that a man who has so much influence with the general public should write such extravagance.

I enjoyed my stay with you immensely, our walks and talks were delightful, and I walked up the hill into Ottery as if it were flat ground: that shows what scotch air and Scotch braes can do for the enervated dweller in Devon.

Yours very sincerely

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<sup>23</sup> Lord Charles Beresford (1846-1919). British admiral and Member of Parliament.

Ernest Satow

32. Satow to Reay

29 November 1910

Dear Reay,

Your letter of the 19th reached me at Bath, and as I had no books with me, I deferred replying till my return, yesterday.

T. Bowles<sup>24</sup> on p.171 ‘overriding and superseding her own courts’ is an oversight, as when we are neutral our Prize Courts are not called on to hear cases.

p.114. He is to a great extent right in what he says there, for altho’ Art. 3 of Hague Convention No.4 says La partie belligérante qui violerait les dispositions dudit Règlement sera tenue à indemnité, s’il y a lieu, redress could only be obtained diplomatically, and there is no court to which the injured party could have recourse. I think he means that the commander on land is practically free, because he is the judge of what the necessities of war are, and there is no appeal from his judgment.

I think the ratification will certainly be made with a reference to the reserves declared at the time of signing.

pp. 148 and 184. I think he is justified in what he says on p. 184 about the power accorded to add to the lists of absolute and conditional contraband. Appeal to the International Prize Court could only have a belated effect.

p. 192. The destruction of neutral prizes has always been forbidden by our Courts, and I think by the Americans, the only exception being where the prize was not seaworthy. But I am uncertain as to France. Russia in the rule 21 printed at p. 317 of the orange book they gave us at the Hague authorizes destruction of prizes under certain circumstances, without making any distinction between enemy prizes and neutral prizes. You will notice that the Russian phrase “un obstacle pour le succès de ses opérations” has been adopted, not quite verbatim, but in effect, in Art. 49 of the Declaration of London.

We should in case of war with Germany endeavour to gain command of the sea as against her. I do not know about the relative cost of land transit and sea transit, but for long distances the latter is certainly very much cheaper. I believe that the cost of landing a cargo at Liverpool is much less than that of its conveyance to London by rail.

p. 55 I think he means by this phrase that if capture of enemy ships and cargoes is given up, the interest of the merchant and shipowner will be arrayed against the desire

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<sup>24</sup> Thomas Gibson Bowles, *Sea Law and Sea Power*, London: Murray, 1910.

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of the rest of the nation to bring the enemy to his knees, in fact what Ward describes as military war consisting with commercial peace.

Art. 19 of the Declaration of London is in contradiction, it seems to me, with the comment. The former speaks of destination ultérieure, the latter says “C’est la destination réelle du navire qui doit être envisagée. I think it implies that a neutral may pass through the rayon’opérations if she is really destined to an unblockaded port. The subject however does not appear to have been finally worked out.

Declaration of London Art. 63 the French text has visite, the English search. They are not synonymous, and in both texts visit and search and their French equivalents, visite et recherches, ought to have been used. But I imagine the insertion of recherches would have been resisted by the continental school, and it was thought better to leave the passage ambiguous, rather than lose the whole article, which as we have noticed is inadequate, because it does not define what is l’exercice légitime du droit d’arrêt, de visite et de saisie.

In accordance with your request I return your letter with indications of my opinion, besides the foregoing notes.

Yours sincerely

Ernest Satow

30. Satow to Reay

26 December 1910

BEAUMONT,

OTTERY ST. MARY

Dear Reay,

Many thanks for your letter. I suppose we must wait till the opening of Parliament to see what the government will do about the Parliament Bill. For my own part I cannot see any permanent good to be achieved by statute in the way of amending the constitution. That to my mind can only be done effectually by a convention like that which placed William & Mary on the Throne, or by a constituent Assembly summoned by a statesman strong enough to carry the nation with him. But the latter condition does not exist. The electors are equally divided between the two great parties. We cannot count in the Nationalists, whose only interest in the Parliament Bill is so far as it will enable them to repeal the Union and establish a de facto independent power in Ireland. The talk about receiving the supremacy of the Imperial Parliament seems to me to be no better than humbug. Every one must be aware that this control is merely nominal in the case of Canada, Australia and South Africa. I do not believe in the creation of 500 peers

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to carry the Parliament Bill. It would excite universal derision. And if the Peers are to be deprived of their authority they would go down more honourably if they threw out the Bill and let the Cabinet do their worst. A house of lords of 1200 could not long continue to exist.

I have mislaid my copy of the white paper containing the Bristol, Glasgow and Edinburgh correspondence, and have written for another. But I think the Glasgow people have the best of the argument. I am very strongly opposed to the article in the Declaration of London about sinking of neutral prizes. I suppose Sir Edward Grey's replies are drafted by Crowe, who maintains that Renault's commentary is authoritative, but that is not the view of a disinterested party like Sir Edward Fry. I think we can get the Liverpool Steamship owner's Association to send us their pamphlet, by writing to the secretary.

In Sir E. Grey's letter of October 13 he is made to say:

"Under Article 33 the goods described in Article 24 are not conditional contraband unless they are destined for the military or naval forces of the enemy."

This seems doubly erroneous. In the first place they become *de plein droit* contraband of war if destined for the use of the armed forces or of a government department of the enemy state, and in the second place articles which are regarded as 'conditional contraband' become 'absolute contraband' from the moment the condition is fulfilled.

I wonder whether railway material destined for Germany would not be contraband when she is belligerent, since nearly all, if not all, the railways in that country belong to the state.

My brother sent you on my behalf a copy of the Law Society's proceedings at Bristol in September last, on p.145 of which is a paper on "Prize" by J.J.D. Botterell. On p. 146 he gives a wrong account of the genesis of the Declaration of Paris, & on p.148 he says that the British practice was that "neutral goods in enemy's ships and enemy's goods in neutral ships were to be free from capture." Only the first part is true: the English doctrine was that enemy goods in neutral ships were not free from capture. On the same page he surely is wrong in saying that there were various Conferences on maritime law before 1907. I cannot think of any but the Treaty of Washington, which was not the result of a conference, but of an agreement between England [and] the U.S.

p.151 He says that "Great Britain the total abolition of contraband." [verb missing?] Surely he is mixing up the Hague Conference of 1907 and the Maritime Conference of London.

p.152. It is suggested Russian justification for treating cotton as contraband is wrong. They meant 'raw cotton', as a material for explosives, but no doubt they were aware

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that at the same time they were striking at the importation of the raw material of an important Japanese industry & source of wealth.

I suppose the F.O. will succeed in persuading the H. of C. to pass the Naval Prize Bill and will proceed to ratify the Declaration. We are I fear committed too far with regard to it.

As for the referendum, I am on the whole more inclined to Dicey's view than to Pollock's. The old theory of representative government has gone by the board since the introduction of the caucus by Joe Chamberlain. No M.P. is now free to vote as he thinks best, but must vote with his party on pain of losing his seat at the next election. Party goes before everything now, and the candidates are not the choice of the electors, they are imposed either from head quarters or by a small selection committee of the party in the constituency.

I have read the articles on the Dutch defences with much interest. You took me to see a sluice intended to be used in case of invasion from the east. In one of the monthlies of December there is an interesting article by H.H. Johnston showing that Germany wants us to consent to a strict alliance between her and Holland!

Yours sincerely

Ernest Satow

31. Satow to Reay

25 January 1911

BEAUMONT,

OTTERY ST. MARY

Dear Reay,

I agree with you that the Peace Society and [William] Evans Darby have as good a claim to the Nobel Prize as some others who have received it, and that there is good ground for your supporting their application. Some writers on International Law, like Baty & Lawrence have I think done quite as much in the cause of peace as the Societies.

The agitation against the Declaration of London seems to be gaining strength, and I do not think the F.O. attempt to vindicate it is successful, nor Desart's either. The article about which so much is said, Art.49, in which occur the words "vu le succès des opérations dans lesquelles celui-ci (le bâtiment belligérant) est actuellement engagée, is to my mind very bad, as those operations may include the stopping & search of neutral ships for contraband, and would justify the sinking of all vessels met with which carried more than half a cargo of contraband. This objection is not noticed by Desart. I do not think he is right in saying that the language of the Declaration in Article 33 is 'in



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accordance with accepted rules' (p.11) where it mentions "l'administration de l'Etat ennemi" as rendering conditional contraband seizable. This seems to me on the contrary never to be a new doctrine. In my April article on "immunity of private property" I have pointed out that "contraband of war" cannot be touched if imported by land – only when it comes by sea. I have not seen anything really good about the Declaration of London. Lawrence in his new edition of "Principles of International Law" refers to the Declaration several times, but does not discuss it as a whole; he hopes it will be ratified. The best book on the Hague Peace Conferences that I am acquainted with is by Pearce Higgins; I think you might find it a useful book of reference, as it has the text of all the Conventions of 1899 and 1907 with comments, also the Declaration of London.

Yours very sincerely

Ernest Satow

32. Satow to Reay

7 February 1911

BEAUMONT,

OTTERY ST. MARY

Dear Reay,

There is nothing like pen and paper for clarifying one's ideas. Recently a club formed by members of the staff of Exeter University College asked me to discourse to them on the Declaration of London, and I have been drafting a paper during the past week. As they are one and all innocent of any knowledge of international law I have had to give them some elementary notions as to the rights of a belligerent and then have analyzed the more important parts of the Declaration. I then wind up with the questions 1) should ratification be withheld on account of what it does not contain, & 2) on account of defects in what it does contain; and I conclude that half a loaf is better than no bread.

But I do not think we ought to bind ourselves unless all the other Powers that took part in the Maritime Conference unanimously ratify it. We ought not to allow ourselves to be placed in such a position as we have occupied towards the Americans in respect of the Declaration of Paris. Moreover, I think it is doubtful whether Japan & Russia, the great sinners of recent times, are going to ratify. Japan dislikes having to go to arbitration, because of her feeling that white people will always be in a majority against her, in consequence of her experience with the "House Tax" arbitration, and she will feel the same with regard to the International Prize Court. Both Japan & Russia are well aware that the proposal to establish such a court is the consequence of the way in which

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they treated English & to a less extent German merchant ships in the last war. That I think will make it additionally difficult for them to ratify.

Can you tell me whether H.M.G. have any idea of ratifying conditionally on all doing it, and also whether the Prize Court bill contains a proviso that it shall not come into force until it is so declared by Order in Council.

Westlake's letter in yesterday's Times seems to me first-rate. I shall be curious to see his next, in which he intends to discuss the contents of the Declaration.

Is it the fact that ratification is postponed until after the meeting of the Colonial Conference?

I need hardly say that what I am going to read to the gentlemen at Exeter will not be published. I expressly stipulated that nothing should be reported in any newspaper, before I undertook to talk to them.

Yours sincerely

Ernest Satow

33. Satow to Reay

12 February 1911

BEAUMONT,

OTTERY ST. MARY

Dear Reay,

I agree so far with Westlake that I think the Declaration ought to be ratified (provided all the Powers that took part in the Conference do it, though as I said in my previous letter that I fear Russia and Japan will hold back; but we ought not to do it without them). The omission of certain things does not alter my opinion on that point. Only I do not agree with the roseate view of the Declaration as a whole, and some of the things he says in his last letter seem to me not quite correct.

I thought Mackinnon Wood in his speech a day or two ago gave a much better reason for not refusing to ratify, namely that we ought not to draw back after having invited the Conference, and come to an agreement. The honour of England is concerned in the Governments sticking to their guns in this matter.

I am inclined to think that Westlake's suggestion that we should append reservations to our ratification will hardly do, when article 65 says "Les dispositions de la présente déclaration forment un ensemble indivisible." But on second thoughts I see that his proposed reservations relate not to anything in the Declaration, but to what it does not contain, namely a prohibition of converting merchant ships into men of war on the High Seas, and the rule of the war of 1756.

This morning I received the Annual report of the Liverpool Shipowners' Association containing a Statement of the Chairman on the Declaration made on the 6<sup>th</sup> instant. You have no doubt received it. I entirely agree with what he says on p.8 that no codification of international law could be accepted as any guarantee of our oversea[s] trade when we are at war, and that "with or without the Declaration our safety as a Nation must depend on our being able to keep at sea, not only our fighting, but also our merchant ships. It would be madness to trust for our food supply to neutral ships trading with us under such protection as international law could guarantee, even although the principles of that law may have been recognized with every possible solemnity by all the Nations."

These are golden words. On p.11 he reproaches the Glasgow Chamber of Commerce for assuming at first that only foodstuffs carried in a neutral ship to a besieged or blockaded place are under existing international law liable to condemnation as contraband. Para. 28 of our instructions when we went to the Hague seems to show that in 1907 this was the F.O. view. As to what he says on p.16 about France, Germany Austria & Russia having maintained that foodstuffs may be declared absolute contraband, he is going too far. France declared rice contraband in 1884, but I think it will be found that Lord Granville's threat of treating France as a belligerent would have brought her to her senses, if her operations had not quickly come to an end by the Hart-Campbell convention. In 1793 England declared foodstuffs going to France to be contraband, and foreign writers on international law have never ceased to denounce us for having done so.

p.17. I don't think "most of the Naval Powers claim that the right to sink a vessel liable to capture, & without waiting for the previous adjudication of a Prize Court, is in conformity with the existing law of nations" is correct. The utmost they ever asserted was that their law of prize allowed it. He uses "capture" too as if it were equivalent to "condemnation", a mistake the Editor of the Economist made the other day. I wrote a letter correcting him, which was in the Economist of 4 February p. 18. The assertion that a neutral vessel carrying more than half a cargo of contraband is liable to condemnation is not international law, for each country has its own law on this subject. Moreover a neutral prize does not become the property of the captor until it has been adjudicated up. It is only the Russian who argued this at the Hague, and all the authorities are against him.

p.20 I entirely agree with him that merchant vessels transformed on the high seas should be treated as pirates.

You ask me whether food belonging to a neutral is immune in an enemy ship before delivery to the enemy. I think the answer is that it is not immune from capture, because

the enemy ship if captured, the cargo, both neutral and enemy is captured with it, and the owner of the neutral cargo will have to claim it when the ship is brought before the prize court by the captor. Then on proving his title, he will get it. But if the enemy ship has been sunk he may not always get it, e.g. that happened during the Franco-German war. But strictly speaking, neutral cargo on board an enemy ship cannot be condemned unless it be contraband of war, and the owner ought to recover or be compensated.

The Declaration of Paris, which was framed by diplomatists not very careful about the accuracy of their language says “La marchandise neutre, à l’exception de la contrebande de guerre, n’est pas saisissable [saisissable] sous pavillon ennemi,” and the English version is ‘Liable to capture’. The French expression ought to be “sujette à confiscation’. But one finds that even in the Declaration of London the same confusion of terms exists, saisissable being sometimes employed when ‘confiscable’ is intended. Articles 39 & 40 of the declaration show what is really the penalty. To say that absolute contraband is subject to capture if destined to enemy territory or to the armed forces of the enemy, as Art. 30 does, is a pleonasm.<sup>25</sup> The articles in question are not contraband at all if they are not destined to the enemy; they are free goods when destined to a neutral. When Germany and France are at war arms and ammunition &c. are not contraband between England and America. I am sure it is important not to lose sight of the fact that capture and condemnation (confiscation) are two different things, e.g. The belligerent may capture a neutral vessel carrying a minimum of contraband, and bring her into port to get the contraband condemned, but he cannot (or his courts cannot) condemn her unless she carries more than a half in value, weight, measurement, or freight.

Our translators in article 40 seem not to have known that ‘measurement’ is the proper rendering of volume.

Yours sincerely

Ernest Satow

34. Satow to Reay

14 February 1911 [See p.19 above.]

BEAUMONT,

OTTERY ST. MARY

Dear Reay,

Many thanks for the opportunity of reading [Arthur] Nicolson’s reply. I still think it

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<sup>25</sup> Pleonasm: the use of more words than are necessary to convey meaning (e.g. see with one’s eyes).

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very desirable that our ratification should depend on the unanimous ratification of all the Powers, otherwise what becomes of the Statement with which the Declaration sets out, that it represents the substance of existing international law? A war in which one belligerent is a signatory and the other not would give rise to a heap of intricate and difficult questions.

As you seem not to have received the statement of the Liverpool Steamship Owners' Association, and without it my letter of the 12th will be incomprehensible, I enclose my copy; which I should like to have back when you have done with it.

I quite agree with you that the captor of neutral property in an enemy ship need not deliver the goods to the enemy consignee, but I think by the Declaration of Paris he is bound to give them up to the neutral owner, unless they have been destroyed, when in equity he ought to receive compensation.

Yours sincerely

Ernest Satow

35. Satow to Reay

19/2/11 [See p.20 above.]

BEAUMONT,

OTTERY ST. MARY

Dear Reay,

Tommy Bowles gets daily more extravagant; his idea that we ought to withdraw from the Declaration of Paris is quite insane. He does a great deal of harm to the cause he advocates, that of the imperfections of the Declaration of London. The latter can only be regarded as a stage in the progress of Maritime Law and the completion of a code. I do not remember enough of the discussions at the Hague on land warfare to say whether Germany accepted proposals with wch. she did not agree, but think it highly probable. For instance, she would doubtless like to omit art. 2 which permits the levée en masse, and prob. also the volunteers in Art. 1.

With regard to prizes becoming the property of the captor only after adjudication I understand this to apply only to neutral prizes. Enemy prizes become the property of the captor immediately on capture. This I think is the view of the text writers.

I think art. 19 of the D. of L. means that if a neutral vessel is found within the rayon d'action she cannot be capture[d] if she is really bound for a neutral port, to reach which she has to traverse the rayon, e.g. if we blockaded the French ports in the Channel, we shld. have to do it by shutting up the North Sea and drawing a cordon of ships from Cape Clear to Finisterre. But we could not by Art. 18 bar the access to neutral ports &

coasts of Belgium, Holland, Germany Denmark &c. nor to the Biscayan ports of Spain. So Art. 19 comes in to admit of our blockade being effective without interfering with neutral vessels proceeding to those ports. Of course we should have the right of stopping them to examine their papers, & also to see whether they carried absolute contraband destined for the enemy, but to be trans[s]hipped & discharged in a neutral port. That is the interpretation which seems to me correct.

As to art. 23 & 25 I agree that the faculty of adding to the lists of absolute & conditional contraband ought to have been limited. For instance in the manner suggested by Lawrence on p.713 of his new edition of “The Principles of International Law”, that is to leave revision of these lists to a Committee of the Hague Conference.

I agree with Royden’s objection to “base” especially when interpreted by Renault’s Commentary to include base de ravitaillement.

I believe we have never admitted that a neutral prize may be lawfully sunk. What Lord Stowell said was that if a neutral prize were sunk the owner would be entitled to the fullest compensation. The exact language he used is given at p.1017 of Vol III of the big collection of documents of the 1907 Conference. The whole judgment ought to be read. Our opponents at the Hague were not able to quote anything later than this fr. an English judge in support of their contention, & they misquoted & misinterpreted Stowell. There can be no doubt that the English doctrine always was that a neutral prize must be dismissed if it cannot be brought in.

I agree with you that to have put blockade, contraband, unneutral service, transfer to a neutral flag & compensation on a definite footing is a great gain.

As to the constitution of the International prize court, I do not think we shall be very great losers, provided men like Lammasch are chosen.

Of course it has yet to be seen whether the judges will be able to divest themselves of prejudice in favour of their own countrymen and allies. I think on the whole it will be favourable to neutrals and indisposed to favour maritime belligerents.

[Thomas] Baty’s book called International Law is very good reading. He makes great fun of the proposed Court of Arbitral Justice promoted by J.B. Scott & Choate, and regards the so-called Permanent Court of Arbitration as a farce. I rather think he is right, and that there ought to be no limitation of the choice of arbitrators.

I daresay the reason why Robson was not consulted on the Savarkar case is that the F.O. cannot send papers to the Law Officers without first obtaining Treasury sanction for the expenditure, and as they don’t like to have to beg, they often prefer to decide questions of international law off their own bat.

I suppose the line you will take in the debate in the H. of L. [House of Lords] will be

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that tho' the Declaration cannot for the reasons you point out be regarded as exhaustive of the subject, not satisfactory in all its parts, it has a great deal of good in it, and therefore should be accepted, pending the occurrence of a further opportunity for revision and completion.

Yours sincerely

Ernest Satow

36. Satow to Reay

27 February 1911

BEAUMONT,

OTTERY ST. MARY

Dear Reay,

I think what Lord Ellenborough<sup>26</sup> means by saying: "We shall have to put all neutral shipping when near our coasts under the same Regulations that we shall lay down for our own ships. Our Naval Intelligence Dept. probably has such rules drawn up ready for war", must be that in order to prevent any vessel approaching the ships of war, or a naval arsenal, in order to attack them by mines (as the Japanese did, disguising torpedo boats so as to look like merchant vessels), we should have to make some such rule as that if they approach within a certain distance they will be sunk. And he appears to think that because the D. of L. does not give power to do this, we should be cast in damages by the International prize court for sinking a neutral that came too near. But I do not think that follows: the D. of L. does not lay down everything that a belligerent may do; so that anything it is does not mention is unlawful, but merely lays down what may be done in certain circs. It does not pretend to be an exhaustive code of Maritime warfare, in the sense that the Rules & Regulations for war on land are exhaustive of that subject, e.g. there can be little doubt that a neutral trader which tried to pass through a region where the belligerents were engaged in a sea fight would be liable to be sunk, intentionally or unintentionally, without compensation. But the D. of L. does not lay down any such rule. It lays down some of the rules of the game, but does not touch upon the rules of the ring. I quite agree with all you say on this subject. His letter is not very clearly put together. I see from Who's Who that he is a retired commander R.N. and no doubt has ideas as to what a naval officer would do if forced by circumstances, but I doubt his being a lawyer.

I have written to Crowe to congratulate him on his success at the Hague. You have

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<sup>26</sup> Cdr. Edward Downes Law, 5th Baron Ellenborough (1841-1915). Naval officer. Member of House of Lords

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no doubt seen that [Francis Edmond] Bray has written a little treatise on the D. of L.

Yours sincerely

Ernest Satow

37. Satow to Reay [draft of letter No. 38 below, omitted]

6 Mar 1911

38. Satow to Reay

6 March 1911

BEAUMONT,

OTTERY ST. MARY

Dear Reay,

In reply to your letter of the 3rd [F.E.] Bray in his “British Rights at Sea under the Declaration of London” p.25 says “Facilities for overland transit have so improved that unless a place is besieged as well as blockaded supplies can be obtained with comparative ease, and if there is a siege those supplies [i.e. purely innocent cargo] become contraband.”

This is an inaccurate way of putting it. (1) purely innocent supplies can never become contraband, and (2) contraband is a term employed only for goods which may not be transported by sea to an enemy country (absolute) or to the armed forces or a govt. dept. of the enemy state (conditional). What he apparently means is that if a place is besieged as well as blockaded innocent supplies will be shut out. But to say that they become contraband is a misuse of terms.

A ship with conditional contraband on board can be captured anywhere on the high seas, provided the goods are destined for the use of the armed forces or a govt. dept. of the enemy state. The presumptions are given in Art. 34. It seems doubtful whether Art. 33 applies to conditional contraband destined for the blockaded region, unless it is defended by an armed force, and then food would be contraband and could be seized anywhere en route. I think a siege implies that there is a defensive force inside the besieged place, otherwise the besieging force could enter at once, whereas a blockade may be of a commercial port having no garrison.

p.44. Before the Declaration of Paris goods consigned to the enemy authorities or to a fournisseur of the enemy govt. were capturable in a neutral ship (according to the English doctrine) as enemy goods, because as a general rule the property passes to the consignee from the moment of delivery to the captain. The goods falling under (1) & (2) would have been captured as enemy property, not as contraband, while (3) would have



been seized as contraband, tho' doubtless they would also be enemy property like (1) & (2).

I do not think our courts would have condemned foodstuffs as contraband unless destined for ports actually besieged or blockaded; this is the doctrine of Wheaton, Ortolan, Bluntschli & Calvo (Hall, 5<sup>th</sup> edition p.662). In 1907 we were instructed to get foodstuffs other than what is destined for beleaguered fortresses declared incapable of being classed as contraband (C[omman]d. 3857 p.17), which shows what the F.O. then held to be correct. "Enemy authorities" and "commerçants, etc." are I believe new categories as far as we are concerned, (but as to the Admiralty view of conditional contraband as late as 1888 see Hall, p.654, footnote. I don't see there any definition of the "conditions" that must be fulfilled in order to render the articles in this list contraband.) I think therefore that the D. of L. does extend the definition of conditional contraband.

p.48 As we do so much carrying trade for other nations it the D. of L. is of value to us when neutrals to have as large a list of free goods as possible.

p.88 near top. Bray says it will not be beyond the powers of a shipowner to ascertain, when the war is actually in progress, whether a particular place is actually serving as a base. It seems to me open to doubt whether a shipowner at New York would be able to ascertain whether a particular port, say in China or Japan, is in the opinion of a belligerent serving as a base of supply. For it will be the opinion of China or Japan, not the fact, that will lead to the capture of the neutral ship.

p.94 He says America has only declined to accede to the Declaration of Paris because she thinks it does not go far enough in its protection of neutrals. This is not so. Her reason is that it does not go far enough in the protection of enemy private property.

p.9. He says "it is the recognized continental practice that such a document [as the Report of the Drafting Committee]<sup>27</sup> should be submitted to and accepted by the Authority which sanctions the law or treaty with which it deals. I think this is too broadly asserted. As regards laws I do not know, but the D. of L. is surely a treaty, not a law. It is sanctioned provisionally by the plenipo. Delegates, but finally by the ratification of the ratifying authority. What are the precedents? I have no record of the Geneva Convention of 1906 negotiation, and do not know whether there exists a 'rapport' on that document. As for the three conventions signed at the Hague in 1899, the Convention concernant les lois et coutumes de la guerre sur terre was accompanied by a rapport interprétatif; at the sitting of July 5 it was proposed to approve the work of

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<sup>27</sup> Satow's parentheses.

the 2nd commission, and no one objecting Staal the President declared the proposal adopted. On this de Martens said “La Conférence accepte le Rapport de M. Rolin comme un commentaire interprétatif authentique des articles volés émanant de la Conférence toute entière. (p.30 of the copy on thin paper given us at the Hague in 1907). There were reports on the two other conventions, but no signs of their having been adopted.

In 1907 there were reports on nearly everything: sometimes the whole was read, in other cases only a page or two, some were not read at all. None of them were formally ‘adopted’ at a séance plénière. So that out of all these, there is only one, and that in 1899, which was declared by the author to be interprétatif and was adopted by the Conference. Consequently what Bray says on this point is really lacking in authority. Every one knows that at Congresses and Conferences conducted by diplomatists no such thing as a report is tolerated or thought of, and the only authentic records are treaties and protocols.

It is true however that Desart said (p.223 of Cd. 4555) “Le rapport est accepté par la Conférence.” But how far this is binding upon the Governments which ratify the Declaration, seems highly doubtful, in spite of what is said on the subject by the British Delegates in this report, and if it is not binding on govts. it is not binding on the international prize courts.

You have no doubt seen Westlake’s letter in the “Times” of March 2, where he says that unless there is something signed and ratified by the Powers regarding the rapport, then the Declaration had also better not be ratified. This is important, coming from a man whose opinions are so moderate in general. Sir Cyprian Bridge’s views I shall read at length in the Navy League monthly journal.

Many thanks for what you say about the election to the Chichele Professorship.<sup>28</sup> I am very sorry that your exertions on my behalf did not produce the desired result, but after all I do not regret that I failed, for the conditions of residing six months in Oxford and delivery of forty two lectures would have been troublesome to fulfil, and I am rather too old for continuous work of that kind.

Yours very sincerely

Ernest Satow

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<sup>28</sup> Satow received Sir Edward Grey’s written approval by letter of his standing for the Chichele Professorship of International Law and Diplomacy on July 23, 1910. On March 2, 1911 Satow learned that Henry Erle Richards had been elected, and expressed his relief at this. (Diary entries)

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39. Satow to Reay

10 March 1911

BEAUMONT,

OTTERY ST. MARY

Dear Reay,

I have read with great pleasure your speech last night on the Declaration of London. If I may say so, nothing could have been better. Your side of the House has certainly had the best of the debate. Old Lord Halsbury seems to have inspired himself by reading Tommy Bowles' extravaganza. Lord Ellenborough is not much better, and Lord Dunraven's studies do not seem to have been very complete. I thought the Lord Chancellor's exposition was excellent. I should be very much obliged if you could send me the record of the whole debate after it is finished, which I suppose will be printed in Hansard. It does not seem possible that the government could grant a Royal Commission, and I hope there will be no division on the motion of Lord Desborough. I should think there can hardly be a case of any Power which reserves ratification to the executive refusing to ratify a treaty concluded in its own capital. Where the executive negotiates and the legislature ratifies the case is different, but it is a constitutional arrangement that is much to be deprecated. Such governments as that of the United States do not inspire much confidence when they offer to negotiate, as the Senate may intervene at the last moment and frustrate their endeavours. In the present day when instructions can be got by cable, and the whole text can be telegraphed, as no doubt it always is, before signature, States are morally bound to ratify what their Plenipotentiaries have concluded.

Sir Edward Fry has no doubt sent you a circular marked private and confidential about the formation of a committee for furthering the ratification. I do not understand what is meant by "the initiative taken by successive Governments of our own country" in paragraph 2. The Unionist government in 1899 declined to discuss naval questions at all, and both the Second Peace Conference, the proposal to establish an international court, and the Declaration of London are the work of the present government exclusively. I thought the defence of the international court on your side of the house admirable. The names of those who have joined the committee seem to be mainly of Liberals, and some of them belong even to radicals. It is a pity that it should have become a party question. If one joined this committee one would have no security that the executive that is to direct and be responsible for operations will use arguments one agrees with. So I wrote to Sir Edward that though I sympathize with the object, and regard the honour of England as being involved in ratification, still I would rather not

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join. I must admit that he did not suggest that I should add my name.

After this debate in the House of Lords, any discussion in the House of Commons must be of a perfunctory character, and unless the Imperial Conference produces much better arguments than what we have been treated to hitherto, the government will have no further difficulty.

Yours sincerely

Ernest Satow

Confidential. The Quarterly is to have an article in April on the Declaration of London. I do not quite feel certain what line it will take, but I think it will advocate ratification. My second article on the immunity of private property will be deferred to a later issue. E.S.

40. Satow to Reay [draft of No. 41 below, omitted]

41. Satow to Reay

21 March 1911 [See p.23 above.]

BEAUMONT,

OTTERY ST. MARY

Dear Reay,

Very many thanks for the official reports of the debate in the House of Lords on the Declaration of London. I was glad to be able to read your speech again just as you delivered it.

I have accepted the nomination to the Council of the R.A.S. [Royal Asiatic Society] but have told Miss Hughes that it will seldom be possible for me to attend the meetings as I live so far off.

You ask me what I think about the referendum.<sup>29</sup> It seems to me rather doubtful whether it would help us out of our present difficulties. But here are some of my reflexions.

1. The Liberal party, and indeed all politicians talk a great deal too much about “the

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<sup>29</sup> In March 1911 Lord Balfour of Burleigh (1849-1921) introduced a "Reference to the People Bill" into the House of Lords. This would have institutionalised the referendum as a means of arbitrating disagreements between the Lords and the Commons. (Graham John Wheeler, 'Referendums that Time forgot', UK Constitutional Law Association, February 17, 2017.

See <https://ukconstitutionallaw.org/2017/02/17/graham-john-wheeler-referendums-that-time-forgot/> accessed January 3, 2020.

will of the people”, without any sort of qualification, as e.g. ‘the will of the people properly instructed or informed’. I dislike very much the phrase ‘the will of the people’, which sounds too much like an appeal to the ignorant passions of the plebs.

2. The Liberal party however regard the majority of the House of Commons as the only legitimate organ for the expression of that will. I do not know how old this theory is. Macaulay in his second essay on Chatham (Essays, 7th edition, III p.573) pours contempt on it. “The voice of the people was the voice of God; but the only legitimate organ through which the voice of the people could be uttered was the Parliament. All power was from the people, but to the Parliament the whole power of the people had been delegated. No Oxonian divine had ever, even in the years which immediately followed the Restoration, demanded for the King so abject, so unreasoning a homage, as Grenville, on what he considered the purest Whig principles, demanded for the Parliament”. Put Asquith for Grenville, and you have the present doctrine, which as Macaulay says combines anarchical speculation with arbitrary practice.
3. It is alleged that the Liberal party are opposed to the Referendum because they think the people are so conservative at bottom that they would on most occasions vote against what the extreme Liberals demand in the way of ‘social reform’ and constitutional changes. If it is true that the Liberal leaders think so, they may prove to be wrong. A good deal would depend, I should say, upon the amount of speechmaking in the constituencies in favour of any particular measure. I cannot help thinking that voters would, as they are so much accustomed to do now-a-days, simply vote as they were told by their respective party organisations.
4. If the good of the country were declared to be what guided politicians, and not the ‘will of the people’, then I should prefer the theory that the constituencies choose the men whom they wish to be their members of the ‘Great Council of the Nation’, and confiding in their better judgment, give them a free hand as to what legislation and finance they will support.

Of course members would be bound to act, as far as practicable, in accordance with the principles announced in their printed electoral addresses, but no further, and there would be no more talk of ‘mandate’. But this, which I take to be the pure Whig theory, seems no longer practicable. Since the introduction of the caucus members of the House of Commons have ceased to be the free choice of the constituencies, they are imposed upon them by the party organizations, often from headquarters, sometimes by the chairman of the party in the constituency. Here, in Honiton, I believe our member was selected by a committee of about three men,

and, then we had of course to vote for him. Under such circumstances I am inclined to say that the referendum would restore to the voters the liberty of which the caucus has deprived them. Our member, for whom I had to vote, supported the 2nd reading of the Women's Suffrage Bill. Of this vote of his I disapprove, and if the bill were submitted to the referendum I should be free to vote against it. This is only an example. There are no doubt a great many on both sides of politics who are not strong party men, and who would welcome the opportunity of directly voting for or against a particular measure. In this way you would get a truer picture of the opinion of the country than by the present system. But it might also have the effect of restoring to members of the House of Commons their own freedom to vote, not under party discipline, but as they thought best for the country.

4[5]. The loss of a government measure by an adverse vote of the people need not necessarily entail the resignation of the government. They would continue in power, as at present, so long as the House of Commons did not put them in a minority.

5[6]. Subjects of referendum ought to be strictly defined. All constitutional changes, such as alterations in the relations of King, Lords and Commons, changes in the franchise and redistribution ought to be included. Also, would you not add all bills as to which a third of the House of Commons demanded that they should be so referred?

6[7]. Precautions ought to be taken to prevent expenditure by members of the House of Commons or by political organisations in support of or opposition to a bill so referred. I would prohibit posters, payments of all kinds such as are now permitted to candidates or to party organisations in connexion with elections, canvassing, the use of vehicles to bring voters to the poll, provision of railway tickets, in short all the means now employed for getting votes in elections. But it would not be possible to prevent the press from advocating or opposing a particular measure, nor could public meetings be prohibited. The returning officer's expenses should be paid by a rate levied in each constituency on all the voters on the register equally.

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You say the Referendum is needless if we get a Senate with the same authority as that of the U.S. But do you think there is any chance of that?

I observe that some people are beginning to advocate a sort of Council of the Empire. It does not seem to me feasible to give such a Council any control over the legislation, defences or finance of the different members of the Empire. Canada, Australia, South Africa and New Zealand, should, I hold, be regarded as our allies, not

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as dependencies of the whole, and no decision should become operative unless it were unanimous. To talk of the Imperial Parliament or of any Council of the Empire, controlling the legislation of any part of the Empire, seems to me to imperil its unity. It is the old theory of the 18<sup>th</sup> century, the Grenville theory, which more than anything else led to the Declaration of Independence of America.

Yours sincerely

Ernest Satow

42. Satow to Reay

25 March 1911

BEAUMONT,

OTTERY ST. MARY

Dear Reay,

Thank you very much for offering to send me an invitation to hear [T.E.] Holland address the British Academy on the Declaration of London, but I hardly think I shall be in London during May, as I must have people to stay with me here. I have read all he has written to the papers against it, and hardly think he can advance anything new. I hope Westlake will be there to reply, though I fear he is inclined to waver in his opinion.

I am very busy getting together information about Child Labour from the schools in this rural deanery. The Diocesan Conference wishes to have a report on the subject next November, and I have undertaken to gather the facts for Ottery and the neighbouring parishes. Others will do it for the rest of the Diocese. It is a very interesting subject.

I gather that on the whole you are opposed to the Referendum being adopted as part of our legislative machinery. My own doubts about it are very considerable, but I should dearly love to have an opportunity of recording a hostile vote when I differ from my M.P. For instance, he voted for the second reading of the Conciliation Bill, and against its being sent to a Grand Committee, which I thought crooked. I don't like the way our members are selected by secret tribunals and then imposed on the voters.

Yours sincerely

Ernest Satow

43. Robert[?] to Reay

26, Eaton Square, S.W.

25. 3. 11

Dear Lord Reay,

Just a line of personal thanks for Satow's letter. It touches on some interesting points

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of controversy but I dare not plunge into them. It is difficult to touch them without being lured into too much detail. The moral & simple result of the matter is that we have dangerously weakened our position in regard to our food supplies in time of war.

Yours sincerely

Robert

44. Satow to Reay

24 June 1911

Dear Reay,

Do you not think that it would me[be?] more dangerous to leave the International Prize Court to use the Report on the Declaration or not as it thought fit, because that would be letting the Court impart a binding character to an exposé de motifs, and establish a rule of interpretation which certainly does not yet exist in international law, but is borrowed from French Parliamentary practice. Whereas, if the powers in ratifying declare that they recognize this particular document, received and accepted by the Conference, as of equal validity with the Declaration itself, they would not be admitting the principle as a general rule of law, but merely giving contractual value to this one report.

I am very sorry to see that Balfour is to speak on Wednesday at a meeting got up to protest against ratification. He cannot possibly have weighed the pros & cons thoroughly, but is probably relying on F.E. Smith. Ratification has never been refused of any Convention or Treaty by the government in whose capital it was negotiated. The right of non-ratification was merely reserved in case a plenipotentiary abroad should prove to have exceeded his instructions or misrepresented them, which could not happen where he was negotiating under the eyes of and in daily communication with his government. That, too, was in the days before submarine telegraphy was perfected. Now-a-days no plenipotentiary ever signs without having telegraphed the text to his government and received special authority to sign, so that there is no longer the old possible justification for refusing ratification. The only case is where, as in the U.S., the negotiating authority and ratifying power are separate. If in the present case the U.S. Senate should refuse to ratify, and the U.S. government not find a way out, then each and all of the other powers would be justified in refusing. The Declaration of London binds all or none: it is of no value whatever unless all are bound.

And then add to these considerations the fact that Great Britain invited the other powers, and induced them to present their views on the different questions propounded, before going into Conference, and then say whether to refuse ratification when all the



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other Powers were ready to exchange ratifications would not be an indelible stain on the honour of England.

Yours sincerely

Ernest Satow

45. Satow to Reay

28 August 1911

Dear Reay,

I am afraid I could not come to you at Laidlawstiel before October 12, as I have a brother staying with me for the last fortnight of the legal vacation, and have to attend a social subjects committee at Exeter on Oct. 10. Possibly I might get off from Exeter that afternoon and so get to Galashiels on the afternoon of the 11th by travelling through the night. You will I suppose be coming South about the time Parliament reassembles, which I think is October 24th. If the 11<sup>th</sup> or 12th October suits you for me to arrive, I shall be very pleased to come then.

The Naval Prize Bill I suppose has not yet got out of Grand Committee. I noticed that an amendment about payment of salvage on re-captures was carried against the Government, and that Mackinnon Wood had to appeal to party loyalty to defeat another amendment abolishing prize-money. I suppose he was in some way bound by instructions from the F.O. But I should have been glad to see prize-money abolished.

I am very glad the Parliament Bill got through, not because I like it, but the creation of peers would have been a great misfortune. Liberal speakers seem to me to be somewhat inconsistent when they criticize Lord Lansdowne's proposals for reform on the ground that they limit the King's prerogative of creating peers, while they themselves talk of an elective second chamber, which amounts to abolishing the creation of peers altogether. All this talk of 'prerogative' seems to me intended merely to throw dust in the eyes of the ordinary elector, since it is no longer in reality the King's prerogative, but the prerogative of the Prime Minister.

The 'Economist' is I think right in saying that "it should be a condition of the railway service that no employee should be entitled to strike". Between them the companies and their employees have the entire control of the national roads. Ordinary turnpike roads for the internal communications of the country have been superseded by the railways. The companies & their employees therefore ought to exercise the control they possess for the public advantage in the first place, and not for their private profit. The men were trying to squeeze the nation by the recent strike, which was therefore quite unjustifiable; as much so as a general strike of postmen, or of naval stokers or engineers would be.

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The public seem to confuse the position of the railway man with that of a workman in a factory.

All the same I should be sorry to see nationalization of the railways. We should get a much worse service of trains, and much less civility from employees. On this subject the *Economist* again meets with my approval. Hirst<sup>30</sup> the editor is wrong on some matters, but on economic questions he is all right.

At last we seem to have a prospect of good rain. We have not in this district benefited by any of the thundershowers that are reported from other parts. But it has been a good summer for the farmers, fine crops of wheat and oats. Beans alone seem to have turned out badly.

Yours sincerely

Ernest Satow

46. Satow to Reay

4 October 1911

Dear Reay,

I am sorry to hear that you think you may have to leave Laidlawstiel on account of a failure in the water supply, in which case you could not receive me. If you could let me know before Monday, the 9<sup>th</sup>, it would be a great convenience, as I should like to arrange on that day about taking my tickets. I find that I can get to Galashiels by 7.55 p.m., and if I come I will write or telegraph to Maxwell for a trap. As usual, I propose to bring Tertius.<sup>31</sup> Your arbitration will be an interesting business.

Recently I received a letter from the Editor of the “World’s Work” asking me for a contribution to their forthcoming number on International Peace, and to answer the query whether in my opinion there is any actual promise of the dawning of a day of universal peace. I do not propose to take any notice of this request. If I did send an answer it would be a decided negative, because even if Italy secures the cession of Tripoli, it seems unlikely that that will be the last example of coveting one’s neighbour’s land. After all, can we blame the Italians, when we reflect on our own doings, on the French occupation of Morocco, which I suppose will be divided between her and Spain, on the annexation of Bosnia and Herzegovina, the Japanese annexation of Corea and partition of Manchuria with Russia, the so-called leases of Chinese

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<sup>30</sup> Francis Wrigley Hirst (1873-1953) was editor of the *Economist*, 1907-16.

<sup>31</sup> Satow’s Japanese valet or manservant Honma Saburō 本間 三郎. ‘Saburō’ indicates that he was the third son in his family, which Satow has translated to the Latin ‘Tertius’ meaning the same.

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territory to Germany, Russia, England and France, and one might perhaps add, of Alsace and Lorraine by Germany. I think our government could not possibly have opposed Italy's action in Tripoli, as long as we remain in Egypt.

What is more serious than the foreign situation seems to me the claim of union railway men to a sort of monopoly of railway profits. There is a rather interesting article on the Philosophy of Strikes by W.S. Lilly in this month's XIX Century. I have read with great satisfaction the report on Church finance issued by the Archbishop's Committee. If laymen are to have more of a say in church matters they must be prepared to pay.

Yours sincerely

Ernest Satow

47. Satow to Reay

1 November 1911

Dear Reay,

I will do my best to answer Fauchille's<sup>32</sup> questionnaire, but feel that it is a very difficult job. War at sea and on land are so very different, that it is difficult to see how rules for the one can be made applicable to the other.

The language put into the mouth of the infant Emperor of China by his advisers is indeed unparalleled. But it is quite Chinese for the sovereign to take upon himself all responsibility for whatever goes wrong in the Empire. It is in the highest degree doubtful whether the Manchu dynasty can reform itself. It is a foreign intruder. There is no community of interests between the crowd of hangers[-]on of the Imperial family and the Chinese people. China can never be strong until they are got rid of. The best hope for China would be a federal republic of self[-]governing states formed out of the 18 Provinces. But what the outcome of the movement will be it is impossible at present to foresee.

The slaughter at Tripoli is shocking, and the whole proceeding of the Italians is only defensible on the ground that England, France and Spain have taken possession of different portions of North Africa. The [Lake] Mohonk Convention people seem to be quite behind the times. Who can believe in the advent of international peace.

I suppose it is true that we have intimated to Germany that we will not suffer France to be intimidated. The despatch of the "Panther" to Agadir was a very unwise step on the part of Germany. It was the act of a bully.

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<sup>32</sup> Probably Paul Fauchille (1858-1926). French lawyer and pioneer of air law.

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Scott's circular about Carnegie's endowment has not, I think, come my way.

Stead I see from yesterday's "Times" has returned from Constantinople. Noone it seems proceeded to Rome on the same errand. He and the Interparliamentary Union will make no impression on Sir Edward Grey. As long as we are in Egypt we have no standing for recommending the Italians to submit their quarrel with Turkey to friendly mediation.

I am very sorry to hear you have been laid up with a chill, but hope the effects have long ago disappeared.

Yours sincerely

Ernest Satow

48. Satow to Reay

9 November 1911

Dear Reay,

I return to you Fauchille's questionnaire, with a sketch of replies. No doubt it would be desirable to get a competent naval officer's opinion on them, preferably the head of the Intelligence Department at the Admiralty.

Things in China seem to be making rapid progress, and it looks as if the Manchu rule would be extinguished. It is impossible to praise as it deserves the prudent attitude of H.M.G. in regard to the question of defending British life and property. Fortunately they have in E.H. Fraser, the present Consul-General at Shanghai, a very able and trustworthy man. And Jordan also seems to be keeping his head, as was to be expected.

Balfour's resignation of the leadership of the Unionist party will be rather welcomed than otherwise I imagine by the bulk of the party. His delicate health is an excellent reason for his giving up. No one will say so publicly, but from what Conservatives in this part of the country say, there is reason to conclude that they do not regard him as a strong man.

It was much to be regretted that he allowed himself to be influenced by people like F.E. Smith's clamour against the Declaration of London. I have privately shown to Atkins,<sup>33</sup> subeditor of the Spectator, the reasons which make it imperative that Great Britain should be willing to ratify if the other Signatory Powers are willing.

It was a surprise to me to learn from Acland's reply in the H. of C. yesterday that the

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<sup>33</sup> Satow talked with John Black Atkins (1871-1954) about the Declaration of London after dinner at Lympstone on October 25, 1911. "I set forth my reasons for thinking that the govt. must ratify or else go out, as a point of honour; this he said was quite new to him." (Diary) See also Satow's diary for November 1, 1911 when Atkins and his wife came to lunch at Beaumont.

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1907 Convention for the adjustment of International disputes has not yet been ratified.

If it is the case with that one, it is I suppose also so with the rest.

You have no doubt read Holland's letter with regard to h) of Article 23 of the *Lois et coutumes de la guerre sur terre*. I think it means 'in the occupied territory of the enemy', but it ought to be made clear.

Yours sincerely

Ernest Satow

49. Satow to Reay

13 November 1911

Dear Reay,

I am quite willing that you should send my notes on Fauchille's questionnaire to [Charles Langdale] Ottley, for the opinion of a naval officer on the subject will be very valuable, in fact quite indispensable if right conclusions are to be arrived at.

As to Sir Ed. Grey's declaration that as belligerents we should not be bound by the decision of the International Prize Court in a case where a merchant-steamer had been transformed at sea into a cruiser, I think I must take a few days to consider the subject. Tomorrow and Wednesday I am going to be busy at our Diocesan Conference.

The last issue of the *Annuaire de l'Institut de Droit International* that I have received is for 1910. I see it has a chapter on submarine mines.

The *Rapport du Conseil Administratif de la Cour permanente* for 1909 mentions Great Britain among the Powers that have deposited the ratifications of the Convention pour le règlement pacifique des conflits internationaux, and that for 1910 does not include us. When Sir Ed. Grey said in the House that we had not ratified, he must have relied on some clerk who had examined the 1910 report, but looked no further back. Perhaps you may think it worthwhile to get the F.O. to clear up this point.

The demonstrations in the Reichstag against England are very significant. I hope it will be long before the Crownprince becomes Emperor. But I suppose it is true that we have let Germany know that we would support France against a bullying policy. Sending the Panther to Agadir was a shocking blunder.

Have you seen in the *Spectator* the reply of the Friends [Quakers] to Sir Edward Fry? It seems to me a very inadequate defence. The *Spectator* & Sir Edward are in the right to my mind. I wrote to him yesterday to say that I sided with him. Betting & gambling are the worst vices of the lower classes.

Yours sincerely

Ernest Satow

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50. Satow to Reay [draft of No. 51]

51. Satow to Reay

17 Nov. 1911

Dear Reay,

On reflection, I can only say that I don't understand what Sir Edward Grey meant by declaring that we are at liberty to deal with belligerents independently of any decisions of the International Prize Court.

Let us suppose that in the present war between Turkey and Italy, an English merchant ship is captured for the conveyance of contraband by an Italian vessel which has been converted into a cruiser on the High Seas, and that the International Prize Court upholds the legality of the capture, and consequently, of the conversion. Surely that decision will become a part of international law.

And suppose that after this we are at war with Russia, and that a British man of war encounters a Russian cruiser converted from a merchantman on the high seas, and is strong enough to sink her. Humanity will require the British captain to make every effort to save the crew from drowning. Such as are saved are then made prisoners. Are you going to hang them as pirates? In the face of the previous decision of the International Prize Court, surely it would be impossible to do this, and equally impossible to treat the crew worse than any other prisoners of war.

Even if there had been no previous decision of the International Prize Court, could we at the outbreak of a war with any Power declare that we would treat the officers and crew of such a converted merchant vessel as pirates? I don't think we should dare to do it. No doubt they are, from our point of view, pirates, but that would not help us.

Perhaps the F.O. intend when depositing ratifications of the Prize Court Convention to make a reserve as to merchant ships converted into cruisers on the high seas, and to declare that we will treat them as pirates (or as privateers, which they are not, according to the accepted meaning of that word). But we ought to have done that at the time of signature, and it seems too late now.

Yours very sincerely

Ernest Satow

52. Satow to Reay

28 November 1911

Dear Reay,

Sir Edward Grey's speech last night seems to me altogether admirable. It reminds me of what Kriege said to me on the occasion of that dinner given by the Maritime Conference, that Sir Edward Grey was the most perfectly straightforward and sincere statesman he had ever come in contact with. Bonar Law's criticism that Lloyd George was not exactly the man one would have chosen to make his speech to which so much exception has been made has perhaps some truth in it, but the matter was pressing, Lloyd George could not have gone to the Mansion House and said nothing, and it was much less of a defiance or menace or whatever people like to call it than if Asquith had made it in the House of Commons. That might have been dangerous.

I have had our Fez Consul MacLeod staying with me. He knows Morocco better than any man of my acquaintance. He says the foreigners in Fez were really in a most dangerous position. The French general managed his march on Fez in the most skilful manner, by sending as vanguard El Amrain with some troops belonging to the Sultan, so that until the French troops actually arrived the Fez people did not know that they were coming. The Sultan Mulai Hafid has got into very bad hands, and his supporters had all left him. So he was forced to appeal to France for help.

Morier's<sup>34</sup> letters are no doubt likely to be interesting. It seems, according to the reviews, that it was Bismarck who frustrated all his endeavours to bring about a good understanding between England and Germany. Can any one doubt or deny that it is the German challenge to us on the Sea that is the prime cause of the existing unfriendly feeling between the two countries. You remember how at the Hague our efforts to establish a good understanding with Marschall completely failed.<sup>35</sup>

I have written for the 1911 volume of the *Annuaire*.

Yours very sincerely

Ernest Satow

53. Satow to Reay

9 December 1911

Dear Reay,

I am coming up on Thursday only for the day, to present the deputation from the University for China to the London Chamber of Commerce general purposes committee. My train is not due at Waterloo before ten minutes to two, so that I cannot accept your kind invitation to lunch, but will call about two or soon after. I am very glad that you

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<sup>34</sup> Presumably James Justinian Morier (1782-1849). British diplomat and author.

<sup>35</sup> This sentence was quoted by B.M. Allen in his *Memoir of Satow* (Kegan Paul, Trench, Trubner & Co., 1933) on p.139.

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have seen Soothill,<sup>36</sup> who seems just the right man for president.

I have an interesting letter from [William Meyrick] Hewlett who is now at Ichang as Acting Consul looking after the foreign community there. He says Szechuen is still in a state of anarchy. Of course he does not know what is going on at Peking, as telegraphic communication is cut off. He ought to have a gunboat, but I suppose Admiral Winsloe cannot spare one. It is to be regretted that the Admiralty in 1905 withdrew so many of the small ships from China, which are absolutely necessary for the protection of British subjects at the treaty ports. It was done without consulting either the Admiral or the Minister [Satow]. China is a country where it is impossible to say when an outbreak may not occur, as has been shown by events over and over again.

I hope the House of Lords will not reject the Naval Prize Bill. As to the Insurance Bill, it seems as if they will be strongly pressed to make some amendments, but I hope they will be few.

Yours sincerely

Ernest Satow

54. Satow to Reay

24 December 1911

Dear Reay,

Very many thanks about the ratifications of the Hague Conventions. I have read the official report of the Debate in the House of Lords on the prize court bill. With all respect to Lord Halsbury, I venture to think his speech contains some very poor reasoning. None of the legal peers seem ever to have heard of French prize court decisions, or French prize law, and I feel certain that the decisions of Lord Stowell, admirable as they seem to us and to the Americans, were not accepted without dispute by the subjects of other powers. I have no doubt we could find Dutch and Hanse towns objections, as well as the famous Prussian case. Desborough made a good point about the language of the Appeal Prize Court. Lord Lansdowne surely made a slip when he said “We asked for a Court consisting of three members of the Hague Tribunal, associated with two Admirals”. Surely that was the German proposal. Ours was to let the Powers whose shipping exceeded 800,000 tons each nominate a member of the Court (without reference to the Hague Tribunal), which would have given a Court of 8. (See Actes et Documents II p.834 and p.1076). I agree with Sir Thomas Barclay that the Declaration should be ratified (subject to the words ‘ennemi’ ‘base’ and ‘fortified place’

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<sup>36</sup> In 1911 William Edward Soothill (1861-1935), a Methodist missionary to China, became President of the Imperial University at Shansi.



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Private correspondence from Satow (and others) to Lord Reay

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being defined as we wish); and then we might perhaps get the constitution of the court changed. Sanderson has a suggestion that the parties should select 3 judges from those appointed by the Great Powers and two from the minor Powers, and I suppose 1. to represent each of the contending powers. The inconvenience connected with either the German plan or this is that it would necessarily have more or less the character of an arbitration, which would not serve as a rule in any subsequent case. But even an arbitration would be better than nothing in the way of an appeal.

My interview with the Prime Minister<sup>37</sup> was satisfactory as far as it went. He told me to write to Sir Robt. Chalmers and ask for an appointment. I did so, and got a reply which holds out no hope of our getting any portion of the China Indemnity. Up to the present the Treasury has only received interest, and for the past two months not even that. I did not like to say anything to Asquith about the Naval Prize Bill, etc., as I thought he would look on my broaching any subject but the one I had come to him about as impertinent.

I shall be very pleased to lunch with you on January 12. I have not heard that Sir E. Fry is going to Athens. He is chairman of Lunn's<sup>38</sup> Committee on Welsh Disendowment.

Yours sincerely

Ernest Satow

[End of File.]

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<sup>37</sup> Satow met Asquith on December 14, 1911 at the House of Commons. "...Soothill & I went off to the House of Commons to see Asquith, with whom Runciman had arranged an interview for me. He was very reasonable & friendly, but referred me to Sir Robert Chalmers."

<sup>38</sup> Sir Henry Lunn (1859-1939).

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Private correspondence from Satow to Lord Reay

April 1912 – November 1914

1. 2 April 1912

Dear Reay,

Very many thanks for the information about the School of Oriental Languages contained in your letter. It certainly does not look as if the scheme would come to fruition very soon. There will be little time in the House of Commons for anything but the Home Rule Bill.

I quite agree with you about the objectionable character of the minimum wage legislation, but it is difficult to see what other expedient the government could have adopted. It does not, as far as the reports in today's "Times" go, appear to have been successful in bringing back the miners to work, and the trouble is far from being at an end. The curious thing is that the South Wales miners, whose discontent was said to have led to the general strike, have voted for a return to work by a large majority, 50%. I don't suppose it would be possible for the present Cabinet to propose the repeal of the Trades Dispute Act, and yet that is the only thing that could protect us against a repetition of the general strike, and its extension to the railways. What one feels however is that it is bad government to allow two of the necessities of life, fuel and transport, to be withheld from the nation by the people who have a monopoly of them.

I have not followed the American proposals with regard to the Panama Canal, but I suppose they will fortify it, no matter what objections may be made by other Powers. If I were in their place I would do it, regardless of consequences.

China I hope will get out of her troubles. As long as the dethroned dynasty continues to reside at Peking, the President of the Republic and his cabinet must remain there. Otherwise there would be great danger of a counter-revolution being attempted. I am reading the parliamentary debates on the successive "education" bills of 1906-8, which are very curious. It is to be hoped that Croydon Marks' bill will not be taken up by the government. Churchmen are not yet reconciled to the idea of universal Cowper-Temple teaching. What a nasty letter that was of Sir Almroth Wright.<sup>1</sup>

Yours sincerely

Ernest Satow

2. 6 May 1912

Dear Reay,

I am coming up to town for a couple of nights on the 16th, to lunch at the Deanery of Westminster on the following day, and speak at a meeting on behalf of the Mission at

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<sup>1</sup> Sir Almroth Edward Wright (1861-1947). Bacteriologist and immunologist.

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Tokio.<sup>2</sup> If you are likely to be at home on the morning of the 17th, I should much like to come and have a talk with you. Perhaps you have heard that Pearce Higgins is bringing out a book on the conversion of merchant steamers into cruisers on the high seas, and the rule of war of 1756. It will no doubt be interesting. The Italian war<sup>3</sup> brings home to us the harm belligerents can inflict on neutrals indirectly, and will doubtless induce the Powers to take a severe view of the effects of war on neutral commerce. It shows that we were well-advised in 1907 to make the stand we did on behalf of neutrals as against belligerents. I saw a short time ago that the F.O. replied to a question in the H. of C. [House of Commons] that the next Peace Conference is to take place in 1913. But I should hope it will be postponed, for our experience shows that immediately after a war the ex-belligerents feel bound to defend the action they took during hostilities, and that it would be wiser to defer the discussion of thorny problems. However, it seems quite possible that the war may last a good long time yet. It was a mistake of the Italians to proclaim the annexation of territory which had not been ceded to them by a treaty of peace. I think international lawyers would agree that they were merely in 'occupation' of Tripoli, and that the proclamation gives them no title as owners.

Yours sincerely

Ernest Satow

### 3. 23 September 1912

Dear Reay,

I am looking forward with great pleasure to my visit to you, and hope to hear a great deal that is interesting in both home and foreign politics from you. And to judge from the steadiness of the barometer, we may expect a continuance of this glorious weather. [General] Nogi's<sup>4</sup> suicide was a return towards barbarism. That sort of thing is known in China as well as in Japan, the idea being to emphasize a man's protest against political rottenness, or what he conceives to be such. It is a foolish notion, for there are no cases to my knowledge of a government being turned aside by such means from its settled policy, and it is as ineffectual as political assassination, or perhaps more ineffectual, for [Felice] Orsini's bomb had doubtless a considerable share in determining Napoleon III to go to war for Italy. I feel certain that Nogi's act will not be admired in Japan, except by a few fanatics.

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<sup>2</sup> It was a St. Paul's Guild meeting. (Diary, May 17, 1912)

<sup>3</sup> The Italo-Turkish War (September 29, 1911 - October 18, 1912).

<sup>4</sup> Nogi Maresuke 乃木希典 (1849 - September 13, 1912). He wanted to commit suicide to take responsibility for lives lost after the Russo-Japanese War, but Emperor Meiji would not let him. Then he followed the Emperor in death (*junshi*). Satow seems to misinterpret the act here.

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I am going to try coming to you in one day, and my train on the 26<sup>th</sup> is due at Galashiels at 9.38, so I might hope to reach Laidlawstiel at 10.30. I am bringing Tertius [Saburō], on the assumption that he was included in your invitation. And I have laid in a stock of tobacco.

Yours sincerely

Ernest Satow

4. 11 October 1912

Dear Reay,

Here is Canon [J.M.] Wilson's<sup>5</sup> little volume on the Acts of the Apostles, which I hope will interest you. Appendix I explains what I was saying about the two editions of the original text. And the sermon at the end on Christian Unity is sure to meet with your approbation.

I was very sorry to leave you, and my only consolation is that I found plenty of work awaiting me on my return. The weather here is almost as fine as it is with you, but there is rather more haze.

Yours ever sincerely

Ernest Satow

5. 20 October 1912

Dear Reay,

I return with many thanks Robin's report or rather article on the Christiania Session of the Institute. It would be of interest to know who were the 9 that voted against the abolition of the capture and confiscation of private property in maritime warfare. I notice that the meeting next year is to take place at Oxford. Though I am not connected in any way with the Institute, I should be very glad if I could be present as a mere auditor when Fauchille's manual is discussed.

What would you think of a proposal to abolish contraband of war, except when the attempt is being made to introduce goods into a blockaded port? That would be equalizing the laws of war on land and at sea in this respect. It seems to me that there is much to be said for such a proposal; it is based on the very theory of the advocates of immunity, i.e. that private property being protected from confiscation in land war, it ought equally to be protected in maritime war.

For my own part, if the advocates of immunity were willing to abolish contraband of

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<sup>5</sup> Canon James Maurice Wilson (1836-1931). Mathematician, astronomer, theologian.

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war in return, I should be quite ready to agree with them. But as long as foodstuffs are conditional contraband, I would hold out for capture & confiscation of private ships & cargoes.

I should like very much to see your minister's book on Thomas à Kempis – if you will lend it to me for a while.

Mrs. Mitchell's verses on



Sitzu [?] are admirable. What a wicked dog he is.

Yours sincerely

Ernest Satow

6. 9 November 1912

Confidential in part

Dear Reay,

I return the Rev. Mr. Wilson's letter with many thanks, having taken some extracts from it about religio licita.

In reply to your question as to the position of foreigners who enlist in a belligerent army, I do not think there is any rule of international law distinguishing them from subjects or citizens of the belligerent state. Nothing is said about them in the Hague convention concerning the laws and usages of war on land. If they are taken prisoners I presume they would be treated just like subjects of the belligerent, to whom no doubt they will have taken the oath of allegiance. Clause 4 of the Foreign Enlistment Act prohibits enlistment in either the military or naval service of a state at war with another state with which Great Britain is at peace, and an offender may be punished by fine or imprisonment or by both. But I do not know of any prosecution having ever taken place under this provision. You will find the Act in the Appendix to J.B. Atley's 4<sup>th</sup> edition of Wheaton's International Law, 1904.

Bryce's book reached me safely. I am keeping Dr. [Dugald] Butler on Thomas à Kempis for the present as I want to read it again, and perhaps I shall have some observations to offer.

I knew [Francis] Brinkley<sup>6</sup> well. The opinion of many of my friends was that he was untruthful; he would write one thing in the paper he published in Japan, and another in his letters to the "Times" of which he was the correspondent at Tokio. He did not

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<sup>6</sup> Francis Brinkley (1841 - October 12, 1912). Anglo-Irish newspaper owner, editor and scholar. See J.E. Hoare's chapter on Brinkley in *Britain and Japan: Biographical Portraits*, Volume III, 1999, Chapter 9, pp.99-107.

‘marry’ a Japanese lady. She was quite a common person, and he did not marry her by any form recognized by English law. But in order to get his children by her recognized as legitimate he instituted an action in the English Divorce court, in which he induced another man to give false evidence in order to prove that he had married her before the Mayor of Tokio, which is never done.

The success achieved by the Balkan allies is very wonderful. I suppose they have been preparing for the war<sup>7</sup> for years past, and had all their plans cut and dried. They had the great advantage of intending to make war whenever they were ready, while the Turks never thought of anything but standing on the defensive. This seems to me to correspond in great measure to our position vis à vis Germany, but I hope our defensive preparations will be found, when the time comes, to be a great deal more efficient than those of the Turks. I suppose the four states have an agreement among themselves as to the division of Turkey in Europe, in the event of a complete success, and that what is allowed to leak out from time to time is not an entire disclosure of their intentions. What they must naturally desire is meanwhile to soothe the susceptibilities of Russia, Austria and Italy. So my conjecture is that Serbia will take Macedonia down to a line drawn East and West South of Küprülü, the Greeks get Salonika, the Montenegrins Scutari and the Bulgarians Constantinople. But remove the Turks from the European side of the Bosphorus and the Dardanelles, and then what is there to prevent Russian vessels of war passing in and out freely? I do not think international law would recognize a right, in the possession of one shore only, to close the straits. Nor would an agreement between the possessors of opposite shores to close the straits be of any more avail. You will remember that the treaties base the closure of the straits on “an ancient law of the Ottoman Empire”. But if Bulgaria succeeds to the Turkish ownership of Constantinople and the European shore of the Dardanelles, this law is ipso facto repealed or nullified. It seems to me better to let the Bulgarians have them, than to make Constantinople into a free city under the protection of the Powers, as somebody writing a few days ago to the “Times” suggests. Any how, it will be very difficult for the Great Powers to take away from the victorious allies what they have taken possession of. The “Times” of today warns the Bulgarians against going to Constantinople on the ground that if they do they will alienate the Russians. Perhaps the idea underlying all this is that unless the Turks retain Constantinople the Straits will become open to Russian men of war. I do not of course know whether this is the policy of our government. On the other hand a rumour has been mentioned in the press that Germany(?) and Austria have expressed their

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<sup>7</sup> The First Balkan War (October 1912 - May 1913).

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willingness to see Bulgaria at Constantinople, and it was hinted that this was done in order to sow dissension among the Powers of the triple entente. If governments would remember what was the result of France, Russia & Germany interfering in 1895 to make Japan surrender Port Arthur & Southern Manchuria – namely a great war ten years later, which resulted in Japan regaining Port Arthur & practically the whole of South Manchuria – they would perhaps pause before interfering now to keep Bulgaria from the shores of the Bosphorus. The war is like the application of the surgeon's knife in order to remove a cancer. Leave a portion of the poisonous growth in the body, and later on a second perhaps more dangerous operation will be needed. The Turks are the cancer, they ought to be cleared out of Europe if the body of our civilization is to be made perfectly healthy.

The suggestion that Salonika should be internationalized is equally objectionable. Do the people who recommend it know what are the difficulties attendant on the internationalization of Shanghai, and that it is proposed to set up a similar state of things at Tangier, though up to the present the negotiations on that head seem to have made no progress. The multiplication in the Bosphorus and in Macedonia of similar abnormal institutions is much to be deprecated.

Perhaps, as so often happens, what the newspapers tell us does not really represent the considered policy of the statesman at the head of affairs. One can only hope it is so.

Yours sincerely

Ernest Satow

7. 8 December 1912

Dear Reay,

I return with many thanks the book on Thomas à Kempis by Dr. Butler, which I have carefully read through twice. What better proof of interest in a subject could be given. I was particularly pleased with Chapter IV on the mystics. In a footnote on p.78 he mentions "De Montmorency's learned work, Thomas à Kempis." I don't find any reference to this author in the Catalogue of the London Library. In Chapter II I expected to find something about the traces of Flemish idioms in Thomas' Latin, of which there are not a few. For instance in Chapter I "Si scires totam biblicum exterius" where the last word is = van buiten. I once possessed a book entitled De Nalezing of myn Thomas a Kempis by O.O. Spitzen, but must have given it away: it contains a list of the Flemish idioms. And this fact seems conclusive as to the nationality of the author of the *Imitatio*.

The book [*Imitatio*] has been my constant companion since working in the Bodleian in 1887 I found a volume printed by the Jesuit Missionaries in Japan in the Japanese

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language, but in Italic type. The date is 1596. And the opening chapter has in Latin qui sequitur me non ambulat in tenebris, sed habebit lumen vitae,<sup>8</sup> which is the full quotation as given in the Spanish text of the works of Fray Luis de Granada. In most editions the quotation ends with tenebris. You can imagine the effect of this piece of Latin on one who was then walking in darkness. It was a turning point in his life, for it haunted him till the light came, truly the lumen vitae. And there is so much in the Imitatio that is useful for every day existence, that I feel jealous when any stress is laid on the fact that Thomas was a cloistered monk. Nevertheless, I have often thought, especially with respect to the “Introduction à la vie devote”, that a book to show how Christians may live in the world, while living the ‘interior’ life, would be very valuable.

The London Library has not Henry Scougal’s “Life of God in the Soul”. Have you by any chance a copy? About Leighton I have been reading a good deal lately in [Gilbert] Burnet’s “History of my own time”.

Yours sincerely

Ernest Satow

P.S. I have heard from Brun.

8. 15 December 1912

Dear Reay,

As you do not seem to have read [Dean] Inge’s<sup>9</sup> Christian Mysticism, I send it to you. I am not sure that it helps one much. As Thomas à Kempis says Magis opti sentire compunctionem quam scire ejus definitionem, so I feel that to read about mysticism does not make one a mystic. A more interesting book is his “Personal idealism” and Mysticism[”], in which he shows if I recollect aright how St. John in his Gospel and St. Paul here and there in his epistles are mystics. I suppose one might safely say that most real Christians are mystics, some more some less, and some are without knowing it, all those to whom Christianity is a relation and not merely a doctrine held intellectually. Quakers and the best Roman Catholics are often mystics. The great danger is that people who concentrate themselves on the mystical point of view are apt to run into extravagances. The antidote is some form of practical social service. St. Teresa de Jesus was a mystic, but an excellent woman of business in the foundation of her convents.

I am afraid I cannot undertake a paper on Japanese History for the Congress. It is entirely out of my present line. I have not thought about it for years, and all my books

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<sup>8</sup> This is quoted in B.M. Allen’s Memoir of Satow.

<sup>9</sup> William Ralph Inge (1860-1954). Author, priest, professor of divinity at Cambridge and Dean of St. Paul’s Cathedral.



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relating to that subject have been given away. J.H. Gubbins C.M.G.<sup>10</sup> I know well. He was until lately Lecturer on Japanese matters at Oxford, but the trustees of the Endowment Fund felt they could not continue him in that appointment because no one came to him for the Japanese language. His present address is Tudor House Worplesdon. Another very good man on Japanese history is F. Victor Dickins, C.B.<sup>11</sup> formerly registrar of the University of London. His address is Seend Lodge, Seend. If he would accept the task, he would perform it well.

If you mean that you will give me Dr. Butler's book on Thomas à Kempis, I shall accept it with gratitude, but having read it twice am in no hurry to have it again.

I am very glad that the prospects of peace are so favourable. As for Salonika, since the Bulgarians are not to have Constantinople, perhaps Greece may give it up to them. I look upon the idea of "internationalizing" it as fantastic. Such an arrangement would be most difficult to work, as people will find in the case of Tangier. Shanghai international settlement goes on well enough, in times of peace, but its constitution rests upon a one-sided basis, and ought not to be taken as a model.

About flogging certain classes of criminals I think it excellent in the case of a man who lives upon the earnings of a prostitute, and in that of a man who tries to corrupt a little girl; so I do not feel any objection to its application to a procurer.

As to "immunity" of private property at sea, have you read Lord Avebury's article in the XIX Century? It seems to me weak, and I am tempted to try my hand at a reply.<sup>12</sup> To give up capturing enemy ships and cargoes in return for the abolition of contraband is not quite as good a bargain as it seems at first sight. I should wish to stipulate also for abandoning the right claimed to convert private vessels into warships on the high seas, with some modification of blockade, and especially the closing of an enemy's ports with mines. So you must not at present 'take me at my word.'

I have not seen [James Rendel] Harris' Odes of Solomon, as I don't subscribe to any lending library except the London Library in St. James' Square.

Yours ever

Ernest Satow

9. 24 January 1913

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<sup>10</sup> John Harington Gubbins (1852-1929). See I. Ruxton (ed.) *Sir Ernest Satow's Private Letters*, Volume II.

<sup>11</sup> Frederick Victor Dickins (1838-1915). See I. Ruxton (ed.) *Sir Ernest Satow's Private Letters*, Volume I.

<sup>12</sup> See 'Private Property at Sea in Time of War: A Reply to Lord Avebury', *The Nineteenth Century and After* 73, no.432 (February 1913), pp. 292-304.

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Dear Reay,

The very best man for a paper on Chinese History is E.H. Parker,<sup>13</sup> Reader in Chinese, University College Liverpool and Professor of Chinese at Manchester University, address 14 Gambier Terrace, Liverpool. Failing him, then Professor H.A. Giles<sup>14</sup> Professor of Chinese at Cambridge, Selwyn Gardens. If neither of them can be got to do it, then R.F. Johnston<sup>15</sup> J.S.O. District Officer Wei hai wei would be a good man.

If Lord Loreburn treats the immunity of private property at sea from the historical standpoint, and not as a partisan, his paper may prove of value. There is a good deal in the Parliamentary debates from 1862 onwards.

It seems very doubtful whether we could close the Baltic to neutral shipping in case of a war with Germany, and we were blockading Kiel. The sections of the Declaration of London which allow the 'rayon d'action' but reserve the right of access to neutral ports and coasts (arts. 17 and 18) seem to preclude this. At least that seems to be the natural meaning. If the Admiralty were to close the Baltic to neutrals, they would have the whole world against them. My article will appear in February. I don't know whether I can expect you to approve it, because it will point out that even if mines, blockade of commercial ports and contraband are abandoned in return for immunity, there will still remain the difficulty as to merchant vessels which may be taken up for transports, and Great Britain would be left without any means of harassing an enemy, except destroying his battle fleet, which of course would never be effectual in bringing about his submission. There is the dilemma for us.

I am strongly against votes for women, which seems likely to have the revolutionary effect of handing over political power to a majority composed of women. Once grant it, adult suffrage must come about. Like you, I have lost many friends last year, and constantly look forward to my own turn coming.

Yours sincerely

Ernest Satow

10. 13 February 1913

Dear Reay,

When I was staying with you last autumn, Mr. John Elliott came to tea one day, and talking about farm labourer's [labourers'] wages, he said, I believe, that his men received 18/- a week, a cottage, 65 stone of meal, and a certain number of yards of

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<sup>13</sup> Edward Harper Parker (1849-1926). Barrister and sinologist.

<sup>14</sup> Herbert Allen Giles (1845-1935). Diplomat and sinologist.

<sup>15</sup> Sir Reginald Fleming Johnston (1874-1938).

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potatoes. In connexion with an enquiry into Rural Housing conditions which is being made by the Exeter Diocesan Committee on social subjects (of which I am secretary) we are enquiring also about rates of wages and extras (called privileges here). Can you procure or give me some precise figures as to wages, etc. in your part of Scotland. They would be very useful for comparison. I made a note of what Mr. Elliott said, but am not sure whether my memory was accurate as to the quantity of meal, nor did I remember how much the potato crop would amount to.

In Devonshire the money wage is from 12/- to 14/- with cottage, potato land dug and manured, sometimes wood for fuel, a quart of cider, and perhaps some 'separated' milk, besides extra pay at hay and corn harvest. Some people advocate doing away with 'privileges' and giving an increased wage instead, but it seems doubtful whether labourers would prefer that.

I have seen some cottages to which I was taken by the county medical officer of health.<sup>16</sup> They were in a shocking condition. The result of my inquiries so far is that the bad, insanitary cottages, are owned by small shopkeepers and other tradesmen, spinsters & widows, sometimes even by the occupants. The former will not, the latter cannot afford to, put the cottages in proper repair. On the estates of men like Lord Clinton, Sir Thomas Acland, Hugh Acland Troyte, Sir Robert White-Thomson and other large owners the cottages are as good as they can be; but they don't bring in more than 2%. I do not at present see how the bad cottages are to be bettered by legislation. The Act of 1909 gives power to local authorities, but they are reluctant to exercise it.

Yours sincerely

Ernest Satow

11. 21 February 1913

Dear Reay,

Very many thanks for the enclosure in your letter of yesterday. I have taken a copy for my own use. Labourers in Devonshire are not worth as much as the Scotch, not for the matter of that, as much as Englishmen of the Midlands. Pray keep Inge's Mystics. Many thanks for [Dr. Dugald] Butler's Thomas à Kempis and the German book, which I daresay will come by tomorrow's parcel post.

Lord Loreburn goes farther than I would in regard to blockade. I think blockade of naval ports, or ports where warships are lying, is quite fair. Then I go beyond him in respect of contraband and mines. Absolute contraband is of little importance, except as

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<sup>16</sup> See Satow's diary for February 11, 1913. "...more miserable dwellings I never saw."

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against a feeble, uncivilized opponent. In 1870-1 the freedom to import arms from America did not help the French to avoid their fate. And in any case it is unfair as against states which can only get such articles by sea. I have said something on this point in my XIX Century article, which I hope you read some time or other.

The Welsh Disestablishment Bill did not please me at all. It must be disagreeable to feel obliged to vote Aye when you are not in favour of the whole thing, and not of the main question, which in this I take to have been Disendowment. Clearly the promoters of Disestablishment would not care for it by itself. I will send for the Hansard report. [Bishop Charles] Gore's speech as reported in the "Times" did not exactly command my admiration. I love Gore, but I regard him as a very unsafe man, like most of the Christian Social Union, Stephen Coleridge, Mackarness, Wedgwood, Arthur Ponsonby, and that – gang I had almost said – band.

I hope you will enjoy sunshine without north east wind on the Riviera. Here we have them coupled together, but they are very pleasant, any how, and better for one's health than the muggy moist warmth characteristic of Devon.

Yours ever

Ernest Satow

12. 15 June 1913

Dear Reay,

It seems difficult to admit that the arming of merchant ships like the 'Aragon' and 'Amazon' is in opposition to the Declaration of Paris. The essence it seems to me of the privateer is the issue of the letter of marque and reprisals, not the carrying of guns. It is certainly not proposed to give these vessels any commission to attack enemy merchant ships, or to visit neutral merchant ships in search of contraband, powers which were conferred on privateers, and made them what they were. The privateer of course had to bring its prizes before a prize court, and if it gained the case profited by its captures, but here nothing of the kind is contemplated, but only defence against attack.

In the days of sailing ships it was quite a common thing to carry guns, especially in the Eastern Seas, for defence against pirates, particularly against pirates of the Malay archipelago. This lasted until with the opening of the Suez Canal the "ditcher"<sup>17</sup> superseded the sailing ship in Eastern commerce. In the 18th Century East Indiamen were always armed, and there is a famous instance of one of these ships beating and capturing her assailant. I regret that I cannot give you the reference.

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<sup>17</sup> Ditcher: a vessel built especially to go through the Suez Canal. (Eric Partridge, *A Dictionary of Slang and Unconventional English*, Routledge, 2006)

The 'Aragon' & 'Amazon' will be private ships, not even flying the blue ensign, unless the captain & one third of the crew happen to belong to the Royal Naval Reserve. Hall (5th edition p.530) lays down the universally admitted doctrine that non-commissioned vessels have a right to resist when summoned to surrender to public ships or privateers of the enemy, and they may lawfully capture the assailant. This passage is quoted by Ch. Dupuis with approval (*Le Droit de la guerre maritime* 1899, p.121). This would not give the armed merchant ship a right to attack the enemy's vessels, except in self-defence. Cabdy's[?] edit. of Kent, p.226 & Wheaton seems to suggest that a non-commissioned vessel may attack, for the purpose of capture, an enemy vessel, but the latter rests this on an obiter dictum of Sir Leoline Jenkins<sup>18</sup> in 1680 (rather antiquated); but Hall (p.530[]) says "If there was ever anything to be said for this view, and the weight of practice and of legal authority was always against it, there can be no question that it is too much opposed to the whole bent of modern ideas to be now open to argument."

Would it not be a useful thing whenever a code of maritime warfare is framed to lay down these two rules explicitly? [Dutch admiral H.G.] Surie is I think right in saying that this loaning of guns to merchant steamers is the Admiralty's answer to the refusal of other Powers to prohibit transformation [from merchant vessel to warship] at sea. I do not think he can justly call them hermaphrodite, or that they ought to be subjected to any special régime in the ports of other powers. They are simply, in my view, merchant ships armed for self-defence, which has always been, and still is, legitimate.

I shall ask my newsagent to get me the Naval & Military Record of 7<sup>th</sup> & 14<sup>th</sup> May. As far as I can see at present Surie takes an exaggerated view of the matter. If, as the best authorities on International Law state, merchant vessels are entitled to defend themselves against an enemy, they clearly must be entitled also to carry the means of defence.

I have procured and read Loreburn's articles in the Manchester Guardian. If, as he argues, the immunity of merchant-ships coupled with the abolition of conditional contraband would be such a great advantage to us in time of war, is it really likely that other powers, Germany for instance, would consent to be deprived of such a powerful weapon against us? I suppose he does not advocate giving up the right of capture, unless conditional contraband is at the same time abolished. The second question I should like to ask him is whether he proposes, after giving up the right of capture, to limit our means of offence to the destruction of the enemy's warships and invasion of his

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<sup>18</sup> Sir Leoline Jenkins (1625-1685). Welsh academic, diplomat, jurist and politician.

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territory, and would invasion be possible for us without a great increase of the regular army?

You are good enough to say that ‘on the whole’ you agree with my article. It would be useful to me if you would say what parts of it you disagree with.

I am very glad to hear that our relations with Germany are satisfactory, a state of things that we entirely owe to Sir Edward Grey. I never forget what Kriege said to me at that dinner<sup>19</sup> of the Maritime Conference in 1909 about the confidence every one had in his perfect uprightness. He seems to have managed the Balkan peace delegates with great decision. I cannot believe that the Bulgarians Servians and Greeks will be so mad as to fight among themselves.

Various local engagements prevented my coming up for the F.O. dinner on the King’s birthday. More and more local duties occupy my time. In April I was elected to the local Urban District Council, my wish being to attempt some improvement of local housing conditions both urban and rural. It will be an uphill fight, for the rest of the council consists of 6 farmers, mostly violently opposed to any reform that might tend to increase the rates, and 2 small shopkeepers. I am afraid that the people who talk of solving the question of economic rents for cottages by raising the wages of farm labourers or enacting a minimum wage are not familiar with rural life. If they were, they would know that farm labourers do not constitute a majority even of the occupants of dilapidated, insanitary and cheap cottages. The powers conferred by the Housing and town planning act of 1909 upon local authorities are ample, but they are unwilling to exercise them, because the worst cottages are the property of people of small means who are reluctant to spend money in repairs and sanitary improvements. We don’t want any more legislation at present, till we have learnt how to use what we have already got.

I am afraid the Insurance Act<sup>20</sup> is far from popular, especially with the great friendly societies. There is too much red tape, and costly administration for their taste. I confess I do not know how the act can be amended, and happily it is no part of my duty to make suggestions, all I have to do is to take my share in its administration here in Devon.

Yours sincerely

Ernest Satow

P.S. I have no doubt the Admiralty consulted the authorities on International Law before deciding to lend guns to private ships.

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<sup>19</sup> See Satow’s diary for February 8, 1909. He sat between Fusinato and Kriege.

<sup>20</sup> The National Insurance Act 1911 created National Insurance, health and unemployment insurance.

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Land Warfare by Edmonds & Oppenheim, 1912

p.47. Arts. 11 & 12. These would be unnecessary if transformation is prohibited on the high seas.

p.55. Holland's objection to 2<sup>o</sup> is quite just. We never could admit that a ship-of-war may not use a false flag, it is a ruse de guerre.

p.59. Art.24. Remember that the territorial waters of the belligerents form part of the highway of nations. Belligerents may place them at the entrance to their ports, but ought not to do this along their coasts.

p.75. I think it is to be regretted that the blockade rules of the Declaration of London have been knocked out. The Code ought to contain them, altho' interesting neutrals.

p.165. Surely during the armistice enemy ships ought to be subject to seizure, they might be carrying victuals to the enemy. It wld. scarcely be allowed on land(?)

E.A. Whittuck International Documents & Appendix

13. 22 June 1913

Dear Reay,

Since I wrote to you on the 15<sup>th</sup>, I have read the Naval & Military Record of May 7 and 14.

I think these merchant ships carrying guns must still be regarded as private merchant ships, in spite of their being armed. They are armed only for defence, not for attack, and are private vessels. They could not, in my humble opinion, be regarded as privateers, the functions of which were quite different in the days before the Declaration of Paris.

The point about port regulations forbidding ships having explosives on board to lie alongside wharves on docking is a very practical one, but does not seem to have any relation to international law. Of course it will only be in wartime, or when there is an expectation of war breaking out, that these vessels will carry ammunition. Under such circumstances the obligation to discharge ammunition before going into port to load cargo would probably not be regarded as a great inconvenience. The place of discharge and reloading would no doubt be somewhere within territorial waters in the vicinity of the commercial port where cargo was to be taken on board or discharged, so that the ship would be in a condition to fight her guns before an enemy merchant cruiser or a destroyer could get at her.

The use of 'privateer' as a designation of merchant ships transformed, even on the high seas, into a properly commissioned war vessel does not seem to be correct. The essence of privateering is the right to capture for the benefit of the privateer's owners

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enemy merchant vessels, & to capture neutral vessels found to be carrying contraband. As long as the transformed merchant vessel is acting as a commissioned man of war she cannot be regarded as a privateer. Unless, indeed, the government which took her up as a cruiser declared that she might make prizes for the profit of the private owners; but that would be to fly in the face of the Declaration of Paris which prohibits profiteering.

I don't think it can be said that the Declaration of London replaces the Declaration of Paris; it is a development of part of it. The writer might as well say that it does away with the immunity of neutral property in enemy ships, because there is no mention in it of that provision of the Declaration of Paris.

The writer says that the German Government have made arrangements for shipping ammunition at ports on the American and Norwegian coasts. If that is true, it is steering very near the wind indeed, and the Norwegian & American governments that permitted it might justly be reproached with a violation of neutrality. At the next Peace Conference it will be necessary to change certain articles of Convention XIII of 1907 so as to included [include] 'potential' as well as actual warships.

Yours sincerely

Ernest Satow

14. 13 July 1913

Dear Reay,

If it suits you and Lady Reay to have me between the 5th and 17th of September I shall be very pleased to come. Before and after those dates I have various engagements which will keep me in Devonshire. Now that I am a member of the Urban Council here I find it increasingly difficult to get away. My chief preoccupation is the Building Bylaws, which I want to get modified so as to facilitate the building of cheaper cottages for the rural population. It is a very thorny subject. Whetham of Trinity College Cambridge will have an article on the subject in the July [edition of the] Edinburgh [Review].

I have Loreburn's volume, which I had previously read in the Manchester Guardian in the form of letters. His chief argument in favour of immunity seems to amount to this, that by maintaining the present law we stand to lose more than any possible enemy. If we give up every branch of warfare in which we run greater risks than any other country, what means of fighting shall we have left? I should be very glad to see his book answered by a master of figures, like Custance. I shall be much obliged for the loan of the report on the lois de la guerre maritime which you mention. I am to read a paper at the Church Congress at the beginning of October on the Mutual Relations of Civilized



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Nations; it is not yet drafted, but if I come to you in September I will, I hope, bring it with me; and also my article in reply to Avebury.

It is quite true that I think Chinese and Japanese are best learnt in China and Japan, both by the consular service and by missionaries, after they have taken up their residence in those countries; but I do not know whether this can be maintained with regard to Turkish and other languages required in the Levant. But I wish that there were some scholar in Japanese, say at the proposed School of Oriental Languages, who would be a dictionary of reference on all questions relating to that country. Oxford, Cambridge and Kings College London have professors of Chinese, but there is no really learned man occupying a chair of Japanese any where in Great Britain, since Oxford abolished the Readership established three years ago.

The war in the Balkans<sup>21</sup> is a shocking business. The Spectator has a weighty article on the balance of power in the Balkans by Scotus Viator. He says, and I agree with him, that the Powers are responsible for this imbroglio, because it was they (who at the instigation of Austria) insisted on an independent Albania, and this prevented the partition being carried out between Bulgaria, Servia and Greece according to the stipulations they entered into before the war. What moral justification there was for Austria's interference I have never been able to understand.

We have had too much in the past of wars entered into for the purpose of preventing the aggrandisement of a neighbour.

Yours sincerely

Ernest Satow

15. 19 September 1913

Dear Reay,

The enclosed is a first proof of my paper for the Church Congress, and I shall be glad of any criticisms you may be disposed to make. It has been read by Sir Edward Fry, and some changes and additions (marked in pencil) were made at his suggestion. I am inclined to shorten the passage in which Sir Edward Grey is quoted respecting the motives which rule the actions of the Powers who constitute the Concert of Europe, and instead of mentioning the Secretary of State, to say that "we learn on the very best authority that the action of the powers is influenced, etc." For his language, as reported in the "Times", seems rather to attribute a cynical view of things to the other Powers.

It seems to be true however that Italy and France, at least, have profited by the the

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<sup>21</sup> The Second Balkan War (29 June - 10 August 1913).

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[sic] opportunity to obtain valuable concessions from Turkey in return for their abandonment of Bulgaria. Whether Russia, Austria and Germany have got their share time will show. What we gain is I suppose the chance of proving to Indian Moslems that we are not enemies of Mohammedanism.

The other view that might be taken of the decision of the Powers not to interfere between Turkey and Bulgaria, is that their abstention is a consequence of the declaration at the outbreak of the war that they would not permit an alteration of the status quo, which meant in reality that they would not favour either side.

You need not return the proof; when it is finally printed in pamphlet form I shall have the pleasure of sending you a copy.

My stay with you was a great pleasure to me, and I greatly enjoyed our talks.

The title of the German translation from the Danish is “Christus und seine Getreuen” by Olfert Ricard, the publisher D. Gundert of Stuttgart. It is a very refreshing and helpful book.

Yours ever sincerely

Ernest Satow

16. 3 November 1913 [See p.42 above.]

Dear Reay,

It may interest you to see the accompanying Report on Housing in Devon which has been prepared by Canon Pryke for the Diocesan Conference from materials obtained chiefly through clergymen in about half the rural and urban parishes. I have had a good deal to do with tabulating the materials and putting them into shape. The information about this urban district and a neighbouring village I myself obtained. They are not however mentioned by name, as it was considered best not to give the sources of information.

I have read Lloyd George's speeches and a good deal of the volume prepared by the Acland committee. It is interesting, but I think makes too much of the alleged insecurity of tenure of the farmer, at least as far as Devon is concerned. In this district there are four or five substantial men who farm their own land. The tenant farmers are contented with yearly agreements. One man told me he originally had a lease, but after it expired has continued to hold it from year to year upon the same terms. I have known a few farms to change hands since I have been here, but solely because the tenant wished to move: I have not heard of a farmer being given notice to quit. As for labourers and the risk of being turned out at a week's notice and having to leave their homes, my impression is that a good man gets good wages (up to £1), and if there is a change it is

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because he wants to try another place. I know one labourer, a man with a grown up family and some young children who has of his own accord changed twice since January. So that if he had a cottage, with the obligation of six, or three, months notice on either side, he would have been tied by the leg. I am afraid the appointment of wages boards to fix a minimum wage would be a difficult matter to arrange. The wage-value of men is so very different. As for fixing a minimum wage for an average family, what good will that do to a man who has more children than the average. And the man who has less than the average, or none, will simply have more to spend on beer and tobacco. And when the children are grown up and earning wages for themselves, what then? Besides, there are the independent labourers, who do odd jobs, & the old fellows who cannot do a good days' work, and so are worth less than the average man. I hear of a plan put forward by a clergyman for subsidizing the labourer according to the number of his children, presumably out of the national Treasury or the rates; but I have not seen his written proposals.

The great mistake people seem to make is in believing the country to be inhabited solely by big landowners, tenant farmers and labourers in "tied" cottages. This, as far as Devon is concerned is not a correct picture. There are plenty of small owners of bits of land, and small farms. Only the other day a licensed victualler in London, who has connexions here, bought a farm which was for sale. Lord Coleridge would have liked to buy it, but the other man outbid him. In fact, Coleridge told me the upset price was more than he was prepared to give for it.

The only way to get at the facts as to ownership is to go through the rate books, and note the names of owners and the rateable value, and the best way to learn all about cottages is to look at the record kept since 1910 by the Sanitary Inspectors. You would be surprised to find how many cottages are owned by quite small people, and of the insanitary and dilapidated ones how many are their property. But very few people have the patience to make such a detailed examination.

I hope something may be arranged about Ireland. Otherwise, to judge what I hear privately from over there, a pretty bad row is on the tapis.

Yours sincerely

Ernest Satow

17. 13 November 1913 [See p.42 above.]

Dear Reay

The invitation to give a lecture on some subject of International Law from my old College is very flattering, but I am afraid I must decline it. My time is so taken up with

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Urban Council, County Insurance, Devon Village Clubs, Cavendish Association, and Committees of the Diocesan Conference that I have been obliged to lay aside studies in International Law, and I could not find leisure to write a lecture. My hobby the Silesian Loan has remained untouched for over a year. I hope the Council of University College will not think that I do not greatly appreciate the compliment.

The American intervention in Mexico scarcely seems to be justifiable. Apparently there is a jealousy of people like Lord Cowdray<sup>22</sup> coming in there with the command of money. President Wilson seemed to hint at something of the sort the other day, and to be inclined to extend the Monroe doctrine to the invasion of European capitalists. The French budget seems frightful. It is quite true that France has heaps of money, which she invests abroad, so perhaps the Government will be able to get the loan they talk of. The Greeks and Turks are apparently on the point of coming to terms. Who is going to enforce the decision of the Great Powers as to the final ownership of the islands?

I heard from Redesdale [A.B. Mitford] the other day. He is bringing out a translation of Houston Chamberlain's volume on Kant,<sup>23</sup> a huge undertaking. What energy!, he is 76.

In spite of everything the government seems to hold its own in the bye elections. I do not believe that the elector cares one atom about legislation, Ireland, Church in Wales, rural housing &c. It is the personality of the candidate and the length of time he has been nursing the constituency that carries the day. We may feel confident that when the franchise is given to the other sex, it will be more so than ever, and we shall get a House of Commons composed mainly of 'pretty fellows'. I am becoming more than ever a Reactionary.

Yours sincerely

Ernest Satow

18. 50 Jermyn St. [London]

22 July 1914

Dear Reay,

It is a disappointment to me to find that you are not in town, as I came up for a week's work at the Record Office yesterday. I am afraid I cannot manage to come to you in August, as I have engagements with people to come and stay with me the whole of that month. At present I have September free.

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<sup>22</sup> Weetman Pearson, 1<sup>st</sup> Viscount Cowdray (1856-1927). Engineer, oil industrialist, benefactor and Liberal politician.

<sup>23</sup> Satow received the translation on June 16, 1914 (Diary).

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I should hope that an agreement about Ulster will be arrived at, in spite of much intemperate language in the press. My own notion is that if the whole province were excluded, there would be much more likelihood of its coming into the Home Rule scheme voluntarily at some future date. But I am not a Homeruler, and can hardly believe that Ireland will be reconciled to England by an arrangement which makes her far more independent of Great Britain than Quebec or Ontario is of Canada.

It is lamentable on arriving at Waterloo to see the buildings of the County Hall at a dead stop. And the industrial war with which we are threatened is still more serious.

I could not manage to attend the F.O. dinner on the King's birthday as I had a committee meeting of which I am secretary the same day. And I have not been able to visit the Frys this year. He has given up all public work, which indicates that he is feeling his age. I dined last night with Sir Hermann Weber, who is nearly 91, and still vigorous.

Yours sincerely

Ernest Satow

19. 25 July 1914 [See p.44 above.]

Dear Reay,

It would suit me very well to arrive at Galashiels and come to you at Laidlawstiel on Thursday September 3. Last year I found that the whole journey in one day was too tiring, so I should break it at Leeds, leaving home on the 2nd. The train I come by is due at Galashiels at three o'clock and I will write to the hotel keeper there for a motor.

It is a miserable fiasco. After summoning the Conference and passing the King's speech, and giving it out for publication, the Cabinet were bound, I think to force a solution on the contending Irishmen. For the speech implied that the alternative to a friendly settlement was civil war, and they have failed to get that settlement. 'Before the bar of history' to use a hackneyed phrase – they will be condemned as inefficient statesmen.

I am sorry for the Prince of Wied,<sup>24</sup> but his position is an impossible one. The best way to deal with Albania would be for the Powers to put it in the hands of an English Admiral, like my friend Gerard Noel, or Admiral Burney of whom I hear great things.

I go home to Ottery on the 29<sup>th</sup>.

Yours sincerely

Ernest Satow

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<sup>24</sup> Prince William of Wied (1876-1945). He reigned briefly as sovereign of the Principality of Albania as Vidi I, from 7 March to 3 September 1914.

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20. 7 August 1914 [See p.45 above.]

Dear Reay,

We had a public meeting at Exeter today presided over by Lord Fortescue,<sup>25</sup> at which we resolved to form a Patriotic Fund for Devon, to help the wives and children of the naval and military reservists and territorials resident in the country who have been called out, and I have been made chairman of the executive committee. This will necessitate my constant attendance in Exeter. Besides this I have undertaken to be President of the branch of the Soldiers & Sailors Families Association in this petty sessional division, which will also require a good deal of attention. I am afraid therefore that I shall not be able to come to you in September as I had engaged to do. This is a very great disappointment, for I should have greatly liked to discuss the situation with you.

Grey and Asquith's recent speeches have been most admirable. The German attack on Belgium, a country of which they are bound by treaty to respect the neutrality is an international crime such as has not been committed since the days of Napoleon I. Presumably the ruling powers in Germany calculated on England being weakened by her political difficulties, but they have never understood the temper of the English people. The Belgians have made a magnificent stand at Liège, such as no one could ever have anticipated. I trust Italy will remain neutral. She has nothing to gain from throwing in her lot with Austria and Germany. I hope before long to hear that our expeditionary force has landed in Belgium. It seems to me that they can safely be sent over, without our first beating the German fleet. Perhaps the Ulster people and Nationalists will be able to respond in part to the call for soldiers. Kitchener's appointment will have greatly increased the public confidence in the government.

We shall all of us do what we can to help the poorer classes, and I hope to see a local branch of the Devon Patriotic Fund set up here in Ottery next week. What a fiasco our labours at the last [Hague] peace conference [in 1907] have proved. Just look at Convention V Neutral Powers and Persons in Land Warfare, especially Art. 10. To nullify this all Germany has to do is to declare war on Belgium!

I pray God will defend the right.

Yours sincerely

Ernest Satow

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<sup>25</sup> Hugh Fortescue, 4th Earl Fortescue (1854-1932). See Richard Batten (ed.), *A Lord Lieutenant in Wartime*, The Boydell Press, 2018.

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21. 11 September 1914

Dear Reay,

But for this unhappy war I should be enjoying your hospitality at Laidlawstiel and taking pleasant walks with you on the hills. It was with very great regret that I found myself obliged to stay at home and work instead of passing a pleasant time with you. What a shocking business it is! Violation on the part of Germany of the most sacred obligations, even to the tearing up of Conventions signed by her at the Hague only seven years ago. What has become of International Law, and can we ever put any trust again in her word. You will have seen perhaps Tommy Bowles' attack on me for what I said about the mines convention at the Hague, as if I were anything more than the mouthpiece of the Delegation. I did not reply to his second letter to the Times about enemy property on board neutral ships, because it merely amounted to abuse of the plaintiffs' attorney, and I did not think it worth while, or even dignified, to reply to a personal attack.

I am very busy, for I have to spend two or three hours daily in dealing with cases of insufficient income of wives and mothers of men on service, and distributing with due regard to economy the funds which the Soldiers' and Sailors' families Association furnishes. It is troublesome work, because there are so few of our parochial helpers who are clearheaded enough to understand the rules by which we work, and most of them have never had any training. I am fortunate however to have the assistance in this little town of a young lady [Mary Dickinson] who is familiar with C.O.S. [Charity Organisation Society] methods and is also a very competent Guardian of the poor, so that we get over our difficulties one way or another.

I see Lord Derby recommends that mothers should have 'separation allowances' just as wives do. A very laudable suggestion, but not very practical. Few mothers are entirely dependent on their sons, as wives necessarily must be. Their cases vary very greatly, and I defy any one to frame regulations applicable to every one of them. It is much better to leave the mothers to be helped by the S.S.F.A. A curious thing is that some people are opposed altogether to what they stigmatize as charity, others would like to see charitable doles given out on purely sentimental grounds, such as for instance larger grants being given to a mother who has four or five sons serving than to her who has only one serving the country; as if it were the mother's merit and not the willingness or warlike ardour of the son that sends him forth.

Military events in France during the past few days seem to have been going better for the allies. One hoped to hear shortly of a strong effort being made against the German lines of communication by the troop that every one knows about but no one speaks of

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publicly. Our source of information is the station master, who knows all about the troop-trains that pass up the line from Plymouth, or have been sent from Bristol to Southampton.

I have a nephew [Christopher Paul Satow] in a submarine, another [Lawrence Satow] with a hospital belonging to the Expeditionary Force in France, a third [Lawrence de Wahl Satow] doing transport work at Dublin. From the second of these I had a letter card today dated 2 September, which has been lying all this time in some post office or other. Naturally he does not say where he is. Down here in Devon we have done pretty well in the recruiting line, and it is estimated that altogether there are 20,000 Devonshire men serving afloat or ashore. The Highflyer which sank the “Kaiser Wilhelm der Grosse” was manned at Devonport, and is commanded by a son of my old friend Admiral Alexander Buller. The more they hear stories of the fighting, the keener do the young men become to go and get a share of what is going. No wonder the recruiting officers have found it difficult to cope with the enormous amount of work so suddenly thrust upon them. I have every confidence that things will get in order in a few weeks, and then the croakers will have to turn their attention to other official shortcomings.

In Holland and Denmark the people must feel very great anxiety. What would be their fate if Germany were to be the victor in this war. There would be no one left to help their cause.

Kind regards to Lady Reay.

Yours very sincerely

Ernest Satow

22. 21 September 1914

Dear Reay,

I send you back your paper of questions, with such answers as I am able to give. The more atrocities the Germans commit the stronger will be the determination of the allies to break up their system. This morning's paper says that they have bombarded and set on fire the Cathedral of Rheims, clearly a wanton piece of mischief, as modern artillery fire is accurate and does not hit any building by accident.

The Order in Council bringing the Declaration of London into operation makes a few changes, the most important of which is the application of the doctrine of continuous voyage to conditional contraband. The French government's agreement to these changes has been published in the London Gazette. The O. in C. is a supplement to the London Gazette of August 22, which I am trying to procure from Wyman & Sons. I see that the



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papers announce that the Dutch government is refusing to export grain to Germany. The brochure entitled “Why we are at war by members of the Oxford Faculty of Modern History” looks good, but I have not had time to read it yet. I am trying to get “Neutralité Belge et Invasion Allemande” by [Maxim] Lecomte and [Camille] Levi, published in Paris and Brussels, but perhaps it will be unobtainable. The run upon such books is apt to be very great.

Italy no doubt will remain neutral as long as it suits her interests. She must of course keep an eye on Avlona.

I did not see the Graphic of Monday last, and so do not know what Tommy Bowles says about Germany not having infringed a single Hague Convention. He is not a fair controversialist.

Yours ever

Ernest Satow

[Notes – Reay’s questions, in his handwriting]

Does the Convention allow unanchored mines to be placed anywhere? I believe they are forbidden except in a naval battle.

Must a belligerent keep a record where mines are laid

Requisitions may be made and payment must be made, but

Contributions must be levied over and above the ordinary taxes to supply wants of army

This seems to make payment for requisitions illusory if by contribution it is borne by the occupied territory

p.115 of 7<sup>th</sup> Edition of Lawrence’s Handbook of Public International Law.

Is Germany at this moment an inland State as its seaboard is useless by the blockade of our fleet

Lawrence ibidem p.175

Lawrence admits capture “on board an enemy ship” unless where the enemy country has no seaboard p.175

Why can it not be seized on board a neutral ship because as regards contraband the Paris rules make no distinction between neutrals and enemies.

Were the German levies of contributions at Brussels, Liège, Lille, Louvain, and other places legal?

What is allowed with regard to ruses de guerre such as: wearing enemy’s uniform, adopting his flag on board man of war?

[Satow’s] Answers

The Mines Convention 1907 does not forbid the placing of mines anywhere, except that by article 2 they may not be laid before the ports and coasts of the adversary with the sole object of intercepting commercial navigation. (The object of this was to prevent blockade being established by mines). Hence the inference is that they can be laid anywhere, but we protested against this view at the Séance plénière of 9 October when we said: “Aussi ne doit-on présumer la légitimité de tel ou tel acte, tout simplement parceque la Convention ne l’a pas prohibé”. And we repeated this in a reservation made when we signed the Convention. At the end of a war the belligerents are to do all they can to remove the mines they have laid, which leads to the inference that they must keep a record.

Article 1 prohibits the use of drifting mines unless so constructed as to become harmless within an hour after the mine-layer has lost sight of them (en aura perdu le contrôle) or anchored mines which do not become harmless when they get adrift. But article 6 allows time (aussitôt que possible) for transforming their mines so as to comply with art.1.

As to contributions Oppenheim<sup>26</sup> holds that by arts. 49 & 51 of the Hague regulations they may not be demanded extortionately, but exclusively for the needs of the army in order, for instance to pay for requisitions or for the administration of the locality. But perhaps Germany made reservations as to these two articles – I do not know. In order to answer the question whether the German demand for contributions at Brussels, Liège, Lille, Louvain etc was legal, one ought to see the terms of the written demand (art.51). The “wants of the army” might, I suppose include pay of officers and men. I agree that if contributions are levied and used in payment for requisitions, the payment for requisitions is illusory.

I do not think Germany is an inland state because the use of its seaboard is rendered difficult by blockade. An inland state must be one like Switzerland (or the Transvaal formerly) which has no sea coast.

enemy ship on p.175 must be a misprint for neutral.

Using the enemy’s uniform is not admissible during actual attack and defence, but many writers maintain that until actual fighting begins it is allowable, though the number of those who take the opposite view is on the increase (Oppenheim II, 202). The use of the enemy flag in chasing, trying to escape, or for the purpose of drawing an enemy vessel into action, but not when actually attacking, is considered allowable by most writers (Oppenheim II, 262).

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<sup>26</sup> Lassa Francis Lawrence Oppenheim (1858-1919). German jurist. Moved to United Kingdom in 1895, naturalised British in 1900. Professor at Cambridge University from 1908.

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Private correspondence from Satow to Lord Reay

April 1912 – November 1914

## Newspaper cuttings

THE PALL MALL GAZETTE.

OCTOBER 7, 1914

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### WOUNDED MOSLEMS.

#### IS ALEXANDRIA SUITABLE P

To the EDITOR of the PALL MALL GAZETTE.

SIR,—Will you allow me, a native of India who has spent the best part of his life in the greatest Moslem stronghold in India, the capital of his Highness the Nizam, to invite the attention of the British public to an important aspect of the proposed hospital treatment in Alexandria for wounded Moslem soldiers?

Most of the Moslem troops in the Indian Expeditionary Force belong to the Sunni sect of Mohammedans, and as such they regard the Sultan of Turkey, their Khalifa, with veneration as great as Roman Catholics entertain for the Pope. In the "Nineteenth Century" for November, 1912, I discussed in detail the closeness and warmth of the religious bond which unites the Indian Moslem with Turkey. Now, as the attitude of Turkey is pro-German rather than neutral, would it be prudent to expose the loyal Moslem soldiers of England to such a political atmosphere as anti-English agitators may create in Egypt for their special benefit? It would be impossible entirely to isolate the Moslem soldier from his co-religionists in Egypt. Could the British authorities, without wounding the feelings of their loyal Moslem soldiers, altogether prohibit the anti-English mulla or sheikh (Moslem priest) from visiting a dying Moslem sepoy, or could they object to scores of Moslem sepoys meeting such mullas at the funeral of one of their comrades?

Should not the War Office authorities carefully weigh the clearly-marked disadvantages of the tainted Turkish atmosphere of Egypt against the possible advantages of Egyptian sunshine for the wounded Moslem sepoy?

The climatic objection to hospitals in England for the wounded Indian soldiers, Moslem and Hindu, is hardly tenable. Winter in the Punjab, the homeland of the brave Sikh, is as cold as in England, and Nepal, the country of the gallant Gurkha, situated in the Himalayas, has a bitterly cold winter. The Indian native soldiers, who during Lord Curzon's Tibet Expedition never even murmured at continually crossing and re-crossing the Himalayas in the depths of winter to keep communications open between India and Tibet, will certainly not mind the English cold. Ten years ago I actually enjoyed my first winter in England. Such a relief after years of glare from an Indian sun!

The idea of hospitals in England in addition to British hospitals in France for the wounded sepoys, both Hindu and Moslem, seems to be by far the most expedient one. The Indian native soldier is already in the fighting line, so the sooner the project is set on a practical footing the better.—Yours faithfully,

S. M. MITRA.  
Author of "Anglo-Indian Studies," etc.  
47, Warrington-crescent, Malda Vale, W.,  
Oct. 6.

### Women and the War.

#### OUR DUTY TO-DAY.

#### "Work for Women" Workrooms.

The Central Committee on Women's Employment has announced that several workrooms have now been opened in London in co-operation with the Local Representative Committees, where women are given work to be done under the supervision of skilled forewomen and assistants. Inquiry made at 8, Grosvenor-place, the new offices of this committee, reveal the fact that these workrooms are five in number, two at Bethnal Green and three at Stepney. The work done here includes the fashioning of cradles from ordinary wooden boxes and crates, and the making of clothes. These garments are all cut out by skilled cutters at 12, Park-street, W., a depot of the committee devoted to this particular branch of that work, and here, too, women are being trained to take their place as heads of departments and managers. The first of these workrooms was opened on September 25, and Bethnal Green and Stepney were the districts chosen as being obviously those where most distress prevails.

#### How They Work.

When the first forty women were first brought into the workroom at St. Andrew's Institute, Bethnal Green, and saw the rough looking banana crates, one or two murmured "Men's work!" The supervisor and her four assistants, however, had been making cradles for a fortnight and they soon showed how possible the work can be for women. Women just beginning were yesterday knocking in and pulling out superfluous nails, quite a couple of dozen of which can be found in a single crate. Then they rubbed each board smooth with sandpaper and fitted bars across the bottom of the cradle to make it stand firm. It was then scrubbed with disinfectant, put into the sun to dry, while the forewoman turned her attention to making a cover. This is made of a piece of calico so that it can be taken off and washed.

The committee will be glad of pieces of waste cloth which could be cut to fit, and bits of old flannel which are not suitable for the soldiers. The best parts of the latter can be cut for baby-blankets. Each cradle is to be stamped so that there shall be no temptation to pawn it.

#### Improving the Worker's Skill.

The course of procedure, it is understood, for the woman who needs employment is first to register herself at a Labour Exchange Bureau, or to apply to the Local Representative Committee, who will doubtless send her on to the nearest Exchange. This is obligatory, and then she is drafted into one of the workrooms, where she will be given work—forty hours a week is the maximum—at 3d. per hour. The committee regard this work as fundamentally of the emergency order, and they beg the public to

bear in mind that they would not consider the pay quoted a fair wage for ordinary work. They are endeavouring to improve the skill of the worker at the same time, and, for instance, to give the dressmaker who has been a sleeve hand pure and simple a thorough training in other branches of dressmaking, and to convert the tailoress who has been accustomed to one line of work only into a skilful finisher. The improvement of hand work and the bettering of the present state of things in the realms of mending and renovation are all points that meet with special consideration.

#### Progress of St. John Ambulance Work.

The St. John County Tyrone Association is sending a 50-bed hospital to Pau at the request of the French Red Cross Society. Three surgeons and ten trained nurses will accompany it, and all surgical and medical stores are being provided for it by funds raised in the county. Colonel Trench Gascoigne, of the Royal Yacht Squadron, has most generously offered the use of his steam yacht *Una* for the purpose of conveying wounded soldiers from France and carrying stores thither, and Lord Brassey's yacht, the *Sunbeam*, which has been put at the disposal of the Association for the same purpose, is taking a large consignment of stores to Rouen this week. The steam yacht *Sacramento*, placed at the disposal of the Order of St. John by Mr. Douglas Hall, M.P., arrived today at Rouen with a large quantity of stores on board. Sir Claude Macdonald, G.C.M.G., is making the necessary arrangements to open a 100-bed hospital at St. Malo at the request of the French military authorities. Two matrons of the Order of St. John have already left London to make the requisite preparations. Ambulances are greatly needed, and the Duchess of Somerset and Lady (Arthur) Paget have each presented a large ambulance motor-car for use at the front. The brigade hopes to despatch eighteen more shortly.

#### A Royal Visit.

The Queen and Princess Mary honoured Kelson, of 69a, Duke-street, Grosvenor-square, with a visit on Monday, and made a number of purchases. This establishment, which makes a speciality of novel and artistic presents, is being conducted for the next six months entirely for the benefit of the Officers' Families Fund. Mrs. Whitaker, the promoter of the business, is giving her services, and Mrs. Brinton providing the expenses, so that the entire profits will be handed over to this deserving cause.

#### Dickens Readings in Aid of B.R.C.

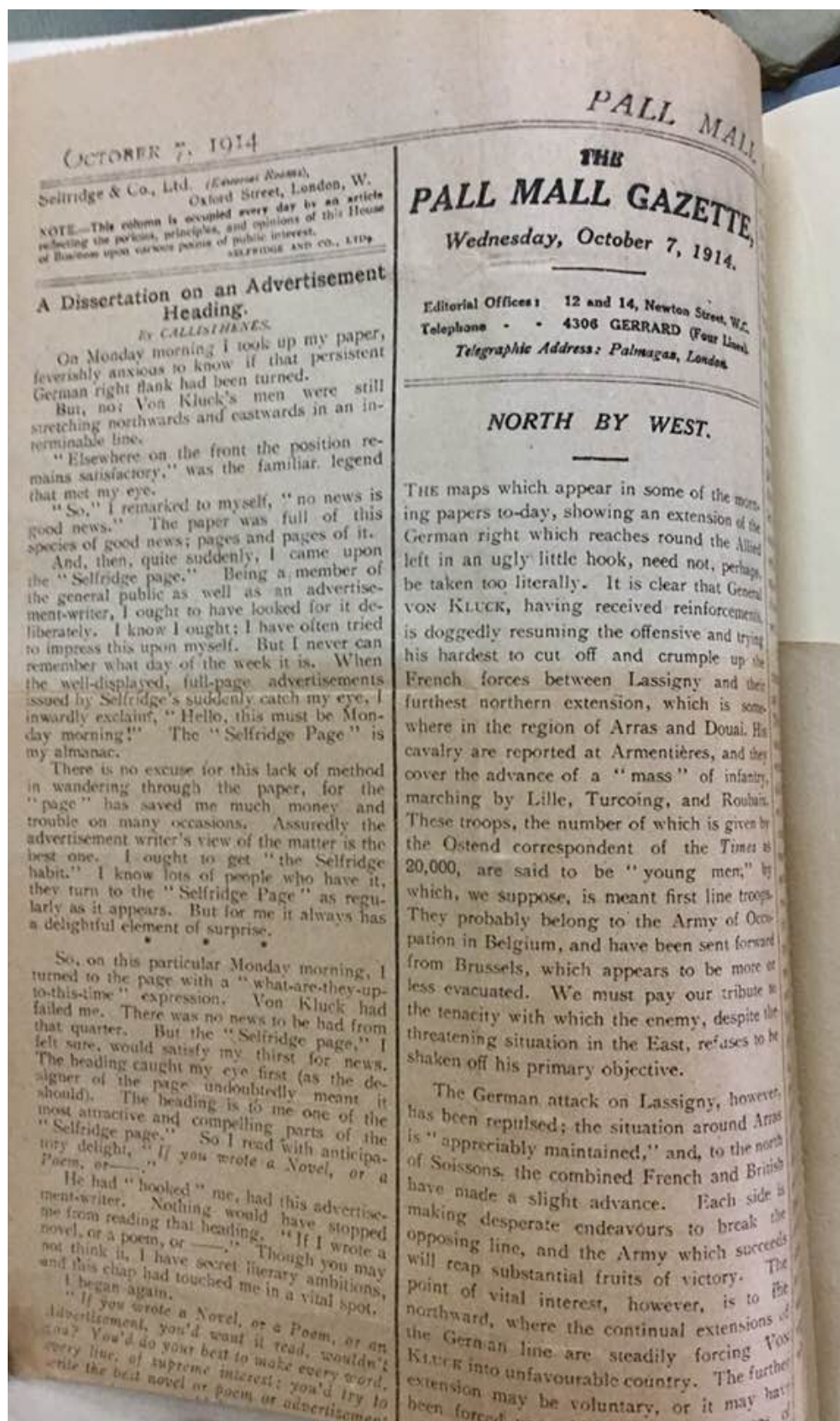
The first of the readings being given by Mr. Henry Fielding Dickens, K.C., of the works of his father, Charles Dickens, in aid of Red Cross funds, will be at the Town Hall, Chatham, on Friday, October 16, at eight o'clock. On this occasion the programme will consist of "The Poor Traveller" (a story of a soldier and the captain of his company) and "David Copperfield" (as arranged for a reading by the author). Those who wish to have one of these readings given in their town should write to Mr. W. M. Crook, Room 95, British Red Cross Society, 83, Pall Mall, London, S.W.

J. J. W.

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Private correspondence from Satow to Lord Reay

April 1912 – November 1914





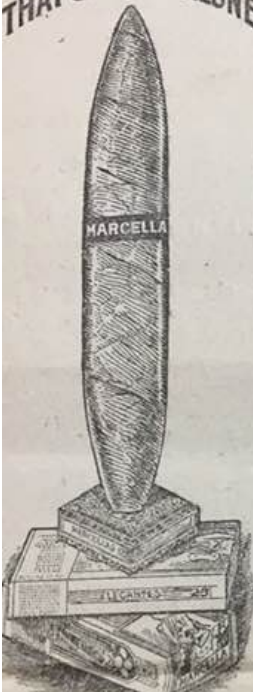
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Private correspondence from Satow to Lord Reay

April 1912 – November 1914

OCTOBER 9, 1914

**THE CIGAR THAT STANDS ALONE**



**MARCELLA**

**TO THE EDITOR.**

**ALIEN MUSICIANS.**

SIR,—May I say I am glad to see your critic's protest at the recent action of Hans Richter? This country might learn, with good effect, the opinion of our alien guests—when we have loaded them with honour and money. I look upon the recent insult to this country by Hans Richter as a splendid example, for us to avoid in the future. Not, as our London Symphony Orchestra does, engage as many of them gentlemen as possible, ignore all British art, and then boast of the splendid support they get from our public.

It is a pity the recent meeting of native musicians should have been held at an alien restaurant—unfortunately this is usual in England. One has only to look at the programmes being issued to see the amount of German music being played as usual—there is no difference made. This constitutes a scandal, and in no other country in the world would it happen.—Yours sincerely,

JOSEPH HOLBROOK.

Vale House, Tufnell Park, N.,  
October 8.

**THE CLASSICAL CONCERT SOCIETY.**

SIR,—I read with interest the remarks of your contributor "E. E." respecting the need of programmes of an enterprising nature. The attempt to justify the policy of the Classical Concert Society which has since been made by your correspondent Mr. Godley, its chairman, is, to my mind, hardly successful.

The society has not of late confined its attentions to the masterpieces of "dead Germans," and it is apparently in no way committed, despite its style and title, to the policy of excluding the later-day classics. There could be no more suitable time than the present for the appearance in programmes of an educational kind of the many fine works which have suffered, for various reasons, an undeserved neglect, and if, as Mr. Godley distinctly intimates, the interests of the artists engaged by the society are being considered, it is surely not to be regretted that the end in view be safely achieved by arousing curiosity concerning the several masterpieces that do not owe their origin to German tradition? The duty of reminding

**CITY NOTES**

Bank Rate 5 per cent. (Aug. 8, 1914.)  
CITY EDITOR'S TELEPHONE: No. 7448 Central.

**Stock Exchange Position.**

Now that the Stock Exchange and the banks have practically come to terms as regards the treatment of the loans and open commitments, and the financial measures necessary for the purpose, the consent of the Treasury will doubtless not be long delayed. There are still one or two matters requiring discussion and treatment. For instance, the Treasury wishes to be clear about the Provincial position. That, however, is likely to prove a very small matter. Still, the details are awaited, and this doubtless delays announcements. We may expect, however, to be very quickly informed of the assistance to be given by the Bank of England, on behalf of the Treasury, in the particular directions in which that assistance is thought advisable.

**'Chartered' Control Continues**

The Chartered Company is to continue to administrate Rhodesia. This is the result of an understanding with the British Government. The end of the present month sees the date for decision by the Crown whether or not the charter is to be altered or repealed. To fail to deal with the matter means an extension for another ten years. Actually, a compromise has been arrived at. The British South Africa Company is willing to agree that non-exercise of the rights of the Crown shall not mean a continuance for ten years. If at any time during the period Southern Rhodesia seems able to assume, with the concurrence of the Crown, the burdens of administration, and should, through the Legislative Council, ask to be allowed to do so, the directors will give effect to their wishes. And as the Legislative Council wishes the Company's administration to continue for the present, the Crown agrees that this course shall be adopted.

**Cuban Railway Results.**

The United of Havana group of companies have now declared their results. The United is again paying a 5 per cent. dividend on the Ordinary, but, instead of distributing cash, the directors are paying it in 5 per cent. debenture stock (1906) at par, with the usual, no doubt, of conserving their liquid

**Hollywood Rubber.**

The Hollywood Rubber Company is a comparatively newcomer in the plantation rubber world, not being yet two years of age. The report now to hand covers the year 1913 and states that of the 20,000 shares offered for subscription only 7,762 shares were applied for and allotted, and this disappointing response necessitated a considerable curtailment of the planting programme outlined in the prospectus. At the date when the estate was acquired 240 acres had been planted, and during 1913 a further area of approximately 240 acres was brought under cultivation, so that there are now about 480 acres planted with rubber. Of this area about 115 acres have been interplanted with about 115 coffee. The total number of rubber trees on the estate is about 55,000. It is not proposed to undertake any further extensions during the current financial year.

**AMERICAN RAILWAY INVESTIGATION.**

NEW YORK, Thursday.

The Interstate Commerce Commission announced that it will begin its investigation into the financial operations of the Pennsylvania, New York, and Erie, and the Delaware and Hudson railways.

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## ENGLAND FOR THE WOUNDED SEPOY.

SIR,—I beg to thank you for so promptly publishing in your issue of the 7th inst. my letter on the unsuitability of Alexandria for wounded Moslem soldiers. Will you allow me to point out the immense advantages that are sure to accrue from treating a certain number of wounded Hindu and Moslem soldiers in hospitals in England?

As I have shown in my last letter, the decision of the War Office cannot be based on climatic conditions, but solely on military convenience. But should the English nation forget the Imperial sentiment that is involved in the question? Should not English men and women be given a chance to help in nursing back to convalescence the loyal Hindu and Moslem wounded, and thus earn their gratitude and that of all India, combatant and non-combatant? Would not a gracious visit from the King and Queen to the wounded Moslem and Hindu soldiers in their hospitals in England make a greater impression on the native Indian mind than any addition to the salaries and war allowances of the sepoys? It would not be much trouble for the military authorities to arrange for at least five or ten per cent. of the wounded Sikh, Gurkha, and every other Indian race represented on the Indian Expeditionary Force to be treated in hospitals in England to enable warm-hearted British men and women to show them such kindness as would echo not only in their hearts, but in the hearts of all my countrymen from the Himalayas to Cape Comorin.

Since I have been ventilating this question in the Press I have received a large number of letters from English men and women in various parts of the country, offering large cheques, buildings, hospital requirements, etc., for this truly Imperial object. I should have lived the last ten years in this country in vain, and, indeed, should have altogether misunderstood the greatness of the Anglo-Saxon soul if my words on this subject failed to find immediate echo in English hearts.—Yours faithfully,

S. M. MITRA,

Author of "Anglo-Indian Studies," etc.  
47, Warrington-crescent, Maida Vale,  
W. Oct. 8.

## SH AND THE WAR.

In September, a return issued shows the

The excellent news in the and developments which co to time from some of our l cerns keeps the market in go noted yesterday the increase tion of the Spies Petroleum C during the past week and beginning of the current year gave the latest news in regard Baskakoff plots. Apparently ments are quite satisfactory, as is now flowing at the rate of a poods daily, while well 128/1 gav trial being a total of 3,440 poods.

## Holyrood Rubber.

The Holyrood Rubber Company, comparative newcomer in the plantation world, not being yet two years of report now to hand covers the year states that of the 30,000 shares subscription only 7,702 shares were for and allotted, and this disappointment necessitated a considerable of the planting programme the prospectus. At the date when was acquired 240 acres had been and during 1913 a further area mately 240 acres was brought into tion, so that there are now about planted with rubber. Of this area acres have been interplanted with coffee. The total number of rub the estate is about 53,000. It is posed to undertake any further during the current financial year.

## AMERICAN RAILWAY INVESTMENT NEW YORK.

The Inter-State Commerce Commission announces that it will begin its into the financial operations of Rock Island, and Pacific Railroad 16th inst.

The belief is expressed in quarters that this inquiry may importance the investigation in tions of the New York, Newh ford Railway.—Reuter.

## INDIAN BANK SUSPENDS CALCUTTA.

The Bank of Upper India quarters at Meerut, has suspended owing to the withdrawal of unsettlement caused by the of the bank was £70,000. fixed deposits were £900,000 business mainly in the United Reuter.



## GERMANY'S MAIN TASK.

### TO CRUSH BRITAIN.

In an article which appeared in the "Hamburger Fremdenblatt" of September 4, Vice-Admiral Herman Kirchhoff essayed to explain the final aim of the war. He said: To crush England is our main task; to reduce her influence would be a blessing to the culture of the whole of the world. England must not be allowed to keep the influential position which she has held up to the present. The first steps to destroy her harmful influence in every direction have already been taken, and there are a number of ways to destroy our powerful opponent on the other side of the North Sea at any cost, ways and means which need not all be taken simultaneously. The task is not an easy one, but it is a task worth all the sacrifices it will demand.

England must be crushed. But is this possible? Indeed it is! Never have lies, falsehood, and cunning during the years of peace been successful; never has the world seen so clearly what the so-called fair play of Old England really amounts to as at the present moment. It is as though the mask has been torn from the face of the hypocrite. Nobody need be in doubt as to what the state of the world would be if barbarious Russia, vain France, and the bestial Serbia and Belgium were to be victorious! But the heavy German and Austrian blows have destroyed this phantom. German military and maritime forces are now ready in the North Sea and on the coast of the Channel to throw themselves on England and to destroy it by all means at their disposal, by water, in the air, and on land, as well as by the forces of gold and economics. And Germany, whether after a short or a long struggle, is going to accomplish this, and we shall not rest until we have gained our object. 37

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Private correspondence from Satow to Lord Reay

April 1912 – November 1914

23. 21 October 1914

Dear Reay,

I am writing a book about the dispute between Frederick the Great and the British government, in 1746-1756, respecting the treatment of Prussian ships and cargoes and Prussian cargoes in other neutral ships by English privateers. It appears from the *Politische Correspondenz* of Frederick Vol VI that between January and April 1748 a controversy of the same sort was going on with Holland, which was one of the belligerents against France in the war of the Austrian succession. I have found the materials for an account of English Maritime Law at that period, but have nothing about the Dutch practice. I suppose there must be something printed from which I could learn what law of prize was applied at that period by the Dutch prize courts, and it has occurred to me that you might be able to get me what I want from some of your friends in Holland who are acquainted with the subject.

There is another point on which I am in doubt. The United Provinces were a party to the Quadruple Alliance of 8 January 1745 between the Elector of Saxony Great Britain and Maria Theresa, but it was not until April 1747 that France declared war on the United Provinces. What I want to know is the date from which Holland actually took part in the war as a belligerent.

I should be very grateful if you could help me to procure exact information on these two matters.

Yours sincerely

Ernest Satow

24. 21 October 1914

Dear Reay,

I have written you another letter of today's date, which I hope you may have the means of sending to some friend in Holland who will be able to give the information I am asking for.

The enclosed cutting from the "Economist" of the 17<sup>th</sup> may interest you. [See below.] I wanted the blame of our non-success about mines at the last Hague Conference to be placed on the right shoulders.

I am glad to see your name appended to the reply to German Professors who have renounced their English honorary degrees. I have an honorary degree of M.D. from Marburg University where I studied Roman Law in 1876, but it would be childish to write over to Germany and say that the conduct of the German government was so bad



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that I would no longer bear the title.

I have been corresponding with Oppenheim about the Vth Hague convention about neutral powers and their territory. Germany ratified this convention, but we have not. I asked him whether article 20 would not under these circumstances relieve Germany of blame for violating the convention. His reply is “Germany could of course rely on art. 20 if she were accused of violating the convention, but you must not forget that the greater part of the convention contains nothing new but only a codification of customary rules; art. 2 in especial, which would apply, is an old customary rule of International Law.” It could not be put more neatly.

People in Holland must be very anxious about the future of their country. But I hardly think it could be to the advantage of Germany to violate their neutrality, for that would enable us to blockade the mouth of the Scheldt as long as German occupation of Antwerp continues, and might also create a similar situation at the mouth of the Ems. The immense influx of Belgian refugees into Holland must impose a heavy burden on the Dutch people.

There does not seem to be any prospect of a speedy termination to the war, but on the whole it seems to me that the allies are getting the best of it at present.

With kind regards

Yours sincerely

Ernest Satow

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**MINES AT SEA.**

**TO THE EDITOR OF THE ECONOMIST.**

SIR,—In your issue of October 10th you say, *apropos* of mine-laying in the open sea, “the failure of the last Hague Convention to deal with this monstrosity of modern warfare is a disgrace to civilised diplomacy.” I venture to think, however, that the account of the proceedings at the Hague Conference of 1907, contained in Dr Pearce Higgins’ “The Hague Peace Conferences,” published in 1909, shows that the failure of the Conference to deal satisfactorily with this question was due to the refusal of the German and Austro-Hungarian delegates to accept the proposals made by the British Delegation (p. 329), in accordance with the instructions given by their Government. The whole chapter is well worth reading. The impression left on my mind is that this is shown especially by the report of the speeches made by the delegates of those two Powers (pp. 335 and 337). It is on those Powers, and not on civilised diplomacy, that the responsibility must rest.—Yours faithfully,

ERNEST SATOW.

Beaumont, Ottery St Mary, October 14th, 1914. 40

25. 30 October 1914

Dear Reay,

Very many thanks for your letter of the 28<sup>th</sup>, [p.47] and post card of yesterday [p.48]. I am much obliged to you for so promptly writing to [W.H. de] Beaufort, and for the information as to Broglie’s book. I should like to borrow his pamphlet from you when you have read it yourself, for with the aid of a dictionary I think I could make it out.

I agree that the word occupation is rather undefined at present. Hall says that in 1870 the Germans held that they were in occupation of a commune (about 72 sq. miles) after they had put up a placard at the principal centre. He also says that all the territory behind an invader must be regarded as in his occupation. That seems quite sound.

At p.515 of his 6th edition Hall says the distance at which a distinctive sign is recognisable is “rifle distance” but that seems to me rather unreasonable. The distance of rifle fire at the present day must be too great. I should have said the distance at which the sign is recognizable with the naked eye. I admit that the expression needs further definition.

The garde civique in Belgium does not seem to have made part of the field force or to have taken part in combats. It was apparently left behind when the Belgian troops retired. I should take it rather to be a sort of gendarmerie, or like what in my childhood I used to see, a sort of mounted police, whom we used to call “the patrol”. I don’t think the Germans could refuse to recognize the territorials. The infantry are not distinguishable from the regulars. They form battalions of the local regiment. For instance the Devon regiment has battalions 1 and 2, who are regulars; 3rd battalion is Special reserve (the old militia) 4, 5 & 6 are infantry, 7 is the Cyclist battalions. We have raised an 8<sup>th</sup> battalion, and I rather think a 9th and 10th. The only difference is the number on the shoulder strap.

I think what Holland writes to the “Times” about civilians taking up arms is correct. If anything like a levee en masse were attempted in this country it would be followed by massacre at the hands of the enemy, and in any case it would be useless for resistance against an invader. As you say, once the territory was occupied, the levee en masse must be dissolved.

I don’t think it would be right for us to take cotton out of the list of articles which never can be declared contraband, where it was put by the Declaration of London. Oil, on the contrary, surely comes under ‘combustibles’ 9<sup>o</sup> of conditional contraband. If we have made a concession to the Americans regarding oil, it may perhaps be that we have promised not to apply the new rule about continuous voyage to it; for you remember that we said on the 21 August in the proclamation about the Declaration of London that we would treat it as liable to capture, if destined for the use of the armed forces or to a govt. dept. no matter at what port it was to be discharged.

I see that the order has now been given to capture reservists. It seems to me quite clear that they are ‘embodied in the armed forces of the enemy’ under art. 47, and consequently may be made prisoners of war. I cannot understand how there can have been any doubt or hesitation on this point.

I do not understand on what grounds we have prohibited Holland from exporting grain to Germany, but I conceive the position to be this. By the Declaration of London foodstuffs are conditional contraband, and we have notified that we are going to apply the rule as to continuous voyage to that class of goods. I suppose therefore that we have

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said to Holland and other neutrals, if you will give us an undertaking not to export these articles to Germany, we will not apply the doctrine of continuous voyage to them. Our encouraging America to send us grain is all right. The neutral trader may send us either class of contraband, at the risk of its being captured by a German cruiser.

I don't think the Germans are justified in wearing French or Belgian uniforms. Art. 23 (j) of the Laws and Customs of war on land forbids "to make improper use of a flag of truce, the national flag, or military ensigns and the enemy's uniform, as well as the distinctive badges of the Geneva Convention", where obviously what is prohibited is the use of either of these things as a ruse de guerre.

There is an excellent article in the last number of the Edinburgh review on the German violations of international law. The dropping of bombs on open towns is one of them. To drop them even on Paris or Antwerp is a piece of barbarity, even if the existence of the forts brings them within the category of defended towns. I must read the articles in the XIX Century next time I go to Exeter. Land and Water I have no opportunity of seeing. I am now reading [Roland Greene] Usher's Pan-Germanism.

I think it is much to be regretted that we have made any changes in the Declaration of London.<sup>27</sup> We signed it expecting always to be neutrals. We ought not to alter it because we find ourselves forced into war. It is bad politics to blow hot and cold.

I regret also the movement about capturing German trades about which so much was said by official people a few weeks ago. Historians will say that was what we went to war for. Caesar's wife should be above suspicion.

Yours sincerely

Ernest Satow

26. 1 November 1914

Dear Reay,

Some of your questions asked in your post card of the 30th [See p.48] I fancy I have already answered. The new list of contraband was in the "Times" of the 30<sup>th</sup>. I do not see the Morning Post, so have not been able to read the article on the naval position in its issue of the 29th. But perhaps I may be able to borrow it from a neighbour. Choate's introduction to Cramb<sup>28</sup> is excellent. What an extraordinary composition the poem of

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<sup>27</sup> The London Declaration concerning the Laws of Naval War is an international code of maritime law, especially as it relates to wartime activities, proposed in 1909 at the London Naval Conference (December 4, 1908 to February 26, 1909) after a multinational conference that occurred in 1908 in London. It consisted of 71 articles and restated much existing international maritime law. It was signed by most of the great powers, including Britain, the U.S. and Japan, but no state ever ratified it and so it never came into force.

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Hatred is. On the whole I conclude that American sympathies are with us. I think Beaufort is certainly right in holding that aircraft are bound by the 25<sup>th</sup>, 26<sup>th</sup> & 27<sup>th</sup> articles of the Laws and Customs of war on land. The words in Art. 25 par quelque moyen que ce soit were introduced on a proposition made by the French General Amourel and unanimously adopted. (Actes et Documents III.16). Nor have I seen either the article in the *Deutsche Revue* of April 1913, nor the Report of the International inquiry into the causes and conduct of the Balkan Wars. The former I can get from the London Library. As to the causes of the Balkan wars, Usher in his book on Pan-Germanism states that both the Triple Alliance and the Triple Entente advised the Balkan Powers to join in an attack on Turkey. You are much more behind the scenes than I am, and are better able to judge whether this statement is true. The book altogether seems to me rather fantastic, but I should like to know your opinion of its contents. I bought it at Exeter the other day for 2/- [shillings]. Yours sincerely

Ernest Satow

27. 5 November 1914

Dear Reay,

I should be greatly obliged to you for a copy of the Belgian grey book, which I have not yet seen. Following your advice I have ordered the *Morning Post* to be sent to me in future. Somehow, I have ceased to value the “Times” since it has become a penny paper conducted a good deal on “Daily Mail” lines, and I have lost confidence in its military correspondent. I will order Pearce Higgins’ article on Armed merchant ships.

I return with many thanks [Willem Hendrik de] Beaufort’s most interesting pamphlet, and should be very grateful if you could induce him to give me a copy. It is an admirable production, both for the matter it contains and the moderation of its tone. His anticipation that Belgium will be glad to be released from its permanent neutrality after the war seems very just. But I hope that in that case the principles of the Hague Convention about neutrals in war on land will be embodied in the treaty of peace, and that no country shall be liable to be punished because it prefers to remain neutral.

I do not know what motives induced the Conference of the Five Powers that established the independence of Belgium to declare that she should be perpetually neutralized, but I should like to believe that it was with the object of protecting her from the devastating wars of which she had been the arena, from the days of the Spaniards down to the time of Napoleon. Holland, France and England had deeply sinned against

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<sup>28</sup> John Adam Cramb, *Germany and England*, introduced by Joseph H. Choate, New York: E.P. Dutton, 1914.

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the unfortunate Flemings; as long as Flanders belonged to Austria, it was easy for France to attack Austria through Flanders. Holland and England for selfish reasons insisted on the Barrier treaty, the closing of the Scheldt and the ruin of Flemish trade. We owed her some reparation, but as Beaufort makes it clear, we did her after all a disservice in forcing neutrality on her. That might have been justified, as long as Flanders belonged to either Austria or Holland, but was no benefit when Belgium became an independent state.

From what he [Beaufort] says on p.13 about the difficulty of readjusting the boundaries of states and peoples, I infer that he scarcely expects to see either the restoration of Alsace-Lorraine to France, or the reunion of Poland. Certainly it would be difficult to give back Northern Schleswig to Denmark which is neutral. Italy cannot well expect to get the Trentino and Trieste without fighting for them. And if justice were done, perhaps both banks of the Scheldt, which are now Dutch territory ought to go to Belgium. So I conclude, not without regret, that he is right, but I should like to see it recognized as a principle of international law that territory shall not be annexed after a successful war. The cases he cites of plebiscites in Nice & Savoy and the Papal States seem to me scarcely to the point. It has usually been held that on those two occasions the voting was not free.

The contrast he draws between the opinion on the subject of war in great powers and smaller ones is very striking, but in England, though some people talk a good deal about "Imperialism", it is not taught in our schools, nor in the army. Possibly he had Pan-germanism more in his thoughts, but did not like to put all the blame in that quarter.

It has taken me three days to get through the pamphlet, because recourse to the dictionary had so often to be made. I wish I had more opportunities of reading Dutch.

Yours sincerely

Ernest Satow

28. 10 November 1914

Dear Reay,

Best thanks for the Belgian grey book, which is most instructive. The bad faith of the Germans is made manifest by No.12. I was pleased also to read the Dutch proclamation of neutrality, which is all that such a document should be. Also many thanks for the answer of the Keeper of the Rijksarchief at the Hague, and for kindly taking the trouble to translate it for me. I have written to Beaufort to thank him, and also to ask him for a copy of *De Oorlog en het Volkerrecht*. It ought to be translated and published in the series of Oxford pamphlets, and if he gives me a copy I will ask G.W.

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Prothero to have it done. I am giving a set of those pamphlets to the Free Public Libraries at Exeter and Plymouth, where they are sure to find readers of intelligence.

I have just read the speeches at the Mansion house banquet, none of them very inspiring. It is however very pleasing to know that there are 1,250,000 men in training in this country, and that recruiting was better yesterday. The new regulations about separation allowances etc. seem to me quite satisfactory. As the Times points out in its leading article, a flat rate is unavoidable, and yet it cannot provide an equal proportion of compensation to wives or widows. Some will be better off than before, some worse off. But that cannot be helped. I see however that in some cases the Old Age Pension Committees will be able to increase the regulation allowance to a widow with no children. Most of such women will be able to add to their income by working, and the gratuity of £39 on remarriage will make them desirable partners. The case of the Motive[?] in the Admiralty court in today's "Times" is very interesting. I hope the President's suggestion that in cases where Hague Conventions give rights to alien enemies [enemy aliens] they should be allowed to put in an appearance will be adopted by the government. We ought to be very careful to conduct ourselves "like gentlemen" towards the enemy in every case.

I have read Bowles on the Declaration of London in the Morning Post of the 3rd. It is a smashing attack. If we choose to adopt the Declaration, we ought to observe it unaltered. The preamble morally binds us to.

Yours sincerely

Ernest Satow

29. 20 November 1914

Dear Reay,

I return with many thanks the enclosures to your letter of the day before yesterday.

[G.M.W.] Jellinghaus on the whole seems to me to be right, at least with regard to the alterations we have made in the Declaration of London, while professing to act on it. No doubt we shall so act in regard to all other parts than the lists of contraband, and our non-recognition of art. 35, which provides that the doctrine of continuous voyage shall not apply to conditional contraband. Whether the fact that goods are stated on the manifest to be "to order" constitutes a reasonable ground of suspicion that they are intended for the enemy, I am not lawyer enough to say.

My view of the Declaration has always been that the preamble declares the whole to be in accordance with existing international law. We signed that statement, and are morally as surely bound by it, as we should be if we had gone further and ratified the

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Declaration. Also, that as there is no instance in history of a civilized government refusing to ratify a convention negotiated in its own capital and signed with the full consent and authorization of the government. To decline to do it, would be to take a shabby advantage of a mere technical rule, which has no real use now-a-days when every government has before it the text which is proposed for signatures, and no plenipotentiary signs until he has been distinctly instructed to do so.

I think Jellinghaus is right about the wrongfulness of trying to put pressure on an enemy country by starvation methods. It is true that Vattel says it is permissible, but the doctrine stated by him is obsolete. I cannot understand why the government allows itself for instance to endeavour to deprive Germany of tea, provided it is not done by 'trading with the enemy'.

What he says further about closing the North Sea is probably right, as it is contrary to art. 18 of the Declaration of London.

Surely he errs when he says that art. 1. of the 11th Hague Convention of 1907 forbids the examination and opening of letters from post bags, unless he means to say that the mails have been taken at sea and searched. There is nothing in the Convention to forbid the opening of letters in the post office, which is done on our own territory under a warrant from the Secretary of State.

As a warlike precaution the closing of the North Sea is doubtless highly desirable. All one can allege however is that the Declaration of London did not contemplate a war of the present dimensions, and what the negotiators had in view was a war restricted to a pair of combatants. But still, one ought to obey the letter of solemn agreements, and abstain from making such agreement as may prove a double edged weapon, in future. What I do not like is the prospect of being accused of following the German example with respect to 'scraps of paper'.

I regret to see that the Morning Post hankers after enemy property in neutral ships. Quite apart from the dishonour of the thing, it should be considered what effect it would have on American opinion, and the small likelihood that France, Russia or Japan would agree. It was to content France that during the Crimean war we agreed to respect the principle of free ships, free goods, in return for her consenting to abandon the converse principle by which neutral goods were confiscated if found in enemy ships. It was also one of the cardinal principles of the armed neutrality of 1780 and 1800, which was founded by Russia. In Japan they are as stiff on matters of international law as in any country.

I am afraid that at the Foreign Office there is not enough attention paid to the necessity of avoiding reproach or slurs on our honour. We negotiated at the Hague with



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the views of a Power that intended always to be neutral. We cannot change, simply because we find ourselves in the unexpected position of belligerents. I wish some one of influence would remonstrate with Sir Edward Grey.

Boutroux is very good, and [Thomas, 1<sup>st</sup> Earl] Brassey interesting. But I do not quite see why he tells us so much about the amiable speeches of the Emperor William and his brother. It rather leaves on the reader the impression that these two princes are humbugs, but that Brassey does not like to say so. For my part I believe they are just like the Great Frederick, charming when he chose, and all the while cherishing inconsistent intentions in his heart. What Brassey says about the relative speed of our cruisers as compared with the Germans seems very instructive. I remember at one time certain naval men were found to write to the papers and urge that speed was unimportant, and guns everything; as if ships were always to fight in groups. To a mere layman like myself it has always seemed to be of the utmost importance that a ship should have speed that enables it to overhaul a flying foe, or again to avoid combat when overmatched on strength.

I should like greatly to have a copy of [Alexander de] Savornin Lohman's pamphlet. [Willem Hendrik de] Beaufort's I have sent to George Prothero, who has sent it on for examination by the Rev. G. Edmundson, a first rate scholar in Dutch, and I much hope it will be published in the "Oxford pamphlets". I will write for Bryce's pamphlet.

A great deal of nonsense appears in the papers about the causes of the fall off in recruiting. There are of course 101 causes. Every man who holds back has a dozen motives. But to say that the question of separation allowances & pensions has to do with it is ridiculous. The great boom took place when the old meagre scales were in force; they have now been nearly doubled in many cases; if what is said by some people were true, the inference would be that the more you offer a man for his services, the more he is disinclined to give them.

When I was in London I did hear something about Jack Redesdale's matrimonial troubles, and shortly afterwards he applied for a criminal information against some newspaper that had reproduced slanderous or rather libellous statements about the affair from the German papers. He did not get the order he asked for, but he went into the witness-box and denied the statements, which was all that he and his father desired to do. The impression I derived from all I heard and read, was that this daughter of a millionaire was a hypochondriac, who for a whim wrote to her husband that she would no longer live with him. Jack is a very nice looking young Englishman, and all those children have been well brought up.

Yours ever sincerely

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[End of File.]

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1915– 1917

1. 9 Jan. 1915 [draft of No.2]

Beaumont House,  
Ottery St. Mary

2. 9 Jan. 1915

Beaumont House,  
Ottery St. Mary

Dear Reay,

I have written to [Willem Hendrik de] Beaufort thanking him for the copy of his pamphlet, and explaining why I have not been able to get the Central Committee for National Patriotic Organisations to publish an English translation of it. I also thanked him for putting me in communication with the Rijksarchief at the Hague.

You remember that we went to the Hague with instructions to propose the abolition of contraband and failing that we were to try to obtain a very limited list of absolute contraband, and another list of articles which in no event should fall within the enumeration of contraband, e.g. mails, foodstuffs destined for places other than beleaguered fortresses, and any raw material required for the purposes of peaceful industry. If a definite list of absolute contraband could not be secured, then we were to propose that nations should publish during peace their lists of contraband, and that no change should be made in the list on the outbreak of war or during hostilities.

I have no doubt that these proposals were in accordance with what England, especially from the point of view of a neutral, regarded as the existing international law and practice on these matters.

The Declaration of London framed a list of absolute contraband, and another of conditional contraband. It allowed these lists to be enlarged by the addition to the 1st of articles exclusively used for war, and to the 2nd of articles capable of use in war as well as in peace; but it did not authorize the transfer of articles from list 2 to list 1.

Then there was a third list of articles which may not in any case be declared contraband of war.

Continuous voyage was sanctioned in the case of absolute contraband, and it was made to include transport by land (which was to our advantage).

Conditional contraband could be captured only if shown to be destined for the use of the armed forces or of a government department of the enemy state, but the doctrine of

continuous voyage was made inapplicable.

I take it, however, that we have declared that we will apply continuous voyage to conditional contraband, and we have included rubber and mineral ores (which are in list 3) amongst absolute contraband, and raw hides (also from list 3) amongst conditional contraband. So that practically we have thrown over a great part of the Declaration of London, as Tommy Bowles pointed out in that letter of his to the Morning Post of November 3, to which you drew my attention. Thus, in respect of contraband and continuous voyage we go back to the status quo ante. And apparently we do more than that, for we are endeavouring to reduce Germany by a process of starvation, in accordance with what Vattel<sup>1</sup> said in the 18<sup>th</sup> century, that a well-founded hope to reduce a whole nation might justify the inhibition of a trade in provisions; and that seems to be why we have just prohibited the export of cocoa, for instance, to neutral countries from which it might be re-exported to Germany.

I see you approve of this policy, in order that our blockade of the sea-coast of Germany may not be rendered nugatory, but I am not quite sure that a blockade of the coast of Germany has been declared, and if not declared, then it cannot exist.

It will be interesting to see the F.O. final answer to the American Note. The President admits that interference with commerce between neutrals may become an imperative necessity to protect our national safety (end of para.5), which is intended as a great concession of principle. But we must be careful about ‘necessity’, which is what the Germans alleged in order to justify their violation of Belgian neutrality.

When a whole nation is armed, as Germany now is, the ancient doctrine about not trying to starve the civil population seems to become inapplicable, and perhaps that is the ground on which we are standing.

Many thanks for Lohman’s<sup>2</sup> pamphlet. It is very interesting. What can be done with the Kiel Canal is beyond me. Probably the war will be over before we get near enough to be entitled to dispose of its future.

Yours sincerely

Ernest Satow

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<sup>1</sup> Emer de Vattel (1714-1767). International lawyer famous for his 1758 work *The Law of Nations*.

<sup>2</sup> Presumably Alexander de Savornin Lohman (1837-1924). Dutch politician.

3. 17 January 1915

Dear Reay,

In some of the Dutch documents about contraband which the Rijksarchief have sent me there are words of which I cannot make out the meaning by aid of my dictionary, and I should be greatly obliged if you could help me. The words in question are underlined in red on the enclosed sheets. In the book about ‘Frederick the Great and the Silesian Loan’ which the Clarendon Press is going to publish for me there will be a chapter on maritime law of the principal countries, including Holland, during the first part of the 18th century.

The answer to America is on the whole satisfactory, but I do not quite like the sentence under the heading of “Seizure of Foodstuffs” – ‘and it is our present intention to adhere to the rule, though we cannot give an unlimited and unconditional undertaking in view of the departure by those against whom we are fighting from hitherto accepted rules of civilization and humanity, and the uncertainty as to the extent to which such rules may be violated by them in future’.

Violations of rules of civilization and humanity by the Germans hardly seems sufficient ground for our transgressing the accepted rules as to foodstuffs. It would have been better to leave out this passage, it seems to me. I feel the same with regard to the earlier passage about interference with trade between neutrals, and the necessities of national safety. It almost seems as if we were going back to the practice of the Orders in Council of 1807.

The Morning Post seems to be quite under the inspiration of Tommy Bowles, and loses no occasion of urging that we should ‘denounce’ the Declaration of Paris. I do not suppose there is any danger of the Government doing this, but its advocacy by a leading newspaper must surely be harmful to our cause. The Morning Post talks of German steamers laid up in neutral ports as ‘interned’, which I take to be a misapplication of that term. The ‘Dacia’ case<sup>3</sup> seems likely to give trouble, but it would be very difficult for the American purchaser to get over art. 56 of the Declaration of London.

Yours sincerely

Ernest Satow

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<sup>3</sup> See *Harvard Law Review*, Vol. 29, No. 3 (Jan. 1916), pp. 317-320.

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Private correspondence from Satow to Lord Reay  
1915– 1917

4. 20 January 2015

Dear Reay,

Very many thanks for so promptly asking my queries.

As regards blockade, I think it is the case that even before the Declaration of London “the belligerent must intend to institute it as a distinct measure of war; and his intention must in some way have been brought to the knowledge of the neutrals affected” see Hall, 5th edit. p.694. It would be interesting to see what happens in the case of the Dacia, if she is seized. Will she be brought before the prize court for breach of blockade, or as an enemy ship irregularly transferred to a neutral? I wish with you that America would speak out about the vindictive destruction of public buildings and the dropping of bombs at hap-hazard on defenceless civilians. No doubt the day will come when we shall be able to pay out the Germans for the bombardment of Scarborough and the recent outrage at Yarmouth; I do not mean by repaying them in their own coin, but by inflicting a penalty which they will be sorry to have incurred.

I am very sorry to hear that both you and Lady Reay have been laid up. The weather in spite of its mildness has been very trying. Generally you go to Paris at this time of year, but the difficulties in the way of getting out of England seem to be considerable, even for English people.

I am glad to see the government is going to exercise control over the ‘emission’ of capital. All other governments have had this power in time of peace, and I hope ours will keep hold of it.

Yours sincerely

Ernest Satow

5. Letter from Trevelyan<sup>4</sup> to Reay

WELCOMBE

STRATFORD ON AVON

April 10. 1915

Dear Reay

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<sup>4</sup> Sir George Trevelyan (1838-1928). British statesman and author. His house ‘Welcombe’ is now a hotel.

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Private correspondence from Satow to Lord Reay  
1915– 1917

We often think of you and Lady Reay. The practical isolation of life is one of the features of this extraordinary time. We shall not come to London this year; and indeed we are no longer fit for it: for we have both, in very different ways, been ill. Our George, after coming back from Serbia, has gone on an errand in which I have a hearty sympathy. He has been invited by the Universities of Harvard, Yale, and Columbia in New York City to address them on the subject of the Serbians, and he sailed a week ago in the “St. Louis”, an American liner. He will be very well received out there; for his books are largely read, and his writings about the war have had a great, a really extraordinary, vogue and popularity in the States. We were very sorry about Professor [Arnold Willem] Hubrecht’s death. His singularly perfect little English speech was a pleasant Episode in that Wedding feast where the speaking was better and certainly in better taste than any which I ever heard on a similar occasion. By the way, I am very glad that Rosebery has had such a pleasure in Neil’s marriage.

I am very uneasy, and can imagine that you are very unhappy, about Holland. It seems to me a terrible and trying position. The longer the war lasts the more I am impressed with the fatal effect of the American Government having displayed absolute indifference to the outrage upon Belgium, and to the brutal violation of decency and humanity which the treatment of that unhappy country involves. America is the great neutral – far the greatest neutral in the world’s history; and all other neutrals, Holland, Denmark, Norway and Sweden, had a claim to look to her for sympathy and protection. I wonder whether Holland is in touch with the Government at Washington. Good God! if only the Republicans, with or without Roosevelt, were in power! As far as I know them, they are hearty for the Allies to a man. Pray remember us most warmly to Lady Reay, and believe me, Yours ever,

Trevelyan

6. April 11, 1915

Dear Reay,

I have read Burroughs’<sup>5</sup> letter in the Times of the 6th which you point out to me. It is not often that an opportunity presents itself of acting as he suggests, namely abandoning the reserve one usually maintains on religious matters. It is easy with a companion who

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<sup>5</sup> Presumably Bishop Edward Burroughs (1882-1934).

thinks like oneself, but with most persons it is difficult. When there is an occasion, I take advantage of it.

With respect to terms of peace my difficulty is that we are not at present in sight of victory. I know that very sanguine views are entertained by military men who are at the front, but the last thing I have read in the papers is that the general advance will not take place till June. Until we have cleared Belgium and France of German troops it seems to me premature. And supposing that we attain the measure of success we desire, and which most appear to expect, I agree with you that we shall encounter great difficulties in securing guarantees for Germany's abandonment of the competition in naval armaments, for the neutrality of Holland and Belgium and the observance of Hague conventions in case of another war. Nothing short of a "material guarantee", in the shape of a prolonged occupation of German territory would in my opinion be of any use. We cannot place any confidence in a German signature to a treaty after what has happened. I remember you spoke in a former letter of the neutralization, or rather internationalization, of the Kiel Canal, which Lyttelton also alluded to in a recent sermon for which he has been violently attacked. But how would you do it? I am under the impression that it lies throughout in Holstein, and that the principle of nationality would prevent any arrangement for depriving Germany of the territory through which it runs. It would not be on all fours with the mouths of the Danube. So the only safeguard we could secure would be an occupation of Prussian territory for a prolonged period – of course at German expense. To obtain that we should have to inflict on Germany as complete a defeat as she inflicted on France in 1870, and I do not know whether that is believed to be within the bounds of possibility.

As you say the hitherto recognized rules of international law are extinct. The progress of invention has destroyed the old rules of maritime warfare. I remember that at the Hague when we were talking about blockade I said to [British naval delegate Captain Charles Langdale] Ottley that in order to arrive at an idea of the proper rules to be adopted, we should begin by taking all the ports and coasts which it might be desirable to blockade, one by one, and consider how each of them could be effectually blockaded. When we had ascertained that, we should be able to generalize upon a theory of what was permissible in the way of blockade. It is so evidently impossible to blockade German ports or coasts on the North Sea by adhering to the old rules aimed at by the Declaration of Paris, that we must give up the idea unless we include the coasts



of Holland, Denmark and Norway. And as we cannot venture to declare a blockade of neutrals, we have been driven, I conclude, to adopt the system of the present government, which amounts very nearly to a blockade, as far as preventing commerce with the enemy goes, while the neutral ships and cargoes we arrest are only detained instead of being confiscated. So we do not call it a blockade, though it secures to us the means of choking the adversary for the time being, which is what we want to do. Just as the right of capture of enemy merchant ships is insisted on, not for the purpose of providing prize money for the navy, but in order to force the enemy to keep his ships in port, to his great loss & inconvenience, so we carry out a species of blockade, not in order to capture neutral ships and cargoes for our own profit, but to inflict hardship upon the enemy by depriving him of supplies. It must be confessed that the existing rules of maritime warfare do not admit of our doing this, but I should argue that the old rules framed in the days of Sailing ships armed with smooth bore cannon of 24 and 36lb [pounds weight] can hardly be taken as binding when you have sub-marines, wireless telegraphy, dirigible balloons and aeroplanes dropping bombs, and steamships of 25,000 tons armed with rifled cannon throwing shells weighing a ton from a distance of 10 miles with a degree of accuracy never attained with the smaller ordnance of a century ago. In fact, the progress of material invention has practically nullified the old rules. Still, I do not blame the Americans for taking their stand on the old rules – they have not yet experienced in their own persons the difficulty of working on the old lines.

I think the segregation of the crews of German submarines when caught is a justifiable measure of treatment, but I would no more treat them as pirates than I would the crews of Zeppelins [Zeppelins] who drop bombs on Paris. They are acting under the orders of their governments, and it is the latter who must be punished by the infliction of defeat and humiliation. I did not agree with the views of our friend [Santiago Perez] Triana on this point. The difficulty of ascertaining who is responsible for violation of the Hague Regulations for land warfare and of obtaining evidence, and of selecting judges to try these innumerable cases would be insuperable. What Hall<sup>6</sup> said on p.ix of the preface to his 5<sup>th</sup> edition about the character of the next war shows a remarkable amount of foresight. But he does not propose inflicting penalties for the savage acts he foresaw; he contented himself with prophesying a reaction in favour of strict law.

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<sup>6</sup> William Edward Hall (1835-1894). English lawyer and mountaineer.

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[Albert] Sorel in the 1st vol. of his French revolution has a passage on the comparative mildness of warfare when it was carried on by professional soldiers, as contrasted with the violence of the passions let loose by arming nation against nation. Can we abolish universal service, and return to the old system of standing armies?

I hope that when the veil is lifted we shall hear better news from the Dardanelles. The division of our forces, as in the days of the Pitts, seems to be a mistake, but I do not venture to criticize, not being sufficiently behind the scenes. I hear too much of uninformed criticism from the people I come in daily contact with, who know little but what they read in their halfpenny papers. I have confidence in the people who are at the head of the departments, and feel assured that they are doing better than I should if I were in their place. I don't even ask to be told what precautions are being taken against bombs from the sky or torpedoes under water, tho' what you tell me about the latter is very satisfactory.

Since last July when I was up, I have not been away from home, and do not expect to come to [London] town unless there is a F.O. dinner on the King's birthday. I have not heard of Sir Edward Fry for some months, and fear he is feeling his age very much. My occupations are various, and I am correcting the proofs of my book on the Silesian Loan and Frederick the Great, which is to be brought out by the Clarendon press. The Ryksarchief at the Hague have been very obliging in sending me Dutch documents about contraband in the first part of the 18th century. I am also at work on a *Diplomatists' Handbook*,<sup>7</sup> but it makes slow progress. There is so much to read on the subject.

You taught me at the Hague how to do without wine, and I persevered until I had an operation, which pulled me down a good deal in 1908, and then I took to one glass of wine a day. But about a fortnight ago, before the King's announcement, I again began to follow your example, and find that it suits me quite well.

I trust Germany is not trying to provoke Holland to take up arms. One would like to see one country at least preserved from the ravages of war and the sacrifice of its sons.

Yours sincerely

Ernest Satow

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<sup>7</sup> This would become the *Guide to Diplomatic Practice*, Longmans, 1st edition 1917.

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7. June 11, 1915

Dear Reay,

Some time ago Dr. T[homas]. Baty asked me to give him a recommendation to the Japanese ambassador, in order to offer himself for employment under the Japanese government; which I did. Inouye [Katsunosuke, Japanese ambassador] now writes to ask me confidentially for “further information as to his legal capacity as a lawyer, as well as to his character and personality”. But unfortunately I do not know Baty personally, and apart from a book of his entitled “International Law”, published in 1909 I have not read any of his writings. I daresay you know him, and his value as a lawyer. Can you give me any information that I might pass on to the ambassador.

I had an interesting letter from Henry Howard,<sup>8</sup> sending me Salandra’s<sup>9</sup> great speech. His daughter, the wife of a German officer, is interned at Königstein in the Taunus, with a radius of 5 kilometres!

Baty asked me to write a paper on the internment of enemy aliens, for the Society<sup>10</sup> over which you preside. It is nearly ready, and I hope to send it up in a day or two. We are to have a Route March of some soldiers through here on the 14th, and a recruiting meeting, at which, as Chairman of the Urban Council, I shall have to preside.

I hope things are not so bad as regards munitions of war as the “Times” makes out. My confidence in that paper has gone. The Morning Post became too partisan for my taste, and I have given it up. Most people about here seem to believe whatever is printed in black and white. I am of a more sceptical turn of mind.

Yours sincerely

Ernest Satow

[Reay’s handwriting?] The Secret Memoirs of Count Hayashi edited by A.M. Pooley

8. July 6, 1915

Dear Reay,

Many thanks for your letter of July 3 [see p.59], with Dr. Baty’s letter, which I return.

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<sup>8</sup> Sir Henry Howard (1843-1921). British delegate at the Hague Conference in 1907. Envoy to the Vatican, 1914-16.

<sup>9</sup> Antonio Salandra (1853-1931). Prime Minister of Italy 1914-16, he ensured the entry of Italy into the war on the side of the Triple Entente (UK, France and Russia).

<sup>10</sup> The Grotius Society was founded in 1915 with Reay as President.

Oppenheim, it seems to me, attaches too much importance to the declarations made by Russia and her friends at the Hague in 1907 on the question of sinking neutral prizes. Russia of course stuck to it that what she had done in the recent war with Japan was correct. She sank English ships, to a great extent, because she was hostile to us as friends and allies of Japan. The others, on the ground that they had no ports to take prizes into. As for the compromise arrived at by the Maritime Conference, it was a diplomatic arrangement, not founded on any legal principle. Oppenheim belongs to the school of ‘positive’ international law, based on the doings of governments, and the arguments they use to justify their doings, rather than on abstract principles.

G. Bower<sup>11</sup> I suppose is rather of Tommy Bowles’ kidney, and has taken up international law as a hobby. It surprised me to see his name on the list of the [Grotius] Society, knowing something of his past career, from the time when he was Colonial Secretary at Mauritius with [John] Pope Hennessy as Governor.

The object of my paper on the position of enemy aliens<sup>12</sup> was to show how widely in the present war the former practice of civilized nations has been departed from, and to suggest that there must be ‘something rotten in the State’ of Europe which has led to this. If I had spoken out I should have attributed the evil to universal liability to Military Service, and to the German practice of spy-organization, but I preferred to discuss the question ‘objectively,’ as the Germans say, and to leave the Society to express an opinion. My paper has not yet come back to me, but when it does, perhaps I will offer it to G.W. Prothero for the Quarterly, adding to it a paragraph about Napoleon’s internment of Englishmen in 1803, and suggesting that if civilized Powers were to imprison diplomatists instead of treating them as inviolable in accordance with the practice of all civilized peoples from the time of the Romans down, they would then be worthy to rank with the Turks of the 18<sup>th</sup> century, whose practice was to imprison the diplomatic representatives of the Power on which they intended to declare war in the Seven Towers. But I had better not put my name to it.

I agree with your view that a certain time should be given to enemy soldiers and reservists to clear out, just as days of grace are allowed to merchant ships. But I don’t

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<sup>11</sup> Sir Graham Bower (1843-1933). Colonial Secretary of Mauritius from 1898.

<sup>12</sup> ‘The Treatment of Enemy Aliens’, *The Quarterly Review* 224, no. 445 (October 1915), pp.415-25. Reprinted in Grotius Society’s *Problems of the War 2*, 1917.

much think our allies would agree to this when peace comes to be made.

With regard to our yielding to the U.S. respecting cotton, I am rather inclined to the opinion that we were morally bound by our having in what were supposed to be our own interests, insisted on putting cotton on the list of articles that can never be made contraband. And secondly, a belligerent has always to consider whether it is prudent and worth his while to offend a powerful neutral. Suppose in reply to our making cotton contraband, the U.S. had declared that they regarded the exportation of arms and munitions to belligerent countries as a violation of neutral principles. I admit that at the Hague we agreed in declaring that a neutral government is not bound to prohibit their exportation by its subjects. But as President Wilson has given out that he is averse to allowing war loans to be raised in America, he might just as well take the same line with regard to arms and ammunition. And lastly, I have held from the outset that though we have never exchanged ratifications of the Declaration of London, the preamble declares it to be in accordance with the recognized principles of International Law, and it is difficult to get out of that. There is great difficulty in justifying our insisting on a law which is useful to ourselves, and upsetting it when it goes against us.

Every war seems to modify the laws of war in some particular or other. For instance, the Russo-Japanese war for the first time admitted the internment of belligerent war-vessels in neutral ports, and that came about by an accident. Our proclamation of neutrality provided that belligerent war vessels in our ports at the outbreak of war should receive notice to leave within 24 hours, but the F.O. did not inform me of this addition to former proclamations of neutrality, and so when the Chinese asked me what they should do in respect of a Russian ship then at Shanghai I had no precedent to quote to them. I could only tell them what they must do with Russian men of war which came into their ports after the outbreak of war. The position of Shanghai as a sort of international port of commerce made it difficult for the Japanese to insist on the Chinese expelling the Russian, and to meet the difficulty they invented internment.

So also it is quite possible that the invention of the submarine may give a loophole for sinking enemy merchant ships without notice. Their use on a large scale, or for any other purpose than destroying enemy warships, was not foreseen nor contemplated by the Maritime Conference.

I am very glad to know the facts about the high explosive shells. No doubt French,<sup>13</sup>

who is a cavalry man, thought he could safely rely on his gunners to say what kind of shells they wanted. It was an error of judgment, but no one can be blamed for such errors. All governments commit them, and with great frequency. I was pleased also to read Haldane's speech revindicating [defending] [Major-General Stanley Brenton] von Donop. I spend a good deal of breath in defending Haldane against the foolish animosity of members of the Conservative party.

Would it be convenient to you if I came to you on about the 3rd or 4th September? On the 2nd there is the monthly meeting of the Urban Council here, of which I am chairman this year. And I must be at home again about the 18<sup>th</sup> as I have an important Social Subjects committee at Exeter on the 20<sup>th</sup> of that month. I should bring with me some chapters of the book I am writing on the practice of diplomacy, if you cared to look at them.

I have not read any of the books you mention in the enclosed list. Hayashi's Secret Memoirs [ed. A.M. Pooley] are hardly worth getting. We have known for a long time all he had to tell us about the genesis of the Anglo-Japanese alliance. I think there is no doubt that our agreeing to it prevented war with Russia for the partition of China, which would have been disastrous to our Far Eastern trade.

D.J. Hill's third volume of the History of European Diplomacy, which covers the period from the Peace of Westphalia to the First Partition of Poland, is very interesting. It is much more readable than the first two, because, as I imagine, one knows more of modern history than of the earlier time. I have also been reading Lord Mahon's history of England in the 18<sup>th</sup> century, which is really a good book, and immensely superior to the Cambridge Modern History and the Political History of England.

I can't tell you anything about Inouye [Katsunosuke],<sup>14</sup> whom I have scarcely seen for 30 years. He was not thought very intelligent when he was younger. His position is due to his being the adopted son of the old Inouye [Kaoru], one of the leaders of the Restoration of 1868.

Yours ever

Ernest Satow

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<sup>13</sup> Field Marshal John French, 1<sup>st</sup> Earl of Ypres (1852-1925). Known as Sir John French, 1901-16.

<sup>14</sup> Inoue Katsunosuke (1861-1929) was Japanese ambassador to Britain, 1913-16.

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9. July 14. 1915

Dear Reay,

Many thanks for sending me back my paper. I have added a little to it, as I found an earlier treaty of 1659, and also those of Nijmwegen, and some of Ryswyk which I had not seen. Then I added a paragraph about Napoleon's arrest of British subjects in France in 1803. It has gone off to G.W. Prothero with a letter of explanation, but I am afraid he will not care to print it. If he does not, perhaps I may find some other channel for publication.

I thought Lord R. Cecil's reply about cotton was very judicious.

It will be interesting to see the next American reply to Germany. I greatly doubt the dispute getting beyond paper and ink, and, indeed, I should be sorry if the Americans were to take the field against Germany. They can be much more useful to us as neutrals in many ways. For instance, there ought to be some Great Power in a position to act as a go-between when the time comes to make peace.

[General Louis] Botha's victory [in South West Africa] is a great event, and as you say marvellously vindicates Bannerman's policy.<sup>15</sup> After all, the final triumph of generosity is certain.

Yours sincerely

Ernest Satow

10. July 30. 1915

Dear Reay,<sup>16</sup>

I return Dr. Baty's very interesting letter [see No.11 below]. On p.2 he says "iron and lead were never contraband", but they were so treated on several occasions by both England and Holland before the middle of the 18<sup>th</sup> century, as I shall show in my book on "the Silesian Loan and Frederick the Great". And I am pretty certain that lead was so treated by England during the Crimean War.

I quite agree with what he says in his next paragraph about the Order in Council of

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<sup>15</sup> Prime Minister Henry Campbell-Bannerman's government (1905-08) granted the Boer states self-government within the British Empire leading to the Union of South Africa in 1910. Presumably this is what Satow means here.

<sup>16</sup> This letter is mentioned in Satow's diary for this date.

March 11, leaving it to the prize court to say how the goods required to be discharged under Arts. i, ii, iii and iv are to be treated. Altogether the said Order in Council seems not to be strictly legal.

From [John Pawley] Bate's article in the Quarterly, though it is perhaps not quite clearly explained, I gather that the Americans admit that the doctrine of 'continuous' transport is applicable in the case of contraband, but deny it in the case of blockade, agreeing in the latter point with Sir Wm. Scott.

I entirely agree, in regard to blockade under the Declaration of London, that a blockade-runner can only be captured when endeavouring to cross the 'rayon d'action' of art.7, which is however very much wider than the line of blockade to which the old French theory relates.

On p.287 Bate gives March 15 for the date of the Order in Council. But it seems to have been 11 March. The Times published it on March 16, from a supplement to the London Gazette of the previous Friday, which was March 12, and so the date of the Proclamation must have been the 11th.

I heartily agree with his view on p.241 that the difference made by the Declaration of London between absolute and conditional contraband as regards Continuous Transport is illogical. As a matter of fact we agreed to this as a compromise between ourselves and the Continental Powers, not on any principle, but in order to prevent the Conference from becoming a total failure on that point. The rest of Bate's article is very good.

I have not read 'J'accuse' by some one in Lausanne who professes to be a German, but have come across several notices of it. No doubt it is agreeable to us to find a German criticizing his own Government, but I don't suppose the latter minds much. They must be far too thick-skinned. Judging from extracts in our own papers the Vorwärts appears also to have been pretty outspoken.

Prothero has accepted my paper on internment of enemy aliens for the Quarterly, and I have sent it off to him with a head and tail attached. It makes dry reading I fear.

I had hoped to be with you on the 3rd or 4th September, but have discovered that the Quarterly meeting of the Devon County Insurance Committee is on September 6. As I am chairman of two sub-committees, I am afraid I must attend, and so must put off my journey to Laidlawstiel till the 7th. I hope that will not make any difference to you.<sup>17</sup>

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<sup>17</sup> Satow was at Laidlawstiel from September 7<sup>th</sup> to 23<sup>rd</sup>, 1915.



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Yours sincerely

Ernest Satow

11. Letter (enclosed in No.10) from Dr. Thomas Baty<sup>18</sup> to Lord Reay

International Law Association

1, Mitre Court Buildings, Temple, E.C.

London, 21st July 1915

Dear Lord Reay,

Very many thanks for the sending of the Paper to Sir E. Satow.

Regarding the questions which you are good enough to put to me, I think, in the first case, that a neutral who admits prizes to his waters does all he can be expected to, & certainly cannot be held liable to the captor if they escape. I have always understood that usage was tending in the direction of excluding prizes, as well as warships, after (as you say) a limited stay – though I must say I by no means think that this usage has crystallized into law.

I quite agree as to cotton. And no doubt the Government take the same view – that their retaliatory proclamation of March 11 (I think that's the date) excluding all trade with Germany, gives them practically all the powers they want. Of course it does not arm them with the power to confiscate ship or cargo, but I do not think that is very material. The ignorant cry for “declaring” cotton contraband seems to me to ignore the fact that what makes a thing contraband is not its necessity for war, but its peculiar suitability for war: thus iron & lead was never contraband, though without iron and lead not a shot could have been fired, & not a vessel launched.

I do not think the proclamation of 11 March is intended as a blockade, or to lead to the penalties of a blockade. The goods are simply brought to England & put under the jurisdiction of the Prize Court, which is to say what is to be done with them (!!!). In my view, that is a political, & not a judicial, function, & one in the performance of which the “Prize Court” is not acting as a Prize Court at all. The functions of a Prize Court are to pronounce on the validity of a capture – not to say what is to be done with goods which are intercepted merely, & not claimed as vested in the Crown or the captors by

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<sup>18</sup> Baty was one of the Honorary General Secretaries of the International Law Association with G.G. Phillimore.

law. I am sure, if I were a judge in prize, I should not know what to do with them:- in fact, the truth is that the government is for the most part buying them, (at the court's appraised price). Goods which it does not want, & does not mind Germany having, it will no doubt invite the Court to release. This is all wrong. The old practice of pre-emption was an indulgence, based on the proved liability of all[?] goods to confiscation. But there is no colour<sup>19</sup> for confiscating innocent goods merely because they are going to or from Germany: - nor for retaliating upon neutrals for German offences. The Order of March 11 is therefore a mere order to the Court to deal with its neutral property in a fashion totally unrecognized by the law of nations. Whether the Crown has power or not to dictate to the Court how it shall exercise its powers, it cannot have power to direct it to deal with cases which are not cases of prize-capture at all. For that is inconsistent with its nature, & a contradiction in terms. Just so, Ulpian [a Roman jurist] said that the legislature could not make a usufruct possible in consumable things.

The Orders in Council of 1807 avoided this mistake. They definitely, though illegally, purported to establish a blockade. Captures were thus invested with a colour of legality. But the new Order of 11 March in effect tells the Judge that he must deal with these goods apart from the law of nations altogether, & at his sole discretion. In my view, if he does, he is not acting as a Prize Judge at all – but as a government servant: & no other nation should respect his decrees.

Not being put forward as a blockade, I do not see that the Prize Court can examine whether the measure fulfils the necessary conditions of a valid blockade. Otherwise, he certainly should. Both [William Scott, 1<sup>st</sup> Baron] Stowell & [Stephen] Lushington frequently did. But I think Evans would be very slow to hold anything invalid that the Government & the navy did!

America might conceivably take the line that the measure was in effect thought not in name a blockade, - & might complain of its ineffective nature. But she will much more probably put forward the view indicated above, viz: - that it is an interference with neutral trade which is of a novel or unaccountable character. I think certainly she would have insisted on this much more strenuously already, if it had not been for the sympathy felt in America for the Allies, especially since the Lusitania business.

It is difficult to remonstrate with both belligerents at once: but I think that before long

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<sup>19</sup> Colour of law: the mere semblance of a legal right

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America must in self-defence assert her right to trade where she likes. Already they have complained, that whilst the U.S.A. are virtually cut off from Germany, Scandinavia is not.

I think through traffic in contraband is an a fortiori [even stronger, even more obvious] case. If a govt. is not obliged to stop such shipments by its own subjects, a fortiori it need not stop those made by other people. On the other hand, I don't think it can be complained of.

We have one final meeting this week, to deal with Phillimore's & Barclay's papers on Bombardment. Our Executive Council has decided to publish in a volume the Papers sent in for the abortive Conference which we were to have held at the Hague in Sept. 1915 - & subject to their being read by the Chairman (Lord Justice Phillimore) it would be happy to include these papers as well.

Pray excuse these rambling remarks, & believe me,

Yours very sincerely

Th. Baty

12. July 30, 1915

Dear Reay,

You asked me in your letter of the 27th whether I receive the publications of the World Peace Foundation, but I forgot to answer your question in my letter of this morning. I do not receive them, and should be glad to see them when you have done with them. I observe that [Joseph Hodges] Choate has one on ["Private Property at Sea", perhaps a reprint of his speech at the Hague 8 years ago. I think my two articles in the Quarterly for 1911 on this question and my reply to Lord Avebury in the XIX Century in 1912 pretty well disposed of the American arguments, and nothing has occurred during the present war to induce us at least to give up the right of capturing enemy ships. One can imagine that nothing would please the Germans better than to be able to carry on their overseas trade unhindered as in time of peace.

Yours sincerely

Ernest Satow

13. August 3. 1915

Dear Reay,

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I have got from the F.O. full information as to days of grace allowed in England to enemy aliens to leave freely, and also the French regulation published on August 2. But they do not seem to know anything about what was done in Germany and Austria about detaining or interning enemy aliens. Could you get information from one of your friends in Holland for me?

[Walter] Langley has sent me Hansard containing Asquith's announcement made on May 12, and the debate which followed, which is most valuable. Then there are the figures given by [Home Secretary Lord] Simon in the House on July 28. I was much amused by his saying that since the new policy was announced 6302 alien enemies including children have been repatriated. The official list of spies arrested given in the Times of July 30 is extremely instructive, showing that among them were three neutrals, one German and one British subject. There were three South Americans of German origin, either known or suspected. It would seem as if we had not most to fear from German spies.

Yours sincerely

Ernest Satow

14. August 6. 1915

Dear Reay,

I return [G.G.] Phillimore's paper on bombardment, which is very wise and impartial. He must have a good lawyer's mind. Also Baty's two letters [see below]. I have not seen Baty on Prize Law and continuous voyage, and shall look forward to reading it at Laidlawstiel, also the Dutch professor on the O. in C. [Order in Council] of March 11. I will bring with me the World Peace Foundation's pamphlet on a Conference of Neutral States which you lent me. I don't know whom the F.O. is guided by in such matters as the O. in C. of March, but I wish they had as good an adviser on matters of international law as Oppenheim would be. Our Orders in Council of 1807 certainly were not a good precedent for us to follow.

I know very little of Bax Ironside, but from what I heard of his doings when he was at Peking in charge during MacDonald's absence, and from reading his despatches I should imagine him to be a conceited ass, so that when he got sick leave and [Hugh James] O'Beirne was sent to take charge I came to the conclusion that he must have been making a mess of things at Sophia.

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I have got from the F.O. the French rules about enemy aliens and the days of grace, which will be mentioned in my article, and I have already put into it what we did. Langley sent me all the papers, but they oddly enough have no precise information at the F.O. about German orders respecting enemy aliens. I cannot make out whether what we did in the way of internment was merely by way of retaliation, but if you are able to get for me from Holland which I want that will probably make it clear. The order for further internments after the sinking of the “Lusitania” and the consequent riots against harmless shopkeepers was a weak yielding to the popular clamour. Prothero is quite desirous of trouncing the government for their shilly shally. What a comfort we shall have no House of Commons for the next few weeks.

Yours sincerely

Ernest Satow

P.S. I will try to get off the Social Subjects Committee on September 20, so as to be able to stay with you a little longer.

15. Letter from Dr. Thomas Baty to Lord Reay

International Law Association

1, Mitre Court Buildings, Temple, E.C.

London, July 30 1915

Dear Lord Reay,

It is indeed very good of you to intimate your kind consent to remain Chairman of the Laws of War Committee under its new name. There are people interested in the Law of Nations in these islands, who could not afford to belong to the I.L. Association, & who would have no claim of election to the Institute. So I think that even perhaps as a permanent thing, the organization may have its usefulness. At the same time, I was personally quite neutral in the matter, beyond making the chance suggestion of the name.

Many thanks for your subscription – the first received so far.

If I may respectfully say so, I have the happiness to agree entirely with the propositions advanced by you. I think the Order in Council of March entirely illegal: & not even justifiable qua blockade – because it affects to stop not only goods going to & from Germany, but the “produce” of Germany (apparently meaning goods which originally were produced in Germany) – as well as affecting to adopt the indefensible

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doctrine of “continuous voyage”. I agree with Your Lordship that a genuine & properly proclaimed blockade is the only proper & legitimate means of excluding non-contraband goods. But I also think that cotton cannot be made contraband simply by saying so!

Believe me

Your Lordship’s sincere servant

Th. Baty

P.S. I have kept this back until I could enclose Mr. Phillimore’s paper on Bombardment.

16. Letter from Dr. Thomas Baty to Lord Reay

International Law Association

1, Mitre Court Buildings, Temple, E.C.

London, Aug. 4 1915

Dear Lord Reay,

I see from the American notes that the Govt. are putting their steps of last March on the footing of blockade.

The attempt is ridiculous – because a blockade must be of defined ports, - & this was merely a general prohibition of trade in goods destined to or from Germany, or being German products.

Neutrals must be able to see by ocular demonstration whether the trade of a particular port is in fact being cut off. If some vessels are allowed to go in or out, it invalidates the blockade. In other words, there cannot be a half-blockade.

Even had the German coast been formally blockaded, this could not have affected adjoining ports – (see the Luna, in Edwards’ reports [No.190], where Stowell held very emphatically that he could not hold S. Sebastian blockaded merely because it was adjacent to France). The novel doctrine advanced by Grey would revolutionize the whole doctrine of blockade, for (if we regard only the enemy’s country) it would become sufficient to blockade a single port, & all the rest of the enemy’s ports would be ipso facto blockaded – because goods could go through them to the blockaded port! Needless to say, this is totally inconsistent with the Ocean, where Scott held that goods might go freely to a Dutch port, though connected with a blockaded Dutch one by canal.

I think I sent you a copy of enclosed; but you may be able to find a use for another.

Very Sincerely Yours

Th. Baty

17. September 2. 1915

Dear Reay,

I have made all my arrangements for reaching Galashiels on Tuesday next by the train due there at 7.56, and have written to Purves for a motor. Tertius<sup>20</sup> will accompany me, and will be glad to make himself useful in any possible way. Please do not wait dinner for me. If the train is punctual (which I think doubtful) I could come in with the roast. But perhaps I may be able to dine in the train.

Many thanks for the copy of Baty's pamphlet containing the Springbok case, which is very interesting reading. I see he has reprinted the Report of the Law Officers of 1753 on prize law, which I am also reprinting in the book that the Clarendon Press is to publish for me shortly. The article for the Quarterly embodying the paper on the position of enemy aliens has gone to press. I inserted the regulations made by the French and ourselves, and what I could find about German rules, but the latter is rather sketchy. However, if you should be able to get any precise information for me from Holland, it may perhaps be added. I should like to be just, even to Germans.

From this morning's paper it appears that Germany has given some sort of promise to America not to sink liners without notice. But unless the passengers and crew are placed in safety, the rules of international law are not complied with. To insist on their being put into open boats, perhaps many miles from land, is not a sufficient guarantee of safety.

Meanwhile, I believe that we have done a good deal to pay the Germans out for their practice of torpedoing without notice. The German submarine is vermin,<sup>21</sup> and there was no better treatment. As long as they sank only men of war there was no ground for treating them otherwise than as honourable foes, but since February we cannot recognize them in that character.

Yours ever

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<sup>20</sup> Satow's Japanese valet or manservant Honma Saburō 本間 三郎. 'Saburō' indicates that he was the third son in his family, which Satow has translated to the Latin 'Tertius' meaning the same.

<sup>21</sup> Satow also used the word 'vermin' to describe German submarines in conversation with Lord Coleridge (Diary, September 1, 1915).

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Ernest Satow

18. September 26. 1915 [See p.65 above for Reay's answer dated September 28th.]

Dear Reay,

If Lady Hunter-Weston<sup>22</sup> is still with you, please tell her that the shrub of which we saw so many specimens near Elibank is *Sambucus racemoria*, the red-berried elder, not a wild plant in Britain, but a native of the Continent of Europe.

Tomorrow I shall return by the post "J'accuse", which I have read through. The chapter entitled *Die Zukunft*, near the end, shows that the author is a pacifist of the school of Kant. That explains why he throws all the blame of the war upon Germany and Austria, and especially on the Prussian junkers who regard war as the best school of all the virtues. There can be no doubt that he is a German by nationality and in sympathy. His proofs that Germany and Austria wanted war, and were determined to bring it about seem to me to be incapable of refutation.

I left a pair of smoke-coloured leather gloves behind me, probably on the cabinet which stands in the hall near the entrance. If they can be found I should be glad to have them sent to me.

I have been hard at work in Exeter since my return, and have to go there again twice this week, besides committee-meetings here.

Yours sincerely

Ernest Satow

P.S. I think you were going to give me an extract from [René de Marees] Van Swinderen's letter about the ceremonial at the Court of Holland when a foreign envoy presents his credentials, and his letters of recall. E.S.

19. 30 September 1915

Dear Reay,

Many thanks for your letter and the information about the Dutch Court procedure with respect to the presentation of credentials by foreign envoys.

I am writing to Thurmans & Sons for the Bishop of Carlisle's address. An account of

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<sup>22</sup> Satow met Sir Aylmer and Lady Hunter-Weston at Laidlawstiel on September 21, 1915 (Diary).



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it was published in the Western Morning News, which I read with much satisfaction. I thought it admirable. I return Dr. [Dugald] Butler's letter. Many thanks for letting me see it.

I am not quite sure whether I took with me to Laidlawstiel my clean copies of notes on the Congresses of Aix-la-Chapelle in 1748, of Fokchany [in Romania] and Bucharest, Teschen (1779) and Rastadt (1797). They are not among the papers I brought back, and I hardly think they can be with you. Anyhow, I have rough drafts, so can easily complete the set.

I should be grateful for the details in Van Swinderen's letter on the diplomatic relations of Holland with the Pope, for my information on that subject is very incomplete.

The Clarendon Press tell me that they expect to publish my book on "The Silesian Loan and Frederick the Great" on October 7, and I have asked them to send you a presentation copy, which I will ask you to accept. But I will not ask you to read it, for the subject is remote from present day problems. A copy will also go to Dr. Fruin of the Reichsarchief at the Hague, in recognition of the assistance he gave me.

I am very sorry to hear Lord Rosebery is despondent. Perhaps that is the effect of insomnia, from which I believe he suffers. There are rumours down here of a fresh landing of allied troops somewhere in Europe, but the place is not mentioned. Perhaps Devon people are unduly sanguine, because the 7<sup>th</sup> battalion, Buller's Own, has been in action.

Yours ever

Ernest Satow

20. October 21. 1915

Dear Reay,

I ought long ago to have thanked you for the translation of Van Swinderen's letter, which will be of great use to me; so now I do it very heartily, though late. I must try to get hold of Beyen's *l'Allemagne avant la Guerre*, but for the moment cannot do that, because I have taken a resolution not to buy any books during the present year. The reviews of it that I have read prove to me that it must be extremely interesting.

Apropos of Russia Frank Lindley of our embassy wrote to me on September 20<sup>23</sup> that

they were very anxious there, neither the military nor the internal situation being at all satisfactory, and that the latter, as always in Russia had an enormous influence on the former. He finds much difficulty in understanding that semi-Oriental semi-Western country. Neither word nor time have the same value as with us.

This last observation I have always found true in my dealings with Russian Colleagues. I suppose one of the chief difficulties our government have to deal with in the conduct of the war is that of getting the allies to work together punctually, and it is a point which critics of their policy do not understand, and Grey cannot mention it, of course. I pass my time in rebutting the censures on him passed by people who are ignorant of the situation.

The only thing I should agree in with Sir Ludovic Grant<sup>24</sup> is that when peace is restored we shall have a chargé d'affaires at Berlin. After the war of 1870 that was what the French did. It will not be possible to send an ambassador until relations improve. The rest of his discourse seems to show that his knowledge of international law would be improved by some practical acquaintance with the practice of international relations.

I do not like the demand for retaliation against undefended German towns. The cry for vengeance is natural, but wrong. Malet's book has arrived safely.

I liked the Bishop of Carlyle's Address to his Diocesan Conference very much, especially the concluding page, on which he says that "the fundamental need of the Church of England is a present purge from ecclesiastical accretions for the sake of the future domination of Christ in the world." What I find in most parish clergy is a narrow professionalism. It is only among the higher men in this diocese, Canons (and not all of them either) and Prebendaries that one meets with liberal and tolerant views of nonconformists.

The debate in the House of Lords the other night, after Grey's speech in the Commons, seemed to me rather wide of the mark. I don't know [Alfred Viscount] Milner, but I should not have thought he was a safe guide in matters of international policy and strategy of war, nor Morley<sup>25</sup> either, whom we all supposed to have entered his dotage. I entirely agree with you that it is our duty not to embarrass the government.

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<sup>23</sup> This letter is in PRO 30/33 12/12.

<sup>24</sup> Sir Ludovic James Grant (1862-1936). Public Law professor, Edinburgh University.

<sup>25</sup> John Morley, Viscount Morley of Blackburn (1838-1923).

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That is a nice story of Lincoln's reply to some men who came to complain of blunders of the Union government. "If all you possessed were turned into gold, and put in a bag which [tightrope walker Charles] Blondin was carrying across Niagara, would you shake the rope, cry out go on faster Blondin, lean a little more to the right, etc. No, you would hold your tongue, and your breath, and keep your hands off till he was safely over." I take this from a pamphlet sent me by Mark H. Judge.<sup>26</sup>

I think that the difference they draw between sub-conscious and unconsciousness is that what goes on in the former sometimes pokes up its head and enters the sphere of consciousness, the latter never. A sin of subconsciousness is e.g. attention wandering during prayer and occupying itself with one's own interests.

Yours sincerely

Ernest Satow

21. 21 Henrietta Street

Bath<sup>27</sup>

November 9. 1915

Dear Reay,

Many thanks for the M.S. you have returned to me, which I am very glad to have, as it contains my final revision of those sections. But I had still the rough drafts from which they were copied, so that their temporary absence has not caused me any real inconvenience. Here is Dr. [Dugald] Butler's very interesting letter. I pray daily for more unity among Christians, and believe it will come one day, with more enlightenment among high churchmen and half-educated dissenters.

I read yesterday the voluminous American note, which probably the F.O. will have no difficulty in answering. As to the complaint that we have not blockaded the German coasts in their entirety, I have never understood that such procedure was incumbent on a belligerent. We have established a de facto blockade of her coast in the North Sea, which we could reach, and have exercised it impartially against all neutrals. We have not blockaded the Baltic coast, because it was out of our power to do so, and we have left that open to neutrals to whom the Baltic was free. If American ships could not get

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<sup>26</sup> Mark Hayler Judge (1847-1927). Architect and sanitary engineer.

<sup>27</sup> The home of Satow's friend Emma Sturges.

there, that was owing to geographical position, not to a distinction drawn by us between one neutral and another.

There is a good deal too much about his genealogy and of his translations of Japanese state papers in Redesdale's book, which one can however skip. The former I suppose is for the benefit of his children, but the latter might well have been omitted, as most of those papers have been printed in F.O. confidential print of the period. I like his chapter on King Edward, and the castigation of Sidney Lee.<sup>28</sup> I have never read the article in the Dictionary of English Biography. The suggestion that the King ought to have come back from Biarritz for Asquith to kiss hands, instead of A. going out to him seems an impertinence. It is lowering the sovereign to the position of a clerk, a steward or bailiff of an estate, and exalting the prime minister to that of the heir to an estate. S. Lee is of course a man of books, who is unable to conceive of any other way of acquiring knowledge. My friend Dr. Erwin Baelz<sup>29</sup> used to divide mankind into two classes, Augen-menschen and Ohren-menschen. King Edward was one of the latter. Scholarship may be a fine thing, but it does not make the Statesman. Perhaps Arthur Balfour would be a better leader if he were not a philosopher.

Besides, I do not like Jews, especially when they masquerade under Anglo-Saxon names.

Since I came here I have read Oliver's Ordeal by Battle. His indictment of Asquith's 'wait and see' policy is powerful, and his advocacy of national service just what I think myself. That Seely<sup>30</sup> should have said one volunteer was worth ten conscripts and Sir J[ohn]. Simon that he was worth three seems to convict both men either of dishonest claptrap or crass stupidity. Did the sailors who were secured by the press-gang in the days when every sailor was bound to serve the country afloat, fight less valorously at the Nile and Trafalgar than those who were recruited in the ordinary way from the merchant service? Do the French, or the Japanese, or the Germans, or Italians or the Russians, or the Servians fight less courageously than our men?

I have not seen The Near East from Within. I suppose by Pears.

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<sup>28</sup> Sir Sidney Lee (1859-1926). English biographer, writer and critic. Born Solomon Lazarus Lee.

<sup>29</sup> Dr Erwin Bälz (1849-1913). Internist. Physician to the Japanese Imperial family and British Legation.

<sup>30</sup> Probably Sir Charles Seely (1859-1926). Liberal M.P.

I trust we shall never have any more Maritime or Peace Conferences. The idea of making international law by conventions from which any one is at liberty to withdraw on giving twelve months notice, and which are not binding between belligerent groups, whenever a single Power happens not to be a party to them, is absurd. Either a principle is law or it is not. If it is, the failure of one to observe it, does not lessen the duty of the others. I enclose a letter from Oppenheim<sup>31</sup> in reply to one of mine about the abrogation of Art.57 of the Declaration of London. That step certainly brings our law as to the ownership into accordance with facts. Please let me have it again.

Yours very sincerely

Ernest Satow

P.S. I go home on the 13th.

22. November 17. 1915 [See Reay's letter of November 13, p.68 above.]

Dear Reay,

Very many thanks for directing my attention to the judgment of the Privy Council in the case of the cargo ex “Rosemaria” in the “Times” of the 11<sup>th</sup>, which had escaped my notice. The main point appears to be whether the Declaration of Paris has anything to do with enemy cargo in one of the hostile belligerents’ own ships. I take it the Declaration of Paris protects only neutral cargo in an enemy ship, and enemy cargo in a neutral ship, and the Cargo of the “Roumania” does not appear to belong to either category. It was never imagined, I suppose, that any trader would ship cargo in an enemy ship.

The only question, it seems to me, is whether enemy cargo which comes into a belligerent’s possession or under his control ought to be assimilated to an enemy ship to which special treatment is accorded by arts. 1 & 2 of Hague Convention No. VI of 1907. But the possibility of such a case arising does not appear to have entered anyone’s head. The only cargo mentioned in that convention is enemy cargo in an enemy ship which had no notice of war having broken out.

Possibly the International Prize Court might say that the cargo in question ought to be

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<sup>31</sup> There are about 90 letters from Professor Lassa Oppenheim in Satow’s general correspondence, from February 2, 1914 onwards (PRO 30/33 12/9) when Oppenheim wrote proposing that Satow write a manual of diplomacy. Satow immediately accepted the proposal. The two men first met when Satow travelled to Cambridge on March 9, 1914.

treated as if it were in the position of an enemy ship under Convention VI. on the ground of 'equity' in a broad sense. I do not feel myself competent to have an opinion about the probability of the court taking such a line of reasoning.

I should like to see the Dutch leading articles pointing out that our present practice is the reverse of our instructions in 1907 and those given to Desart. It is lamentably true that the F.O. then omitted to consider the possibility of our being a belligerent in a war of the present character, i.e. a contest for life or death. But who would have supposed it possible for us to be in our actual position. As Bryan so frankly admitted, we take different views according as we are belligerent or neutral. When the U.S. were belligerent during the civil war they pushed belligerent maritime rights far beyond what had ever been admitted before or practised.

Do you regard Baty as a good authority? To me he appears rather a poor sort of lawyer.

St. Davids, Loreburn, Courtney and some others in the House of Lords do it no credit. On the other hand when I read Winston's [Churchill's] speech I could not help sympathizing with him, tho' I have always disliked his face. But the Times and the members of the public who have attributed the blame of our failure in the Dardanelles and the apparent fiasco at Antwerp to his wilfulness ought to feel ashamed of themselves. But Northcliffe is past that. I daily hear men blame the Times and express their dissatisfaction with the line it takes. The Daily Telegraph these persons say is the fairest. I go on taking in the Times for the sake of its correspondence and law reports, and the leading articles I pass over almost entirely.

I don't think it very surprising that we have not sufficient good generals for the huge army we have put in the field. Doubtless we had enough for an expeditionary force of 150,000 men. But when you multiply the men by ten, and train them in a year, you can't expect to get ten times as many good generals in the same short time; and the same rule of arithmetic applies to regimental leaders and staff officers. I think India has our best officers and generals. One must recollect that with such a small army as England has always had, and a fleet that it was argued was all we needed for our own safety, men of ability would not be likely to go soldiering in large numbers.

I hope we shall soon hear that [Donald] Mackenzie Wallace<sup>32</sup> is getting well. If it was

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<sup>32</sup> Sir Donald Mackenzie Wallace (1841-1919). Scottish public servant, writer, editor

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only lithotritry<sup>33</sup> he ought not to be in any danger.

You talk of snow on the hills. Here we have had sharp frosts night after night. It has begun several days earlier than last year, but I look forward to a speedy return of mild weather.

Yours ever

Ernest Satow

23. November 22. 1915

Dear Reay,

Many thanks for sending me the article from the *Rotterdamsche Courant*. It is very moderate and reasonable. It is quite true what it says that the instructions given to us in 1907 were dictated by the remembrance of what our ships had suffered in the Russo-Japanese war. What the F.O. wanted was to save themselves in future from being bothered by the owners of vessels that were sunk by belligerents for carrying contraband. They never supposed that we should have to fight a European foe. Whether they thought it possible, after Haldane's journey to Berlin, is perhaps doubtful. Haldane told Fry and myself at Failand<sup>34</sup> that if we could get over a couple of years more our relations with Germany might become quite good. So I suppose the Cabinet fancied they could manage to tame the tiger. Do many of them understand the psychology of the foreigner? I fear not. Their education has not fitted them for it. The last paragraph of all in the article is good. We gain little by having people like Tommy Bowles, who panders to evil passions. See his letter in the *Times* of today. St. Davids must be sorry he talked about the 'moeurs' [customs] of the Headquarters Staff.<sup>35</sup> I don't suppose Portsmouth will make a sensible speech on Wednesday. The opinion of Continental Europe about Lord Stowell seems to be that when he talked of International Law he meant, unconsciously perhaps, English regulations, and that he was very skilful in finding reasons for giving judgment in favour of the captors of neutral vessels.

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and foreign correspondent of *The Times* (London).

<sup>33</sup> Lithotritry: a surgical operation to break stones in the bladder into small pieces capable of being voided.

<sup>34</sup> See Satow's diary entry for July 13, 1912. Failand was Fry's house near Bristol.

<sup>35</sup> See speech by Lord St. Davids (John Phillipps) in House of Lords (16 November 1915, *Hansard* v. 20, p.360.)

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I will write to Scott and ask him if he can send me the World Peace Foundation Papers: those you have shown me were very valuable, and I must order C[omman]d. 8104 from Wymans. Redesdale's book is going to be the success of the season. He has made very generous mention of myself. In truth we had a very good time together in Japan. It was the time of my life. Nothing ever came up to it, not even Morocco or Peking.

Yours ever

Ernest Satow

[Bishop Charles] Gore has preached an excellent sermon on the war. It is to come out in pamphlet form this week.

24. November 29. 1915

Dear Reay,

I read the reviews in the Times Literary Supplement of the 25<sup>th</sup> on the Evolution of Prussia and Bulgarian Aspirations. Both seem very informing books. There has also been mentioned a volume treating of 'guarantees' which is probably good. The question is a vast one, and goes back for a long time. Often such guarantees were inserted in treaties without any serious intentions of fulfilling them. One cannot but think that our guarantee of Belgian neutrality was a real one merely because its neutrality is for us a matter of vital interest, while that of Luxemburg is not. And similarly I do not suppose that the guarantee of Greek independence given by France Russia and England would be regarded as obliging us to fight for its preservation.

I have written to [Edmond?] Fitzmaurice giving him references to [Alexander] Pearce Higgins on the points where the differences between Germany and ourselves at the Hague in 1907 are to be found. They were pretty numerous. I have offered to lend him the 3 vols. of Actes et documents published by the Dutch Government if he cares to look at them, but probably Higgins will be enough for him.

[Admiral Sir] Cyprian Bridge had an article about a fortnight ago on the Germany [German?] demand for the "Liberty of the Sea", in which he said it was rather like the pickpocket calling for the suppression of the Constable. Somewhere else I have read a good article pointing out that what Germany wants is perfect freedom to do what she likes in war on land, and to be free to transport invading forces to attack her enemy in his territorial waters or on his coasts, with a prohibition to us to do anything



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inconvenient to her at sea; but I can't lay my hands on it. Her potential transports would be free to cross the ocean, and be converted into transports whenever she chose. That would be a most unequal bargain.

I cannot understand how it was that Veniselos<sup>36</sup> asked us to send troops to Salonika and then made a formal protest to save appearances. Can it be that the invitation was given verbally, so that it might afterwards be disavowed if things went wrong? I am very glad you gave that reply to your French friend. In this war we have done as much, and more, for our allies, as we could possibly have [been?] required to do if we had been fighting Germany alone without allies to help.

I have no patience with the people who write letters to the papers reporting that the French think this that or the other of us. After all, the opinion is only that of the Frenchman in the street, who is not a whit more intelligent than the same sort of person amongst ourselves.

I imagine that the answers to 1,2,3 & 5 of Portsmouth's questions will be "in the negative". About 4 I do not know anything. But he puts these questions only "to annoy".

Yours ever

Ernest Satow

I send you Gore's sermon. No. 4 in the enclosed pamphlet is even better than the one I told you of, which is No.5. I don't altogether agree with him about Kikuyu, but of course, though he is an intimate friend, I dare not say to him that I do not, on historical grounds, regard episcopacy [government of a Church by bishops] as a divine ordinance, of the esse [essence] of the Church. E.S.

25. December 8. 1915

Dear Reay,

Pray keep Gore's little pamphlet. I am glad that it interested you, and I agree with you that like most Bishops (not the Bishop of Carlisle however) he attaches too much importance to church organization and to the frequent use of the sacraments. What is vital is the habit of endeavouring to submit one's own will to the Will of God, to humbly seek for that and to be guided by it as far as one can know it. And putting one's own will aside is the first step.

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<sup>36</sup> Eleftherios Venizelos (1864-1936). Prime Minister of Greece, 1910-20.

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I return Chabrol's letter, which seems rather pessimistic, but what he says about the moral of the French soldiers and of the women is very encouraging. Still I think we may fairly claim that we are taking our fair share of the burden of the war. I incline to believe that universal military service has a moralizing effect on a nation. We are far behind the others because we have never been taught that it is our duty to give ourselves to our country.

Last night we had a meeting of allotment holders,<sup>37</sup> of whom there are about 150 in Ottery, to communicate an offer from the County Council 1<sup>o</sup> to give one allotment holder £1 per annum, find seeds & manure, & give him the produce, if he would undertake to cultivate his 1/8 of an acre under the guidance of a competent person. They were told of the great increase that had been obtained by good cultivation and the use of manures in certain selected places. As they only pay 7/6 rent for their allotments, this sounded a very liberal offer. Yet, not one could be found to accept it. The idea was to get one allotment worked so as to be a model for the others. I am told the ruling idea with them is that the selected man would have to work harder than he does now. Nothing that was said was able to cure them of this notion. This case is another instance of our loving to have our own way, which is the root of "voluntaryism".

As you say, the Government scheme for laying hands on all American securities is on socialistic lines. And it looks to me as if we shall eventually go farther in that direction. It is hardly possible to get the most out of the land unless some kind of control is exercised over landlords and farmers. We are however still a long way off that.

Yours ever

Ernest Satow

26. December 26. 1915 [Answering Reay's letter dated December 24th on p.74 above.]

Dear Reay,

The question whether en mer in Convention XI means en pleine mer was not discussed at the Hague. The only question raised was by Russia, which wished to exclude postal correspondence found on board an enemy ship.

Previously postal correspondence of the enemy was contraband of war, and could only be seized where other contraband may be. Belligerents, I take it, have no right to

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<sup>37</sup> Not mentioned in Satow's diary for December 7, 1915.

attack an enemy ship, or to stop and search a neutral ship, in neutral territorial waters. I conclude therefore that en mer in art. I of Convention XI means en pleine mer. You see, the 2nd paragraph excepts from this privilege the case of violation of blockade.

I was very sorry to see the death of Carlyon Spedding announced. He did not look like an invalid when I met him at your house. Sir Robert Laidlaw will be a great loss.

You remember that the “Dacia” was captured by the French and condemned by a French prize court. I don’t feel sure that our prize courts would be so strict, but art. 56 of the Declaration of London is against transfer after hostilities have broken out, unless it is proved that the transfer was not made in order to evade the consequences to which an enemy vessel, as such, is exposed.

The German ships are clearly lying in port to evade the consequences to which an enemy vessel, as such, is exposed, and their sale to a neutral would be equally with a view to avoiding the consequences, i.e. in this case of being captured if they left their port of refuge. I suppose Swedish law does not prevent buying and owning ships built in a foreign country, but as far as I know American law is still against it. If the President succeeds in getting a law passed to allow of American citizens buying and owning the Steamers of the Hamburg-Amerika line, I should call that a distinctly unfriendly act.

On the whole I begin to change my opinion of him [Wilson], and to think him a miserable creature. America does not seem to be behaving like a gentleman. Just as she went to war with us in 1812, not really about the right to take British seamen out of American ships, but because our blockade measures directed against the greatest tyranny the world had ever seen interfered with the profit she was making out of the European war, so now the President seems to be making trouble because we are taking steps not hitherto recognized as legitimate by the professors and writers of text books to put a check on the proceedings of another would-be master of the world.

Triana at the Hague made an excellent retort to Choate’s remark that the capture of enemy ships was organized piracy, when he said that war was organized murder. The Prussians seem to add to that organized robbery.

I got the unrevised official report of the debate of December 1. Peel seems to have said that we went to the Hague to discuss the Declaration of London. Surely he cannot have said anything so absurd. In consequence of what you said about the debate of the 20<sup>th</sup> I have read again the “Times” report, and agree with you that Milner’ speech was deplorable. He got a good answer from Lord Crewe. The only ground on which men

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such as Sydenham, Milner and Parmoor have for asking that the agreement with Danish merchants should be published, is that they want to found on it an attack against the Government. Nothing could be more unpatriotic.

I have been reading [Petrus Johannnes] Blok's history of the Netherlands,<sup>38</sup> partly in the German translation. It is very interesting. How chaotic the government of the country was in those days. It is a pity that it goes down no further than the end of the 17th century. I note that the idea of making Belgium into a buffer state dates almost from the treaty of Westphalia [1648]. I wish some one would write a history of this idea.

Best wishes for the New Year to Lady Reay and yourself. It is too late now to wish you a Merry Christmas.

Yours sincerely

Ernest Satow

26. 31 December 1915

Dear Reay,

In my previous letter I did not consider what were the powers of a belligerent in respect of mails in his own waters, because it seemed to me that the question was what powers were surrendered with regard to enemy correspondence captured on the high seas. He would always have had the right to capture them in his own waters. The right of seizing neutral mails in the belligerents' territorial waters is another matter.

I think the rule of international law is that you have control over all ships in your ports and roadsteads, and we have by legislation the power of dealing with collisions in our territorial waters. But the seizure of neutral mails, of course in neutral ships, merely passing through our territorial waters is another matter.

I read in some newspaper that the ground of the Dutch objection to the seizure of some 2000 Dutch mail bags was that it was a violation of the International Postal Conventions. I am sorry to say that I have not got them in my possession. But I don't suppose they contain any provision by which they cease to have effect when a signatory Power is at war. I surmised that your first inquiry was with reference to Dutch mails, as

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<sup>38</sup> *Geschiedenis van het Nederlandsche Volk*, eight volumes, published between 1892 and 1907.

soon as I saw that we had seized 2000 Dutch mail bags.

I think you are right in saying that the object of the Hague Convention was to make mail bags immune wherever found, for the argument used was that as information can be so easily carried by cable, it was not necessary to stop letters. I don't suppose anyone was thinking of parcels which might contain contraband.

The notion that Admiralty Courts decide according to the law of nations only is an old one. The Report of the Law Officers in 1752 was to that effect (see p.74 Secondly in my book.) Oppenheim says "Lord Stowell again and again emphatically asserted it, and the vast majority of English and American writers follow him." Oppenheim says however that the law applied by an Admiralty court is Municipal Law, and he refers to [T.E.] Holland, [John] Westlake and Scott (James Brown, our acquaintance of the American delegation in 1907).

I don't know whether Lord Robert Cecil<sup>39</sup> is an international lawyer; probably he does not know much more about it than F.E. Smith. It is curious that we take the Law Officers of the Crown from among political lawyers, who have been successful at the bar and in the H. of C. [House of Commons] and then we go to them for international law of which they have perhaps only a smattering. I daresay however that he expressed the view held by the F.O, which means Davidson & Hurst.

[Harold Reason] Pyke's letter is convincing. I am very glad to hear that Baty got the Tokio appointment. It was your recommendation that did it.

Yours ever

Ernest Satow

27. February 3. 1916

Dear Reay,

With regard to the seizure of postal parcels it is to be observed that Kriege, in reply to a question from Tornielli said: "que les colis postaux sont certainement exclus du traitement privilégiée accordé à la correspondance postale" ([Actes] III. 1122). And Fromageot's report I.266 argues that "Le profit à retirer a-t-on ajouté, par les belligérants, du contrôle du service postal n'est plus d'ailleurs en rapport avec le

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<sup>39</sup> See Gaynor Johnson, *Lord Robert Cecil: Politician and Internationalist*, Routledge, 2013.

prejudice cause au commerce inoffensive; la télégraphie et la radio-télégraphie offrent aux belligérants des moyens de communication autrement rapides et sûr que la poste.”

“Expédiée par mer” was apparently changed into “trouvée en mer” by Kriege or by Fromageot, as you say. I confess I do not see much difference between the two wordings; the idea is the same, that letters should not be interfered with. ‘Mail-bags’ is the term used in the report at I.266. It seems to me that on the whole the F.O. can fairly argue that the privilege extends only to letters and not to parcels, after what Kriege replied to Tornielli.

It is curious to see how the Germans send goods as ‘correspondence’ or as ‘samples without value’, as was shown in the report given recently in the “Times”. They have always been great smugglers and corruptors of Customs officials (as well as pirates of trade-marks).

I shall ask the London Library to get the Life and Letters of John Hay, that I may read about his intervention on behalf of the ‘Open door’ in China. Thanks for telling me of Parl. Debates No. 153, and H. Reason Pyke’s book on Contraband. I have ordered copies of both for myself, and when I have read the latter will send it to you.

I rather suspect the insistence of the “Times” American correspondent in recommending that we satisfy American love of legality by declaring a blockade. There is a possibility that on this point he is inspired by Northcliffe. Anyhow, I doubt the President having urged it on Sir E. Grey. I am very glad you are of opinion that ‘continuous voyage’ should apply to blockade as well as to contraband. I never could understand why it should be insisted on in the one case and given up in the other. One day we had a discussion on this point in our own delegation at the Hague, and I offered to give up charge of blockade, and let it be taken charge of along with contraband by some one else, but that did not come off.<sup>40</sup>

I don’t think a transfer of German ships to American purchasers would be legal after war has broken out, because the object of such a transfer would be to avoid the consequences of putting to sea as German-owned ships. It is therefore forbidden by the Declaration of London, and is also contrary to what the French have always held to be the law on the subject.

I wish the Chancellor of the Exchequer would tax theatres and picture palaces. The

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<sup>40</sup> See Satow’s diary for September 19, 1907.

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working classes spend a great deal more on the latter than is at all good for their pockets. If the importation of bulky goods, such as wood pulp is forbidden, less will be spent on trashy cheap newspapers. People forget to calculate what a halfpenny in the morning and another in the evening come to in the course of the year. I have cut down my own expenditure on newspapers by 1/- [one shilling] a week, which amounts to an [annual] economy of £2.12.0. But I must continue the Times, the Spectator and the ½d. evening paper that gives me the local news.

If I hear of a butler or footman likely to suit you, I will let you know. He must of course be above military age or else rejected by the recruiting officer as unfit to serve. In my neighbourhood however there have never been many menservants, and most people now have only maids to wait on them.

Yours sincerely

Ernest Satow

28. February 7. 1916

Dear Reay,

Here is [Harold] Reason Pyke's book,<sup>41</sup> which I think you will find interesting. The "Times" critic found fault with the author for going so much into the past history of contraband, but I cannot agree with him. It is clearly, to my mind, to the advantage of students of any kind of law that they should have some notion of its historical development.

Your letter of the 5th was delivered this evening. I hope to be able to reply to it in a few days.

Yours ever

Ernest Satow

29. 10 Feb. 1916 [draft of no. 31 below]

30. Typed letter from The Grotius Society, undated.

Sir John Macdonell's Questionnaire

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<sup>41</sup> *The Law of Contraband of War*, Oxford: Clarendon Press, 1915.

# THE GROTIUS SOCIETY.

TELEPHONE:  
CENTRAL 10871  
TELEGRAMS  
39 TEMPLE.

President . . . LORD REAY, K.T.  
Vice-President . . . PROFESSOR GOUDY.  
Treasurer . . . SIR GRAHAM BOWER, K.C.M.G.  
Hon. Secretaries { H. H. BELLOT, D.C.L.  
MALCOLM CARTER.

1, MITRE COURT BUILDINGS, TEMPLE, E.C.

LONDON, \_\_\_\_\_ 191

DEAR SIR,

## SIR JOHN MACDONELL'S QUESTIONNAIRE.

- (1) What notices of blockade should be required? Are the provisions of the Declaration of London sufficient?
- (2) Generally, are the provisions in the Declaration of London on the whole satisfactory? And if not, how could they be improved?
- (3) May mines be used for purposes of blockading? Is the sinking of stones or using other means of preventing ingress and egress to be regarded as a form of blockade by neutrals? Must such methods be supplemented by land batteries to constitute an effective blockade?
- (4) Ought exceptions already admitted (*e.g.*, stress of weather) to the rule that vessels may not enter a blockaded port be increased?
- (5) Should purely commercial blockades, *i.e.*, of towns or coasts not fortified be legitimate?
- (6) Ought there to be some further limitation of the distance within which blockade squadrons should operate? Is Article 17 of the Declaration of London sufficient? ("Neutral vessels may not be captured for breach of blockade except within the area of operations of the men-of-war detailed to render the blockade effective.") (Mr. S. E. Bryan's telegram of March 5th, 1915.)
- (7) Ought "long range blockade" to be recognised; and, if so, in what sense? What modifications, if any, of present practice are necessary?
- (8) Is the blockade of neutral ports adjacent to enemy ports or conveniently situated for conveying goods to enemy's ports in any circumstance legitimate, and if so, when?
- (9) May the mouth of a river passing through several States be blockaded if one of the riparian States be neutral?
- (10) Ought a distinction to be made between cargoes going out from blockaded ports and those which it is attempted to introduce?
- (11) Should goods purchased by neutrals before war broke out be free to leave?
- (12) Ought neutrals to be affected by measures of reprisal? Is the reasoning of Lord Stowell in the "Fox" case valid?
- (13) Is the principle underlying the Order in Council of March 11th, 1915, valid as against neutral nations?
- (14) Ought the principle of continuous voyage to be applied to blockades?
- (15) Ought the principle of a war zone ("defence sea area," "war area," "military area," "strategic area," etc.) to be recognised? And if it is, will the effect be to remove most of the restrictions upon blockade hitherto required?

Members are invited to express their views on any or all of the above questions at the Meeting to be held at the above address on Friday, February 18th, at 4.15. Written opinions from members unable to attend will be welcomed.

P. T. O.



**THE GROTIUS SOCIETY.**

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P. T. O.

Reay gives his answers to this questionnaire in a letter to Satow dated February 5, 1916.  
(PRO 30/33 11/13)

31. February 10. 1916

Dear Reay,

I did not join the Grotian [Grotius] Society, but they continue to send me the notices of meetings. So in any case I should not have answered Sir John Macdonnell's questionnaire on the Declaration of London. As an old servant of the F.O. I feel it is incumbent on me to abstain from making public or semi-public criticisms of their policy or proceedings.

Had I, however, sent any answer at all, I think it would have been in something like the following shape. (1) That the D[eclaration] seems to be quite dead as far as regards its innovations, and is certain not to be revived at the end of the war. Hence, is there any advantage to be expected from a discussion of its provisions, especially of those we are not supposed to be enforcing co nomine.

(2) That the whole matter is one on which I should like to have the opinion of naval men, recognized as practical persons capable of stating what is necessary in the altered conditions of maritime warfare, to render a blockade effective. The requirements of the fighting forces must override the theories of sedentary civilians as to the manner in which the operations of war may be carried on. And I should therefore abstain from answering the questions on by one.

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I have not seen [Joseph Hodges] Choate's statement that the U.S. would join us. But as far as I can judge, the President's idea appears to be to keep out of the war at all hazards. Yes, I quite agree with you that the F.O. are not justified in seizing letters on a neutral ship addressed by a Java merchant to his correspondent at Amsterdam. But if the Java merchant is a German, how then? The F.O. seem to have abandoned their former view, which they maintained at the Naval Conference, that trade domicile, and not nationality is what matters, since they are trying to put obstacles in the way of the trade of German firms in Argentina, who according to their former view, are neutrals. The case of the German subject in China is different, because according to an obiter dictum of the Supreme Court of Leipzig some 30 years ago a German subject in China, by virtue of his extraterritoriality, is constructively in Germany.

I should like to hear what international jurists have to say to the Appam case. If it is true that we did not ratify Convention XIII, I suppose that its provisions are not applicable. Hall (6th edit. p.615n.) says that the U.S. are one of the States which have

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adopted the rule that prizes may not be brought into their ports except in case of danger or want of provisions; and if the U.S. adopted this rule by Congressional legislation, that upsets the treaty of 1828.

It was our friend Tornielli who insisted on the insertion of Art.23 against our own protest.

I am glad to hear that Andrew at Carolside is exempted.

With your view that we ought not to make reprisals for Zeppelin raids on German women and children, I heartily agree. It is better to use our own aeroplanes for military purposes, and it does not appear that we have any to spare for other objects.

Whether Desart is employed by the F.O. I do not know. But I imagine that he was appointed to the Naval Conference simply because they wanted a figure-head. He took hardly any part in the discussions, and his chief function was the defence of the Declaration of London in the House of Lords, which was not a success, because the Lords must have felt that he was a paid advocate. I conjecture that [Eyre] Crowe and [Cecil J.B.] Hurst are the influential members of the F.O. in connexion with contraband, prize and the Order in Council of March 11, 1914.

Yours ever

Ernest Satow

32. Thomas Erskine Holland<sup>42</sup> to Lord Reay

Poynings House

Oxford

March 3<sup>rd</sup> 1916

Dear Lord Reay

Many thanks for your interesting letter, and for your kind readiness to support my son if you are in town in time.

The war news is not too encouraging, and, for an outsider, it is difficult to resist the impression that there has been much mismanagement. I want more than ever to see the Declaration of London thrown clean overboard, and have continued to advocate this in the 'Times'. On the "blockade", so called, I have carefully abstained from writing

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<sup>42</sup> Sir Thomas Erskine Holland (1835-1926). Barrister and jurist. Professor of International Law and fellow of All Souls College, Oxford University.

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anything so repugnant to our interests in International Law is [as?] the interference by the Order in Council of 11<sup>th</sup> March with the rights of neutrals. On the other hand, we are fighting for our lives, and for morality and civilisation.

I would certainly have a very long list of contraband. These things are “too high for me”. The question of requisitioning neutral cargoes in neutral ships is, I see sub iudice. Inhuman reprisals would no doubt be useless, as well as repugnant to us. Perhaps the most interesting news to be awaited just now relates to the attitude of the U.S. Congress.

I despair of any reliable general prohibition of the naval modes of destruction, remembering the attitude of Powers at the Hague, as also the tone of our own debates in the Institut, another meeting of which seems impossible for many years.

I have not recently heard from A[lbéric]. Rolin, and did not know that a second son had died. I much wish for news of our Belgian friends. The position of Nevinex[?] must be ambiguous.

The weather is not propitious for getting out of doors again but I did so for 20 minutes yesterday, and quite hope to be at the Athenaeum on the 13<sup>th</sup>.

My wife unites in kind regard,

With yours very truly

T.E. Holland

P.S. My infirmity must be my apology for misdirection. T.E.H.

33. August 23. 1916

Dear Reay,

I was much grieved to hear of the death of Redesdale, with whom I have been intimate for fifty years. If you have read his “Memories” you will have seen that we had many interesting adventures together in early days in Japan. A letter from his youngest son leads me to suppose that it was an attack of heart that obliged him to take to his bed about two months ago. The doctor was hopeful that he would come round, but on Wednesday evening last he had a relapse, became unconscious, and in another twelve hours he was gone without making a sign. They were a very happy family, and Lady Redesdale an excellent mother. I do not know the present man, not having seen him since he was a boy. For a time he was a planter in Ceylon, then came home and married Tommy Bowles’ daughter, with whom I suppose there was money. Redesdale does not seem to have had any idea of the schemes of the rulers of Prussia, and the outbreak of

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war must have given him a shock. He had taken the trouble of writing a preface to the English translation of Houston Chamberlain's "Grundlagen [des neunzehnten Jahrhunderts]" and also of translating the whole of Chamberlain's huge book on Kant. The way in which the marriage of his son Jack turned out must have been to him a grievous disappointment. I had not seen him since July 1914, when I was last in London, and he read to me the Japanese part of his "Memories".

Very many thanks for the letter of Rendorp to van Swinderen; the version of it you give me makes the contents quite clear. I have written to v. Swinderen to thank him. The letter of thanks for my book on the Silesian loan was sent to the University of Oxford, and I have now received a duplicate from the Director of the Archives at the Hague.

Yours ever sincerely

Ernest Satow

34. March 1. 1917

Dear Reay,

You are constantly in my thoughts by day, and in my nightly prayers, and especially since your accident and the grievous blow that has fallen on your private life.<sup>43</sup> I shall be very glad to hear as soon as there is a prospect of your being able to get about again. Thank you very much for telling me of your plans. Of course I will keep it to myself. If you want a furnished house near London, Colonel Arthur Churchill, who was military attaché at Tokio when I was there, has a very convenient one at Horsell, about half a mile from Woking Station. As he is working at the War Office he and his wife have taken up their quarters at 80, St. James' Court, Buckingham Gate. S.W. I imagine they would be pleased to get you as a tenant during the summer. My cousin Fedor Satow's widow, a daughter of Akers-Douglas (Chilston) who lives at Beach House Shalford, Surrey, a couple of miles from Guildford, likes to let her house in the summer in order to give her children a change of air. It must be a pleasant country but hilly, whereas Horsell is flat and easy for walking. I do not at present know of any other. But if you felt disposed, when you are able to travel, to pay me a visit, I should be delighted to put

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<sup>43</sup> Reay's wife Fanny Georgina Jane (née Hasler) died on January 23, 1917. They had no children.

you up for as long as it was convenient to you. There would be a goodsized bedroom for you with a pleasant prospect from the window, and a bathroom attached for your exclusive use, a bedroom for your valet on the same floor and close at hand (all on the first floor), and a sitting room downstairs entirely to yourself. And then there is the garden to walk in. I do hope you will consider this proposal.<sup>44</sup>

What you tell me about the war is extremely interesting. One would like to know what further plans were adopted at the Calais Conference on Monday and Tuesday. Our prospects seem to have greatly improved during the last few weeks. Wilson seems to be going in the right direction with great caution and prudence. You have been in America and therefore know by experience how different such a problem as he has to deal with must look from the other side of the Atlantic.

He must carry the country with him, and let it force his hand rather than be pushed on by him. Besides, if he contemplated taking an active part, even tho' it be only on the water, there must be a great deal to do in the way of coordinating effort, and providing ships, men and munitions. For my own part I have always said to my neighbours that the Americans were more useful to us as neutrals and as befriending our prisoners of war, than they could possibly be as allies in active war. But now that diplomatic relations have been severed, perhaps the best thing is for them to take part in the naval war. If they sent a small land force to the Western front there is no doubt they would fight well. They are keen, clean-limbed, active soldiers, as one saw at Peking in 1900.

The Archbishop's bill for allowing the number of services to be cut down will greatly relieve the clergy, who are obliged by law to hold two daily services, for the tiniest of congregations. Our new Bishop [at Exeter] Lord Wm. Cecil is actively pushing the clergy of this Diocese to offer themselves, as far as they can be spared, for national service. He has put me on the committee in the rural deanery for the decision of cases, and we shall have a meeting on Tuesday next.

My book on the Practice of Diplomacy [*The Guide to Diplomatic Practice*] is being printed and may perhaps be ready by the end of this month, but in any case it ought not to be delayed beyond April. You are on my list for a presentation copy. I am reading Epictetus in a new translation, studying Russian and renewing my acquaintance with

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<sup>44</sup> Reay came to stay with Satow at Ottery from June 18<sup>th</sup> to October 18, 1917 (Satow's diary). He was in a wheelchair by this time, and died on August 1, 1921.

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Horace. Epictetus is the greatest of those philosophers, and more interesting than Marcus Aurelius.

Yours ever

Ernest Satow

35. March 29. 1917

Dear Reay,

It is welcome news that you are getting on satisfactorily, even though slowly.

My invitation to you to spend the summer here was meant quite seriously, and without limitation of time. So you would be welcome here at the time you propose, about the end of June, or earlier if you should find it suit better with your plans, and of course with your valet. As I said before, you will have a sitting room entirely to yourself, downstairs, a fair sized bedroom with bathroom attached, and a bedroom for your valet close by, all on the first floor, with a pleasant prospect of hill and dale. Your valet could take his meals with my housekeeper [Mrs. Kassburg] and Tertius [Saburō]. Your proposal to be a paying guest is a novel one, but if you prefer to come on those terms I will not oppose your wish. I imagine that 15/- a week for each would be amply sufficient. I grow all my own vegetables, so there will be no difficulty about your diet, and by that time I shall have some new potatoes, as my first planting was a month ago. I am sure that we shall get on quite well together, as we have had such pleasant intercourse for the past ten years, and you need not fear that your coming will be an invasion of my humdrum life. I may perhaps have my brother [Sam] the Master [judicial officer] staying with me part of the legal vacation, but that does not begin till August, and there is room for him also.

I just glanced at Arthur Elliott's<sup>45</sup> letter in the "Times", which if my memory serves me was about the reform of our electoral system, but there are many more matters chiefly of the social and economic order, which interest me more. I think we shall defeat the submarine menace, partly by planting more food, partly by eating less wheat. Housekeeping is now the subject of everybody's conversation, and how to diminish the consumption of flour. About Russia I am rather optimistic, for it seems as if the deeprooted hatred of the German would pull the nation together.

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<sup>45</sup> Arthur Elliott (1846-1923). Journalist and Liberal Unionist politician.

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1915– 1917

Yours ever

Ernest Satow

36. April 1. 1917

Dear Reay,

I have your two letters of the 30<sup>th</sup> & 31<sup>st</sup> [see pp. 86 & 87]. If you pay me as you propose £15 a month for yourself and your valet that will amply provide for chickens and fish and any other special articles of diet. Apples I always have in the house as long as any are to be procured. You will not be expected to appear before lunch, which is at one o'clock; tea at 4.30 and dinner at 8. Usually I have meat only at lunch, and dinner is farinaceous food and vegetables, a pudding and bread and cheese. For breakfast I have a plate of porridge and a slice of bread. But you must make out your own menu, and mine will hardly suit you. I always breakfast at 8.30, except on Sundays when I come back at 9 from the early service. I have bread made half of wheat and half of barley, so that I am well within the Food Controller's scale. But it seems clear that men who work on the land require more than 4 lbs of bread. If they were to have it made half of barley, they could then have 8 lbs of bread; if of 2/3 wheat and 1/3 of maize, then 6 lbs.

I am going to make an attempt to induce our Urban Council to make a pronouncement in favour of the mixed loaf, for it is pretty clear that if any large portion of the population exceeds the scale laid down, there will be scarcity before harvest. Those who belong to the same class as myself feel their responsibility in the matter, but I am afraid that the unenlightened do not take these things to heart.

I can hardly believe that Russia can become a republic; as you say it is not possible for the country districts, where the Tsar has been looked on as a Divinity. From the reports in the press I gather that there is good hope of Russia settling down, but possibly the correspondents take too rosy a view of the situation.

You ask me a difficult question – about apostolic succession being proved historically. I should be inclined to reply that there are hardly any, if any, records of the early church which would show that the practice of consecrating men to the ministry by the laying on of hands was continuous, but that when we do come across it, it was evidently a practice that had roots in the past. The succession of the three-fold order of bishops, priests and deacons, as we now have it, from the time of the apostles seems more questionable. There is a very good book on this subject, which was recommended



to me by Dr. Robertson, our late Bishop, namely F.J.A. Hort's "The Christian Ecclesia".

He shows that <sup>1</sup>ἐπίσκοπος [episkopos] was not originally = 'bishop' in the modern sense, nor an alternative title of the πρεσβύτερος [presbiteros] or elder, but merely a general term descriptive of function = 'he that hath oversight'. Then there is "The organization of the Early Christian Churches" (Bampton Lectures for 1880) by E. Hatch, who shows (1) that the organization of the Christian Churches was a gradual development (2) that the elements of which that organization were composed already existed in secular society (3) The hypothesis that the constitution of the Christian societies was settled by the Apostles in their lifetime, i.e. that the three-fold order of Bishops, priests and deacons is of Apostolic origin, seems to be unhistorical. What is said by these two authors appears to me quite convincing, and though I recognize the usefulness of bishops, I do not regard the institution as of divine origin. It is of the bene esse [well-being] of the church, not of its esse, [essence] according to my view.

Thank you much for telling me what subject Arthur Elliott's letter deals with. I cannot however agree with him. I should be sorry to see all these questions relegated to a future when party violence will have time to revive, for I see signs in this country of the Conservative ultras [extremists] being just as strong party men as before. It seems to me that we are just now in a frame of mind to settle our disputes in a reasonable fashion, and the agricultural question is one of the most important. We cannot afford any longer to let the land be treated as a mere toy or plaything, or to let it continue to be cultivated or mismanaged by incompetent farmers and bad landlords. The provision of decent cottages for the labouring population is most urgent. It ought not to be left to the prejudiced people who make up the majority of rural, and I would also say, of urban Councils, like the one of which I am a member. They are as a rule incapable of taking an unprejudiced view, and are guided in their votes by what they believe to be for their own personal advantage. The first idea of a farming member is to keep down the rates. I agree that our system of local taxation is most unfair for it means that improvements are not made because they have to bear the burden. Rates ought somehow to be like the income tax proportioned to profits and income. I should imagine Arthur Elliott to be in a minority at present, and long may he continue to be so.

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Yours ever  
Ernest Satow

37. April 26. 1917

Dear Reay,

I am very delighted to learn that you are making such good progress,<sup>46</sup> and that early next month you will be able to stand on your own feet again. We shall be ready to receive you here at any time before June 24 that may be convenient to you. Unless some further alteration of the time table is made next month, your best train is the 11 o'clock from Waterloo, which has a through carriage marked Sidmouth, and it deposits you at Ottery about 2.17 without making any change. It is advisable to get to Waterloo pretty early, in order to secure a seat in the through carriage.

The only political papers I take in are the "Times", which I share with another man who sends for it at 4.30, and the "Spectator", which I post on to a friend. The "new Europe" is sent to me by the publishers. I also have the Times Literary Supplement, and besides these an Exeter evening paper with the latest telegrams.

There will be no difficulty about providing the kind of food you like. There will by the time you come be an increasing supply of vegetables from the kitchen garden, and such things as gooseberries, currants and strawberries all through the season. Potatoes I shall hardly be able to lift before the middle of July; after that we ought to have plenty, as I have nearly  $\frac{3}{4}$  of an acre of them. So, if you can get a small supply sent here from Ireland about the time of your own arrival, it would be a great help, as I cannot get any here. Indeed, as the well-to-do were exhorted to leave what potatoes there were for the poorer classes, I have not bought any for several weeks past.

I do not subscribe to any lending library, such as Mudie's or the Times Book Club, so if you want new books I am afraid I must ask you to supply yourself. I get older books of course from the London Library, which is an excellent institution. Sometimes they will buy for a subscriber works of standard quality, but one cannot expect them to spend money on ephemeral warbooks.

This morning I had a letter from Henry Howard. He spent the greater part of the winter at Naples, and is remaining for the present at Rome (Palace Hôtel). He says "our

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<sup>46</sup> See Reay's letter dated April 25, 1917 on p.88 above.

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cause is progressing on all sides and the crisis in Russia seems to be ending happily for us.” As to the last, you will perhaps regard him as over sanguine. I am told that the Bishop of Exeter [Lord William Cecil] came back from town a few days ago with a very gloomy account of things in Russia, especially on the Riga front, which he had derived from his brother Lord Salisbury. You say also that Russia is precarious. I hope they will pull themselves together, but I have no great amount of confidence in the Slav temperament.

Down here we are doing all we can to promote war-saving associations and the economizing of food. It is only the very poor who cannot be brought to see the necessity of cutting down their consumption of wheat, and substituting barley flour, oatmeal and maize. But all the well-to-do and the shopkeeping class are doing their duty.

Yours ever

Ernest Satow

38. May 29. 1917 [Answering Reay's letter of May 26, 1917. See p.89 above.]

Dear Reay,

I am very sorry to hear that you have not made as much progress as you had expected, and are troubled by rheumatism in the injured leg. Still, I hope that will not prevent your coming here towards the latter part of June. We have a very good carrying-chair at the Cottage Hospital, which I am informed can readily be spared when we require it. Russell Combe is a first-rate surgeon. I will inquire about the Swedish masseuse at Sidmouth. I am giving orders for a bell to be put at the side of your pillow to reach your valet in his room. As The Times usually reaches me about eleven and does not go off to my partner till half past four there will be plenty of time for you to read it. The publisher of “The New Europe” has just informed me that he can no longer afford to present me with a copy, and as I cannot afford to spend money on it, that publication will not be here for you. I get the “Spectator”, and an Exeter afternoon paper with the latest news.

If there is any particular kind of biscuit which you prefer, let me know.

Frank Lindley writes [from Russia], May 7. ‘We have been passing thro’ a most difficult time and our troubles are far from over. The Revolution has quite pushed the war into the background here & is having a deplorable effect on the Army and the Fleet. There is a wave of international social-democracy sweeping over the country, the effects of which are impossible to foresee. Up to now we have, by a miracle, escaped

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serious civil disorder, but everyone thinks it is bound to come, and class feeling seems to be growing every day under the influence of bands of agitators who have a perfectly free hand. We are vilified in the extreme papers worse than any Germans; as capitalists, imperialists & God knows what.”

Many thanks for the political news contained in your letter.

Our weather here is now delightful, and when you come it will no doubt be the height of summer. I have a loggia in which you can sit all day if you like, with a pleasant outlook.

If you have any warbooks of an interesting kind that I am not likely to have seen, pray bring them with you. Doubtless you have seen Rose’s address in the last no. of the Mohonk Conference. I have A.J.R. Marriott’s “Eastern Question” & Seymour’s “Diplomatic background of the War.”

Yours ever

Ernest Satow

39. June 2. 1917

Dear Reay,

In one of your letters you said you were expecting to be able to stand on your feet again on the 4th. of this month. I hope your expectation will be realized the day after tomorrow.

I have inquired about the masseuse at Sidmouth, and am told that Mr. & Mrs. Wilson, the manager of the Baths and his wife are experienced performers but would not, my informant fears, be able to take a case at Ottery. If I hear further I will let you know.

Perhaps a long cane chair, such as one has in hot countries, which has a moveable back, and a piece to support the legs which is drawn out from under the seat, would be convenient for you when sitting in the open air. I find that I can get one in Exeter. If you would like this, please let me know.

Yours ever

Ernest Satow

40. June 5. 1917

Dear Reay,

I am exceedingly sorry to hear that you will not be able to stand on your injured leg

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when you come to me, but we must do the best we can to make things easy and comfortable for you.

Monday the 18<sup>th</sup> would suit me quite well. Your train is the 11 o'clock from Waterloo, which has a through carriage for Sidmouth, which will deposit you at Ottery.

I would suggest your writing to the Station master at Waterloo, or still better to Sir Robert Williams if you happen to know him, asking to have a compartment reserved for you and your valet, so that you may be able to lie at full length during the journey.

As to a chair on wheels for you to be moved from the house into the garden, I do not think I could get one here or in Exeter, so it would be better if you would bring one with you; and then you can travel in it from the station to the house, about  $\frac{3}{4}$  of a mile. That will be more comfortable than the sort of trap we have here for hire. As I wrote already, I can get a chair for you to be carried up and down stairs, so you need not trouble about that. I have also ordered some of Huntley & Palmer's oaten biscuits for you, and if they do not turn out to be what you like, we can get others. My cook makes very good biscuits of oatmeal and also of rice flour.

There is a newspaper agent here. If you will let me know a few days' before the 18<sup>th</sup> what papers you wish for, I will order them for you through them. It is difficult to get papers unless they are ordered beforehand, as the publishers do not take back unsold copies. So the agent gets only those that are subscribed for.

I will tell the P.O. to send up here anything they receive addressed to you.

Yours ever

Ernest Satow

41. June 10. 1917

Dear Reay,

I was glad to see from the "Times" that you had been out in your carriage. What a joy it must have been to breathe the open air again after being so long confined to the house.

We had some correspondence about potatoes, which you said you could get from Ireland. But that is no longer necessary, for from the day you arrive, the 18<sup>th</sup>, I shall be able to provide fully grown early ones from my own garden. So pray do not take trouble about the matter.

Will you let me know of what dishes you would like your dinner to consist on the

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first evening. I should like to give you what you are accustomed to take. Soup of course there will be, and some form of green vegetables, either cabbage or spinach. We shall get green peas before long, as they are already in pod. You said in one letter that you liked chicken mince. Would you wish for fish as well? It is not always possible to get fish here, but I have salted herrings, which after being thoroughly soaked in water are quite good. I will get you some apples if possible. Strawberries are not to be had just at present. But I can always have stewed prunes or rhubarb.

I hear that I can borrow a Bath chair here, and perhaps that can be so arranged as to suit your damaged limb.

Yours ever

Ernest Satow

P.S. I am ordering a cane chair, which I think will do for you in your sitting room, and there is a couch in your bedroom at the foot of the bed. E.S.

42. October 21. 1917

My dear Reay,

Your letter has given me the greatest gratification. The time we have spent together has been a most agreeable period for me, and I have learnt much from you in many ways. You were so good in reading to me passages from the interesting letters you received. Here I live more or less isolated from the great world, and hear very little of what goes on in home and foreign politics. You must not think that I criticize the large correspondence you carry on, I rather envy you for having so many friends. Many of mine are at the other side of the globe [in China and Japan], and letters are few and far between. So I am thrown back on books for my occupation, and my life is quite other than it used to be, since I came to live in England. Yours has been continuous, and in the midst of the best society and real politics. I gave your message to Mrs. Godfrey<sup>47</sup> on my way back from the station, and she has since been gratified by the receipt of your letters. On Thursday afternoon I went down to Sidmouth to call on some friends who recently lost their only remaining daughter, and I think my visit was a pleasure to the mother [Mrs. Tindall]. Then I went to Mrs. Berwick, with whom I had some talk, and

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<sup>47</sup> Satow sometimes bought apples from Mrs. Godfrey in Ottery, e.g. on December 22, 1917. Her daughter Nora was a favourite of Reay. See next letter below.

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bought a Cox's Orange pippin [apple], which I devoured on the Esplanade in public, not feeling ashamed. It is what all the children do. And yesterday I went to Exeter to preside over the committee of village clubs. But this week I expect to be quite alone. The *De Amicitia*<sup>48</sup> is still on my table, and I have read about half of it. What a charming book it is. And from experience one learns how true it is. As a schoolboy it gave me little pleasure, being a task. But the classics at one's own choice are better appreciated. I am reading Blok diligently in the afternoons, and shall have a list of difficulties to send you for solution, though on the whole I continue to make out his meaning. I find I have a Dutch grammar and exercise book which must have been in my possession for nearly sixty years, but out in the Far East I could make no progress with the language, for Chinese and Japanese occupied the whole of my time.

I am very glad that you had a comfortable journey, and that your hosts found you looking well. I hope you will continue to make progress in moving about, and that you will soon be able to get up and down a moderate flight of stairs.

Yours ever sincerely

Ernest Satow

43. November 10. 1917 [Answering Reay's letter of November 9th. See p.93 above.]

Dear Reay,

The enclosed money order should be sent to

The Controller

Money Order Department (G.P.O.)

Manor Gardens

Holloway N

with a request for it to be refunded to you.

He will reply that the money order in question has been advised to the United States and it will be necessary for the Dept. to recall the amount before it can be repaid in this country. That will no doubt take a few weeks.

Perhaps you should explain that you have signed it under a mistake, as it should, when paid, have been signed by the person to whom it was made payable.

I have read [Elihu] Root's "Influence of Democracy on International Law",<sup>49</sup> and

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<sup>48</sup> A treatise on friendship by Marcus Tullius Cicero, written in 44 BC.

think it excellent. The text books [text book? *Guide to Diplomatic Practice*?] will have to be recast when the war comes to an end, as one hopes it will, by the downfall<sup>[1]</sup> and destruction of the Hohenzollern aristocracy. It will consist of two parts, a history of what in the past has been considered to be international law by governments, and the theory of what it must be in the future. I shall be interested to know what Oppenheim thinks. Root's paper upsets MacDonald's idea of a Dictionary, which no one hereafter would desire to consult, except as an antiquarian curiosity.

[Charles Ripley] Gillett has sent me his pamphlet [sic] about the House of Lords, but I have had no time to look at it. Nor have I seen [Andrew Melville] Pooley's "Japan at the Cross Roads". As to the capacity of the Japanese "to assimilate but not create", he probably does not know that they have made improvements in the arts and sciences elaborated by other peoples, just as we all have done. Their painting and metal work, their lacquer show that they can make improvements. Who Pooley is I do not know. Neither have I seen [Sir Walter G.F.] Phillimore's *Three Centuries of Peace*. It seems a big subject to be crammed into the pages of a book sold at 7/6.

The overthrow of [Alexander] Kerensky and the rise of Lenin to power is a remarkable development of the Russian situation. I do not dare to forecast the outcome. The Italian disaster is I hope and trust not incapable of being remedied, with the support of ourselves and the French. Our successes in Palestine and north of Bagdad are very encouraging.

I will read the debate in the House of Lords on Wednesday last, and reflect on what you tell me about [Charles] Gide's view respecting the payment of the war debts; but I am very weak in political economy and the theory of money.

I am sorry to hear that you have a bad cold, but hope it will soon be better, and that you are making progress on your crutches. When do you go to town? I often see your little friend Nora [Godfrey],<sup>50</sup> but as my beard has grown somewhat, she hardly seems to recognize me.

I am reading [Petrus Johannes] Blok diligently, and am engaged at this moment with

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<sup>49</sup> *The Effect of Democracy on International Law*: Opening Address by Elihu Root as President of the American Society of International Law at the Eleventh Annual Meeting of the Society in Washington, April 26, 1917.

<sup>50</sup> On Christmas Day 1918 Satow "[g]ave Reay's present to Mrs. Godfrey's little girl Nora." (Diary)



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Johan de Witt. Can you tell me the title of a good German and Dutch dictionary? it [sic] would be a great help I imagine in remembering the meanings of Dutch words, whose relation to German seems to be governed by a sort of ‘Grimm’s Law’. One of these days I shall send you a list of words that have puzzled me, and ask you to solve my difficulties. I am also reading Albert Waddington’s “La République des Provinces-Unies de 1630 à 1650”, which explains how the Dutch came to sign a separate treaty with Spain at Münster in 1648. It is very interesting.

We had a lively debate on Church franchise on the 7<sup>th</sup> at our Diocesan Conference,<sup>51</sup> and I am glad to say that we had a majority in favour of a baptismal franchise, defeating those who wished it to be confirmation or communicating. The letters in the Times on this subject show that the bishops are far from unanimous.<sup>52</sup>

Yours ever

Ernest Satow

44. November 22. 1917 [Answering Reay's letter of November 20th. See p.94 above.]

Dear Reay,

I am exceedingly obliged to you for your kind promise of a Dutch and German dictionary as a Christmas present. It will be most welcome, and help me greatly in tracing the resemblances of words. E.g. I perceive that *dadelijk* is *thatsächlich*, *duidelijk*, *deutlich*, *vervaadigen* = *verfertigen*, and so on. But when Dutch words are spoken I imagine they resemble English pretty often. Blok’s book on mediaeval municipalities would not be of great interest to me. When I have got through [Blok’s] the History of the Netherlands people, I think I must tackle [G.W.] Vreede’s History of Dutch Diplomacy, of which your cousin [Baron Jacques] Fagel gave me the title. Eysinga’s treaties, which your letter says was coming by bookpost has not yet turned up.

The November number of the XIX Century contains an interesting article by Sir Francis Piggott on the Declaration of Paris (to be continued), and one by Sir Jno [John] Macdonell on The Freedom of the Seas. The latter subject is also treated by Archibald Hurd in the Fortnightly, but rather in a rhetorical fashion. Macdonell, however, declares

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<sup>51</sup> The conference was held in Exeter. See Satow’s diary for November 7, 1917.

<sup>52</sup> See Alan Wilkinson, *The Church of England and the First World War*, Lutterworth Press, 2014. See p. 272 especially for Bishop Gore’s views.

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himself, in a parenthesis, in favour of the immunity of private property at sea in war-time. Surely that is chiefly what the Germans are aiming at. To be able to import all their supplies, except contraband, in their own ships would enable them to defeat blockade. If they did not get them through in their own ships they would in those of neutrals. They would be able to carry on their own export trade. And while they were doing this, they could still go on invading other people's homes and destroying churches, houses, libraries and other public buildings, cutting down fruit trees & trampling down crops. At all events, let us put land and sea on an equality.

I imagine that the label in English found in a German 'pill-box' was an example of their using our language to persuade buyers that they are getting English goods. Thus in Siam when I was there hurricane lamps were sold, made in Germany, but with those words in English embossed on the glass. Or perhaps it is Belgian cement. I know the Belgians manufacture note paper which they mark 'Real Irish Linen'.

I hope you are able to get out again in this nice mild weather.

Yours ever

Ernest Satow

45. December 7. 1917

Dear Reay,

By book post I am forwarding to you a parcel containing some French pamphlets sent me for that purpose by Dr. [Hugh H.L.] Bellot. [Louis] Renault's is very interesting. It shows that Germany renewed with Luxemburg in 1772 & 1902 her undertaking to respect the neutrality of the Grand Duchy and also that Renault disagrees with the F.O. view of the meaning of collective guarantee. I read also [Antoine] Pillet, which is a poor performance. The remaining two I have not cared to read.

You will be interested to hear that Mrs. Godfrey and her 7 children are going to live in my cottage next to the gardeners. I believe she goes in today. It is a better one in her opinion than the one she has hitherto occupied, and she was anxious to get it, though the rent, 3/- a week, is double what she has been paying. But she will have a bit of kitchen garden, and various other advantages.

There is a pamphlet [of 18 pages] by Ramsay Muir entitled "Mare Liberum", published by Hodder & Stoughton of Warwick Square E.C.4, and only costs a penny. It is worth while your reading, if you can get a copy.<sup>53</sup> Muir is in India at present, but his

wife has lent me her copy to read. It is mentioned in Macdonnell's [Macdonell's] article in the XIX Century I told you of in my last. The Times has accepted a letter I addressed to the editor on the same subject, but it will not be published at the present moment, which is thought to be unsuitable.

I hope you are getting on well.

Yours ever

Ernest Satow

46. December 16. 1917 [Answering Reay's letter of December 8th. See p.95.]

Dear Reay,

I have read over again Lord Lansdowne's letter, and still think that he chose an unfortunate moment for issuing it. Surely we have no ground for putting any confidence in what he quotes as German and Austrian utterances as to the precautions to be adopted against a renewal of the worldwide war. If he had consulted some one else, and received good advice about his letter, he might have modified some parts of it. As you say, he "should have laid more stress on Serbia, Bagdad, the Dardanelles, Arabia, Armenia and on the fact that Germany will not surrender until she is beaten and we are on German soil." With that I quite agree, and also that if he wished to give utterance to his views he should have spoken in the H. of L. [House of Lords] I did not like his mentioning the freedom of the seas in the scanty fashion of his letter. "Freedom of the Land" from attack is just as necessary. The "Times" has set up my letter and sent me a proof, but the editor will not publish it at present; so they write to me. Meanwhile I send you to read Professor Ramsay Muir's "Mare Liberum", which covers the same ground and a good deal more. What people mean by the conscription of wealth I do not quite understand. It seems obvious that to confiscate any part of the war loans would be to dry up the springs of finance. To appropriate the annual interest of other loans and shares might be possible, but dangerous for the national credit. To confiscate land and houses would lead to nothing, as the cost of the war could not been [be] paid with them. But if a heavier income tax is enacted, we should grin and bear it. That seems to be the only

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<sup>53</sup> It can be read online and downloaded in various formats from <https://archive.org/details/mareliberumfreed00muir/page/n1> - accessed March 26, 2017. British, German and American views of freedom of the seas are compared and contrasted.

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measure resembling confiscation that is feasible.

I have read nearly the whole of vol. III of Blok, and when it is finished shall go back to the beginning and work steadily through. It is extremely interesting. What tough fighters at sea the Dutch were.

Lovering still drives that old horse in the omnibus. It will be long before he gets such a profitable job as you gave him.<sup>54</sup>

Yours ever

Ernest Satow

47. December 19. 1917 [Answering Reay's letter of December 18th. See p.96.]

Dear Reay,

I have followed your suggestion and written a note to Baron Grovestins offering my congratulations on the engagement of his daughter to a gentleman whose family seems to have been well known in history, and also thanking for him about Blok and the dictionary you kindly asked him to send me. The dictionary has not yet reached me, and I am wondering whether the Censor has detained it on the ground of its being partly a German book. I believe the importation of German books is not allowed, except by special licence!

The writer of the letters about Siam signed E.B.M. is evidently Edward Michell, whom Fred Verney sent out to Bangkok in my time as legal adviser to the Siamese government. He was a very troublesome person, and not always well-conducted. He is a brother of that woman whom the Late Duke of Sutherland married as his second wife. After his death she married Rollit. The father was a respectable Oxford Don, the head of Hertford College. Rousing I hardly knew, but Richelieu and other Danes who were at Bangkok in my time were very decent fellows. As I left Siam in 1887 I do not know anything of the Battle of Concessions of which Michell speaks.

The debate in the House of Lords was very good, and justifies what Morley says in his "Recollections" about the superiority of the debates in your House over those in the H. of C. I think you would find Morley's private letters to Minto which occupy the latter part of his second volume well worth reading. And in fact the whole book is

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<sup>54</sup> On June 21, 1917 Lovering drove Reay to get a massage from Wilson, manager of the baths at Sidmouth (Satow's diary).

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interesting. Of course the earlier part is to a considerable extent an Apologia for his agnosticism. I have just unearthed a letter I wrote to Francis Campbell of the F.O. in 1906 giving an account of a conversation I had with Morley about opium in China.<sup>55</sup> I found him very open-minded, just and honourable. I came away after an hour's talk with a very high opinion of the innate goodness of his character. He seemed to be one of those who are Christians at heart without knowing it.

Ramsay Muir<sup>56</sup> is a history professor at Manchester who has written several books, as I see from the Catalogue of the London Library, but I do not know anything of him personally. His wife in reply to a letter of mine asking him where his pamphlet was to be obtained wrote to me that he is at present in India, but she did not say on what errand.

I see that the remainder of Piggott's article on the Declaration of Paris appeared in this month's XIX Century. I must get it as well as the first, which was in the Novr. number.

Very sorry to hear that the cold prevents your going out. It is freezing here also, but there is bright sunshine, and I find the bracing weather suits me better than the damp mildness which is so characteristic of Devonshire.

Yours ever

Ernest Satow

48. December 21. 1917

Dear Reay,

I am glad to tell you that the Dutch German Dictionary you have so kindly ordered to be sent to me as a Christmas present arrived this morning [noted in diary]. It seems not to have been interfered with by the Censor, and there is no reason why it should have been, as it was printed at Groningen.

By parcel post I am sending for your perusal Sir Walter Phillimore's Three Centuries of Treaties of Peace. It will not take you long to read, and you will find it interesting.

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<sup>55</sup> This letter dated 1 September 1906 is inserted in the diary for 28 July 1906. Satow reports his meeting with Morley on July 30<sup>th</sup>.

<sup>56</sup> John Ramsay Muir (1872-1941). Historian, Liberal party politician and thinker. He was a member of a commission investigating Calcutta University and Indian post-secondary education, 1917-19. He embarked full-time on political work in 1921.

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The conditions he lays down at the outset of a durable treaty of peace seem excellent. There are a few misprints and slight errors. If I knew the author personally I would send him a list of these. It would be interesting to know for certain what were the reasons for declaring Switzerland perpetually neutral. Possibly sentiment in favour of a brave people like the Swiss may have been the determining motive with the British Government.

Yours ever

Ernest Satow

49. December 23. 1917

Dear Reay,

I have read the letter in the "Times" about [Hensley] Henson's appointment,<sup>57</sup> in reply to Lord Halifax's intemperate letter. [William] Sanday is a man for whom I have the greatest respect. The Oxford Diocesan Conference had no business to interfere or try to interfere with the appointment of a Bishop to another diocese, and I was glad to see Houblon's letter on the subject. I am not always in agreement with Henson, but I to a great extent share his opinion about the Report of the Archbishops' Committee on Church and State. The Representative Church Council appear to have shelved it and empowered the Archbishop to appoint another committee. I do not think much is likely to come of it. Anyhow as attempt to limit the franchise in the Church of England either to confirmed persons or to communicants is certain to fail, for many reasons, one of which is that it would be dis[en]franchising the parishioner, as one of the proposals is to transfer the powers of the vestry which is now elected by the parishioners, who choose to attend the Easter vestry, to a more limited body, and Parliament would never stand that. I agree with you that the private letters to Minto ought not to have been published, but all officials who have ever been connected with India seem to have very great latitude allowed to them. F.O. and diplomatists are actually prohibited from publishing anything of an official nature without the sanction of the Secretary of State. And generally too I agree with you about the book, though in my letter I mentioned the

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<sup>57</sup> Herbert Hensley Henson (1863-1947). Anglican priest, scholar, controversialist. Bishop of Hereford, 1918-20. Bishop of Durham, 1920-39. In 1917 the Anglo-Catholic wing of the Church of England tried to block his appointment as Bishop of Hereford.

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things that seemed interesting to me.

If Wilts [Wiltshire] has as good a syllabus of religious teaching in the Council Schools as Devonshire possesses, there could be no reason why the Duke should not transfer his schools, it seems to me. The Devon syllabus was framed by clergymen and nonconformists, so it avoids all subject[s] of controversy.

I have not yet had time to read Eysinga's treaties, so if you really can get another copy without any trouble, I should be much obliged to you to let me keep this. I am diligently reading Blok, and find the new dictionary a great help. Best wishes to you for Christmas and the New Year. We can hardly expect peace for a long time yet, I fear.

Yours ever

Ernest Satow

P.S. I have burnt your letter as you wished.

50. December 27. 1917

Dear Reay,

I return with many thanks for[?] the Grotius Society's report on submarines, which I have read with much interest. On p.4 I have marked a passage [see p.369 below] which seems quite out of place. What has the ill will of the neutral nations to do with the legal position of submarines.

I agree with Erle Richard[s]<sup>58</sup> that submarines can in law be in no different position from other belligerent war vessels, & that the same law must apply alike to all.

But I disagree with both him and Macdonell in suggesting that Powers which have few or no overseas ports should have the rights of carrying their prizes into neutral ports. The principles of international law must be the same for all nations, and not be altered to suit the geographical position or other conditions of particular states. It would be equally reasonable to make exceptional laws because of the relative size and population of states. International law (like Catholic doctrine) must be the same everywhere and for all.

Macdonell is also hitting the mark when he ridicules the Theory of "war crimes" set up by the committee.

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<sup>58</sup> Sir Henry Erle Richards (1861-1922). Chichele Professor of International Law and Diplomacy at Oxford University 1911-22, after Thomas Erskine Holland.

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Art. 49 of the Declaration of London deserves all Erle Richards' contempt of it.

I am getting on with Blok, and after having read nearly all volume 3 have now gone back to vol. 2 which opens with the departure of Philip II from the Netherlands. It is exceedingly interesting.

When I was a boy of 13 they gave me as a birthday present [William Hickling] Prescott's Philip II, so that the story is not altogether new to me.

I suppose the Bolsheviks are a set of idealists and dreamers entirely ignorant of the practice of government and of foreign politics. It does not look as if they would be able to obtain from the Germans the kind of peace they think ought to be a matter of course. I hope they will soon be disillusioned.

Yours ever sincerely

Ernest Satow

Grotius Society's Report on submarines (16 printed pages)



**PRIVATE AND CONFIDENTIAL.**

REPORT OF THE COMMITTEE ON THE  
LEGAL STATUS OF SUBMARINES.

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In pursuance of a Resolution passed by the Society on May 1, 1917, authorising the President to appoint a Committee to consider the legal status of submarines and report to the Society, the following members were appointed by the President—viz.: The President (Professor Goudy), Sir John Macdonell, K.C.B., Sir H. Erle Richards, K.C.S.I., K.C., Sir Graham Bower, K.C.M.G., and Hugh H. L. Bellot, D.C.L.

SUBMARINES AS VESSELS OF WAR.

By way of introduction to their Report the Committee feel that a few facts relating to the construction of submarines and their capabilities may be usefully stated.

First used in the American Civil War, submarines until the present war were confined to torpedoing warships; their employment as commerce destroyers was not seriously considered. In all probability they will be in the future developed not only as engines of war but as mercantile carriers in times of peace. Hitherto, however, they have been almost wholly employed for purposes of war, and as instruments of war we must in the meantime regard them.

By the favour of the Lords Commissioners of the Admiralty the Committee have had the opportunity of seeing some of these vessels under war conditions at a naval base and of going on board them. The Committee also witnessed evolutions by them out at sea from the deck of a torpedo-destroyer.

The following points may be mentioned. Submarines are not able to manœuvre speedily, since, owing to their elongated shape, they require rather a wide circle in which to turn. They are therefore liable to be rammed easily by the stem of a handy merchant vessel or torpedo destroyer, either on the surface or a

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few feet below it ; and such ramming is likely to destroy them, so vulnerable is their construction.

Submersion is effected by taking water into tanks and by hydroplanes on the bows, and it is only possible to submerge, so as to escape observation, in moderately deep water.

Further, its construction makes it impossible for a submarine to carry many persons on board. Consequently, should a submarine succeed in sinking an enemy vessel or compelling it to surrender, it can rarely find room for more than two or three persons in addition to its own crew. It can sometimes, however, put a few of its *personnel* on board a prize and shepherd it to port. The present practice of the Central Powers in cases of destruction of a merchantman is to leave the captured crew and the passengers, if any, to the chance of being saved by its own rowing-boats, rafts, and the like, so far as these are available. This has been done even on the high seas far from land.

#### CHANGES IN VESSELS OF WAR GENERALLY.

The action of the submarine in the present war has produced an extension of the pre-existing practice of arming merchant vessels. It has been said that the object of this arming of merchant vessels has been to compel the submarine to submerge. But a submarine submerged can still use its torpedoes—a deadly weapon. So that whilst the arming of merchant vessels may enable some of the speedier vessels to escape, it also acts as an inducement to the submarine commander to use the more deadly weapon. Nor is this all. It is not easy to distinguish between acts of offence and defence, or between the armed auxiliary cruiser and the armed merchant vessel, so that the inducement to use the more fatal weapon is increased by considerations of self-preservation, and has a possible justification by the laws of war. Few will be found in any nation to deny that this torpedoing without warning is a retrograde step in the direction of barbarism.

Like the submarine, the modern cruiser sacrifices nearly everything to speed and armament. The spacious decks and open spaces of the old line-of-battle ship or armour-clad have gone, and the modern cruiser is a mass of engines and guns, and oil or coal bunkers, and magazines and torpedo-tubes, that leaves very little room for the officers and crew, so that a light cruiser or destroyer, if she sank a mail steamer would be as incapable of providing for the accommodation of the passengers and crew as would the submarine. It is hardly necessary to add that a seaplane, while she may perform many military duties, cannot



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provide accommodation for the passengers and crew of any ship she may attack.

On the whole it would seem that there is not sufficient ground for distinguishing, *quoad* status, the submarine from the ordinary cruiser or destroyer. None of them is capable of providing accommodation for the passengers and crew of a passenger vessel of any considerable size. The same questions regarding destruction of merchant ships and cargo at sea and the legitimacy of arming merchant vessels arise in relation to each of them.

## CHANGES IN MERCANTILE SHIPPING.

A most notable change in recent years has been the enormous growth in the size of merchant ships, and especially of mail steamers. The larger mail steamers are now like floating hotels, with the population almost of a small town. A modern Atlantic liner may easily carry three thousand souls on board. In former times it was easy for a captor to provide accommodation for the passengers and crew of a captured mail steamer. As matters stand there is no regular cruiser in any navy that would accommodate even half the population of a first-class liner.

As with the passengers and crew, so with the ship and cargo. At the time of the Napoleonic Wars a vessel of 500 tons was a large ship: she took six weeks to cross the Atlantic, and a detention of a couple of hours for the purpose of visit and search at sea made little or no difference to the voyage; but as things stand to-day, an Atlantic steamer may displace tens of thousands of tons and can cross the Atlantic in five or six days. It is impracticable to search her at sea, or to search her in a few hours. She must be brought into port, and the loss caused by expenditure and loss of earning power may amount to hundreds or even thousands of pounds *per diem*. Similarly with regard to ownership and insurances. The shares of a limited liability shipping company may be held by foreigners; and though a vessel must be owned by an English company, the majority of its shareholders may be foreigners. It results, therefore, that the destruction of a merchant vessel may injure native or neutral rather than enemy owners. Again, all nations are more interdependent than they were. Few, if any, can be called self-contained or self-dependent. All civilised nations have been compelled to rely more and more on commerce as a support for their industrial life. It results, therefore, that the interruption to commerce caused by war affects neutrals as well as belligerents, and that the destruction of shipping affects the whole world, not only during war, but for many years after peace has been signed.

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# CONTROL OF COMMERCE.

As to vessels of war and the appliances of war, it is clear that the submarine has brought about a great change in the possibilities of war which must affect the laws of war. Owing to it and to floating mines, a blockade in the sense of the Declaration of Paris and the interpretations hitherto placed on that Declaration is no longer possible, and the tendency, as evidenced by our Orders in Council, is to substitute what we may call the control of commerce in place of the destruction or confiscation of private ships or goods.

On the other hand, if Germany has by submarine policy extended the practice of destruction, has not her action cost her the positive ill will of the neutral world and converted many neutrals into her enemies?

## THE LAW RELATING TO DESTRUCTION OF MERCHANTMEN BY A BELLIGERENT.

In considering the international legal status of submarines, which was all that was committed to us, we have found it impossible to avoid noticing the position of merchantmen, belligerent or neutral, in relation to capture and destruction by war vessels.

The law and practice prior to the present War may be noticed in just a few words. It was anything but settled. It seems, however, to be agreed by the jurists of the Entente Powers and of all neutral States that "unrestricted submarine warfare" as conducted in the present war by the Central Powers is contrary to the laws and usages of war as hitherto generally accepted by the whole civilised world, even including the latter Powers.

It will be convenient to deal with the various branches of the problem separately. Before doing so we may note the distinction between the treatment of an enemy public vessel and an enemy private vessel. The former—ships of war, tenders, transports, and other commissioned vessels in the employ of the enemy State—may be attacked without notice and sunk anywhere on the high seas or in the territorial waters of either belligerent. It is universally admitted that the ownership of all such captured vessels and their contents is by capture immediately transferred to the captor's State and all persons on board become prisoners of war. Consequently the captured vessels may be brought in or destroyed at sea, with their contents, at the discretion of the captor. The crew, however, in accordance with the dictates of humanity and universal public law, must as far as possible be saved.



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In the case of enemy or neutral merchantmen other rules apply. They must in the first instance be summoned in a regular way to lie-to, and if required submit to visit and search and examination of the ship's papers.<sup>1</sup> This is what happens in the usual course. An enemy merchantman is, however, entitled to refuse to lie-to, and may endeavour to escape by flight, or is even entitled to resist a visit by force of arms. But it does this *suo periculo*, and may be legitimately destroyed in either case, though its crew, if captured, are entitled to be treated as prisoners of war. Similarly a neutral merchantman is bound to submit to visit and search by a belligerent cruiser, and flight or resistance renders it liable to be captured or sunk, and subjects the ship, and in some circumstances the cargo, to the risk of confiscation.

Prior to the present war, by a long-established rule of international law very generally accepted, it was incumbent upon a belligerent captor, save in exceptional circumstances, to bring in, for adjudication by a competent Prize Court, his prize, whether enemy or neutral. The reason for this rule rests upon the principle that the subject of even an enemy State cannot be deprived of his property without due process of law. As Lord Stowell pointed out long ago, justice demands that acts of war shall be open to public review, and that the property of private persons shall not be converted without the sentence of a competent Court. For this purpose the property must be brought into the country of the captor. "A legal sentence," he said, "must be the result of legal proceedings in a legitimate court, armed with competent authority upon the subject-matter and upon the parties concerned—a court which has the means of pursuing the proper enquiry and enforcing its decisions. These are principles of universal jurisprudence applicable to all courts."<sup>2</sup>

To this general rule that a captured merchant vessel must be brought within the jurisdiction of the captor's Prize Court for adjudication, there are, as above indicated, some exceptions. Some of these are generally recognised as legitimate, whilst others are regarded as of doubtful validity, or at any rate as not enjoying general acceptance. It will be more convenient to deal with these exceptions separately, since the law and practice are not equally applicable to all.

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<sup>1</sup> The right of visit and search was recognised as early as the twelfth century by the maritime Powers of the Mediterranean.

<sup>2</sup> *The Henrick and Maria* (1799), 4 C. Rob. at p. 55.

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A. EXCEPTIONAL DESTRUCTION OF ENEMY MERCHANTMEN  
WHOLLY BELLIGERENT.

The destruction of enemy merchantmen wholly belligerent (*i.e.* in respect of ship, cargo, crew, and passengers) forms the first exception. Juristic opinion, municipal regulations, and international usage are all united in agreeing that under certain circumstances, such as the dangerous condition of the prize, the possibility that if released it might give assistance or information to the enemy, the inability to furnish a prize crew, the distance from a national port of the captor, the lack of provisions or water, and the presence of disease, the prize may be sold, ransomed,<sup>3</sup> released or used as a tender to the captor's ship, or destroyed.

But in case of destruction a rule has, until the present war, obtained universal acceptance from all civilised nations, and has been observed in practice, to the effect that the crew and passengers (if any) on board, must first be removed to a place of safety together with the ship's papers, so that the necessary witnesses and documents may be sent to a national port where the validity of the capture and destruction may be determined by a Prize Court.

This rule also finds full recognition in the naval regulations of most maritime Powers. To cite only one: the Naval Prize Regulations of the German Empire declare that before the destruction of a prize, "the safety of all persons on board, and so far as possible their effects, is to be provided for, and all ship's papers and other evidentiary material, which according to the view of the persons interested is of value," be secured for the information of the Prize Court.<sup>4</sup>

B. EXCEPTIONAL DESTRUCTION OF ENEMY MERCHANTMEN WHERE  
CARGO OR CREW OR PASSENGERS WHOLLY OR PARTLY NEUTRAL.

The destruction of a belligerent enemy merchantman, with the cargo wholly or partly neutral and the crew and passengers (if any) wholly or partly neutral, form the second exception.

If the cargo is wholly or partly innocent and it is impossible to remove it, the better opinion is that the ship should be released. Nevertheless the dominant view is that it may be destroyed if such destruction is required by military necessity—*i.e.* by such circumstances as are indicated above under A. But

<sup>3</sup> Ransom is now forbidden by the British Prize Regulations.

<sup>4</sup> Huberich and King, *The Prize Code of the German Empire*, art. 116, p. 68.



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in the latter case full compensation to the owners of innocent cargo should at least be granted.<sup>5</sup>

The case, however, is different if neutral passengers be on board an enemy merchant vessel. Such passengers are present where THEY ARE ENTITLED to be. "No nation," as Sir Walter Phillimore rightly declares, "has yet said that neutrals may not take passage on perhaps the only ships which can carry them home or about on their lawful business."<sup>6</sup>

If for reasons of military necessity, in such circumstances as indicated above, it is imperative to destroy the captured vessel, such passengers are entitled at least to be carried to a port whence they may reach their destination. The high seas are free to the innocent merchant ships of all nations, whether belligerent or neutral, and neutrals have always been considered entitled to take passage on belligerent merchantmen.

#### C. DESTRUCTION OF NEUTRAL MERCHANTMEN.

The destruction of unresisting neutral merchantmen carrying contraband for the enemy or blockade-running, is supposed by some to form a third exception to the general rule. Such right to destroy, however, has never been generally recognised. It is only when a neutral ship by some gross act (*e.g.* giving hostile information) "identifies" herself with the enemy, and thus really ceases to be neutral, that a right to destroy on the high seas arises. Not, however, every act of un-neutral service, but only it is thought such as are grave, will justify the destruction of a neutral vessel.

A right to destroy unresisting neutral vessels, with their cargoes, in our opinion should find no recognition in international law. If it is impossible to bring a neutral prize within the jurisdiction of the captor's Prize Court she should be, at least after the seizure or destruction of her contraband cargo, released. The old rule that a neutral merchantman must never be destroyed was first challenged by Russia in her Naval Instructions of 1869, and subsequently by the United States in 1898, by Japan in 1904, and by Germany during the Naval Conference of 1908 which produced the Declaration of London.

By article 21 of the Russian Regulations of 1900 and article 40 of the Instructions of 1901, Russian commanders were empowered to destroy their prizes, whether enemy or neutral, under such circumstances as bad condition or small value of the prize, risk of recapture, distance from Imperial ports

<sup>5</sup> Sir F. E. Smith, *Destruction of Merchant Ships*, p. 57.

<sup>6</sup> The Grotius Society, Vol. II. p. 176.

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or their blockade, danger to the Russian cruiser or to the success of her operations.

To meet Russia on equal terms, Japan very reluctantly revised its Prize Regulations of 1904 to a similar effect. But whilst autocratic Russia at the beginning of the new century was the first Power in the history of naval warfare to destroy neutral vessels on the high seas, Japanese commanders were careful *de facto* to refrain from such practices and continued to denounce the new departure.

The question of the destruction of neutral merchantmen came up for discussion at the Hague Conference of 1907. A solution was found impossible. The Russian proposal to destroy where release would endanger the safety of the captor or the success of his operations was supported by Germany and opposed by Great Britain, Japan, and the United States.<sup>7</sup> The proposal was based on the ground that a State with few oversea ports was placed in a position of unjustifiable inferiority. One of the Italian delegates thereupon suggested that this difficulty would be met by giving belligerents the right to send their prizes into neutral ports. Article 23 of Convention XIII., whereby a neutral Power may allow prizes to enter its ports, whether under convoy or not, when they are brought there to be sequestered pending the decision of a Prize Court, was carried by nine votes to two—Great Britain and Japan.<sup>8</sup> Upon the question of destruction, however, no agreement could be reached, and it was reserved for the Naval Conference which met at London on December 4, 1908. Opinion was again sharply divided, but a compromise was ultimately effected. The old rule was adopted by article 48 of that Conference (Declaration of London), which bears, "A neutral vessel which has been captured may not be destroyed by the captor; she must be taken into such port as is proper for the determination there of all questions concerning the validity of the prize." By the succeeding article 49, however, the rule is almost eaten up by an exception in these terms: "A neutral vessel which has been captured and which would be liable to condemnation may be destroyed if the observance of article 48 would involve danger to the safety of the warship or to the success of the operations in which she is engaged at the time." Subsequent articles provide for the safety of all persons on board and the ship's papers, and makes it incumbent upon the captor

<sup>7</sup> The United States had withdrawn the Naval Code of 1900, which contained the Instructions of 1898, on February 4, 1904.

<sup>8</sup> Upon ratification of Convention XIII. by Great Britain, Japan, Siam, and the United States, Art. 23 was reserved.



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"to establish that he only acted in the face of an exceptional necessity."

"Exceptional necessity" here means "military necessity." With this doctrine in force, the safeguards provided by the Declaration would seldom, it is thought, be effective in practice. The captor as a rule would find little difficulty in satisfying his own Prize Court of the existence of "exceptional necessity." The plea of inability to furnish a prize crew would be one; the plea that a neutral ship dismissed *might* be a danger would be another. So elastic, in short, is this expression "necessity," that the captor would be in fact the sole judge. No doubt if an International Prize Court were established this might be corrected, but it would still be unsatisfactory. Moreover, such a privilege of destruction confers upon a weak naval Power a strength which it would not otherwise possess. It would be relieved from all trouble in carrying in for adjudication, and by the destruction of the cargoes and the dispersion of witnesses the owners might find it impossible to establish their innocence. Even if the alleged safeguards were otherwise adequate, the deck of a warship can scarcely be described as a place of safety. Within a few hours the latter may be engaged by the enemy. To subject non-combatants of an *enemy* merchant ship to the risks of battle is bad enough, but to allow belligerents in the name of military necessity to subject *neutral* non-combatants, including women and children, to run the risk of death or injury and to undergo the ordeal of a naval combat is a most objectionable doctrine.

The admission of the exception of military necessity in the Declaration was a fatal mistake. It is partly under the plea of this exception that the German Government defends its practice of unrestricted submarine warfare.

#### SOME OBJECTIONS TO "UNRESTRICTED SUBMARINE WARFARE."

The legalisation of "unrestricted submarine warfare," as practised by Germany, would constitute the gravest menace to civilisation. It would inevitably lead to the isolation of States, restrict international commerce and intercourse, and induce protection and its attendant consequences—reduction in trade and in employment. The mere dread of its use would prove intolerable. Moreover, the injury to neutrals is no less serious than to belligerents. The shortage in shipping already created and likely to be further created means a total loss to the whole world for many years to come, a loss which threatens all alike with serious consequences.

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It is urged, however, in some quarters that great Powers with small navies, or small maritime States, will not willingly forgo such a powerful commerce destroyer as the submarine. It is urged, further, that even if by general assent its operations against merchantmen were prohibited, any rules limiting its use would be cast to the winds by a State fighting for its existence.

Piracy has been put down and privateering has been abandoned by the force of public opinion and treaties among civilised nations. The slave trade has been suppressed by international agreements. Is it too much to expect the suppression of such an intolerable nuisance and barbarous practice as "unlimited U-boat warfare" against commerce?

## RECOMMENDATIONS.

### I. ARMED SUBMARINES.

The following recommendations are made on the assumption that the capture of private property at sea is to continue after the war as legitimate.

We are of opinion :

1. That, subject to the same regulations as exist for other war vessels, the visit and search and seizure of merchantmen, whether enemy or neutral, by submarines should be permitted.

2. That, assuming such visit and search and capture to be permissible, the destruction of enemy merchantmen should be prohibited, except in case of attempted escape or resistance or of belligerent conduct consistent only with the character of a warship.

3. But, alternatively, if the existing rule of destruction of enemy private ships is maintained, adequate provision for the crew and passengers (if any) must be secured. To define the term "adequate provision" is not easy. It must always be a question of fact to be determined by the circumstances peculiar to each case. Thus, on the one hand, the placing of the crew and passengers in a ship's boats in a calm sea within sight of land might be regarded as within the meaning of the term; while, on the other hand, we do not think the deck or hold of a cruiser, which within a few hours may be engaged with the enemy, can be regarded as a place of safety for non-combatants.

4. That the destruction by submarines or other warships of enemy merchantmen carrying neutral cargo (either solely or to a substantial extent) or neutral passengers should be prohibited, provided always that they do not try to escape or resist visit and search.



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5. That the captured crew and passengers of an enemy merchantman which does not resist capture must be released unless they are of military age or are officially employed by the enemy State.

6. That the destruction of any neutral merchantmen, even when carrying contraband or analogues of contraband, should be prohibited absolutely unless they resist visit and search, or are engaged in blockade-running, or in gross unneutral service. In our view the admission of further exceptions would only lead to abuse.

7. That reasons of military or naval necessity, such as danger to the submarine's (or other warship's) own safety or to its operations, should not be held to justify the destruction of merchantmen under the preceding articles 4 and 6. The experience of this and other wars shows that the sanctioning of any exception in general terms leads to the indefinite expansion of the exception.

8. That, subject to the same conditions as are now imposed upon other war-vessels, armed submarines should be entitled to the same hospitality in neutral ports, harbours, or territorial waters as those other vessels.

9. That armed submarines should not be permitted to navigate in neutral territorial waters below the surface. They must navigate in such waters on the surface, bearing the distinctive marks of a war vessel and flying their national flag. The penalty for a breach of such regulations should be internment of the vessel and crew for the duration of the war.

10. That, subject to the observance of the existing rules of blockade and to the above restrictions, an effective blockade may be lawfully established by submarines.

11. That search may be carried out by submarines and other belligerent cruisers either in the open sea or in their own territorial waters, or ports, or harbours, but not in neutral territorial waters, or ports, or harbours.

12. That in the case of neutral ships there must be due diligence in exercising the right of visit and search, and if ship or cargo be ultimately found innocent the captor should be liable for demurrage after three days. In any case no port charges or warehouse charges should be levied on an innocent neutral ship if forcibly conducted to a belligerent port for purposes of visit and search.

13. That, assuming destruction of merchantmen (not chargeable with resistance, etc., as above mentioned), to be prohibited, if an enemy or neutral merchantman be destroyed, the officer responsible should be regarded as a war criminal and liable to be punished as such if captured.

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2. ARMED MERCHANTMEN.

1. That if the destruction of enemy merchantmen before adjudication by a Prize Court be entirely prohibited, it should be unlawful for a belligerent State or its subjects to arm merchantmen (not incorporated into its naval forces as auxiliary cruisers) with guns or other weapons for purposes of offence or defence against prospective attacks by submarines or other war vessels. This, however, should not apply to the use of signalling guns, rockets, or small arms to guard against pirates or mutineers. In our opinion it is impossible to frame any satisfactory definition of the phrase "armament for defensive purposes."<sup>o</sup>

2. That, assuming such prohibition as last mentioned, an enemy or neutral merchantman should not be entitled, by ramming or by other methods of attack, to resist visit and search or capture by an enemy war-vessel, submarine or other. In the event of an attempt to escape, and subsequent capture, though the merchantman should be liable to condemnation, the officers and crew should be entitled to all the rights and privileges of prisoners of war.

3. That a neutral merchantman should not under any circumstances be entitled to resist visit and search or capture, exercised as above provided, by a belligerent submarine or other war-vessel.

4. In the event of the right of merchantmen to arm solely for defensive purposes being retained, they should be admitted into neutral ports, harbours, and territorial waters upon the same terms as unarmed merchantmen. It should be left to each neutral Power concerned to say what is armament of legitimate character for defence.

5. The practice of awarding prize-money for the capture of unarmed merchantmen to officers and crews of captors should be abandoned by all States.

RIGHT OF ASYLUM.

1. That a belligerent warship should be entitled to bring a merchantman, whether enemy or neutral, seized by it into a neutral port. In such case it should be interned till the end of the war, but subject to full compensation in damages being made by the captor's State in the event of the capture being ultimately held by the Prize Court to be unjustifiable. A belligerent Prize Court in such case, however, should not be permitted to sit within the jurisdiction of a neutral State, but within its own

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<sup>o</sup> Sir John Macdonell dissents from this recommendation.



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jurisdiction it may act even during the war, provided the ship's papers and witnesses can be conveniently brought before it.

2. That neutral States should be under obligation to receive such captured merchantmen so brought in.

FALSE COLOURS.

1. That no vessel, whether belligerent or neutral, should fly a false flag or colours under any circumstances. Failure to fly the national flag or colours should be regarded as a war crime.

2. That submarines and all other warships be forbidden to disguise themselves as merchantmen. The colouring of the warships of each nation should be different and clearly distinguished from that of its merchantmen.

(Signed) HENRY GOUDY,  
JOHN MACDONELL,  
(Subject to qualifications)  
GRAHAM BOWER,  
HUGH H. L. BELLÔT.

Nov. 28, 1917.

MEMORANDUM BY SIR JOHN MACDONELL.

I dissent entirely from the recommendation to declare unlawful the arming of merchant vessels. I believe such a change would be a mischievous and retrograde step.

Among my reasons are these :

1. The proposal, if adopted, would take away an immemorial right of self-defence possessed by merchant vessels ; a right which has often proved in this war, as in past wars, an effective protection against capture. The evidence appears to be that merchant vessels have of late, with considerable success, repelled attacks, and the probability is that when they are all well armed and have skilled gunners this will happen more frequently. The strongest advocates of the right of capture have not, so far as I know, insisted that such vessels should be defenceless.

2. The proposal is a concession to "militarism"—that is, it is a further yielding to the persistent efforts to restrict the civil population's right of self-defence. Such concessions as to land warfare at the instance of military States have not, as recent experience conclusively shows, made the condition of the civil population better or more secure.

3. The proposal is contrary to the decisions arrived at unanimously by the meetings of the Institute of International Law at Christiania and Oxford ; meetings attended by representative jurists of the chief countries of the world.

4. There is no likelihood that nations, at all events those with a small Navy, will abandon an ancient practice, and the proposal may discredit other recommendations of the Committee.

( 14 )

5. The recommendation applies to merchant vessels attacked by any armed public vessel. Some of the consequences of this would, as it seems to me, be absurd. An armed launch might hold up and capture a liner of 25,000 to 30,000 tons.

6. The assumption that the abandonment of the arming of merchant vessels would lead the commanders of U-boats to forgo the use of torpedoes seems to me to be unfounded. The probability is that they will use the weapon most advantageous and convenient in the particular circumstances. If they are in the proximity of hostile destroyers or dread their approach, or if for any reason despatch is particularly urgent, the U-boats will, it is likely, use the weapon which will destroy most speedily the merchant vessel. Judging from the experience of this war, there is no security or even probability that certain belligerents would observe their obligation not to destroy merchant vessels.

7. It is said that if this were done, the captain and crew of the U-boat would be guilty of a "war crime." But, in the first place, there is not, under our law, or under any other, so far as I know, provision for the effective punishment of such offences (and the Committee make no recommendation under this head), and, in the second place, the perpetrators of such a crime might take care that the vessel was "*spürlos versenkt*"—that is, there would be no traces of her; no evidence would be forthcoming to bring home the crime to its perpetrators.

8. The prohibition, apparently, is not to extend to vessels being armed with small arms in order to guard against pirates; but it is not explained how, in seas or waters where pirates are encountered, a merchant vessel is to discriminate between them and regular vessels of war.

9. The argument that it is impossible to distinguish between acts of offence and defence seems to be baseless. No doubt there are perplexing cases on the border-line; but the distinction is drawn every day, generally with ease, and, on the whole, satisfactorily, in Courts administering criminal law.

10. In my view it is desirable that any needless endangering of the lives of passengers or crews of vessels attacked by submarines should be made a crime under municipal law as well as under international law; that unjustifiable homicides caused by such acts should be regarded as murder or manslaughter; that such crimes should not be included in any amnesty articles of Treaties of Peace, and should be included in all Extradition Treaties.

It further seems to me advisable that the Committee should enumerate the Articles in the Hague Conventions which, in the light of the recommendations need amendment.



( 15 )

It is of importance to note that genuine merchant vessels are part of the common stock, or plant, of the world existing for the general benefit, and in the common interest ought, as such, to be protected against destruction if they do not resist search. There should be no destruction of merchant vessels, whether belligerent or neutral, without adjudication. Process of law, and law alone, should determine their fate.

\* \* \* \* \*

As to the recommendations dealing with "Right of Asylum," I see no valid reason—and none is mentioned in the Report—why, with the full consent of a neutral State, a Prize Court should not be set up within its territory, or, at all events, that evidence for the purpose of prize proceedings (*e.g.* taking deposition of crew, etc.) might not be there collected. It is important that, if adjudication is insisted upon, concessions as far as possible should be made in favour of States possessing few Colonies or none. I take exception also to the proposal to make the reception by neutral States of captured merchant vessels obligatory. Such an obligation might, in some circumstances, be highly inconvenient, and might, in no unfriendly spirit, be objected to.

Dec. 12, 1917.

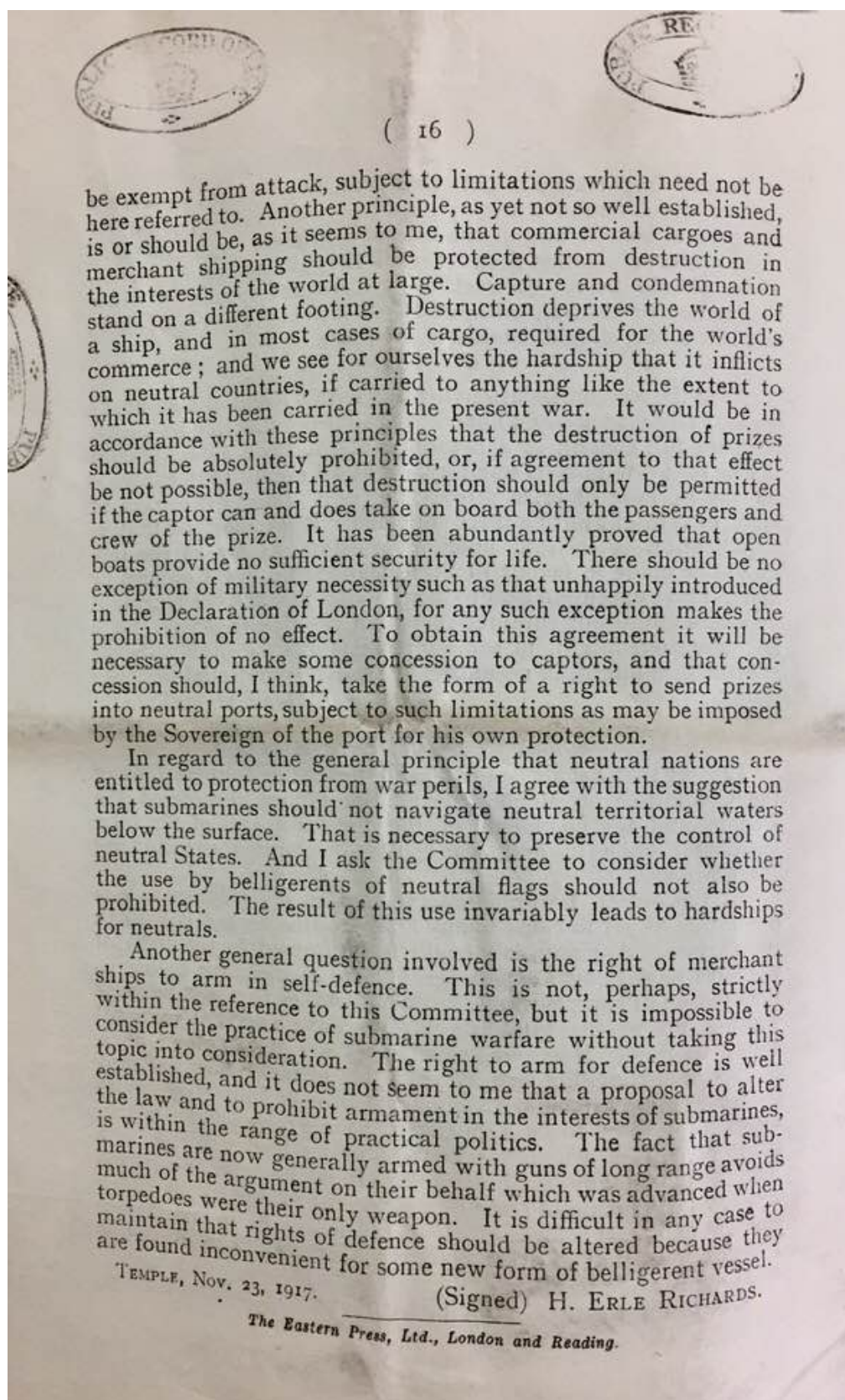
(Signed) JOHN MACDONELL.

## MEMORANDUM BY SIR H. ERLE RICHARDS.

I regret that I shall be unable to attend the deliberations of the Committee on Monday next. But I have considered the Report, and the comments of the President and of Sir John Macdonell upon it, and beg leave to submit the following observations.

At the outset, I would observe that, in my judgment, it is premature as yet to come to any final decision on the law as to submarines. Any such law ought to be framed in the light of the most recent naval experience, and we should have before us the opinion of experts who have actually taken part in submarine warfare up to the latest stage. We have not that material before us now. Moreover, submarines are developing: their methods are changing year by year—for instance, they are now more and more armed with guns, a factor of importance with regard to the law to be applied; and there may yet be further developments of which we know nothing to-day. That is a reason against any final decision. It is, however, no reason against a discussion of some of the general principles on which the law must rest: for submarines can in law be in no different position from that of other belligerent vessels. The same law must apply alike to all.

One of these general principles is that non-combatants are to





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1. February 3. 1918

Dear Reay,

As I have not heard of your moving to London, I conclude that you are still at Maiden Bradley [Wiltshire], and I hope you are making good progress. I have just been reading [P.J.] Blok's account of the strife between the Arminians and Gomarists, and the judicial murder of [Johan van] Oldenbarnevelt [in 1619], and also [J.L.] Motley's<sup>1</sup> narrative. What fierce controversialists the Dutch were in those days! I am wondering whether you are a Remonstrant or a Contra-Remonstrant. Probably the former. Motley is very interesting about Queen Elizabeth's negotiations with Alexander of Parma. They afford a pretty close parallel with those now going on at Brest-Litovsk.

A few days ago I had a reply from Grovestins<sup>2</sup> to my letter of congratulation on his daughter's engagement. It took a whole month to reach him! but his answer came in ten days, though it had attracted the notice of the Censor. The Times Literary Supplement of last week had a review of a Dutch book, *De Neutraliteits-recht te Land*, by J. Wijnveldt, and I have written to Nijhoff the publisher to send me a copy, which no doubt will take some weeks to get here.<sup>3</sup>

The Quarterly [Review] has a capital article by G.M. Trevelyan on [Pietro] Orsi's book of contemporary history from 1815, of which I hope to get a copy through Rolandi. It is astonishing how badly London booksellers are provided with foreign publications. They never have any important books in stock. Recently I wanted [Maurice Henri] Weil's *Les dessous du Congrès de Vienne*, and Hachette, who I thought would certainly have it, had to get me a copy from Paris. It is a much fuller book than [August] Fournier's *Geheimpolizei auf dem Wiener-Kongress*. I am reading [John] Westlake's Vol 1 on Peace, which seems very good. There is a new edition of [William Edward] Hall's *International Law* edited by [Alexander] Pearce-Higgins, which is worth having.

The proofs of the book I did for [George Walter] Prothero on Congresses & Conferences have now all passed through my hands, & I suppose they will now be sent to the F.O. to get the details of the conferences in London in 1913 after the first Balkan War. It is not to be published, nor will my name be attached to it. I want to write

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<sup>1</sup> John Lothrop Motley (1814-1877). American historian of the Netherlands.

<sup>2</sup> Probably Baron J.E.N. Sirtema van Grosvestins (1842-1919).

<sup>3</sup> The book reached Satow on May 14, 1918. (Diary)

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something about Guarantees in treaties, but it will take a long time to get all the materials together. There is no book on the subject in English, and there ought to be something done to show how it is to be treated historically.

Yours ever sincerely

Ernest Satow

2. February 7. 1918

Dear Reay,

Very many thanks for the accompanying papers about submarine warfare, which I now return. It is a very complicated subject, but I venture to think it should be dealt with by the naval men, who are fully competent, rather than by the Grotius society. One of the papers seems to refer to a chapter in the most recent volume of the Grotius Society's transactions, but I cannot get at it, as I am confined to my bed in consequence of loss of blood from piles. I was taken ill in Monday morning, and have to keep very quiet, and it is impossible to say when I shall be in fit condition again. It leaves me with plenty of leisure for reading, and I have just finished Motley's United Netherlands, which ends with the assassination of William the Silent. What a moving story it all is.

I cannot believe that Russia will settle down again for many years to come, or that it can again form an united Empire. Still, very strange things have happened in past history. Who would have believed in 1792 that the French people would have been able to form a strong centralized monarchy, and overrun nearly the whole of Europe. I do not suppose that the rank and file of the French peasantry were much more enlightened or intelligent then than the bulk of the Russian people are now, and the excesses they committed were very much of the same character. So let us not despair of Russia, though for the purpose of the present war we cannot count on any help from her.

We have found it difficult at times to get supplies here. Lamp oil, mutton, margarine at times are not to be had. Butter we can get only at about 5 oz. per head. But when these things are not procurable I use salad oil. But I hear that supplies are difficult to get in London, and a friend of mine who had gone there to stay with the Coleridges was told she must not hope to have a fire in her room.

I have not seen the Edinburgh [Review], but am told that the place of honour is occupied by Hensley Henson's article on the Archbishop's Report on Church & State.

Yours ever

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Ernest Satow

3. Ottery St. Mary

February 18. 1918

Dear Reay,

The sight of your handwriting this morning was a great pleasure. I had been intending to write to you as soon as I got up today, but you have anticipated me. You have made a wonderful recovery from your operation, and it was no doubt much helped by the very temperate life you lead. Few men of your age could have run such a risk. Modern surgery is very wonderful. I am very glad you have had no pain since the operation, but I dare say you have had discomfort. I remember that when I was cut open [on October 21, 1908], my body was tightly swathed in linen for some days until the wound inside was closed, and it was such a relief when they took off the bandages. I hope you will be able to get up again before long. My own ailment is much better, but I have lost a good deal of flesh, and must now do my best to pick up again, for I feel rather weak, and can only just creep round the garden.

Germany I suppose means to invade still more of Russia, and it would not be surprising to hear of an advance on Petrograd. The situation in the Ukraine seems very confused.

I thought Asquith was rather more inquisitive the other day than was necessary, but I suppose he has not yet forgiven Lloyd George for supplanting him at the head of the government. Some of the members of the House of Commons are intolerably mischievous.

You remember no doubt the Chinese Delegate at the Hague asking what was to happen if a state against which war was declared did not wish to fight. But he got no answer. All of us thought it a foolish question, as it is our habit to respond to such a challenge. But now Trotsky seems to take the same sort of view as the Chinaman, and says that he is not going to fight his brother German! What will be the end of it all? Will the Bolsheviks murder the Finnish people, or will the Cossacks slaughter Trotsky and Lenin.

My nephew [Christopher Paul Satow] who was in command of a submarine in the Gulf of Finland has come home, but as I have not seen him I have been unable to learn what has become of his command.

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The surgeon at Exeter is Russell Coombe; I rather think Mrs. Roger Fry is a sister of his. He is a very good operator.

The behaviour of [Lt. Col. Charles à Court] Repington and [Howell Arthur] Gwynne about that article is shameful. I have good reason to regard the former as a dishonourable man in private life. Gwynne no doubt is more or less in his hands. It seems to be the rule of newspapers & reviews to pay their contributors only for the quantity of M.S. that gets published. So if the article were suppressed Repington would get nothing for it, and as he is supposed to be a very valuable contributor Gwynne has to humour him. I rather think Repington was Times Military Correspondent some time back, and perhaps he lost his job there.

Yours ever

Ernest Satow

P.S. Oppenheim wrote a few days ago that he had heard of dear old Renault's death. That and Cecil Spring Rice's are two great losses. E.S.

4. Ottery St. Mary

22 March 1918

Dear Reay,

I will at once submit your question to my brother [Sam]. It seems to me that you must be right in your interpretation, because the legacies, death duties etc. are not your personal income, but belong to you only in your capacity as executor. However, he will know better than I can.

I am very glad to hear that you have been able to get out into the open air. This beautiful weather ought to do you a great deal of good.

I see that the United States have declared that the Dutch ships in American harbours will be seized and used, which is in accordance with their Warbook. One cannot see however how they can claim the ships in Dutch ports. But in this war all the belligerents seem to be claiming to exercise rights never heard of previously.

The change of government in Japan will probably delay the decision about sending troops to Siberia from Japan, but as the Japanese and ourselves have men of war at Vladivostok, it would not surprise me to hear that they had landed men to take possession of the forts, and if it is true that the Bolsheviks have killed a number of Japanese at Blagovestchensk, it is likely that troops may be sent there to act in

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conjunction with anti-Bolshevik Russians.

I trust the Germans will not get to Calais; but how proud they must be of having brought about the total collapse of Russia.

This lovely weather makes me feel as if I had never been ill.

Yours sincerely

Ernest Satow

5. Ottery St. Mary

April 14, 1918

Dear Reay,

Very many thanks for the little book you have so kindly sent me. It looks very attractive, and I shall keep it by my bedside, to read after the nightly chapters in the Greek Testament.

Postal communication with Holland seems to be very slow. I wrote to Blok on February 28, and as yet no answer has come. Nijhoff sent me a post card on February 22 to say that he had posted Wijnveldt's Neutraliteitsrecht, but that too has not yet arrived. yet I have not seen any notice of mails from Holland having been sunk by the enemy, though there are frequently notices of mails to India or South America lost through enemy action.

I hope you got comfortably up to town, and are installed to your liking at No.35 [Stanhope Street?]. There have been some very fine warm days, so no doubt you will have been able to get out into the open air. Twice lately I have been able to take tea in the loggia.

About the beginning of March I had an attack of influenza which pulled me down a good deal, and kept me in the house for a fortnight; but now I am quite well again and able to take my usual walks. I am busy collecting materials for an account of guarantee treaties from the earliest times, and have fortunately found in a library at Exeter the Dutch edition of [Thomas] Rymer's Foedera. As there are ten folio volumes it will take some time to go through, but luckily there is a Syllabus which enables one to pick out the treaties. From the London Library I can get [Jean] Dumont's Corps diplomatique [Diplomatique], and I have a copy of Koch & Schoell's Histoire des Traités de Paix, so there are plenty of sources. Besides these there is a 'whitebook' containing the British guarantees, and Oppenheim has lent me some German books, Descamps on the

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neutrality of Belgium, etc.

Oakes & Mowat's Great European Treaties of the XXth Century is a useful book. I am going to write about it for the English Historical Review.

Rawlinson's appointment to replace Gough seems to be a good move.<sup>4</sup> It is a pity it was not made before. The slaughter on the West front seems terrible. I hope we shall be able to hold our ground with increasing steadiness. Are we really overcoming the U-boat plague? I suppose the Irish bill will be based on the majority report of the Convention. Then we shall see whether the Irish are capable of self-government. West Ridgeway's<sup>5</sup> letter to the Times opposing conscription being applied to Ireland seemed to me to be a mischievous production. How much more judicious it is to hold one's tongue.

Yours sincerely

Ernest Satow

P.S. The chair has not yet arrived.

6. Ottery St. Mary

18 April 1918

Dear Reay,

I am very glad to hear that you were able the other day to have a turn on your crutches, and hope that your further progress will be rapid. I feel great confidence in our ability to hold out against the German attacks, now that Gough has been got rid of. I suppose his popularity kept him so long in a post for which he was not fit. What a remarkable statement it is that the German High Command agreed with the Socialists that the war might go on provided the casualties did not exceed 1,500,000. That would not leave them many fighting men of first-rate quality. I am very glad our people have agreed to [Marshal Ferdinand] Foch's being G.O.C. About Ireland I am hopeful that the Bill will be a success from the political point of view, even if it does not content either party. What an intemperate letter that was of [the 4<sup>th</sup> Marquis of] Salisbury's in yesterday's "Times". No one will be convinced by such language. It is only mildness

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<sup>4</sup> On March 28, 1918 General Henry Seymour Rawlinson took over the Fifth Army from Hubert Gough, sacked in the wake of the German 'March Offensive'.

<sup>5</sup> Sir Joseph West Ridgeway (1844-1930) had been Under-Secretary for Ireland, 1887-1892.

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that can persuade. The little book you sent me, which I have taken into nightly reading, is a great comfort in these times. Very many thanks again for it. I have inquired at the cottage hospital about the chair, and learn from the matron that she received it about a fortnight ago. It was very stupid of me not to ask there before writing about it. I will tell my brother about your not having yet received your assessment for supertax. The government offices are no doubt overloaded with work, and many of them insufficiently staffed. It took the Board of Trade ten days to issue to me a licence to import some German books on International Law. The day before yesterday I got a reply from Blok to the questions I had asked of him. It took four weeks on the way. So it is not surprising that book packets from Holland take so long to get to England. It is almost as bad in regard to books from France.

Yours ever sincerely

Ernest Satow

#### Chronological Order of Books of New Testament

Thessalonians 1 & 2

Galatians

Corinthians 1 & 2

Romans

Philippians

Ephesians

Colossians

Philemon

St. Mark

St. Luke

Acts

Timothy 1 & 2

Titus

Hebrews

James

St. Peter 1

St. John 1

Revelation

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St. Matthew

St. John

Jude

St. Peter 2

St. John 2 & 3

7. May 2. 1918

Ottery St. Mary

Dear Reay,

I have recently read the Austrian Red Book relating the negotiations with Italy which went on from the 20 July 1914 to 23 May 1915. When the latter declared war, it left an unpleasant impression on my mind as regards Italy. Either [Sidney] Sonnino was negotiating to gain time for Italian preparations to mature, or he was ready to sacrifice Serbia to the gains which Italy desired in the Trentino, Gorizia, Gradisca and the islands off the Dalmatian coast, besides the conversion of Trieste into a free and independent port. Our Hague acquaintance [Kajetan von] Merey was at Rome when the negotiations began, but was speedily replaced by [Baron Karl von] Macchio. I conjecture that his evident distrust of Sonnino made him to be considered an unsatisfactory representative at the moment. Then [Austro-Hungarian Foreign Minister Count Leopold] Berchtold also soon left office and was succeeded by [Stephan] Burian [von Rajecz]. But as I did not wish to form my opinion on an expatriate Austrian presentation of the case, I have again gone through the Italian Green book, which ends with the withdrawal from the Triple Alliance on May 23. But the effect has been merely to confirm the view I had already formed. Italy did not go to war to protect the oppressed. She was willing to see Serbia swallowed up by Austria. Next, she seized Valona [in Albania] under a shallow pretext, and proceeded to establish herself there. One of the demands made on Austria was that she should declare that she took no interest in Albania, in return for which Italy offered to make no claim in respect of Article 7 of her alliance with Austria. And she declared war on irredentist principles, to get possession of the Trentino, Istria, Trieste, and in the hope no doubt of obtaining all that had at one time belonged to Venice on the Coast of Dalmatia. I wonder whether you have seen this Rotbuch. It is extremely interesting. Perhaps one might have anticipated from the outset that such negotiations were bound to end in war, just as those of Japan with Russia in 1903 did.



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I have reviewed the book by [Sir Augustus] Oakes & [R.B.] Mowat “The Great [European] Treaties of the 19<sup>th</sup> Century” for the English Historical Review, but it cannot appear before July. Meanwhile I am examining the treaties in Dumont’s Corps Diplomatique and Rymer’s Foedera in order to trace the history of guarantees which employs my mornings very satisfactorily. In the afternoon I walk, or else weed in the garden, when it is fine, and after tea I read Blok. I have got through nearly three volumes, and in a few days there will be only the fourth left to tackle.

I hope you are getting on satisfactorily, and are able to get out into the open air.

Yours sincerely

Ernest Satow

8. Ottery St. Mary

May 8. 1918

Dear Reay,

Many thanks for the Dutch tract proposing to reverse the order of a treaty of peace and a league of Nations. I was able to read it without referring to a dictionary. The idea is a very reasonable one, but will the military men in Germany ever agree to such a league? Holland might well initiate a discussion, and the other neutrals could join, but would France or America at present entertain the subject? And then, it seems to me that there is a great deal of preliminary work to be done in settling the future boundaries of States. Is the principle of nationalities to be followed out to its full extent, e.g. by severing Transylvania from Hungary, Bessarabia from Russia and joining them to Roumania, North Sleswig to Denmark, is Ireland to be a nation, and how about India and Burma? Evidently it will be necessary to draw a line between civilized and semi-civilized peoples, of which the latter can hardly be made independent. What about the oversea possessions of the Great Powers of Europe and the United States. Shall the Turks continue at Constantinople. Who is to have Mesopotamia and Palestine. Shall the Turks be recognized as having rule over the Arabs of Arabia? Is England to restore Gibraltar to Spain? Finland and Asia Minor, will they be self-governed. These are questions that would have to be decided, to say nothing of Bohemia, Moravia and the Yugo-Slavs. The only nation besides the neutrals at present in a position to join in such a league seem to be the United States and the Republics of Latin America. Still, a beginning might be made, as the writer suggests, but would Holland’s taking the lead

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improve her position vis à vis Germany.

The story you tell me about the appointment of Lord Derby is very curious. Before the war the procedure used to be this. The Foreign Secretary no doubt consulted the Prime Minister about the Embassies and the more important Legations. Then he offered the place to the selected candidate, and on his acceptance, laid his name before the sovereign. On his approval being given, the foreign government was sounded, either through the man on the spot or through the Representative in London, and on its agreement being given, the new appointment was announced in the press. I hardly think it can be said that consulting the King was unconstitutional. At least one case occurred in the late Queen's time when a proposed appointment was cancelled, because it was rumoured in the press before she had given her consent, or been told of it. Palmerston in the case of Stratford Canning acted in his usual high handed manner. I am sure that in the late Queen's [Victoria's] time and in that of King Edward they had a veto on the appointment at least of Ambassadors, who represent the sovereign and not the Cabinet.

The prohibition to neutrals of conveying convoys and troops through their territory, though probably modern, was placed on a definite basis by our Hague Convention. In the case of troops & convoys by sea, the parallel would I suppose be if a neutral government lent its ships, whether vessels of war or other ships under its control, to a belligerent for such purposes, which would be a distinct violation of its duty as a neutral. So would the sale of arms from a national arsenal be. But if a private shipowner of a neutral country were to charter his vessel to the United States, say, to carry their troops and arms to France to fight Germany there, he would be liable to be captured en route and taken before a German prize court, just as he would if he carried troops and arms as a private venture of his own.

I think this must be the answer to the question you ask me.

I wonder why they sent Lord Derby to Paris. Perhaps Lloyd George, who is also ignorant of French, thinks a knowledge of the language is unnecessary. I hope he has been provided with a perfectly good interpreter. I have not seen the correspondence with Holland about the requisitioning of ships. The bookpost from Holland and France seems to be unaccountably delayed, but yesterday I received a bookpacket from Paris which was only ten days on the way. From Germany the Stationery Office [H.M.S.O.] is to get me some books on international subjects – if it can.

Yours ever

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Ernest Satow

9. June 11. 1918

Dear Reay,

I return the cuttings from Dutch papers on the *jus angariae* [angary].<sup>6</sup> The extract from [Thomas Joseph] Lawrence is very well translated. I have compared it with the original in Lawrence's 'Principles of International Law' 1910, and I entirely agree with him that the right, which was merely an assertion on the part of belligerents of an unjustifiable action on their part, ought to be regarded as obsolete. It cannot be defended except on the ground of superior might.

We did not discuss convoy at the Hague. I suppose our reason in former times for refusing to recognize it was the belief that neutrals could not be trusted to tell the truth about the cargoes of merchant ships under convoy. What one knows of the fondness of the Amsterdam merchants for carrying on trade even with the enemies of Holland makes one think this. Nor could the Russian government in 1780, when it asserted the right of convoy by the Armed Neutrality, be safely trusted. Now that every article that can be of use to the other belligerent is put on the list of absolute contraband, and Germany sinks neutral merchantmen at sight, the right of convoy has lost its importance. Arts. 61 & 62 of the Declaration of London at p.561 of Pearce Higgins' book on the Hague Conferences gives the Declaration in an Appendix.

The last thing I have of the Grotius Society is their vol. II published in 1917. I do not know whether it has issued any later report.

The Japanese government willingly entered the war [in 1914] as it gave them the opportunity of turning the Germans out of Tsingtau. I have always believed that if I had not advised them to hold their hands in 1897 when the Germans seized that place, they would have declared war then entirely on their own account. They must have made a good deal out of the war, even if the Russians never pay them for the guns and ammunition they supplied. I hear nothing political from Japan, and cannot understand the views of Katō [Takaaki] as reported in the Daily Mail, except that if leader of the

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<sup>6</sup> Angary: the right of a country at war to seize or destroy neutral property out of military necessity, provided that compensation is paid.

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Opposition he feels it necessary to disapprove of what the government does. I think [John Harington] Gubbins is the only man outside the F.O. who knows what goes on in Japan, as he reads the newspapers from there and reports on them to some branch of the Intelligence Department. I can quite understand the Entente Powers not urging Japan to occupy Siberia; she is very ambitious, and no one wants her to extend her influence on the Asiatic continent beyond what she already has in Corea and Manchuria. But she is the only Power that could afford troops for such a purpose.

The only man in London I know of who is acquainted with Turkey is my nephew Harold Satow of the Levant Consular Service. He was for some time Vice-Consul at Uskub [Skopje, Macedonia], and used to send home good reports. Just before the war he was Consul at Trebizond, but luckily came away on leave shortly before it broke out. Since then he has been employed at the F.O., in Albania, Mitylene, Athens and lately at Larissa [capital of Thessaly region, Greece]. He is at present in England on three months' leave, and I believe is at Swanage till about the 24<sup>th</sup> instant, when he comes on to me. If you would like to see him, I dare say it would give him great pleasure to tell you all he knows.

[Noel Pemberton] Billing's conduct at that [libel] trial was disgraceful, but I have no patience with the jocularly of [Charles] Darling on the bench. The Times article was excellent, I thought.

[A. Allan] Shand has found a house at Chudleigh, a place not very far from Newton Abbot, and hopes, I understand, to get in by the end of this month. Unluckily it is too far from Ottery for one to get there and back in a day, or he would have come here while his furniture was being moved in.

I don't read in the local papers of any real complaint on the part of farmers with respect to Food Control and the commandeering of hay, and I have few opportunities of getting from individuals an account of their views. My gardener [Jerred] got £5 a ton for his hay last year, and is busy today with carrying this year's crop, which is first rate. Asparagus lasted from Easter until a few days ago with me, and now I have strawberries out of my garden, a fortnight earlier than last year. Of pears I have very few, but most of my apple and plumtrees are bearing well, and there is plenty of bush fruit.

I am very glad to have such a good account of your state, and hope the wound will close up before long. It must be very troublesome to have to wear a belt. In this delightful weather it must be very pleasant to sit in the square's garden.

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Yours ever

Ernest Satow

13 Cuttings (Dutch and English)

**DEENDBLAD, A.**

Hoe moet het gaan als de aandeelhouders van verschillende nationaliteit zijn? In dit geval beslist de nationaliteit van de meerderheid overeenkomstig het beginsel, dat het geheel vereenigingsrecht beheerscht.

Zijn de aandelen aan toonder gesteld, dan kan men rekening houden met de nationaliteit, die onder de bestuurders en de commissarissen de meerderheid heeft.

In de praktijk is men zich zeer wel bewust van de waarheid, dat wie meester is van het kapitaal, meester is van de naamloze vennootschap. Vandaar verschillende maatregelen, die meer en meer bij de oprichting van naamloze vennootschappen worden genomen, en ook in bestaande naamloze vennootschappen door wijziging van de statuten worden doorgevoerd, om het nationale karakter der onderneming te waarborgen.

Dergelijke bepalingen leveren het bewijs, dat men zich in de zakenwereld wel degelijk rekenschap ervan geeft, dat de aandeelhouders niet staan buiten of naast de vennootschap, en dat de vennootschap niet is onafhankelijk of afgescheiden van de aandeelhouders, zooals een onder de juristen van alle landen wijd verbreid dogma ons wil wijs maken, maar dat de aandeelhouders en alleen de aandeelhouders de vennootschap uitmaken en daarom ook het karakter van de vennootschap bepalen.

Voor deze eenvoudige waarheid heeft de oorlogswetgeving ons de oogen geopend. Zij zal daardoor kunnen bijdragen tot de dringend noodige herziening van het internationaal privaatrecht betreffende dit onderwerp.

Vervolgens heeft prof. mr. C. van Vollenhoven, uit Leiden, een mededeeling gedaan over nazetting, opvoeding en ingebruikneming van koopvaardij-schepen in den zeeoorlog.

Terwijl volgens spr. de bevoegdheid tot nazetting (pre-emption) van confiseerbare handelschepen 160 jaar lang alleen op papier heeft bestaan, en de bevoegdheid tot opvoeding in eigendom tusschen het eind der 18e eeuw en 1870 bijna niets beduidt heeft, is het met de beweerde bevoegdheid tot eenzijdige ingebruikneming anders. Betreft zulk een ingebruikneming onvoltooid schepen, die in een oorlogvoerend land voor neutralen in aanbouw zijn, dan gedooft men haar; doch wanneer Bonaparte in 1798 voor zijn troepenvervoer naar Egypte dit angaria-recht toepast op reeds in de vaart zijnde neutrale schepen, vraakt de beroemde Engelsche prijscarter lord Stowell in onomwonden termen deze daad als strijdig met het volkenrecht (1802). Het zijn met name Rusland en de Vereenigde Staten, die in een aantal vorderingen als angaria-recht afschaffen, en de Britsche admiraliteit verwierpt de hoofdzak daartuit nog in haar vlootwet van 1913. Maar na 1856 heeft deze vermeende bevoegdheid eenideels in vorderingen van Napoleon III, anderdeels (tot volle in 1908) in vorderingen van het Duitsche Rijk. Duitsche schrijvers erkennen dit laatste nog in 1912; een gezaghebbende uiting van 1914, als een de Duitsche prijsvordering van 1909/14 met het angaria-recht gebroken hebben, rust op misverstand.

Aan het geheel dezer maatregelen nu wordt nieuw leven ingeblazen door Bismarck's daad van December 1870 (Engelsche kolenschen op de Seine), hoewel het daaraan landoorlog en bovendien een opvoeding in eigendom geldt. Deze invloed is, naar spr. uiteenzet, te wijten aan de verwarring, die sinds 1870 bij tal van schrijvers en regeeringen en zelfs in het Instituut voor internationaal recht heerschte tusschen een opvoeding in eigendom als die van 1870 en een ingebruikneming als die der Duitsche vorderingen; de Amerikaanse marinesoedex van 1900, sinds dezen oorlog buiten werking gesteld, schijnt van die verwarring een sprekend voorbeeld. Doordat feitelijke toepassingen nithlevén, moderne vorderingen deze rechten meestel als veronderd voorbijeingen, de Londen-sche zeeoorlogrechtconferentie van 1908/9 alch er niet mee initet, en van het opdragen van geschillen te deser zake aan een internationaal prijshof niet werd gesaald, bleef de verwarring in begrippen en rechtstermen groot, gelijk wederom bleek in de jongste weken.

Had de Order in Council van Maart 1915 uit de verwornde bevoegdheden jecna lading van onzijdige schepen de voor neutralen meest bewarende gekozen, het Amerikaanse presidentsbesluit (proclamation) van 20 Maart 1918 heeft op zijn beurt ten aanzien van de schepen zelf uit dit troebele water de meest bewarende bevoegdheden gevicht. Naar spr.'s oordeel gaan de stakjes volkenrechtsgeschiedenis in de twee gevallen geheel parallel.

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[illegible]





## Avondblad, D.

### De requisitie van onze schepen en het internationaal recht.

Voor de zoveelste maal is weer gebleken, dat in de steeds nog groeiende revolutie, die de wereld sedert bijna vier jaren verniet, en waarin tegenover de schier alle staten omvattende oorlogvoerende partijen het neutrale tegenwicht — deze in normale oorlogen zoo belangrijke factor — nagenoeg geen rol meer speelt, de belligerenten zich in huane gedragslijn tegenover de weinige nog overgebleven onzijdigen bij uitsluiting laten leiden door het eigenbelang. Mag een belligerent in zijne havens liggende neutrale schepen requireren voor oorlogsdoelinden? Wie vóór dezen oorlog deze vraag zich zou hebben gesteld, zou met name bij de entente-schrijvers hebben kunnen lezen, dat dit oude oorlogsmiddel, het zogenaamde *jus angariae*, dat zijn bloeitijd had gekend in de eeuw van Lodewijk XIV, geheel verouderd was, dat er uit de 19de eeuw geen voorbeelden meer van waren aan te wijzen, en dat moest worden aangenomen, dat het niet meer bestond. Het is wellicht een uitvloeisel van deze zienswijze, dat bij de uitvoerige regeling van het neutraliteitsrecht op de tweede Vredesconferentie over het *jus angariae* niet is gesproken, en zoo vindt men ook in de acht dikke delen der uit de Amerikaansche archieven van het departement van buitenlandse zaken te Washington gepubliceerde internationaal-rechtelijke digesten van Moore het recht niet vermeld. Treffend juist in deze dagen is ook de wijze, waarop de uitnemende Engelsche schrijver Lawrence in paragraaf 283 van zijne *Principles of international law* (1911) het ontlootbare van het bedoelde requisitie-recht toelicht, door een oogenblik de gevolgen te overzien van het in beslag nemen door de Amerikaansche regering van alle schepen in de haven van New-York! Deze mogelijkheid als hypothese te veronderstellen, stond in 1911 nog gelijk met haar als volmaakt onrechtmatig te bestempelen. \*)

Opmerkelijk is hier tegenover, dat in Duitschland — waar men thans niet mede wordt, de karakterisering van den oorlogsoorlog van den kant der entente als „zeerooverswerk“ toe te passen op de requisitie van onze schepen door de geassocieerde landen — het *jus angariae* in bescherming werd genomen ook voor den oorlog. Zoo neemt prof. Porcile, departements-director van het Reichs-marine-Amt te Berlijn, in de tweede uitgave van zijn bekende boek over het internationale publieke recht, aan (1903), dat het requisitie-recht nog wel degelijk bestaat. Hij kan zich voor zijne meening beroepen juist op talrijke Deutsche handelsverdragen, die er van uitgaan, dat het recht zelfs in vredetijd bestaat en ook uit den tijd na 1803 zoodanige Deutsche handelsverdragen te noemen zijn. Het kan dan ook niet verwonderen, dat een Deutsche publicist, dr. Albrecht, die in 1912 een uitvoerige monografie aan het onderwerp heeft gewijd, voor het stellige volkenrecht tot

\*) T. J. Lawrence, *The Principles of International Law*, § 283: „Men meent wel eens, dat zich in oorlog bevindende staten een recht hebben om schepen en andere eigendommen van neutrale personen, welke binnen de grenzen van de strijdvoerende staten aangetroffen, te gebruiken en zelfs te vernietigen, indien de schepen van de oorlogvoering dat gebruik of die vernietiging tot een groot en dringend belang maken. Dit werkelijke of veronderstelde recht wordt genoemd *jus angariae* of *jus angariae*, in het Engelsch *Angary*. Na de Hantsche Conferentie van 1907 hebben alle staten, die zelf requisitie van onderdanen van een vijandelijk staat mochten worden vergoed, kan medelidig worden volgehouden, dat neutrale eigendom, dat zich steeds in een oorlogvoerend land bevindt, zonder schadevergoeding in beslag kan worden genomen, alleen omdat dat dringend voor oorlogsdoelinden gevorderd wordt.

De elach wordt dan geheel met betrekking tot zoodanige eigendom, dat zich tijdelijk onder het gezag van den oorlogvoerende bevindt, het gelyke geval is dat van onzijdige koopvaarders, die in de havens van een oorlogvoerende of in de door hem bezette havens liggen. De uitsluiting van dergelijke schepen en het gebruik daarvan voor transport waren niet ongewoon in de 17de of niet geheel en al zeldzaam in de 18de eeuw. Eenige autoriteiten houden het zelfs tegenwoordig voor mogelijk. \*) Maar uit de laatste richting van de jongste internationale beweging blijkt, dat die opvatting in haar historisch-vorm van een inbeslagname in massa van onzijdige schepen verouderd is. Er is geen geval van een dergelijke eenzijdige handelwijze bekend. Verdering van verdere veroudering.

De bevestiging van het zogenaamde recht wordt altijd verboden aan de erkenning, dat er vergoeding moet zijn. Stellen wij ons voor hoe geveerd de bevestiging zou zijn, indien wij voor een oogenblik aannemen, dat de regering van de Verenigde Staten al de schepen van de haven

de afkomst komt, dat de belligerenten neutrale koopvaardersschepen wel mogen requireren.

Trouwens, hoort men in den laatste tijd niet telkens geruchten opduiken, dat de Nederlandsche schepen zelfs op den „vrijen“ Duitschen Rijn wel eens zouden kunnen worden gerequireerd?

Het zenderlinge schonwepel doet zich dus voor, dat, terwijl men had mogen aannemen, dat de Entente het „obsoleet right of angary“ niet zou hebben toegepast, het land, waar vóór den oorlog dit recht zelfs nog dikwijls in verdragen werd bellighaamd, zijne praktische toepassing als piratenbedrijf bestempelt. Bewijs alweer hiervan, dat de gedragingen, zoo wel van den hamer als van het aambeeld, waartusschen wij ons thans bevinden, slechts door opportunistisch eigenbelang worden bepaald.

Wat hiervan ook zijn moge, vaststaand, dat, past men het requisitie-recht toe, de rechtshobbenden volledig schadeloos gesteld moeten worden. Blijkens de mededeeling van de Engelse legatie, in ons Ochtendblad opgenomen, schijnt ook van geassocieerde zijde die schadevergoedingplicht te worden erkend, al zullen natuurlijk hunne handelingen daaromtrent eerst zekerheid kunnen geven. Tusschen zeggen en doen bleek reeds zoo dikwijls verschil. Wij hechten er daarom waarde aan, in dit verband er reeds thans aan te herinneren, dat wij én met Amerika én met Engeland én met Frankrijk algemeene arbitrageverdragen bezitten, die het permanent Hof van arbitrage aanwijzen als den onafhankelijken rechter, om, zoo noodig, de hoegrootheid der schadestellingen te bepalen.

### Nederland.

#### Nederland en de oorlog.

##### Nederland en de geassocieerde regeringen.

Reuter seint ons uit Londen, dat de Times het volgende bericht heeft ontvangen uit New-York:

De Amerikaansche vlag wanit van 77 Nederlandsche schepen, tezamen 640,000 ton metende. Vele (Nederlandsche) bemanningen hebben zich bereid verklaard om te dienen onder Amerikaansche officieren, gekozen uit de mariniereserve.

De inbeslagname wordt algemeen goedgekeurd en de bladen geven uiting aan hun volle tevredenheid over de daad van den President, die een eind heeft gemaakt aan de werkeloosheid van de Nederlandsche vloot van welke een groot deel antiloos ruimte in beslag nam in de Amerikaansche havens, en reeds door het feit van haar werkeloosheid het doel vervulde van het Deutsche terrorisme.

De meeste schepen verkeerden in goeden staat.

Reuter vernam gisteren uit Londen:

De noodige lastgevingen zijn naar de ambtenaren aan de havens gezonden om de Nederlandsche schepen over te nemen. In de havens van het Verenigd Koninkrijk liggen tusschen de 20 en 25 schepen van tezamen ongeveer 30,000 ton. Ten aanzien van de noodige formaliteiten zal er volkomen voor gezorgd worden dat de natuurlijke gevoeligheid der Nederlanders worden ontzien en de plaatselijke ambtenaren hebben in laat om aan dit punt de nauwlettendste aandacht te schenken. In de gevallen waarin officieren en bemanningen naar hun land wenschen terug te keeren, zal al het mogelijke worden gedaan om hun reparatie zoo spoedig en gerieflijk mogelijk te doen plaats grijpen.

#### De Goentoor.

Het stoomschip „Goentoor“, van de Rotterdammer Lloyd, is uit San Francisco in Ned. Indië aangekomen.

#### Buitenlandsche persstemmen.

Reuter seint uit Londen:

De Times schrijft over de requisitie van Nederlandsche schepen: De stap der geallieerden, die aanleiding geeft tot een uitbundig betoon van geveinde verontwaardiging in Duitschland, heeft naar wij vreesden Nederland zeer pijnlijk getroffen. Het kan daaronder dienst zijn uiteen te zetten dat de geallieerden en Amerika met dezen maatregel volgens het volkenrecht volkomen in hun recht zijn.

Taft, een ervaren jurist, heeft gezegd, dat het Angarie-recht erkend wordt door de oorlogvoerende van de Amerikaansche marine en door schrijvers van oorlogsgeschiedenis, waaronder ook enkele Duitschers. Dr. Weinberg heeft bijvoorbeeld nog in Nov. 1917 erkend, dat dit recht eeuwenlang heeft bestaan. Dat Duitschland nu protesteert neemt niet weg dat Pruisen de stant is geweest vóór den oorlog. \*) Laatst dit recht heeft toegepast in den oorlog tegen Frankrijk heeft het verachtelijke Engelsche kolenschipen bij Rouaan in beslag genomen en later zinken om de Eisme tegen Franse kanonierboten te versperren. Bismarck heeft zich ter verdediging daarvan beroepen op het *jus angariae*, waarop de geallieerden zich thans beroepen. Wij doen Nederland geen onrecht.

Het is duidelijk dat Nederland alleen uit vrede voor Duitschland geen vrijwillige overeenkomst heeft willen aannemen, waarbij de geallieerden het de

JULY 12, 1918

THE WESTMINST

**"THE CHINESE PUZZLE."****A WELCOME PRODUCTION AT  
THE NEW THEATRE.**

It was not very mysterious or deep, but it hit its mark and got home. And as this it not often done by "strong" plays nowadays, this was so much to the good. There was too much explanatory talking, and the manœuvring of the exits and entrances of so many people was not altogether successful. Indeed, I am not sure why so many were introduced. The result was that little side-shows confused the issue. Miss Marian Bower and Mr. Leon M. Lion would have done better if they had confined themselves to one straight story, with about a half to two-thirds of the forces which they thought fit to engage. But subject to this they managed two or three fierce effective scenes and a novel and quite dignified ending; and the acting throughout was splendid. There was Miss Ethel Irving, who had left a card-sharper's mother with a shady past, and was now on the verge of an engagement to a nice young baronet who was at the beginning of a diplomatic career. And the things she did and suffered were not such as to excite much sympathy, but they showed what she could do in terror and in agony and in frenzy and despair. For she was lured by her mother into photographing a treaty with China so that it might be sold to the papers; and she thus ruined the baronet and married him and kept silence and was at the end most miraculously saved, and so left to live out her life with a canker gnawing at her heart.

Then there was Mr. Lion himself as a crafty but high-souled Chinaman. He owed a debt of eternal gratitude to the baronet's late father; he came down to the baronet's house to exchange documents with a famous banker; and when he suspected who was guilty of the disclosure, and saw how that the baronet loved the girl, he kept silence for the young man's sake. But the young man was not satisfied. He had been displaced and dismissed from the Foreign Office, as the disaster had happened when the document was in his keeping; and he could not rest under it. The Chinaman uttered wise saws and looked great mysteries; but the young man, suspecting nothing of his wife, could not take the hint. By a simple but effective trick Chi Lung turned his own suspicion into certainty, and was on the point of exposing the miserable and shivering girl when he was moved by an appeal to the memory of his dead friend, and, the time having arrived for the great sacrifice, he stepped forward and took the blame upon himself. Miss Irving was for not accepting this, but was prevailed upon to see that it was her duty to her husband to hide her own dishonour; and we were to suppose that she lived happy ever after.

But whatever happened to her, Mr. Lion as the Chinaman made a quiet, dignified, and pathetic exit: a skilful and effective end to a piece of character drawing which had humour in it and a sense of mystery, though there were points in it which struck one as hardly Chinese in their outspoken discourtesy. Round these two there revolved many others, of whom perhaps the most notable were Miss Ruth Mackay, with a very short but very clever sketch of the disreputable mother, and Mr. G. de Warlazz as a very ebullient and excitable Frenchman. Others who stood out were Miss Ellen O'Malley and Miss Lillian Braithwaite, Mr. Eille Norwood and Mr. John Howell; and the scenery was flamboyant and Chinese. The enthusiasm was immense; perhaps more for the acting than the play, but the play was a welcome exhibition of strength at a time when such exhibitions are rare.

J. W.

**OUR LONDON****"Westminster Gazette" Office, Friday.**

The debate on the enemy aliens, in spite of the beatings of the tom-toms in Fleet-street, was a very undramatic affair. The Government, as one member said, did not throw the aliens to the wolves, but allowed them to be scratched a little to appease the crowd. It premised a new ordeal for the exempted and admittedly innocent alien—a thorough examination of his claim to exemption before a tribunal which may easily become a centre for delation. Everyone with any evidence against these people, who have already been examined by the Government's own Advisory Committee, on which two judges sat, is to send it to this Committee, which is to be stiffened and gingered up by the "stunt" Press and the Committee of Six. The constitution of this enlarged Committee must be carefully watched. I hope that the Liberal members who had the courage to enter the lists last night against the Press clamour which the Prime Minister seemed to think so admirable will look into this matter.

**Principles at Stake.**

Sir George Cave resisted the extremists, but they have got their way to some degree, and we may depend on it that the clamour will be redoubled. I am bound to say that in the circumstances, with every reasonable man knowing that the campaign against the enemy alien was unreal and fictitious, the Liberal front bench played a part not too heroic in abstaining from the debate. There are Liberal principles at stake in resisting government by sensationalism and panic, and a Liberal leader ought to have appeared in the lists. Commander Wedgwood is to be congratulated on the stand which he made, and the good sense which he talked; but it is obvious that he constituted a small minority, and the House of Commons as a whole cut a very deplorable figure last night. The "stunt" patriots held no audience; but why should they have had the stage to themselves?

**The Corpus Christi Bombardment.**

I see it has been explained in the Reichstag, for the benefit of the Catholic Centre Party, that "by order of the Supreme Army Command, Paris was not bombarded on the day when the French celebrated the Corpus Christi festival, namely, Sunday, June 2." The French, said the representative of the War Office, "celebrate the festival not on the real feast-day, but on the following Sunday, and Cardinal Hartmann had previously drawn the attention of the Army Command to this fact." Is it a fact, and had the Cardinal any authority for stating it? It would, at all events, one would have thought, have been a Christian act for this dignity to obtain the same public notification of immunity for the people of Paris for the Sunday after the festival as he obtained for his own diocese for the actual day of the festival. It might have occurred to him that it is not only bombardment but the apprehension of bombardment which is disturbing to a religious celebration. Cologne got its guarantee, but Paris was left in expectation of Bertha.

**Capital and Labour.**

People have been rather inclined, I think, to look upon the proposal to make allies of capital and labour as a suggestion that the lion and the lamb should enter into close domestic relations—and they have differed as to which represents the lion and which the lamb! I am told, however, that the proposal is developing into a live "movement," and is receiving much support. The National Alliance of Employers and Employed is adding rapidly to its list of labour members; it has a little monthly paper of its own, and



MENT. A SIGNIFICANT ARTICLE.

Two long and interesting articles recently appeared from the pen of the well-known Munich scholar, Professor Walther Lotz, in the semi-official "Norddeutsche Allgemeine Zeitung," which describes Professor Lotz's criticism of Lord Grey's proposals for disarmament and a League of Nations as all the more interesting since he arrives at a new political conclusion.

We give the following extracts from this article:

"We frequently meet among belligerents," writes Professor Lotz, "and neutrals with the idea of a League of Nations after the war, with the object of preventing a recurrence of war. There are differences of opinion as to who should be admitted to this League, also whether it is to be limited to European nations or embrace the United States of America as well. International treaties concerning disarmament and the prevention of wars in the future are to be settled by the League. Not only declared pacifists, but also those who earnestly believe in the defence of nations, have spoken in favour of it. Others have pointed out that international treaties have failed entirely in this war, and that from a military point of view the League is unthinkable. But we have also to consider another point of view—that of the financial prospects of belligerents and neutrals after the war. Whoever has occupied himself with this question can hardly avoid making speculations as to how the financial difficulties could be lightened. . . ."

**An Important Admission.**

"There would be two ways of meeting these difficulties: by conversion of War Loan when a long period of universal peace has brought a lower rate of interest, and the saving in expenditure for armaments. Neither the adherents of a peace by understanding nor those who counsel a continuance of the war to the bitter end, deny that it would be financially disastrous for Germany if she had to continue after the war in raising the gigantic sums required for keeping the army and navy prepared with all modern armaments for a new world-war in the near future. They only differ in their opinions as to the height of indemnities. But even the greatest optimists can hardly count on sufficiently large indemnities to cover the expenses of this war and also preparations for the next. In financial matters we must soberly consider all difficulties, and without being alarmists look upon things as they are and at the dangers to which they may lead.

**Reduction of Armaments.**

"Agreements in the reduction of armaments might be reached by:

(1) A settlement fixing the maximum strength of armies and navies. This is chiefly a problem for military experts;

(2) An agreement binding each country to a certain sum for expenditure on the army and navy. This problem has to be solved mainly by the finance-politician, who would have to work in concert with military and naval experts and the Foreign Office. . . ."

"The history of Prussia furnishes an example that an independent State cannot always be successfully prevented from increasing its army, even when controlled by another strong military power. Napoleon I. forced Prussia by the treaty of September 8, 1808, to reduce the standing army to 42,000. He possessed both knowledge and power to control the fulfilment of this treaty. Yet Scharnhorst proved superior to him. In all secrecy, and even after Scharnhorst had been obliged to resign his office, Prussia reinforced her army to the extent that towards the end of 1811 it attained a strength of 120,000.

"This was attained by means of the so-called 'Krumper' system. The Prussian military authorities trained special recruits in the fortresses for a short time, as a rule not more than a month. They were immediately replaced by others. Their name 'Krumper' was really the name for the horses, which were furnished voluntarily above the military estimates. Certainly this manner of training was far from satisfactory, but it was better than nothing, as the greater number of able-bodied men in the country received a certain amount of military instruction.

"At the present time our enemies, who did not scruple to employ Senegalese and Asiatics

Europe against Eastern Asia, against Africa, and other parts of the world, which cannot be sustained without military and naval power.

"This aspect—revealed by the world war—namely, that Europe has enormous collective interests demanding the upkeep of great military and naval forces, has not been sufficiently appreciated hitherto. Europe would be in danger of losing the pre-eminence in the economic life of the world which she has gradually built up for centuries. What is Europe?

**An United Europe.**

"If passions were not running so high just now with us and our enemies, no doubt foreseeing statesmen would turn their thoughts to the collective interests of Europe, which are certain to become apparent after the war; they would prepare public opinion for inevitable difficulties. Is Europe to share the fate of dissident Ancient Greece, which, in the face of the threatening Roman domination, could think of nothing better than to turn and rend itself?

"What is the upshot of these reflections?

"The men who propose a League of Nations have set themselves a high aim, which must, moreover, be reached, unless Europe is to break down under the coming burden of taxation and renounce her leading position. International treaties will hardly be adequate, and even carry the seeds of new strife within them. Are they right, then, who denounce every step towards a League of Nations as pernicious? If they can supply the Central Powers with an indemnity which will release them from their financial burden for decades to come—well and good. Otherwise there is only one way of escape, which would be even less sympathetic to the majority than an international league, namely, a political organisation of those whose interests are collectively at stake, let us call it the United States of Europe.

"We have many examples of industrial competitors who fought each other to the knife, but entered into a coalition when they realised that neither of them was strong enough to beat the other, and outside influences threatened to annihilate both. The result of a similar coalition would be a universal disarmament of European nations as against each other, with retention of a powerful united army and navy, eventually under the leadership of a small neutral State, as the hegemony of one of the Great Powers would lead to jealousy on the part of the others. It is doubtful whether the time has come for the ripening of such a project, or is likely to come soon; possibly it is nearer than we think.

"If we had succeeded in keeping America out of the war, the common interests of Europe, threatened by a strong neutral America, might have led sooner to a European coalition. Now it is an open question whether America will not suffer in the future quite as much as we ourselves. It is hardly the time yet to think out the details of a future defensive coalition of the warring parties, but it would be equally unwise to reject the thought completely. Failing a phantastically high indemnity for one of the parties, only a maritime and naval coalition can save Europe economically and financially, and events should not find the public mind unprepared."

A most significant article to be published in a paper which reflects the views of the German Foreign Office.

**A FRENCH PROPOSAL.**

**Suggested Inter-Ally Commission.**

Paris, Friday.

M. Lebey, the Socialist Deputy, who was charged by the Foreign Affairs Committee of the Chamber with the duty of making a report on the subject of a League of Nations, gives in "Le Petit Parisien" a summary of his conclusions.

Having pointed out that Germany holds aloof from the proposed league, and must remain excluded from it as long as she is disqualified by her militarism, he declares that the door will be open to her as soon as she shall have changed.

M. Lebey proceeds to discuss the possibility of carrying out the League of Nations scheme, and suggests the creation, at Versailles, of an Inter-Ally Commission for the study of the problem—a Commission which shall supplement the

man was not surprised. He had been disguised and dismissed from the Foreign Office, as the disaster had happened when the document was in his keeping; and he could not rest under it. The Chinaman uttered wise saws and looked great mysteries; but the young man, suspecting nothing of his wife, could not take the hint. By a simple but effective trick Chi Lung turned his own suspicion into certainty, and was on the point of exposing the miserable and shivering girl when he was moved by an appeal to the memory of his dead friend, and, the time having arrived for the great sacrifice, he stepped forward and took the blame upon himself. Miss Irving was for not accepting this, but was prevailed upon to see that it was her duty to her husband to hide her own dishonour; and we were to suppose that she lived happy ever after.

But whatever happened to her, Mr. Lion as the Chinaman made a quiet, dignified, and pathetic exit: a skillful and effective end to a piece of character drawing which had humour in it and a sense of mystery, though there were points in it which struck one as hardly Chinese in their outspoken discourtesy. Round these two there revolved many others, of whom perhaps the most notable were Miss Ruth Mackay, with a very short but very clever sketch of the disreputable mother, and Mr. G. de Warfaz as a very ebullient and excitable Frenchman. Others who stood out were Miss Ellen O'Malley and Miss Lilian Braithwaite, Mr. Eille Norwood and Mr. John Howell; and the scenery was flamboyant and Chinese. The enthusiasm was immense; perhaps more for the acting than the play, but the play was a welcome exhibition of strength at a time when such exhibitions are rare.

J. W.

#### A DANCE MATINEE.

##### Some Delightful Items at the Princes Theatre.

A matinee consisting of nothing but dancing might suggest monotony, but in the long programme, submitted by Mme. Berthe Roggen-Marquardt and her pupils, at Princes Theatre yesterday, there was delightful variety. There were, also, simplicity and grace, which are the essentials of all good dances. It was, indeed, dancing in the classic sense; a perfect presentation of emotion, of comedy even, as in the charming dance-song, "The Bonny Baby," with its refrain, sung in French, with unconscious art by tiny girls.

Each little girl carried a doll, and the vigour with which that unresponsive entity was slapped, to remind it of the difficulty of its upbringing, suggested also that the youthful dancers were harking back to some previous personal experience.

The matinee was given in aid of the Children's Guild of the Royal Waterloo Hospital and of the Distressed Belgian Children's Fund. Mme. Roggen-Marquardt was assisted by M. Paul Kochs, conductor of the Royal Theatre, Liege, who led the orchestra. The programme was in three parts, the first consisting of the interpretation of rhythmic movements, the second of illustrations of the plastic expression of music, and the third of various set pieces in which Mme. Roggen-Marquardt gave some beautiful exhibitions of her art. The pupils also assisted in this part of the programme, which, like the others, reached a high degree of excellence. Taken together the programme was a complete exposition of the art of dancing, beginning with the initiation of the student in rhythmic movements and ending with the finished performances of Mme. Roggen-Marquardt herself and her senior pupils. One item that particularly delighted the audience was a sketch by Lulu and Vinie (aged four and three respectively), who danced and acted with a naïveté of which only children of their years are the happy possessors.

The new Belgian Minister to Paraguay presented his credentials yesterday. The President expressed the deep sympathy of Paraguay for the sufferings of Belgium.—Reuter.

ence; but why should they have had the stage to themselves?

#### The Corpus Christi Bombardment.

I see it has been explained in the Reichstag, for the benefit of the Catholic Centre Party, that "by order of the Supreme Army Command, Paris was not bombarded on the day when the French celebrated the Corpus Christi festival, namely, Sunday, June 2." The French, said the representative of the War Office, "celebrate the festival not on the real feast-day, but on the following Sunday, and Cardinal Hartmann had previously drawn the attention of the Army Command to this fact." Is it a fact, and had the Cardinal any authority for stating it? It would, at all events, one would have thought, have been a Christian act for this dignitary to obtain the same public notification of immunity for the people of Paris for the Sunday after the festival as he obtained for his own diocese for the actual day of the festival. It might have occurred to him that it is not only bombardment but the apprehension of bombardment which is disturbing to a religious celebration. Cologne got its guarantee, but Paris was left in expectation of Bertha.

#### Capital and Labour.

People have been rather inclined, I think, to look upon the proposal to make allies of capital and labour as a suggestion that the lion and the lamb should enter into close domestic relations—and they have differed as to which represents the lion and which the lamb! I am told, however, that the proposal is developing into a live "movement," and is receiving much support. The National Alliance of Employers and Employed is adding rapidly to its list of labour members; it has a little monthly paper of its own, edited by Mr. Harry Dubery, who is as strenuous in his devotion to the "alliance" campaign as he has been in his service to the Independent Labour Party; and it is, just now, collecting opinions both from employers' associations and from trade unions all over the country with regard to a scheme for dealing with the problems of demobilisation which it is to put before the Prime Minister. Success in an effort of this kind would, I imagine, be one of the surest means of establishing a feeling of real confidence between the two great interests that have so often been in conflict in the past.

#### University Losses.

I see it stated in a German newspaper that the University of Berlin has lost 668 of its members, fallen in the war, out of a total of 7,701 at the beginning of 1914, or a little more than one in twelve. The total includes one "extraordinary Professor," 7 Privatdozenten, 13 assistant teachers in various University institutes, 291 members of the philosophical faculty, 158 law students, 151 medical students, and 68 students of theology. I should think the losses sustained by the English and Scottish Universities are at least as great, and among the teaching-staffs a good deal greater. With all the stringency of their compulsory service the Germans have ways of protecting lives that they consider valuable to the country, which might well be studied by nations that have come later into compulsory militarism.

#### Ducal Prayers.

The Duke of Rutland has had enormous success with his letter to the "Times," proposing to the Bishops and clergy that they should intercede for rain. The ink was scarcely dry on his letter before the heavens began to spout, and on the assumption that the Duke practised what he preached, the Bishops and clergy find themselves happily anticipated by the illustrious layman. The gratitude of the nation for this timely deliverance from what was rapidly becoming a serious drought can hardly be too handsomely expressed, and if the title of "Hereditary Rain-Compeller" were conferred on his house, and a suitable salary attached to it, it would hardly be too much. But the Duke must expect to be fetched out on all similar emergencies, and if, for the present, he would

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of view the League is unthinkable. But we have also to consider another point of view—that of the financial prospects of belligerents and neutrals after the war. Whoever has occupied himself with this question can hardly avoid making speculations as to how the financial difficulties could be lightened. . . .

#### An Important Admission.

"There would be two ways of meeting these difficulties: by conversion of War Loan when a long period of universal peace has brought a lower rate of interest, and the saving in expenditure for armaments. Neither the adherents of a peace by understanding nor those who counsel a continuance of the war to the bitter end, deny that it would be financially disastrous for Germany if she had to continue after the war in raising the gigantic sums required for keeping the army and navy prepared with all modern armaments for a new world-war in the near future. They only differ in their opinions as to the height of indemnities. But even the greatest optimists can hardly count on sufficiently large indemnities to cover the expenses of this war and also preparations for the next. In financial matters we must soberly consider all difficulties, and without being alarmists look upon things as they are and at the dangers to which they may lead.

#### Reduction of Armaments.

"Agreements in the reduction of armaments might be reached by—

"(1) A settlement fixing the maximum strength of armies and navies. This is chiefly a problem for military experts;

"(2) An agreement binding each country to a certain sum for expenditure on the army and navy. This problem has to be solved mainly by the finance-politician, who would have to work in concert with military and naval experts and the Foreign Office. . . .

"The history of Prussia furnishes an example that an independent State cannot always be successfully prevented from increasing its army, even when controlled by another strong military power. Napoleon I. forced Prussia by the treaty of September 8, 1808, to reduce the standing army to 42,000. He possessed both knowledge and power to control the fulfilment of this treaty. Yet Scharnhorst proved superior to him. In all secrecy, and even after Scharnhorst had been obliged to resign his office, Prussia reinforced her army to the extent that towards the end of 1811 it attained a strength of 120,000.

"This was attained by means of the so-called 'Krumper' system. The Prussian military authorities trained special recruits in the fortresses for a short time, as a rule not more than a month. They were immediately replaced by others. Their name 'Krumper' was really the name for the horses, which were furnished voluntarily above the military estimates. Certainly this manner of training was far from satisfactory, but it was better than nothing, as the greater number of able-bodied men in the country received a certain amount of military instruction.

"At the present time our enemies, who did not scruple to employ Senegalese and Asiatics against us, would not only be able to train a European colonial army which would be difficult to control, but also arm and drill natives before we could take measures to enforce the observance of treaties. The greatest difficulty, however, would be to prevent evasions with regard to army and navy expenditure in a country where Parliament enjoys the confidence of the nation. But possibilities of evasion would inevitably spread an atmosphere of distrust and strife about the very measures which were intended to guarantee the longest for peace.

"It has also been proposed to enforce the observance of disarmament treaties through deposits of securities in gold or other liquid values, which would be forfeited in case of non-compliance. Although this is a satisfactory means in civil life, it would not necessarily act in the life of nations. A strong warlike party in a country with an excitable population would easily carry public opinion away and inspire the belief in a favourable issue of the war. How many milliards of securities would have been required in 1914 to prevent the French from joining Russia in the hope of recovering Alsace-Lorraine with the help of other Great Powers?

#### Guarantees.

"It is clear that an obligatory tribunal is an impossibility without guarantees for the reduction of armaments, and that these guarantees are extremely difficult to settle by international treaties. But, even should it be possible to arrive at such an

agreement, the League of Nations as a political organisation of those whose interests are collectively at stake, let us call it the United States of Europe.

"We have many examples of industrial competitors who fought each other to the knife, but entered into a coalition when they realised that neither of them was strong enough to beat the other, and outside influences threatened to annihilate both. The result of a similar coalition would be a universal disarmament of European nations as against each other, with retention of a powerful united army and navy, eventually under the leadership of a small neutral State, as the hegemony of one of the Great Powers would lead to jealousy on the part of the others. It is doubtful whether the time has come for the ripening of such a project, or is likely to come soon; possibly it is nearer than we think.

"If we had succeeded in keeping America out of the war, the common interests of Europe, threatened by a strong neutral America, might have led sooner to a European coalition. Now it is an open question whether America will not suffer in the future quite as much as we ourselves. It is hardly the time yet to think out the details of a future defensive coalition of the warring parties, but it would be equally unwise to reject the thought completely. Failing a phantastically high indemnity for one of the parties, only a maritime and naval coalition can save Europe economically and financially, and events should not find the public mind unprepared."

A most significant article to be published in a paper which reflects the views of the German Foreign Office.

### A FRENCH PROPOSAL.

#### Suggested Inter-Ally Commission.

Paris, Friday.

M. Lebey, the Socialist Deputy, who was charged by the Foreign Affairs Committee of the Chamber with the duty of making a report on the subject of a League of Nations, gives in "Le Petit Parisien" a summary of his conclusions.

Having pointed out that Germany holds aloof from the proposed league, and must remain excluded from it as long as she is disqualified by her militarism, he declares that the door will be open to her as soon as she shall have changed.

M. Lebey proceeds to discuss the possibility of carrying out the League of Nations scheme, and suggests the creation, at Versailles, of an Inter-Ally Commission for the study of the problem—a Commission which shall supplement the War Council and constitute a small Inter-Ally Parliament devoting itself to the discussion of all the questions involved. He urges that this plan should be adopted on Sunday next, the French National Fête.—Reuter.

### PIRNITZER ARRESTED.

#### U.S. Action Against Hungarian Bankers!

New York (undated).

Mr. Julius Parnitzer, the former President of the Transatlantic Trust Company, and three other officials of the same bank were arrested last night as dangerous enemy aliens.

It is also announced that the bank has been taken over and will be reorganised by the custodian of alien property. The institution has a capital of 700,000dols., and deposits of approximately 7,000,000dols. It is stated that 75 per cent. of the capital stock is owned by prominent financial institutions in Budapest, and only the remaining 25 per cent. by Americans.

In 1915 Mr. Parnitzer caused the arrest of two Hungarian editors at Bridgeport, Connecticut, who had charged the Transatlantic Trust Company with being an agent of the Central Powers, and with having supplied funds to Lieutenant Robert Fay and other plotters.

One of the men arrested, Guido von Steer, is described as a former Under-Secretary of the Austro-Hungarian Cabinet.—Reuter.

STER GAZETTE.

JULY 17, 1918

**THE ENEMY'S ANSWER.****GERMAN-AUSTRIAN SOCIALISTS  
IN REPLY TO LABOUR.****TEXT OF THE DOCUMENT.**

Side by side with the war of cannon goes on the war of memoranda. In collecting enemy manifestoes the frontier correspondent of "L'Humanité" is doing good service to the Entente, for they demonstrate, if rightly read, the tendencies of opinion in the Central Powers. His latest service in this respect is to forward to his journal a translation of the response of the German Sozialdemokratische Partei of Austria to the memorandum of the Inter-Allied Socialist Conference of London, which he has extracted from the "Wiener Arbeiterzeitung." I consider it my duty in turn to forward it in the English language to England, for its importance cannot be doubted. The translation, so far as I am concerned, is literal. The document is full of contradictions, it is verbose, it is ill-conceived, and it naturally attempts to distribute the blame which it scatters upon both sets of belligerents, and seeks to make the best bargain for its own side by a peace of compromise. Nevertheless there are, to a careful student of the document, many noteworthy admissions of Germanic guilt, and of a desire to end the war almost at any price, and a significant trend of revolutionary opinion. The response was transmitted by Ellenbogen and Seitz to Troelstra on the occasion of their visit to The Hague. It is as follows:

A peace which would respond as completely as possible to the general principles of the international social democracy must realise the following principles:

1. The alliance of all the peoples in a League of Nations, which would realise international disarmament, submit all conflicts between States to the decision of an obligatory Tribunal of arbitration, and oppose the armed force of the whole Society of Nations to the State which would act contrary to the rights of peoples.

2. No annexation of any kind, solution of all territorial disputes on the basis of the right of peoples to dispose of themselves.

3. No indemnity of war, equal liberty of economic development for all peoples; all economic war should be avoided.

Only such a peace would merit the name of a peace truly democratic, only that would establish a regime really democratic in the world.

This democratic peace cannot be obtained by the victory of one or the other of the two groups of Imperialistic Powers; the victory of one or of the other Imperialism will not realise the right of peoples to dispose freely of themselves, but would violate it. If, for example, Italy gained a total victory over Austria-Hungary, the Italian Imperialism would enforce itself to acquire not only the Italian territories, but in addition large Slav territories of Austria. If, on the contrary, Austria-Hungary achieved a complete victory over Italy, the Austrian Imperialists, believing themselves in the right, would not only refuse to the Italians in their own territories the right to dispose freely of themselves, but would also, under the pretext of ameliorating the strategic frontier, annex Italian territories without consulting the populations. It is the same between France and Germany. If France were victorious, French Imperialism would not be content to annex Alsace-Lorraine, but would probably desire also certain parts of the Rhine provinces essentially German. If, on the other hand, the German Empire carried off a total victory it would not only keep Alsace-Lorraine, but the Imperialists of Germany would try besides to annex the mining districts of French Lorraine against the will of the populations. In these two cases the right of the peoples to dispose freely of themselves would be violated.

If the Central Powers gained a total victory, they would perhaps proclaim the right of free disposition for Ireland, Egypt, and India, but they would declare that the appreciation of the rights of their own people is an internal affair. If, on the contrary, the Entente remained victorious, they would proclaim perhaps the right of free disposition for the Estonians, the Letts, the Lithuanians, but they would put off to a later date the regulation of the rights of the people of Ireland, of Egypt, and of India.

The victory of the Imperialism of one of the groups of Powers or of the other cannot then establish a democratic regime.

But a so-called peace concluded from the capitalist point of view would no more realise our principles. For such a peace of agreement would be concluded between a bourgeoisie and a bourgeoisie, the bourgeoisie of the Central

countries, and would render by this fact the democratisation of these countries difficult. On the contrary, a peace of agreement which would give to neither of the two parties any sensible increase of power would convince all the peoples that the war provoked by all the capitalist Governments has brought to the peoples only infinite sacrifice and no profit; it would strengthen by consequence in all the countries the democratic, pacifist, and socialist tendencies.

This effect would be particularly efficacious if the Governments were forced to decide under the pressure of the Socialdemocratic Internationale to conclude a peace of agreement. If the Socialdemocratic succeeded in bringing by its action the Governments to the table of discussion it would appear to the peoples as the force which has brought peace, as the liberator from the misery of war and from the sacrifices of war. Millions of men would be thus won to Socialism. A peace of understanding concluded under the pressure of the Socialdemocratic Internationale would therefore advance in all countries the victory of the proletariat against the bourgeoisie, of Socialism against capitalism.

It is for these reasons that we believe that the Socialdemocratic must not frame claims which cannot be realised except in the case of complete victory of one or the other of the belligerent parties, of which the realisation would involve the prolongation of the war, and would not be possible except in the framework of a peace of victory.

We believe much more that it is the most imperative duty of the Socialdemocratic Internationale to push with all its force the Governments to an early conclusion of peace, which cannot be in the conditions of present power other than a peace of agreement.

If one objects that precisely the present situation of the war does not lend itself to the opening of such pourparlers because the psychological moment will not present itself until the war comes to a standstill, and the two parties recognise that they are incapable of conquering each other in a decisive manner, we recognise the force of that objection; but we must recall that in the course of the war the fluctuations of the situation have been invoked by the Governments of both sides as a pretext for refusing to enter into pourparlers of peace, and the German Sozialdemokratische of Austria has demanded always and without regard to the situation of war the opening of these pourparlers.

As soon as the proletariat in all the belligerent countries decide to exercise pressure upon the Governments in the direction of peace they can the more easily exercise their influence not only upon the opening of pourparlers, but also upon their direction and the principles which must guide them.

We would briefly indicate what is our attitude with regard to the different claims formulated in the breast of the Internationale.

We are in agreement with the claims of the inter-allied conference of February 1918 on the subject of the League of Nations, on the subject of economic relations between the peoples, and on the subject of the politico-social claims to be presented in the treaty of peace. On the latter subject we particularly approve the claims of the trade unionist conferences of Berne and Leeds.

We demand the transformation of Austria-Hungary in a federation of States with autonomy, and further, the creation of a Union of free peoples of the Balkans. We reject all annexations of frontier people snatched from Russia by the Central Powers. We have fought in Parliament and in the Press the treaties of Brest-Litovsk and of Bucharest, and we will reject when Parliament takes its decisions upon these treaties of peace all that which signifies an annexation or a violation of right.

We demand as always the re-establishment and the compensation of Belgium. As regards the question of who must support the cost of the indemnity, we do not consider it as having a first-rate value.

In face of the immense sacrifices demanded by the war, sacrifices not only in money and in goods, but above all in human life, we reject all prolongation of the war on account of financial quarrels, and we believe that it is necessary to adopt a compromise in that which concerns the part that must be supported by the different countries of the expenses of restoration of the small, ravaged countries.

With regard to the question of Alsace-Lorraine, of Italy, of Poland, of Turkey, and of the Colonies, we are of opinion that a peace, absolutely democratic, a peace that will respond to the principles of the Socialdemocratic Internationale, must resolve these questions in the spirit of the rights of peoples to dispose freely of themselves. We abandon ourselves to no illusion, realising that this claim cannot be obtained in the present condition of power.

Granted that we would not continue the war for the reasons given above until the complete realisation of the right of free disposition of peoples be possible—granted that we believe, on the contrary, that a peace of agreement is now possible—we confine ourselves to saying that the Socialdemocratic Internationale must aspire to a peace of agreement, and must accept it even if it does not completely realise their claims. We reject with all our energy the conception which demands the continuance of the war to the moment when the complete accomplishment of these ideas can be reached. We would not that our claims should be obstacles in the path of an early peace, reasons for the extension of the war. But we are of opinion that the Socialdemocratic Internationale should use all its influence to the end that the treaty of peace for these national questions should go as much as possible to meet the right of free disposition, in so far as it can be realised without extension of the war.

[The clauses following—about thirty lines—have been struck out by the Censor at Vienna.]

We desire, then, the rapid conclusion of an international conference, in a neutral country.

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The victory of the Imperialism of one of the groups of Powers or of the other cannot then establish a democratic regime.

But a so-called peace concluded from the capitalistic point of view would no more realise our principles. For such a peace of agreement would not be anything else than a compromise between the Imperialism of the Central Empires and the Imperialism of the Entente. Its terms would not be determined by the principles of democracy, but by the comparison of forces existing between the capitalist Governments. It would, at best, perhaps not create fresh injustices, but it would let exist the old injustices.

The war is not then in any case a means for establishing a democratic regime in the world. It cannot in any case realise the ideal of the Socialdemocratic International. The proletariat of all the countries have the duty of doing all that they can in order that peace when concluded shall respond as much as possible to these ideas, and above all render possible future developments in this direction. They have this duty, although they are convinced that a new organisation of the world truly democratic cannot be obtained, as a result of the war, by the conclusion of peace between capitalist Governments, but that it will be only the result of class warfare and of the social revolution.

The peoples, bleeding from a thousand wounds, cannot continue the war until the proletariat can everywhere seize the power in their own hands. The peoples have need of an early peace.

They cannot in consequence demand at any price a peace which realises completely the principles of the International, but they must press the Governments to conclude a peace as early as possible, even if the terms of a peace which is possible in the present conditions of power must remain far short of their claims.

So long as the proletariat in the different countries have not yet conquered political power the war cannot be terminated except by a peace of victory, that the victorious party will dictate to the vanquished party, or by a peace of agreement which will constitute a compromise between the claims of the two parties. In our opinion the Socialdemocratic International must work with all its force for the peace of compromise, for the peace of agreement, although that peace of entente cannot satisfy the democratic ideal. We are forced to prefer an early peace of agreement to the continuation of the war for the following reasons:

1. A peace of understanding is from to-day possible. If, on the contrary, peace cannot be obtained except by the victory of one of the two belligerents the war must still be continued for years, and the enormous sacrifices imposed on the proletariat of all the countries will be further extremely increased.

2. A peace of victory would provoke desires of revenge in the vanquished party, and thus become the cause of new wars. A peace of understanding would facilitate the rapprochement of the peoples and would carry in itself for that reason the guarantee of its continuance.

3. A peace of victory would fortify the authority of militarism and of Imperialism in the group of the victorious

decide to exercise pressure upon the Governments in the direction of peace they can the more easily exercise their influence not only upon the opening of pourparlers, but also upon their direction and the principles which must guide them.

We would briefly indicate what is our attitude with regard to the different claims formulated in the breast of the International.

We are in agreement with the claims of the inter-allied conference of February 1918 on the subject of the League of Nations, on the subject of economic relations between the peoples, and on the subject of the politico-social claims to be presented in the treaty of peace. On the latter subject we particularly approve the claims of the trade unionist conferences of Berne and Leeds.

We demand the transformation of Austria-Hungary in a federation of States with autonomy, and further, the creation of a Union of free peoples of the Balkans. We reject all annexations of frontier people snatched from Russia by the Central Powers. We have fought in Parliament and in the Press the treaties of Brest-Litovsk and of Bucharest, and we will reject when Parliament takes its decisions upon these treaties of peace all that which signifies an annexation or a violation of right.

We demand as always the re-establishment and the compensation of Belgium. As regards the question of who must support the cost of the indemnity, we do not consider it as having a first-rate value.

In face of the immense sacrifices demanded by the war, sacrifices not only in money and in goods, but above all in human life, we reject all prolongation of the war on account of financial quarrels, and we believe that it is necessary to adopt a compromise in that which concerns the part that must be supported by the different countries of the expenses of restoration of the small, ravaged countries.

With regard to the question of Alsace-Lorraine, of Italy, of Poland, of Turkey, and of the Colonies, we are of opinion that a peace absolutely democratic, a peace that will respond to the principles of the Socialdemocratic International, must resolve these questions in the spirit of the rights of peoples to dispose freely of themselves.

We abandon ourselves to no illusion, realising that this claim cannot be obtained in the present condition of power.

Granted that we would not continue the war for the reasons given above until the complete realisation of the right of free disposition of peoples be possible—granted that we believe, on the contrary, that a peace of agreement is now possible—we confine ourselves to saying that the Socialdemocratic International must aspire to a peace of agreement, and must accept it, even if it does not completely realise their claims. We reject with all our energy the conception which demands the continuance of the war to the moment when the complete accomplishment of these ideas can be reached. We would not that our claims should be obstacles in the path of an early peace, reasons for the extension of the war. But we are of opinion that the Socialdemocratic International should use all its influence to the end that the treaty of peace for these national questions should go as much as possible to meet this right of free disposition, in so far as it can be realised without extension of the war.

[The clauses following—about thirty lines—have been struck out by the Censor at Vienna.]

We desire, then, the rapid convocation of an international Socialist conference in a neutral country.

As bases of the discussions of such a conference the statements of the various parties at Stockholm and the memorandum of the Conference of London would serve.

## "KONINGIN REGENTES."

### AN INQUIRY HELD INTO THE TORPEDOING.

Amsterdam, Tuesday (received to-day).

The Shipping Council to-day held an inquiry into the sinking of the hospital ship "Koningin Regentes," on June 6.

According to the "Telegraaf," the skipper, Captain Reedeker, said the Naval Commander at Boston asked him in writing whether he had received special instructions from Rotterdam, to which he replied in the negative. This was the first time he was asked such a question in England, which confirmed his impression that something special was doing.

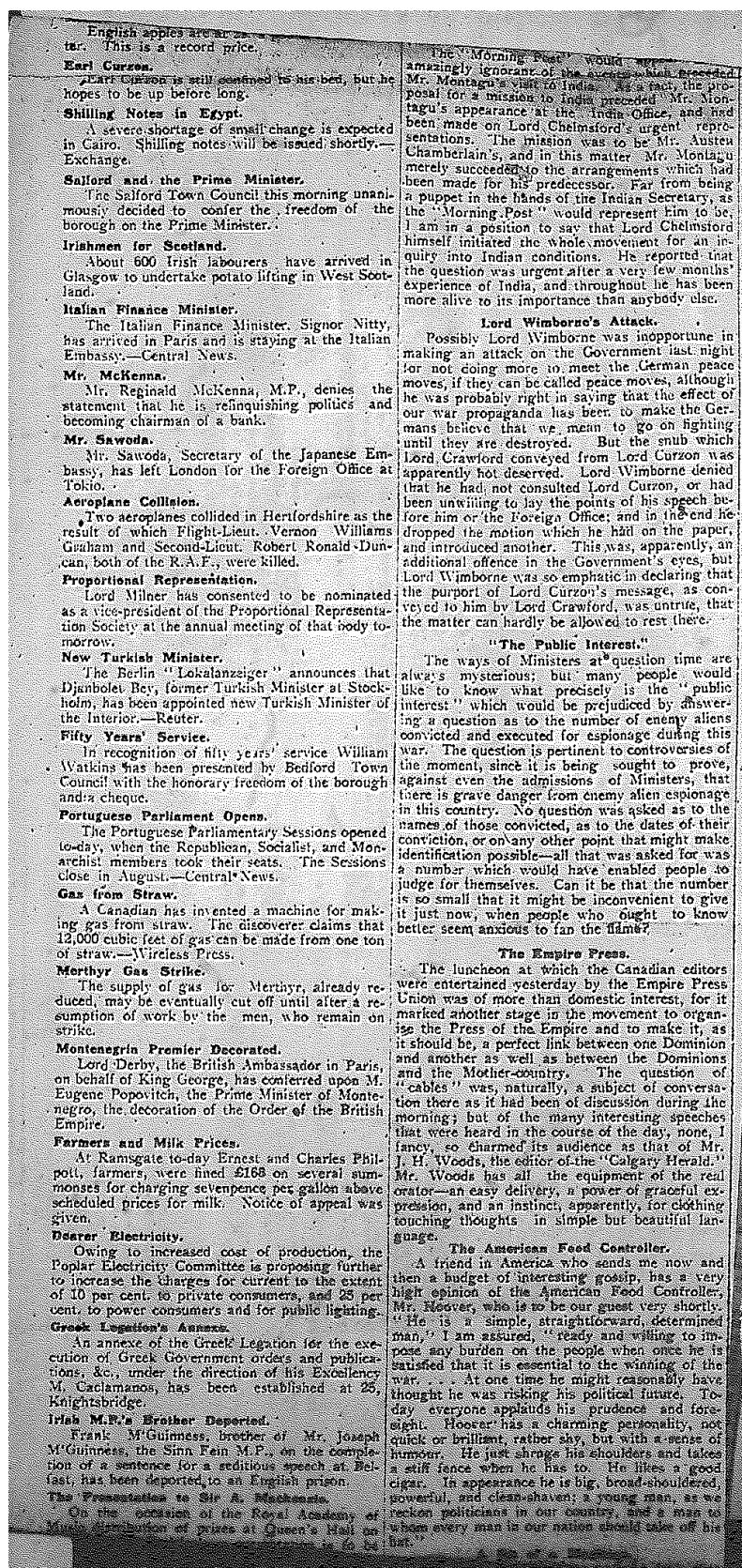
Captain Buskop, of the hospital ship "Zeland," said just before the disaster his look-out blew his horn thrice to show that he saw something in the water ahead of the ship.

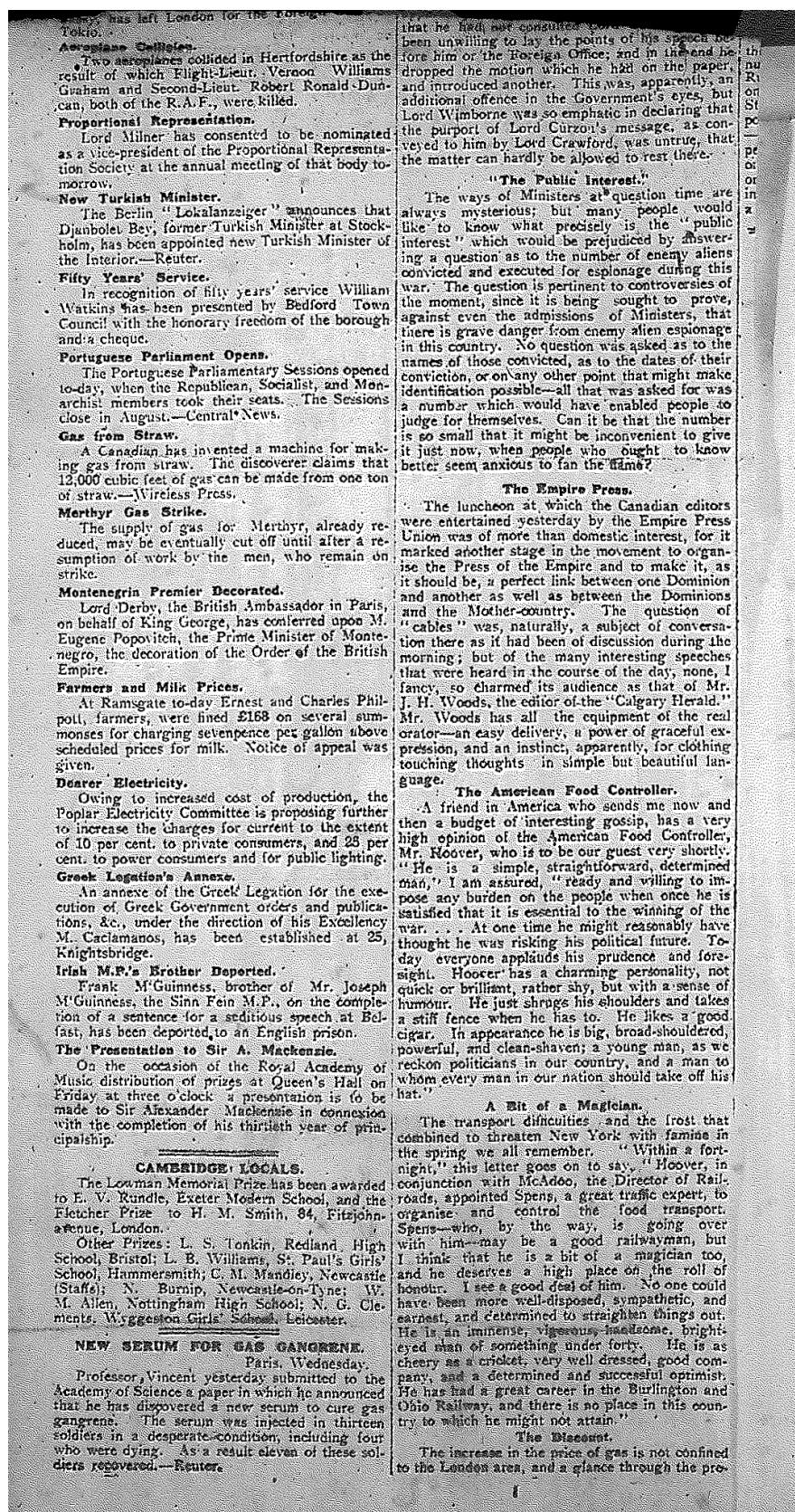
Captain Fem, of a third hospital ship, the "Sindoro," said that off the Leman Bank a submarine was observed. According to the pilot it was British.

M. de Meester, manager of the Zealand Steamship Company, said it was known on board the "Koningin Regentes" that the British delegates would not come on board that ship, though this was not officially communicated to the Zealand Company. In his opinion British warships seen en route had nothing to do with the hospital ships; there was no question of convoying.

Numerous witnesses testified to having seen what they took to be a torpedo approaching the vessel, or the track of one, or having heard the noise made by it, each making a very circumstantial statement.—Reuter.







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10. 17 July 1918

Dear Reay,

No doubt you have read the “Times” article of yesterday giving an account of [Belgian diplomat Baron Eugène] Beyens’ article in the “Revue des deux mondes”, in which he advocates the non-renewal of the permanent neutrality of Belgium, when the terms of peace between the Entente and the Central Powers come to be settled. It is just what [Willem Hendrik de] Beaufort says in his pamphlet “De Oorlog en het Volkenrecht” which you kindly gave me. Can you tell me whether this view is shared by the Belgian government and whether Balfour also is in favour of this idea?

[Georg] Quabbe in his book on this subject says that the neutrality was imposed by the Powers in their own interests, and this seems likely, and in 1815 the King of the Netherlands wrote to Wellington that the idea of annexing Belgium to Holland originated with England. But it is of course much earlier. It was started by [Johan van] OldenBarneveld and renewed by Jean de Witt. From the account given by [Baron Edouard] Descamps of the discussions in the Belgian National Congress in 1831 it is clear that the Belgian authorities of that day accepted it with alacrity, i.e. permanent neutrality.

From the speeches of [Chancellor Georg von] Hertling it appears that Germany would desire to have Belgium under her thumb, while the Entente would wish to enter into an alliance with Belgium to defend her from attacks like that of 1914. I do not know how this question can be settled during the peace negotiations.

How are you getting on? Is your wound healing up? I see that you have appeared in public several times.

The rain we had last week has greatly benefited the cereals, and potatoes are looking well. We have greatly increased the number of our allotments, and we shall probably have a surplus of potatoes in Ottery. But the ‘earlies’ [e.g. Early Midlothian] have not turned out well, as the rain did not come early enough to fully develop them. I have a good crop of fruit of all kinds except pears, but many of my neighbours have been less fortunate.

Yours ever

Ernest Satow

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11. 21 July 1918

Dear Reay,

You ask me whether Lovering has still got his horse. He has bought a young one which goes like the wind, so he must be doing fairly well.

I send you confidentially something I have written on the Belgium & Luxemburg guarantees. Please let me have it back. You will see that the Belgium guarantee is merely a plural, and says nothing about “joint and several”. That is derived from the policy of the British government about Belgium.

Krabbe [Georg Quabbe] is a German writer. His book is entitled “Die Völkerrechtliche Garantie”, Breslaw, M & H Marcus, 1911.

I return with many thanks the two articles from the Westminster.

As to the future, I agree with Beyens that it would be useless to continue the perpetual indemnity of Belgium under the guarantee of the Great Powers, and that she would be in a stronger position if she were as free as Holland, under the protection of international law, and the Hague Convention we made on that subject.

[Ignatius Valentine] Chirol (who is staying with me) has a good article on the Indian proposals in the July ‘Edinburgh Review’.

I will ask the [William & Catherine] Whethams about apples for you, but I am afraid it will be very difficult for them to send you any, as the crop about here is very short this year.

I cannot believe in the possibility of forming a league of nations which will endure the pressure of conflicting territorial and commercial interests. But I am content to leave the question in the hands of those who will be responsible for framing the conditions.

Yours ever

Ernest Satow

I am glad to hear that you are going to Laidlawstiel, and hope you will get there comfortably.

12. July 26. 1918

Dear Reay,

Many thanks for the note of [Irish journalist James David] Bouchier’s talk, which I return herewith. In the Quarterly of this month there is an unsigned article on the Four treaties of Bucharest (1872 to 1913) which Chirol recognized as being by Bouchier. I

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can hardly write all that Chirol told me about Bax Ironside's attitude at Sofia, but the story that B-I wrote privately to Grey about the Bulgarian attitude, and that Grey suppressed his letter, is obviously untrue. B-I ought to have been dismissed without a pension, as a warning to others, though happily the diplomatic service does not contain any like him. Chirol left me yesterday to go to Bournemouth, whence he returned to town on the 31st. I told him you would be glad to talk over Indian affairs with him. He brought down with him William Archer's 'India and the Future', the text of which is that our rule there is 'a means and not an end'; which is worth reading. I have got the Report of Montagu and Chelmsford, which as far as I have got in it seems excellent.

I have written to Headley Bros. for [Richard Burdon] Haldane's pamphlet, but as you did not give me their address, I could only put 'publishers, London'; but I rely on the post office to find them out. The "Silent[?] cry" of "intern all" seems unreasonable, and [Lord] Newton's statement that it was an obstacle to his negotiations does not surprise one. It was very unfortunate that it was raised at that moment. [Admiral Lord Charles] Beresford I have always regarded as an ass, and I cannot conceive why he was promoted to the House of Lords. He came to Tokyo [in January 1899] when I was there, so I had an opportunity of seeing him at close quarters and 'sizing him up', as the American phrase is. The new coal order will cut down the supply of coal to people who live in large houses like mine by one quarter to a half, and one can only hope that we shall have a mild winter. But the working classes at any rate will not suffer. They will be able to get as much as they have been in the habit of consuming, which is about one cwt. a week. But I have plenty of wood, though it does not heat a room as well as coal does. My greenhouse will have to go without coke, but I shall be able to keep the more tender plants in the little conservatory at the back door.

Yours ever

Ernest Satow

P.S. A very nice article on Spring Rice by Chirol in the Quarterly, and one on India in the Edinburgh by him also.

13. 31 July 1918

Dear Reay,

Haldane's pamphlet on the future of democracy reached me a few days ago, and I have read it with great satisfaction. It is an excellent programme. With what he says

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about 'monotonous-ness' I entirely agree. Many years ago in a printing establishment in London, in the very basement, I came across a workman whose whole duty was to wash lithographic stones after they had been used for printing circulars, and I asked him whether it was not monotonous. He replied 'yes, but I am able to think all the time'. I don't find my life dull, though I do the same thing every day at the same hour. Haldane calls *fas est ab hoste doceri* [One should learn even from one's enemies] a proverb. The fact is that it comes from Ovid, *Metamorphoses* IV. 428. I have also read the Report on Constitutional Reform in India, of which I highly approve. It is to be hoped that it will not be shelved, but that authority will be given by the H. of C. to proceed without delay to appoint the necessary committees. It is too much to expect that M.P. will have time to read the Report and come to a sober opinion on its merits, or that Lloyd George or Bonar Law should be able to do more than get a general idea. I have also read A. Gérard's "*Ma Mission en Chine 1893-97*", which gives one a good idea of the position acquired by Russia and in a less degree by France in consequence of their intervention in 1894 [April 1895] to compel Japan to give up Port Arthur. [Claude] MacDonald had a bad time of it then, and I am very glad that I did not succeed [Sir Nicholas R.] O'Connor. Even after the Boxer business though the battle of concessions had come to an end, Peking was not a pleasant post, tho' in many ways it had improved. We have undertaken an immense responsibility by inducing China to declare war against the Central Powers. We shall have to protect her for a long time against the enmity of Germany.

Our harvest prospects are good, if only this fine weather, for which we cannot be too grateful, lasts.

I hope Gross will not be called up; you could not get along without him.

Yours ever

Ernest Satow

14. September 1. 1918

Dear Reay,

The date reminds me that the year is fast passing away, and today autumn has begun for us with a bright sun and keen north wind, very healthy for man and good for the oats yet standing in stook. But in this part of the country nearly everything has been cut and carried. We have a vast deal to be grateful for, a bounteous harvest and successes in the

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field, which one hopes may continue unbroken.

I am very sorry to hear that Groestins [Grovestins] is suffering from his throat. Pray give him my kind regards when you next write to him. The little book you have kindly asked him to send me has not yet arrived, but doubtless parcel post between Holland and England is much subject to delays. I have now read right through Blok's four volumes, some of it more than once, and am in need of another Dutch writer to pursue my study of the language. Would you recommend Vreede's history of Dutch diplomacy. There are of course plenty of Dutch books in the London Library, to which I am a subscriber, and doubtless I could get anything you recommended from there.

Mrs. Godfrey's address is 39 Ridgeway. She smiled rapturously when I told her you had been enquiring about her. Her flock seems to flourish, and so also does her garden. I have not yet had an opportunity of seeing Whetham to give him your message about his letter in the Times of 24 August, for I have Gubbins and my brother staying here, and we generally go for a longish walk after tea, so that makes calling difficult, as the early afternoon is too hot for walking.

I quite agree with you about the advisability of our Universities following the course of German study and research. It is inconceivable how any one can advise our boycotting German language, science, literature and history. For German philosophy I have no great inclination, but of the two I prefer it to the Scotch kind as represented by Dugald Stewart and Alexander Bain. It would have been better for us if the English people had known German and Germany more completely than they did before the war, and that we should give up the means of knowing what the most dangerous nation in Europe is about seems the height of folly. That is merely from the political point of view, but Whetham, who constantly quotes German physicists in his book, the recent development of physical science, would certainly wish to keep up the scientific exchange. And I should regret the historians and writers like Goethe.

Kind regards to the Mitchells.

Yours ever

Ernest Satow

[P.S.] I hear it is on the cards that Joseph Addison succeeds Austin Lee.

15. 12 September 1918

Dear Reay,

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Very many thanks for Dr. Geyl's letter about Dutch books, which will be extremely useful to me. Fruin's *Verspeide Geschriften* is fortunately in the London Library, but the others are not. I shall suggest to Hagberg Wright the desirability of purchasing the others. Much obliged also for the newspaper cutting about the meeting of international lawyers. I return Sharrock's letter which I had read in the "Times".

Putnam Weale's real name is [Bertram] L[enox]. Simpson. He is a man whom I refused to have introduced to me when I was at Peking on account of his character. I am much interested in what you say about the Brahmin's and the shortsightedness of Indian officials in relying on the Mahomedans. Their policy of Divide et impera as you say has proved a failure.

It certainly looks as if the entente would have to assist the Russian people in putting down the Bolsheviks, who are little better than savages. In Siberia our intervention seems to be going well. The Italians I agree think only of their own interests, and I thoroughly distrust them. But with the aid of the Americans I confidently expect that we shall defeat the Germans. The warning about the condition of Germany put out by the Washington government seems to me to be intended for American consumption, and to prevent any slackening effort there. The reports of utterances by Hindenburg and others seem to show that our foes are thoroughly discouraged. It is said that with the aid of tanks we can easily overrun the Hindenburg line.

I remember [Herman van] Karnebeek very well at the Peace Conference.

My potato crop is turning out much better than last year. Wood from trees I have cut down will enable me to overcome difficulties in the way of warming my room but I shall have to move into the bedroom and sitting room you occupied when you were here last year. Grant Robertson's *Bismarck* which a friend gave me is an excellent book. I must read [Paul] Matter, a French writer on the same subject, which Robertson praises.

Yours ever

Ernest Satow

16. October 8. 1918

Dear Reay,

I asked Coleridge why he had not been to see you when you were in London. He said he looked up your address in the directory, found it was in Stanhope Street, rang the bell, but no one came to the door, so he dropped a card into the letter box, and came away.



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His address in town is 17 Gledhow Gardens S.W. [near Earls Court] and if when you return to [No.35] Berkeley Square you were to send him a line, I am sure it would bring him to you, some day on his way West from the Courts. He is going on circuit, but will no doubt be back in London as soon as yourself. I have seen more of both him and his wife this time than ever before. The other day she spoke to me of the *Récit d'une Soeur*, which she had liked so much. So I told her of [Guillaume de] Chabrol's "Renouveau" and have lent it to her to read, as well as Ernest Psichari's "Voyage du Centurion".

Very many thanks for the title of the Dutch Bible. I am glad to see from the note you have sent me that it is an original translation made in Holland, and have written to the Bible Society for a list of their different 'formats'. Of course I want a good print, and yet not a volume too large to hold in one hand. Just now I am reading [Robert] Fruin's *Verspreide [Ge]Schriften*, and today finished the Essay on [Dutch jurist] Philipps van Leyden, who seems to have been a good Machiavelli. The one we all know so much of was a thoroughly bad man.

I knew Dr. [Henry] Dyer<sup>7</sup> when he was head of the Engineering College at Tokio, but never saw him again after he left. Among his colleagues were John Milne<sup>8</sup> the Seismologist, John Perry an engineer and [William Edward] Ayrton.<sup>9</sup> The two latter were inventive geniuses. Dyer was undoubtedly an able fellow, but dull in society. Milne was a most entertaining companion.

If I hear of anything that would suit Gross I will let him know.

What an audacious proposal that is of the new Chancellor that we should grant an armistice. Preliminaries of peace of a very detailed and definite nature ought to be settled before an armistice is granted. I am glad to see the American press is unanimous against accepting the offer, and that the French will not hear of making terms as long as there is a German soldier on the soil of France. I daresay that as you suggest the proposal is mere camouflage. Belgium France Serbia and Montenegro must be fully compensated for all the destruction wrought by the German armies, and we must

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<sup>7</sup> See Olive Checkland's chapter on Dyer in *Britain & Japan: Biographical Portraits*, Volume III (1999), Chapter 11, pp.121-131.

<sup>8</sup> See Paul Kabrna, *John Milne: The Man who Mapped the Shaking Earth*, Craven & Pendle Geological Society, 2007.

<sup>9</sup> See Ian Ruxton's chapter on Ayrton in *Britain & Japan: Biographical Portraits*, Volume IV (2002), Chapter 15, pp.165-173.

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occupy German fortresses as a material guarantee for payment.

Yours ever

Ernest Satow

17. October 30. 1918

Dear Reay,

With what you say about dear old Fry I most heartily agree. I was much attached to him, and as long as he was able to receive guests I often stayed at Failand [House, near Bristol]. The "Times" memoir omitted several things in his career, among others his taking part in the Casablanca arbitration between Germany & France, and a charming volume of translations from the Greek poets which were done by him and one of his daughters. He was truly one of the salt of the earth.

About the controversy among the Bishops respecting alterations in the Communion Service I know so little that I cannot at once say anything, but have written to my friend Canon [William] Pryke for information, and when that comes I hope to reply to that part of your letter of the 28<sup>th</sup>.

An American author [Charles Stewart Davison] has sent me a little book in which he urges the necessity of clearing up the ambiguity of the expression "Freedom of the Seas", which is at your service if you would like to see it. It would not take you long to read. Wilson in his 14 articles No. 2 says "Freedom of navigation upon the seas, outside territorial waters, alike in peace and war, except as the seas may be closed in whole or in part by international action for the enforcement of international covenants." This I take it is to be regarded as forming a whole with the other 13 conditions, and if they are all adopted I see no harm in it, as a league of peace will render any limitation of free navigation altogether unnecessary. The enclosed article by me has been published at Tokio in the "New East". I sent it to the "Times", and they set it up, but eventually decided that the moment was not suitable for its publication. You need not return it, as I have a second copy, and I should be pleased if you showed it to any one who takes an interest in the question.

You must be pleased to see that a move has been made on the Piave [river in Italy] at last; and that the fighting is going in our favour.

Germany is in a 'parlous' condition. I hope our people and the other ruling statesmen now in conference at Paris will frame such an armistice as will include all the conditions

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that should normally be embraced in preliminaries of peace. Prothero's letter in the "Times" of yesterday has my full approval.

It is greatly to be regretted that the Americans have not made more progress, but one has to remember that they are attacking the pivot of the German retirement, which is more strongly held than any other part of their line.

Thank you for asking Eysinga<sup>10</sup> to send me his last report. I shall be very glad to have it. "K[e]urgarven" is a treasure which I value because it makes me read parts of the O.T. [Old Testament] which I have much neglected.

Yours ever

Ernest Satow

18. October 31. 1918

Dear Reay,

Lady Coleridge, to whom I lent "Le Renouveau", writes about this book.

"It is a beautiful allegory, and full of great ideals, which fill one with despair. Will any State be ever confessedly Christian? Ours is not either, tho' I suppose all 'philanthropy' is essentially Christian in its objects. One welcomes the somewhat liberal tone (from a Catholic) of the author."

I also lent her Ernest Psichari's "Le voyage du Centurion", which she found most interesting. It occurred to me during the conversation in which I mentioned to her "Le Renouveau", after she had asked whether I knew "Le Recit d'une Soeur", that she would be glad of some religious sympathy, and that she hardly gets from her husband. He is not a scoffer, and reads the lessons in church as if he felt every word of them. But he is not a bit of a mystic.

If the news of the terms granted to the Turks, and offered to the Germans, which this evening's paper prints are correct, what a glorious vindication of the share we have taken in the war. The Austrians out of Montenegro & Serbia, and retreating from Venezia as fast as they can. What a good day's work!

It will be interesting to read the comments of German newspapers on the terms. Yet they are moderate enough. With the left bank of the Rhine in our hands and 30 miles of German territory, Hamburg and the coast to Emden, the fleet & Heligoland we shall

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<sup>10</sup> Gustaaf Adolf van den Bergh van Eysinga (1874-1957). Dutch theologian.

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have all the ‘material guarantees’ that could be desired. If Germany refuses now, and forces us to further bloody sacrifices, she will have to accept worse turns in the end. Any mitigation, or haggling over the terms of an armistice under the present circumstances is unthinkable.

Yours ever

Ernest Satow

P.S. I have just got your postcard. [Sir Francis Taylor] Piggott’s<sup>11</sup> official career you will find in “Who’s Who”. The Colonial Office got rid of him as Chief Justice at Hongkong, for they distrusted him & his justice, I am told. Then he gave out that Yuan Shih kai had engaged him as legal adviser, went to Peking, hired a palace and spent a deal of money. The F.O. told Yuan that they would object to the appointment so that fell thro’. It is probable that he is hard up. He writes about the laws of maritime war in “XIX Century” &c. and is trying to publish what he calls “The Classics of International law”, & gives out that the Carnegie Foundation has promised him funds. He probably would like you to believe that he is hand & glove with the F.O., but if you asked [Cecil James Barrington] Hurst it would be another story. please keep to yourself that I have told you this. E.S.

19. Draft of Memo to Reay 4/11/18 [See below for Memo.]

20. November 4. 1918

Dear Reay,

Here is the result of my cogitations on a League of Nations which you asked me for in your post card of the 31st. It is a mere outline. Details of the scheme must be left to the statesman who will negotiate the treaty of peace.

It would interest me to know whether Piggott has asked you to help him in the publication of his classics of international maritime war. If so, one cannot but regard him as being a good way behind the march of events and political thought.

In a day or two I hope to send you something about the dispute between bishops respecting changes in the Communion service.

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<sup>11</sup> See Carmen Blacker on the two Piggotts (Sir F.T. and his son Major General F.S.G.) in *Britain & Japan, 1859-1991: Themes and Personalities*, Routledge, 1991.

Yours ever sincerely

Ernest Satow

[Untitled Memo, handwritten]

The League of Nations appears a hard nut to crack. That war will ever completely disappear from the earth may well be doubted. There are still ambitious nations that are not yet satisfied with their share of its surface, and we cannot be certain that others will not arise in the course of time. But we need not despair of securing peace for the next forty or fifty years, if we avoid the blunders committed at Vienna in 1815 and afterwards by the Holy Alliance.<sup>12</sup>

In the first place, it is to be hoped that the Peace which is to terminate the present war will be made between self-governing states, including also those into which Austria-Hungary will split up, with a reunited Poland, a reasonably divided group of Balkan states, and such of the component parts of what once formed the Empire of the Tsars as may elect to be independent or to federate among themselves.

In the second place, the members of the League must bind themselves not to interfere in the internal political affairs of each other. It was the intervention of the autocratic Powers, Russia, Prussia and Austria, and also of France, in Italy and Spain which wrecked the Concert of Europe established at Vienna.

Thirdly, all the Powers, great and small, which have broken off relations with the Central Powers or declared war against any of them, must be members of the League, so that they may enjoy its protection against any recalcitrant member, or any Power which voluntarily remains outside or is not considered worthy to be admitted.

There must be an article by which the League gives a joint and several guarantee to each of its members the integrity of their territories, their independence and neutrality, in the sense of the neutrality which is guaranteed by treaty to Belgium, Luxemburg and Switzerland, much on the pattern of the famous article [XVII, 5 IPO, Peace Treaty of Osnabruck] of the Peace of Westphalia, which runs as follows:-

“Pax vero conclusa nihilominus in suo robore permaneat, teneanturque omnes hujus Transactionis consortes universas et singulas hujus Pacis Leges contra quemcunque sine

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<sup>12</sup> The Holy Alliance is the name given to the treaty signed on September 26, 1815, in Paris by the monarchs of Austria, Prussia and Russia.

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religionis distinctione, tueri et protegere, et si quid eorum a quocumque violari contigerit, laesus laedentem, imprimis quidem a via facti dehortetur, causa ipse vel amicabili compositioni vel juris disceparationi submissa.

Verumtamen si neutro horum modorum intra spatium trium annorum [\* Satow's margin note: this limit of time is too long] terminetur controversia, teneantur omnes et singuli hujus Transactionis consortes, junctis cum parte laese consiliis viribusque arma sumere ad repellendam injuriam, a passo moniti, quod nec amicitiae nec juris via locum invenerit, salva tamen de caetero uniuscujusque jurisdictione, justitaeque juxta cujusque Principis aut Status leges et constitutiones competenti administratione.["]

This passage, though it does not contain the word 'garantia', is generally described as the 'garantia Pacis universalis et gradibus contra refractarios'. It applied of course only to the members of the Holy Roman Empire.

In the 17<sup>th</sup> and 18<sup>th</sup> centuries, whenever Powers entered into an alliance by which they guaranteed each other's territorial possessions, it was the practice to fix the member and class of troops and artillery, and in the case of maritime Powers the number of vessels of war and guns, as well as of transports, to be furnished by each of the contracting parties for their mutual defence. There was no idea then of limiting armaments, but if a League of Nations is formed, it is probable that some attempt of that kind will be made, though how it is to be carried into effect one does not at present see.

If articles of the foregoing character were inserted in the general treaty of peace which is to end the present war, this would meet the suggestion made by President Wilson that the formation of a League of Nations should take place simultaneously with the conclusion of peace. The economic and international boycott of an offending state would be mentioned, as well as the use of force, as a means of constraint to be employed against an offender.

The main difficulty would doubtless be, to bring all the contracting parties to combine in a particular case for the purpose of applying constraint, as the political and economic interests of different Powers would be apt to diverge.

Notwithstanding such objections, it seems worth while to endeavour to form a League of Nations, and to make it work effectually.

Cutting titled "Caste in India"

Letter to the *Times* from a retired missionary, John A. Sharrock

## CASTE IN INDIA.

TO THE EDITOR OF THE TIMES.

Sir,—As one who has worked as a missionary for nearly 32 years in South India, and has made a special study of caste, I trust you will permit me to say a few words for "the voiceless millions" of that country who are in danger of being overwhelmed with ruin if the proposals of the Montagu-Chelmsford Report are brought into effect. Lord Sydenham and other writers in *The Times* have shown that the non-Brahmans (66 per cent. of the Hindus) and out-castes (26 per cent.) seem to have been quite ignored, while the representation and immense official influence of the Brahman minority will be still further increased. They have also shown that while the Muslims and Sikhs are allowed communal representation, the door has been firmly closed against millions of non-Brahmans. I need not labour these points. What I wish to make clear is that those who have worked among the lower castes, who have talked freely to them in their own vernaculars, and who know what caste really connotes, can foresee what evils must necessarily follow if that door is finally locked and the paramountcy of the Brahmans sanctioned by law.

Mr. Montagu said in the House that "he did not mean for one moment that caste would disappear, but the features of caste which make it impossible to regard India as a democratic nation might, with the flow of time, disappear." That he could have made such a statement, and have swept aside with a wave of the hand the mightiest power in India, is amazing. As if "the flow of time" or "education" could possibly touch the root-evil of caste, which is an innate instinct based on the deepest sanctions of the religion held by every Hindu for a thousand years! Education can only have the effect of embittering all those millions of non-Brahmans who have had the door shut in their faces.

Caste is so interwoven with the doctrines of works (*karma*) and transmigration leading to an endless chain of re-births that one who has broken some ceremonial observance may be born (say) as a worm in a dunghill, and then as an out-caste Pariah. Do the people of England realize that there are 50 millions of people in India who are by nature held to be lower than any dog or scavenging pig in the streets? Bishop Mylne, a former Bishop of Bombay, writes of one who has lost his caste as suffering from "an inward, ineradicable defilement which has cankered his body and soul . . . he, in his innermost being, is a horror of loathsomeness, a pollution to God, to man, and to himself." Yet we glibly talk of democracy under the control of supermen, who carry out this system! Indian Christians are supposed to be free from caste; but if this were even approximately true, they, being taken mostly from the lower castes, cannot escape from the inherent disadvantages of the system.

To conclude, one need not condemn the Brahmins so much as the system which binds them like the rest in its own way. Many of the best Brahmins deplore the evils of caste and would be glad to abolish them. But our part, as protectors of the weak, is to take care that we do not hand over the non-Brahmins, body and soul, to this system, or by our laws actually push them under the Jaganathan car of caste to be crushed to death by its merciless wheels.

Your obedient servant,

JOHN A. SHARROCK.

Holy Trinity, Vicarage, Worcester.

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21. November 12. 1918

Dear Reay,

Herewith I return [Hugh H. L.] Bellot's letter and [Samuel] Van Houten's tract. [see no. 21 & 22 below] I think the Grotius Society have done well to refuse patronizing Piggott's proposed publication. He is not quite trustworthy.

I cannot agree altogether with van Houten's view that two gatherings are necessary, one for the conclusion of peace, the other for setting up a League of Nations. For we do not yet know whether Russia will be reconstituted or whether the Baltic provinces, the Ukraine, Lithuania, Siberia and so forth, will sign peace separately or as a whole, the same with Hungary and other portions of the Hapsburg realm, or even if the German Empire will hold together. Only the peace-Congress can settle those questions, and until that comes to pass, how can the various independent states be invited to join a League of Nations?

Also, it seems to me that the "Freedom of the Seas" which forms no. 2 of Wilson's 14 proposals must be taken with the others. The Freedom of the Seas cannot be secured, except in conjunction with the Freedom of States from Invasion, and this is evidently the view of England, France and Italy, as shown by the reply of the Versailles conference to Wilson. I am very glad you have given my article to Grotius, and should like to read what you say at the lecture over which you are to preside at University College. I am delighted to think that you are able to attend such gatherings.

What a fine speech that was of Lloyd George's at the Mansion house! It literally made my heart beat with such violence that I feared I was going to be ill.<sup>13</sup> Balfour's also was excellent, beginning with a tribute to our Japanese allies which will be highly appreciated over there, and winding up with Belgium and Portugal. I do not much fear a war of revenge on the part of Germany. With the disappearance of the Hohenzollerns surely we may hope that Prussianism will fade away from the German mind. And remember how Bismarck feared a war of revenge from France, and Russia it was supposed would prepare to take her revenge on Japan. Yet we see those two Powers enter into alliance, and surely if William had not made war in 1914 France would have remained peaceful to the end. How much she endured year after year one can read in

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<sup>13</sup> See also Satow's diary for November 11<sup>th</sup>.



PRO 30/33 11/18

Private correspondence from Satow to Lord Reay (with two drafts)

February 1918 – May 1921

[Antonin] Debidour's "Histoire diplomatique de l'Europe".

You will have seen in yesterday's Times a list of the points in which Austria-Hungary has failed to execute the armistice with Italy. I have sent it away to a neighbour, so cannot refer to it, but am under the impression that the Italians have entered both Pola and Fiume, the latter peace as friends of the Yugo-Slaves.

I cannot say whether the R.C. [Roman Catholics] are strong at the F.O. Tyrrell's brother the priest was one, but he was brought up in the Church of England and went over as a young man. I don't think William Tyrrell is a R.C. and the other undersecretaries are Protestant. About Tufton and Selby I am not sure.

Nor can I explain what 'wa[i]ving neutral rights' may mean in the Austrian armistice. Can it be that the Italians continue their blockade of Austro-Hungarian ports during the armistice, and freedom of commercial relations with neutrals will not be allowed?

I read [Mme. Augustus Craven's] "Le Récit d'une soeur" when living in a French family at Paris in 1869, and was much improved by it; but my copy has disappeared.

We shall get the indemnity from Germany for Belgium and France by holding the left bank of the Rhine until it is paid by her. I agree that it will not be easy to get anything for Serbia, but it can be managed. Can you lend me [Aaron Jonah] Jacobs' "Neutrality versus Justice." I have not received it.

I had written thus far when the Times arrived with the text of the armistice. I notice that it contains in §§XX & XXV the same phrase "all questions of neutrality being wa[i]ved", and as I do not understand it, I have written to my nephew Harold Satow at the F.O. to find out for me from Hurst's department what meaning is attached to it. As soon as I hear I will let you know.

The terms of the armistice are quite satisfactory, and the occupation of German territory will give us a material guarantee for the payment of indemnities. No doubt we shall hold these a long time, but as Germany has [to] pay for the upkeep of the army of occupation it will be to her interest to shorten this period as much as possible.

Mrs. Godfrey told me a short time ago that her eldest boy has a situation, and that the second one will leave school as soon as a satisfactory one is found for him.

Yours ever

Ernest Satow

P.S. I have given your message to Portsmouth, that you would much appreciate a call from him.

PRO 30/33 11/18

Private correspondence from Satow to Lord Reay (with two drafts)

February 1918 – May 1921

22. Hugh Bellot to Reay (enclosed in no. 21)

THE GROTIUS SOCIETY

President Lord Reay

Vice-President Professor Goudy

Treasurer Sir Graham Bower

Hon. Secretaries Hugh H.L. Bellot, Malcolm Carter

London, 3 Nov. 1918

Dear Lord Reay,

I think I omitted to state that at the final interview between the Executive Committee & Piggott, the latter whilst asking the Society to be sponsor for the series refused to allow the Society to have any choice in the selection of documents & to have any voice in editing any of the proposed books. This was an impossible position for the Society which naturally declined to entertain Piggott's proposal.

Piggott subsequently wrote attacking Professor Goudy & the Committee for their unpatriotic views & resigning from the Society. I want to make it clear that none of us were opposed to the series in itself but only to the manner in which it was to be edited i.e. to its partisan objective. We all considered that if a book with [Robert Plumer] Ward's Neutrality which combatted the doctrine of "Free Ships Free Goods" was published the contemporary answer to it should also be published: & that if documents were published, they should be published in toto & not in extracts torn from their context, so as to mislead. Brown Scott is ignorant of Piggott's objective & I must now tell him all the facts.

Yours sincerely

Hugh H.L. Bellot

23. Mr. S. Van Houten (enclosed in no. 21)

STAATKUNDIGE BRIEVEN [in Dutch, printed, 4 pages]

No. I.

28 October 1918.

Mr. S. VAN HOUTEN.

## STAATKUNDIGE BRIEVEN.

Serie 1918—1919.

Deze Serie wordt uitgegeven in nummers van 4—8 bladzijden.  
Prijs bij abonnement voor 10 nummers *franco per post* f 1.—  
Men abonneert zich bij zijn gewonen boekhandelaar of bij de  
uitgevers H. D. TIJENK WILLINK & ZON te Haarlem.  
De toezending geschiedt direct per post door de uitgevers.

*Nadruk vrij.*

Mijn naaste reden om nog een nieuw tiental Brieven te openen ligt in de buitenlandsche politiek. Het komt mij voor dat de tijd nadert waarop onze Regeering actief behoort op te treden en de bedenkingen, die »voorzichtige staatslieden« steeds tegen elk actief optreden doen gelden, moeten wijken voor de gevaren, die een te passieve houding meebrengt.

De zaak is deze en voor ieder duidelijk genoeg. Het vormen van een Statenbond is niet de zaak van de oorlogvoerenden alleen, maar van allen. Dus moeten de voorwaarden ook door allen in een voor allen toegankelijke conferentie geregeld worden.

En voor ieder nadenkende is ook duidelijk, dat de waarborgen welke een goed georganiseerde Statenbond kan opleveren tegen elk machtsmisbruik, van welke zijde ook, gemakkelijker maken in vredesvoorwaarden en grensregelingen toe te stemmen, welke de bestaande speciale militaire en commercieele waarborgen van de betrokken staten verzwakken. Immers kunnen daarvoor de waarborgen van den Statenbond in de plaats treden. Waaruit weder volgt, dat de regeling van de voorwaarden van den eventueel tegelijk met den vrede in werking tredenden algemeenen Statenbond

## 2

een natuurlijke prioriteit moet hebben vóór de regeling der vredesvoorwaarden tusschen de oorlogvoerenden.

Er zijn dan ook duidelijk twee conferentiën noodig: een der oorlogvoerenden en een der toekomstige deelnemers aan den Statenbond en de laatste behoort ten spoedigste haar werkzaamheden te beginnen, en zoo mogelijk tot een bevredigend resultaat te brengen.

In beginsel kan natuurlijk haar bijeenroeping door elken Staat geschieden die bereid is tot den Statenbond toe te treden. Zij behoeft niet allen te omvatten wier deelneming wenschelijk is, al worden zij allen uitgenoodigd. De werkzaamheden kunnen ook begonnen worden door een onvolledige vergadering, daar zij in zoover veeleer een wetenschappelijke taak heeft, als zij *de meest wenschelijke rechtsorganisatie heeft te overwegen, om dezen oorlog den laatsten te doen zijn.*

Wat te doen is, is in anderen vorm datgene, wat in de derde vredesconferentie aan de orde zou hebben kunnen komen, waarvan de voorbereiding indertijd reeds aan de Nederlandsche Regeering was opgedragen. Daardoor en door de anteceden ten met betrekking tot de vorige vredesconferentiën en de vestiging van vredespaleis en arbitragehof kan ons land zonder onbescheidenheid, waar een algemeene conferentie noodig is, de leiding van het bijeenbrengen nemen.

Wat ik in overweging geef had ook het vorig ministerie naar mijne meening reeds in 1916 kunnen doen naar aanleiding der toenmalige uitingen omtrent een Statenbond. Ik citeer daaruit een verklaring van WILSON ten gunste van de bijlegging van den strijd der oorlogvoerenden, tot welke hij toen nog niet behoorde en van de vorming van

een algemeen verband der volken met het doel, de veiligheid der hooge-zeewegen voor het gemeenschappelijke en ongehinderde gebruik van alle volken der wereld ongeschonden in stand te houden, — te verhinderen dat eenige oorlog begonnen wordt tegen de verdragen en zonder waarschuwing en te zorgen dat de beweegredenen daarvoor aan het oordeel der openbare meening der wereld worden voorgelegd.

Kortheidshalve mag ik belangstellenden verwijzen naar

## 3

mijne Staatskundige Brieven van 25 Maart, 7 April, 20 April en 9 Juni 1916, aan welke mijn rapport »the Way out« in den bij Nijhoff uitgegeven bundel Dl. III p. 45 zich aansluit.

Destijds kon ook WILSON het initiatief nemen en dat hij het niet deed en kort daarna ook Amerika aan den oorlog ging deelnemen, moest in die periode zwaar in het gewicht vallen en heeft misschien ook voor onze Regeering zwaar gewogen.

De tegenwoordige staat van zaken brengt echter ook voor haar de vraag weder aan de orde, of zij daarbij passief mag blijven. De groote wijziging, die daarin sedert 1916 is gekomen, is dunkt mij in hoofdzaak juist geteekend in de rede van den Rijkskanselier MAX VON BADEN van 22 October. Hij erkent, dat voor Duitschland's machtspositie niet meer zal gelden »wat wij Duitschers zelf voor recht erkennen maar wat in vrije gedachtenwisseling met onze tegenstanders als recht erkend wordt.« Maar die uiting geeft onmiddellijk aanleiding tot de vraag of deze vrije gedachtenwisseling niet evenzeer de neutralen aangaat en de daarbij ter sprake komende vragen niet ten deele zelfs door de neutralen onpartijdiger kunnen worden beoordeeld. Niet zoo zeer de grensquaestien tusschen de oorlogvoerende staten, maar de meer algemeene onderwerpen, bepaaldelijk het door WILSON in 1916 vooropgestelde omtrent het gebruik der zee en hare verbindingen, waarmede de toegangen te land tot de zeehavens en de voorwaarden van het gebruik daarvan zoo onmiddellijk verband houden.

De wenschelijkheid van het bijeenkomen van een algemeene conferentie over de voorwaarden van een algemeenen Statenbond minstens gelijktijdig met het bijeenkomen eener conferentie der oorlogvoerenden over het ophouden van hun onderlingen strijd kon moeielijk in helderder licht gesteld worden dan door deze en andere uitingen van den Rijkskanselier.

Geen der leden van den toekomstigen Statenbond kan er ook onverschillig voor zijn, dat de machtsverhoudingen van het huidige tijdstip niet ongunstig op de hechtheid van dien idealen toekomst-bond zullen naverken.

De Rijkskanselier opent het vooruitzicht, dat de grondbe-



ginselen welke hij met WILSON aanvaardt aan het Duitsche volk offers zal kosten. »Want,« zegt hij, »de rechtsvraag staat niet stil voor onze grenzen.« Maar de rechtsvraag kan nergens vastgebonden worden aan de machtsverhoudingen van deze of de naaste oorlogsperiode. Als zulke door allianties, wapen- en geldmacht geschapen machtsverhoudingen zich in den loop der jaren weder wijzigen, moet de nieuwe toestand staan door eigen gewicht. Amerika b.v. zal in dien Statenbond niet duurzaam kunnen staan als Wacht am Rhein in omgekeerden zin als volgens het beroemde oorlogslied, wellicht tegen den eigen wensch van een belangrijk deel der betrokken bevolking.

Deze laatste zinsnede beschouwe men als afkomstig van een warmen belangstellende in den duurzamen wereldvrede, niet als uiting van een belanghebbende bij den toekomstigen loop der grens tusschen Duitschland en Frankrijk. Mijn wensch is slechts dat de Statenbond, waarvoor ik werk, niet onder de werking van revanche-vergif lijde. Tijdens mijn lang politiek leven werd altijd onder den invloed van zulk vergif gewapend, steeds meer en meer gewapend. Bij het begin was het de revanche voor Waterloo, werden de Weener tractaten eenzijdig door Napoleon III ter zijde gesteld en vervulde Cherbourg de rol van het tegenwoordige Kiel. De toen tusschen Frankrijk en Engeland bestaande spanning loste zich op in een machtscombinatie ter verijdeling van Russische uitbreiding naar Constantinopel, dezelfde *notabene* die deze uitbreiding in den tegenwoordigen oorlog bevorderde! Moge eindelijk de wereld komen onder de heerschappij van een op objectieve gronden steunend en voor groot en klein gelijkelijk gewaarborgd volkenrecht en van tijdelijke combinatiën van macht en bijzondere belangen onafhankelijk worden. Een niet op zakelijke overwegingen maar op het tijdelijk succes van internationale machtscombinatiën opgericht volkenrechtelijk gebouw zou op loopzand staan.

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Private correspondence from Satow to Lord Reay (with two drafts)

February 1918 – May 1921

24. November 17. 1918

Dear Reay,

Mrs. Godfrey is very grateful for your kindness, and for your message. She would like to have a doll for Nora, so I will get one here for the child, and give it to her at Christmas.

My nephew Harold Satow finds from H.W. Malkin, Hurst's successor as Assistant Legal Adviser, that the phrase in §20 of the Armistice agreement was not put in by the F.O. but that the Admiralty are probably its authors. He (Malkin) imagines that it was inserted to meet cases in which neutral States object to belligerent warships using their territorial waters, but points out that an agreement between belligerents is naturally not binding on neutrals and that it may therefore prove ineffective. In §25 the use of the phrase is probably intended to facilitate the passage through territorial waters of armed merchant vessels, as some neutrals object to this, and Holland refuses to allow it.

In §9 there is a curious use of "save for", which looks like a careless rendering of "sauf". But surely the proper translation is "subject to". I have asked for copies of the French originals of all the Armistice agreements, but they do not appear to have been printed yet.

I am very glad to hear that the news from Holland is better. No doubt the post will now improve, and become more speedy.

R. Cecil's speech at Birmingham was quite good. No doubt a League of Nations will encounter difficulties in execution of its provisions, but as all international questions are liable to trouble, that is no reason for not doing all we can to make it work. "Man is born to trouble, as the sparks fly upward".<sup>14</sup>

I hope the Coalition will get a strong majority at the general election, and there seems to be a good chance of this. Judging from what my neighbours say, Lloyd George possesses the confidence of the country in a far greater degree than Asquith.

There are some Belgian refugees here who have been supported by Ottery folk for the past four years. Yesterday I had a talk with some of them.<sup>15</sup> They were full of joy and

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<sup>14</sup> From the Bible (Old Testament), Book of Job, Chapter 5, Verse 7.

<sup>15</sup> Satow went to Paxford House, Ottery St. Mary to congratulate the Belgian women and get some of their picture-notepaper. (Diary, November 16, 1918)

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Private correspondence from Satow to Lord Reay (with two drafts)

February 1918 – May 1921

gratitude to England for what she has done for their country. What a disgraceful story comes from Brussels of pillage by German soldiers. The “armed nation” theory is plausible, but when military discipline is relaxed mob violence and anarchy are the consequence. But after what happened at Peking in 1900, when the diplomatists on being relieved, turned out to get lost, nothing surprises me.

Yours ever

Ernest Satow

25. November 24. 1918

Dear Reay,

Very many thanks for “Neutrality versus Justice” which I return herewith. I have ordered a copy for myself. The argument seems sound. My brother has sent me the enclosed newspaper cutting about an attack made by Senator Reed on the President apropos of this subject, which I daresay is going to give rise to a good deal of controversy. Oppenheim has been lecturing at Cambridge on what he regards as the most pressing aims of such a League, namely a Court of Justice, a Council of Conciliation and the principle that all its members will turn against anyone who resorts to hostilities without having the dispute submitted either to the Court of Justice or to the Council of Conciliation. These three aims he says necessitated the discussion of (1) the organisation of the League (2) Legislation by the League (3) the establishment of a Court of Justice, and (4) a Council of Conciliation. His lectures are to be published by Longmans about the beginning of January, so as not to clash with the general election.

I have been hoping to get from the F.O. the French text of the 4 Armistices, but unsuccessfully hitherto. What was published in the “Times” did not give the Annexes to the German one, and I think has not been well translated.

What a humiliation for Germany to have surrendered the best part of her fleet. But probably the men who have overthrown the Kaiser did not care very much for his ambitious naval policy, and the rank and file had evidently no great desire to go out and get sunk. The number of submarines sunk seems to have been very great, according to [German naval expert] Capt. Persius. I hope it will not be long before we hear of the occupation of Maintz, Coblenz and Cologne.

Yours ever

Ernest Satow



PRO 30/33 11/18

Private correspondence from Satow to Lord Reay (with two drafts)

February 1918 – May 1921

26. November 29. 1918

Dear Reay,

The enclosed article by Charles Steward [Stewart] Davison, the author of the book on “The Freedom of the Seas” which I lent you, has been sent to me by the author.

In his covering letter he says: “If you agree with my views in the enclosed article I wish you would bring it to the attention of International Law scholars, as if I am correct, it will help remove misapprehensions.”<sup>16</sup> Would it be possible to get the Grotius Society to print it in their next volume?

He also says that no writer on International Law has pointed out the inherent difference between “captured but non-confiscated private property on land” and “[c]aptured private property at sea”. As I did this in my two Quarterly articles of January and July 1917 and in the XIX Century for February 1913 in reply to Lord Avebury, I propose to refer him to them. Of course, I am not the only one who has written pointing out the difference.

Yours ever

Ernest Satow

27. December 8. 1918

Dear Reay,

I return with thanks Austin Harrison’s<sup>17</sup> article [see no. 28 below], which it is to be wished had been expressed in clearer language. As regards ‘secret diplomacy’, how is it possible to discuss every question in public? Even with Wilson it seems to be evident that the governments of the Entente Powers have not published all their communications with him. Wilson writes clearly, so does Bryce, but Harrison is terribly cloudy. I note that at the end he suggests that four or five of the Great Powers should form the directorate of the League of Nations. What is this but the old system revised, of the Concert of Europe, extended I suppose to include the United States and Japan.

Ernest Barker’s<sup>18</sup> synopsis is much superior. He seems to have adopted for the

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<sup>16</sup> From C.S. Davison’s letter to Satow, November 9, 1918 in PRO 30/33 13/6.

<sup>17</sup> Austin Frederic Harrison (1873-1928). Journalist and editor of *The English Review*, 1909-1923.

<sup>18</sup> Sir Ernest Barker (1874-1960). English political scientist, Principal of King’s College

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Private correspondence from Satow to Lord Reay (with two drafts)

February 1918 – May 1921

constitution of a League of Nations very much the same organs as Oppenheim in the three lectures he recently delivered at Cambridge. If possible, they will be published in book form about Christmas.

I have ordered from my bookseller Bryce's volume, which was noticed in the "Times" Literary Supplement of the 5th. No doubt it is worth reading.

Robertson Scott's<sup>19</sup> magazine *The New East*, published at Tokio, is to come to an end with the present year. I send you the article in which he makes this announcement, but probably you will not care to read it.

It was interesting to observe that the King of the Belgium, and I think also [French President Raymond] Poincaré have both said publicly that the neutrality imposed when the separation from the Netherlands took place will cease to exist. I suppose it will be replaced by an alliance with Great Britain and France, if not also with Italy. The peace Congress will be obliged to put on record the fact that it no longer exists as a perpetually neutral Power. But what is to become of Luxemburg? Perhaps a popular vote might join it to Belgium if the feelings of 1831 still endure. Switzerland will scarcely desire to abandon its perpetual neutrality.

So the Entente Powers appear to have decided to ask the Netherlands to extradite the ex-Kaiser. What will Holland do, and if he is given up, what Court is to try him, and where is he to be confined? For I assume that no one will wish to pass a capital sentence on him, however richly he may have deserved it. There were others who were guilty of bringing about the war, each in his own degree, Bethmann-Hollweg and the members of the German military and naval staffs.

A few days ago I met [Sir John] Kennaway,<sup>20</sup> who told me with much satisfaction that he had been to see you. He said he had quite forgotten that you had been staying here last year.

[W.J.M. van] Eysinga's little book "*Aperçu de Faits Internationaux Juridiques*" has reached me. How can I best convey my thanks to him?

With regard to the neutrality of Belgium electors, I see that [W.H. de] Beaufort in his

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London, 1920-27.

<sup>19</sup> John William Robertson Scott (1866-1962). Journalist and author. In Japan 1914-1922.

<sup>20</sup> Probably on December 4<sup>th</sup> when Satow walked over to Escot. Sir John Kennaway died on September 7, 1919 (diary entries).

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Private correspondence from Satow to Lord Reay (with two drafts)

February 1918 – May 1921

pamphlet “De Oorlog en het Volkenrecht” on p.12 anticipated what the King of Belgium has now said about her neutrality, and that he doubts whether Switzerland and Norway will attach much value to the maintenance of theirs.

All this is very well said. It was a great pity that Edmundson advised against its translation and publication in English.

Yours ever

Ernest Satow

P.S. I am going to vote for [Sir Philip] Magnus<sup>21</sup> for the University of London.

28. A World Declaration of Rights by Austin Harrison  
(enclosed in No. 27)

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<sup>21</sup> Sir Philip Magnus (1842-1933). He represented the London University constituency as a Unionist from 1906 to 1922.

*Reprinted from the ENGLISH REVIEW, November, 1918.*

## A World Declaration of Rights

By Austin Harrison

IN the historic proclamation of President Wilson (September 27th) these words stand out: "It is the peculiarity of this great war that, while statesmen have seemed to cast about for *definitions of their purpose* and have sometimes seemed to shift their ground and their point of view, the thought of the mass of men, whom statesmen are supposed to instruct and lead, has grown more and more *unclouded*, more and more certain of what it is they are fighting for. National purposes have fallen more and more into the background, and the common purpose of enlightened mankind has taken their place. The counsels of plain men have become on all hands more simple and straightforward and more unified than the counsels of sophisticated men of affairs, who still retain the impression that they are playing a game of power and playing for high stakes. That is why I have said that this is a people's war, not a statesman's. Statesmen must follow the clarified common thought or be broken." This utterance, which is nothing less than a judgment, indicates the moving spirit of the new international principle, which not only now will end the war, but will seek nationally and internationally to provide securities for civilisation against war. Here, of course, is a new thing in history. It is the finest expression of democracy, by which we understand opportunity or progress. It means that the great war is to end as no previous war ever has ended—on the novel issue of morality.

For this great end America came into the war, and this is the meaning of the League of Nations. Morality may be described as the law of human relations—*Primum vivere*, or, as it is known in the New World, opportunity. To quote Mr. Wilson again: "First, the impartial justice meted out must involve no discrimination between those to whom we wish to be just and those to whom we do not wish to be just. It must be a justice that plays no favourites and knows no standards but the equal rights of the several peoples concerned."

No victor has ever spoken like this before, for it is the voice of construction, not of destruction. It is the truth of

deliverance: from the fetters of feudalism; from the old European order of power and the balance of power; from the old-time peace of imposition and expropriation; from the militarism of the map. The appeal is to the common sanction of mankind. We are invited as victors to the Peace Conference not to impose the penal will of the conqueror, but to collaborate in a common scheme of reconstruction working with and for the whole. As the Belgian, Henri Lambert, who seems destined to take the place of Jaurès as the intellectual leader of European social economics, has said: "Men *must* co-operate economically and morally, or they must fight. That is to say, they must *increase* their economic and moral co-operation, and all together, through exchange of service or mutual help, *advance* in physical, moral, and spiritual welfare, and thus accelerate their contribution to the universal final accomplishment. Men, therefore, must co-operate—that is, progress—or fight."

Clearly in this spirit the American President summons the world to build. Implicitly and explicitly his principle implies the negation of the German doctrine of force, for in such foundations the "healthy selfishness" of Bismarck and the egocentric philosophy of monarchical militarism have and can have no place. It strikes at the roots of feudalism and territorial values; of the imperialism of force associations; of the old order of dynasties and the Nation-State as written by the historians.

Hitherto international morality has been but the dream of a few ideologues; it has not formed part of man's culture, whether from the minds of churchmen, jurists, professors, writers, or politicians, or even of so-called pacifists; from women no such thought has ever emanated. This failure on the part of the cultured and creative people in Europe we can see to-day in the light of the new wisdom that is dawning, to emerge as perhaps the strangest phenomenon of our time and civilisation. Yet the reason is not far to seek. Napoleonism ended on a power value, its reaction was the "blood and iron" statesmanship of Bismarck. Between Waterloo and the year 1914 no new attitude towards war had come into Europe, because men refused to face the truth that law, unless founded on morality—the fatefulness of which (to quote H. Lambert again) in human conduct and affairs is inexorable—is merely an expression of force, and as such may be broken by force, *more* the "scrap of paper," unless it be the harmony of natural relations moving as the expres-



## A WORLD DECLARATION OF RIGHTS 371

sion and sanction of the age. For the last fifty years Europe has known no ethic of international relations. Only force values have dominated. And so, at the crash, the covenants of international law were found to be the reeds of an artificial civilisation, as is bound to be the case with all enforced or organised "morality" that does not spring from the spirituality of mankind.

This kind of morality or legal artificiality is to go. We are offered a new era and a new orientation. But to bring this about, obviously the conditions which cause war must first be removed. In a word, the claim of power sovereignty is to give way to an ethic or governing principle of human relationship. In the place of diplomacy acting in secrecy for purely selfish or national motives, Europe is bidden to the forum of publicity, bidden to regard the opportunity of the whole, bidden to the law of a commonwealth.

As Mr. Wilson has said, this morality can only come into being at a Peace Conference which accepts as the settled law of civilisation the principles which are to govern the constitution of a League of Nations. It is not a question of the map, *pace* Mr. Balfour, who in his speech of September 30th appeared still to be thinking in power or territorial values. The problem in all the essentials is cosmic and in that vital sense democratic. We are not asked as soldier-statesmen to meet in spurs and feathers merely to pass sentence of death upon German militarism—that is, the precondition of assembly. Our task is infinitely wider than that of diplomatic protocol and incomparably more difficult. Our business will be *construction*. To establish a World Declaration of Rights, applicable to all subject peoples; to rebuild Europe on a basis of racial and economic freedom; to give to the parts the values and opportunities of the whole.

So profound a revolution, more pregnant with hope than any movement since the preachings of Christ, can never spring from a pistol; it cannot, that is, be founded on force. Nor is it a question of juridical form and formula. Its sanction must be inborn, induced—the evolution of harmony. Peace can never be established on a durable basis through the organisation of international councils of control; by police machinery; still less by penal or constrictive impositions. That is the old—the Napoleonic, the German—way. The new way can only hope for success as some accepted pattern of justice, the definition of which may roughly be described as opportunity. And that is root. If militarism

is to be removed from the ambitions of men as well as of kings, its polarity—sacrifice—must be the life principle. All must go to the table of peace ready to give and to give up; to found a charter of international rights based, not on force, but on the sanction of free peoples.

If Mr. Wilson's ideal of a "reign of law based upon the consent of the governed and sustained by the organised opinion of mankind" is to be the issue of these terrible years of war, it is obvious that the first need is publicity. A Peace Conference of diplomatists, of tired and neurasthenic statesmen, half-blinded by hatred and conquistadorial dreams of vengeance and retribution, is unthinkable. Such men have neither the calibre of mind nor the intellectual freedom to meet in hopeful constructiveness.

Another Hague Congress, the wretched intrigue, secretiveness, humbug, and futility of which I witnessed on the spot, will not be tolerated by the peoples. Constructive work would be found to be impossible in the ordinary diplomatic conditions. Armageddon cannot end in that kind of a farce. Still less can it end in the saturnalia of dinners, tea-parties, balls, intrigues, conspiracies, uniforms and regalia common to the Peace Congresses of the past.

The thing must be done in full publicity. It can only be attempted on rigid lines of principle. *All censorship must be removed in all the countries concerned.* The voice of the peoples must make itself felt, directing the voice of the conference. For only so can there be any "demonstration" of the new thought essential to release, or any manifestation of sacrifice. Yet this would seem as yet imperfectly understood, to judge by the map-thinking of the Press. Many of these gentlemen are not yet on the gangway of Mr. Wilson's boat. They apparently have yet to learn the morality of the world's crusade, to understand that the Peace Conference of 1918 will not be a conqueror's assizes of war, but a democratic areopagus of peace. It is the world's difficulty; it will be Mr. Wilson's opportunity. Only he, speaking with the unrivalled authority of the supreme controller, can modernise a European conference of war and hold the balance. And, again, only principle will avail. If the Conference is not to deteriorate into the usual diplomatic struggle of intrigue and interest, the direction must deal only in principle. Day by day the world must know exactly what is happening at the Congress. The soldier, as soldier, should have no place. This is indeed vital if we are to think in terms of opportunity

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or morality instead of strategically, and especially should this condition apply to the enemy representation.

And as we shall not be treating with men of war, so there will be no room for the sentimentalist. All deflections of extremists—and they are likely to be many—can only weaken the common purpose, and they must be resisted. Of enormous importance in this respect will be the attitude of the Press. Its responsibility will be the test of democratic sincerity.

And this must be faced by Governments and people, or there will be no League of Nations peace, but only a settlement of interest based on force values, which will amount to little more than a transvaluation of power. Yet this, too, cannot be, in the absence of a reconstituted militarist Russia, which, again, for a decade at least, can be discounted. The problem, therefore, is doubly complex, even as one of balance. So much is obvious. We must make up our minds. Either Mr. Wilson's message implies that the world makes a joint intelligent attempt to win to a new attitude towards war and the causes of war, or the League of Nations is a phrase. If the former, then sincerity is the paramount condition of our purpose; if the latter, then Europe will remain militarist.

The question which men will have to ask themselves is twofold: not only—Is it worth while trying to put an end to the militarist State? but What is the alternative? Conscience and, I fancy, youth will surely answer the first question; the imagination literally reels at the prospects of a non-solution. Yet this is the real difficulty, and it is here that the logical mind recoils. The thing seems utopian, for the compelling restraint is *fear*. Nations and Empires fear one another, and this is the determinant. It is this motive which prompts men to demand a punitive peace, or what are called guarantees. It is fear which led to the group armament system, fear on the part of Germany which induced her to challenge Europe.

Now a true League of Nations cannot be founded on the fear of a dominant group, because life is not stationary, and nations change, rise and fall, like men, from within just as much as from without. When we talk of security, therefore, we must think honestly or we shall find ourselves once more moving along the avenues of fear, building, not co-operatively—that is, progressively—but interestedly, or backwardly. The starting-point of endeavour must, of course, be the elimination of the philosophy of force, or the return of Germany to reason. But that attainment is now assured. We



can count upon that at least as the foundation of our European task. The problem then will depend far more upon *trust* than upon any human contrivance of *security*, as we in this country should have no difficulty in grasping at the contemplation of the Boer countries under Kruger and during the war under General Botha.

Europe's difficulty will be—her age, her cynicism, and were Europe left to herself to fashion a new world, I would entertain no hope. The chemistry of martialism, out of which Europe has grown to her present shape, cannot be expected to change through the emotionalism of mere consequence; in Europe man has fought and bled too long. Our histories reek with the deeds of war, they contain practically no other record. No statesman in Europe has ever ventured to denounce the "Christianity" of fear which has ruled nations and Empires, churches and peoples, and at this hour, with the exception of a few sectarian outcries of negativism, no such voice is heard. Alone, Europe in the article of her feudal death could hardly dare to mould herself upon an ethic, but to-day the responsibility of Europe has become cosmic, and it lies in the keeping of the New World.

That is the great new fact which will condition the issue of the war. When Europe accepted American aid, when we commemorated the Fourth of July, she capitulated to the spirit of opportunity, to the spirituality of young America. To many this assertion may seem absurd, yet those who have read Mr. Wilson's pronouncements must admit that they do not reflect the spirit of European politicians and that no statesman in Europe has ever spoken in so lofty a tone. I have heard men describe this intention as "bluff." Nothing of the kind. The Wilson policy has been known for two years. America contains within her a spirituality not to be found in cynical, war-worn Europe. It may be seen in the primitive home life there; it is reflected in the young enthusiasm of her resolve; its incarnation reposes in the impartial outlook of the President. *Morally and militarily, Europe has failed.* If America has redressed the balance, it is most certainly not to reconsolidate the old order of power values, as the mere ally of war, but to assist in the foundation of a new order—"the reign of law sustained by the organised opinion of mankind."

These are not the words of legal sophistry or unctuous rectitude, as Europe knows them. They constitute America's message and the American war purpose. With the rugged

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ardour of America's great poet, Mr. Wilson addresses "that vast Rondure" through the soaking battle-ground of Europe, and in his intention we may descry the coming of that poet of construction sung by Walt Whitman, "whose thought begins to span" the universe.

That or nothing. Either an attempt to restart Europe on some accepted law or morality of co-operative utility instead of competitive force with the object of removing the causes of war, or we shall achieve nothing permanent, little indeed that is constructively hopeful for the future. And in that case Europe will have failed, and the armed State will continue jealous and full of fear, and there will be no hope but in revolution. I cannot take this materialist view, and my reasons are entirely materialistic. Not religion, or sentiment, or love, or exhaustion will bring about a new attitude, but the simple condition of European control which has passed absolutely to America. From this consequence of the great war Europe has no escape. As America has brought us victory, so she furnishes the new morality. Thus truly the war against Germany has become a crusade, not only of just wrath, but of redemption. The idea of a League of Nations means that or nothing.

Co-operation instead of the patriotism of competition. Such is the opportunity that America offers. An ethic. Law which has the authority of collective morality as a substitute for a Europe of jealousy, toying with the artificiality of formula.

To attain to this altitude of conception Europe is asked to "roll up the map." Yet in no academic spirit. The dreams and sophistries lie in the sentimentality of war, not in the materialism of our capacity. It is the vanity of kings and politicians which has stabilised the virtue of battle, and the heroics of poets. Capitalism is only its handmaid, as we can test by the fallacious doctrine that "commerce follows the flag." It need not. But we are not asked to lower our flags or symbols; all that is required is that Europe should salute a higher flag—the common flag of law: law as the expression of the morality of the age. And that, as it is a question of collective utility, is a test of individual sincerity, the measure of which is sacrifice. This, then, is the corner-stone of the League of Nations.

How are we to obtain the necessary spirit, this new sense of sacrifice? I cannot believe that this revolution in human relationship can emanate from a Peace Conference; certainly

it can only be formulated in a World Declaration of Rights, imposed upon the enemy, ordained, as it were, by the joint wisdom of mankind.

No mere reconstitution of the map of Europe can settle the complex problems of race, nationality, interest, religion, and wrong, which are the latent causes of the war; nor will the principle of "self-determination" carry us much beyond political geography. If the object is the stabilisation of international order, the map will be useful, but it will not be conditional, because the *genius of man is idea*. It is the old idea that has made Europe the cockpit of history, only the new idea—morality—can deflect man's fighting energies. That this idea, again, must contain the world's substance of justice is obvious, both in its ratification and application. Clearly it will be tremendously difficult. It will appear all the more difficult because idea necessitates the friction of idea, and the greater the friction the clearer the idea is likely to be. And this friction, this purging spark, cannot proceed from secrecy. We are faced thus with the supreme need of our equipment—*publicity*.

As the *Times* rightly wrote the other day, machinery must be started to think out these problems. If, in Mr. Wilson's words, "statesmen must follow the clarified common thought or be broken," it is plain that special minds must be utilised. I can only repeat what we have urged again and again, that *National Conferences should be convened, charged to offer their concerted advice upon the problems of the subject peoples; that these Conferences should consider concurrently a common agenda; that the proceedings of all these Conferences should be made public, and that they should be in daily telegraphic communication with one another*. Something of the kind has been done in France, but here we have heard of no such assembly of intellect. A Declaration of Rights can hardly issue from a bureaucracy; it must come from the clash of the best minds of democracy, *thinking aloud*.

Every man has the right to know all about the principles and problems to be discussed and to contribute towards their solution, otherwise we shall not get a people's judgment; we shall only have the verdict of interested lawyers and politicians. That is why the Peace Conference cannot be the prerogative merely of War Cabinets sitting between closed doors. The democratic world demands justice. It means to impose its publicly formulated will upon feudal Europe as the moral law of the future. It does not intend to put up with a



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settlement decreed in secrecy by those who by the accident of war are to-day its self-constituted masters. A new Europe can only be cast by new men, by the robust sanity of democracy working in unison with the other democracies of Europe as a whole and for a common end. And there will be no League of Nations without this democratic consultation.

To sum up. The Peace Conference convened to establish a League of Nations can in no sense be a diplomatic concert; it must be the forum of democracy whose business it will be primarily and essentially to found a charter of liberties based upon the organised consent of the governed, nationally and internationally. Its ruling spirit must be sacrifice, its collective function justice. For this great end publicity is the indispensable condition, and the world must be invited to think aloud.

As its purpose will be constructive, and, so far as the enemy countries are concerned, virtually dictatorial, all problems must be viewed in the light of the whole and always from the point of the future security of the world, the object not being to crush a foe, but to compel him to accept an order of grace in the interest of that whole. In this work the soldier is not necessary, because the thought will not be strategic, but social or international. If there is to be sincerity we must have sincere men, and they must derive that sincerity through publicity.

Even as Europe listens she wonders. America, with a population of one hundred millions, has a capacity for four hundred millions; she is in the happy possession of every conceivable national resource necessary for complete self-dependence and development, except, perhaps, china clay; yet she has herself shown no sign of that spirit of sacrifice formulated in the President's announcements, and if she is to reform the world she also must carry the cross. America has hitherto led in the competitive economic war, she has to testify to her sincerity in the (new) co-operative economic system. In judging of Empire, she will have to convince Europe that her own morality is not founded on colour or on any impersonal justice that in her case is reserved as personal. And this will be the gauge of Mr. Wilson's potentiality. The problems of Empire are those of life—population—and here no pedagogy will avail; that is, they are fundamental. If responsibility, therefore, is to be universal, it is America, who with everything in her possession, must bow to the God of her own projected new order—sacrifice.

Yet a mere conference will not be sufficient except to define the conditions of actual peace and the general principles upon which Europe will be invited to collaborate. Whole work can only be done by representative National Conferences working on a common agenda in close touch one with the other and in full publicity before the world. These conferences would be consultative and advisory to the international senate, which probably would have to remain a directorship of four or five of the Great Powers.

In this way, and so far as I can see in this way only, can mankind hope for any real solution of the age-long "right" of war, and of the causes that hitherto have made war in the eyes of peoples just and honourable. By no other way short of police decree, which humanly cannot aspire to be durable, can the historic wrongs of Europe be adjusted and righted, or any settlement be reached of law based upon morality. Perhaps the hardest problem of all will be found to be that of Empire and of the rights of Empire under any law of consent of the governed, for this will be the supreme test of attitude and of constructive statesmanship.

For the problems are not only international, they are also national, and the danger to the constitution of the new fabric of law will be found to lie in their application. That is why the collective wisdom emanating from these National Conferences would seem the indispensable condition of the success of any permanent international law.

Now the antecedent condition to such a law of Nations must be a Declaration of Rights.

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Private correspondence from Satow to Lord Reay (with two drafts)

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29. December 11. 1918

Dear Reay,

Very many thanks for offering to give my name to the I.I.J.[I.L.J.?] but I am afraid that I could not undertake the duties of a correspondent, as it would require more than I have the power to perform.

Lord Halifax's letter in the "Times" was excellent, I thought, and I quite agree with what Holland says on the subject.

Would not Erle Richards be a better name to propose to the I.I.J. as correspondent as he has the advantage of being an Englishman by origin.

I am very sorry to hear that Mitchell Innes intends to resign. It is difficult to see how the Minister at Montevideo can have any disputes with the F.O.

Bryce's book has reached me. I have also got from Paris [Comte] d'Angeberg's monumental collection of documents<sup>22</sup> relating to the Franco-German war of 1870 in 5 volumes, published in 1873. His real name was [Léonard] Chodzko.

Many thanks for Gram, which I will return when I have read it.

Yours ever

Ernest Satow

30. December 16. 1918

Dear Reay,

All honour to the Dutch government for saying that they cannot refuse asylum to the ex-Kaiser. After all his bragging speeches about his mission from on high, and misleading and deceiving his people, he has fled, not from the Entente armies, but from the wrath & contempt of the common folk of Germany. But Holland would no more give him up to them than we would have delivered Charles X to the French people.

Apropos of conscription and what Lloyd George is reported to have said on the subject, I wonder whether he or any of his advisers is aware that universal military service is an article of the German Constitution. Article 57 says simply "every German is bound to military service and may not get himself replaced in the performance of this duty." Consequently, unless this article is excised from the Constitution, it will not be

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<sup>22</sup> These documents were offered by a letter from Gamber for 75 francs on November 30, 1918. Satow wrote to accept the offer on the same day. (diary)

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possible to get rid of this accursed system.

Yours ever

Ernest Satow

31. 21 December 1918

Dear Reay,

Many thanks for your letter & [C.S.] Davison's book on the Freedom of the Seas. You ask about the "Baralong" case. This was a ship which the Germans accused of having shot down the crew of one of their submarines after sinking it [in 1915], when they had asked for quarter, and I think they produced affidavits from mule-drivers who were alleged to have been on board. We denied the story, and I think offered to let the case be inquired into by an impartial tribunal. But nothing came of that. I have a suspicion that the "Baralong" was one of those Q boats of which we have been hearing lately, which was used to bait the U-boats, by getting themselves torpedoed, and luring the enemy up close, after which Q let fly at U from concealed guns and sank her.

What you tell me about the appetites for territory on the part of Belgium France and Italy is very disquieting. I suppose they would retort on us that we have got the German colonies, Palestine and Mesopotamia. But it is not Great Britain which has got the colonies. They go to South Africa and Australia. Mesopotamia may be converted into an Arab kingdom and Palestine into a Jewish republic, both under the aegis of Great Britain, with perhaps the help of other Powers in the case of Palestine.

At [the Congress of] Vienna the conquered territories were divided up in accordance with the monarchical principles which prevailed in those days. Now we are told that the treaty of Vienna [of 1815] was a blunder and that it must be torn up, to be replaced by a partition on the basis of nationality. Perhaps a century hence our posterity will find out that this too is a mistake. If Luxemburg likes to go to Belgium, that ought to be enough, if the neutrality clauses of 1839 are done away with. Belgium ought however to have the right of navigating the Scheldt with ships of war, if she likes to build any. To claim Staats Vlaanderen [Zeelandic Flanders] after so many centuries would be quite unjustifiable.

I remember hearing something about Wilson's troubles with women, but do not know the facts. Is he coming over here to arrange matters with Lloyd George, because he finds the other allies so impracticable? It would be a sad thing if universal military

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service were kept going on the Continent.

The doll for little Norah cost 6/6. I shall get her mother to bring her over on Xmas day, and make the present to her for you. I expect my brother on Monday to stay till the Courts open again.

Best wishes for the New Year.

Yours ever

Ernest Satow

## 32. Christmas Day 1918

Dear Reay,

This morning I had the little girl Nora [Godfrey] over to receive your gift, with which she was greatly pleased. Her mother had put her into her best clothes, and her hair was tied with a white ribbon. She was rather shy and I am not sure that she quite understood whether she remembered the gentleman in a Bath chair who used to give her sweetmeats last year, though she murmured something like 'yes'. She looked charming. Many thanks for the postal order. I return Bishop Boyd Carpenter's beautiful verses. I saw him only once, at a meeting in Exeter [on July 12, 1915], and thought him a delightful as well as a witty man.

Yesterday I had a visit from a young Canadian friend [Davidson Ketchum] home from Ruhleben.<sup>23</sup> Up to 29 August 1914 he was not confined but had merely to report himself to the police. Even after that they were able to get out from time to time, some, at least, every week. As soon as the armistice was signed they were free to go into Berlin (it is only 20 minutes by train) and were very civilly treated by everyone. He says the chaplain of the embassy, who remained behind when [Sir Edward] Goschen and the staff left, spent all his time moving about among the camps where prisoners were confined, and was able by his reports to the U.S. embassy to get the conditions improved. My young friend's opinion is that the camps where the treatment was bad were the minority; and that men who were released and came home gave very exaggerated accounts, in order to make out that they had been martyrs. Food was bad, but so it was for the Germans. The children he saw in Berlin after he was released looked old and wizened from insufficient nourishment. At Ruhleben, the interned, who

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<sup>23</sup> See diary for Christmas Eve, 1918.



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were all civilians, 4000 of them, received potatoes and vegetables, but not much else, and they lived mostly on the contents of their parcels. I must say that he does not look as if he had suffered much from hunger. He scoffs at the idea that after the peace Germany should be subjected to an economic boycott, a matter on which I agree with him.

My submarine nephew [Christopher] tells his father [Sam] that 64 more U-boats are to come to Harwich, and that some have been handed over to the Japanese. That looks as if the Powers had come to an agreement for the allocation of the German warships among the allies. I have not seen Burrell's book, but have read a review of it in the "Times" literary supplement, which has not induced me to buy it. But I have Oppenheim's lectures on a League of Nations, and have ordered one consisting of two articles from the Round Table – to which Grey has prefixed a preface. The title League of Nations is superfine, but I see no reason why there should not be an alliance for the preservation of peace, which would be effective for a long time. I expect great results from Wilson's visit to England. My brother desires to be remembered to you. Coleridge comes here on the 31<sup>st</sup>, and I will remind him to call on you.

Yours ever

Ernest Satow

33. January 3. 1919

Dear Reay,

A Happy New Year to you. I hope that Raby will be able to put your leg right and that his forecast that you will be able to walk at Easter will be realized. It will be like a new life to you, to be able to resume your public work in all its branches.

I should be greatly obliged for the loan of [Theodore] Marburg's "League of Nations," as it is a subject on which I read all I can get hold of. Let me recommend to you the Epilogue to [John Arthur Ransome] Marriott's "European Commonwealth." You have of course seen [James, 1<sup>st</sup> Viscount] Bryce's chapters on this question. I don't think I have read all of Wilson's speeches, but those I saw seemed to me reasonable. The important thing for us is that we should maintain our maritime rights as we have exercised them during this war, for the general benefit. They have been one of the chief factors in bringing Germany to her knees.

I hope matters will be satisfactorily arranged between Belgium & Holland. I should

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certainly be opposed to any cession of territory, but Belgium and her allies ought to have the right of navigating the Scheldt with their warships, just as the Russians, Roumanians, Bulgarians, Armenians and other Powers ought to be free to navigate the Dardanelles and Bosphorus with their naval forces. And I should like to see Luxemburg added to Belgium.

That was an interesting list in yesterday's "Times" of the F.O. men who are going to Paris, but I don't recollect seeing Hurst's name. Surely they will want some help in questions of international law. The French will of course have Fromageot [Henri Fromageot] at their elbow.

Many thanks for the cutting from the Observer.

My brother Sam who is here for the vacation desires his compliments to you.

Yours ever

Ernest Satow

34. January 5, 1919

Dear Reay,

Marburg's book, which I return to you with many thanks, is first-rate, and I have read it with immense satisfaction. His proposals seem to be very practicable. He has the advantage over many other writers on this subject, of diplomatic experience, so that he understands how to deal with men of other nationalities than his own.

But have you noticed that you have sent me two copies of Vol. II. I conjecture that the person who packed them up for despatch had intended to send you vols. 1 & 2, but sent two copies of volume 2 by mistake. Perhaps, as you have two, you could afford to give me one of them.

I have been reading the reprint of two articles from the Round Table with an introduction by Grey. These are also excellent, and I should like to know the name of the author. It is entitled "The Peace Conference – and After."

Lovering who drove you to Sidmouth for massage [on June 21, 1917] has had a bad accident. He fell out of the stable loft about a week ago, and broke some ribs. He must have hurt his head badly for he was unconscious for forty eight hours. It was the sequel to some festivities in which he had been indulging. He is a decent creature, and one is sorry for his weakness.

Today the country side [countryside] is covered with a sheet of snow and looks very

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beautiful.

Yours ever

Ernest Satow

35. 21 January 1919

Dear Reay,

It is indeed good news that Baty [Raby] has succeeded in giving you relief from that pain you used to suffer from the nerve that was pressed on, and I hope he will have been equally successful in his operation yesterday. It will be splendid when you are able to walk again and take your place in the House of Lords. No doubt it will take three or four weeks before the leg muscles recover their proper tone, but in the end you will be as active as before. I too have had a little experience with surgeons lately, which has rather weakened my confidence in that branch of the healing art, for I now find that I could have done quite well without calling in their aid. At the same time I still believe in the use of the knife and scalpel in certain cases.

Many thanks for Marburg's little book, which I ought to have acknowledged before, but I delayed, hoping for a letter from you. It is a very good bit of work. I wish I could say as much of Oppenheim's, but he does not write English well. [Field Marshal Jan Christiaan] Smuts on the League of Nations is also quite first rate.

[Stephen] Pichon is really a journalist. I knew him as French minister at Peking, where he had displayed much weakness of character during the Siege of the Legations. he is a henchman of [Georges] Clemenceau, who had made him a Minister for Foreign Affairs, and he is a very clever draft-writer, but I should never have taken him for a statesman. [Sidney] Sonnino whom I met in Rome some 15 years ago [on March 18, 1903] I look on with much greater respect. Yesterday I read the speeches made in Paris on Saturday. How greatly superior they are to the utterances of the diplomatists who met at Vienna in 1814! Certainly, as you say, the principle of self-determination cannot be applied to Ireland, Egypt India or the German Colonies. The suggestion that America should be entrusted with a protectorate of the whole Arab nation seems attractive, but they will need to come to the French and ourselves for Arabic scholars. Miss Gertrude Bell [1868-1926] and Marmaduke Pickthall [1875-1936] would be useful to them. The newspaper clamour for publicity is absurd, and is only in their own selfish interest. It is as if outsiders looking over the hands of whist players were to announce what cards

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were held by each. The death of [Karl] Liebknecht & Rosa Luxemburg was a relief, and I should be glad to hear that Lenin and Trotsky had been got rid of in the same fashion. The Bolsheviks who murdered the Tsar and his family, and many thousands more of innocent people are no more entitled to be received in conference than the ex-Kaiser. Can it be true that Dutch jurists have given it as their opinion that he should be extradited. I see the Conference has put down the question of his trial and punishment as the first of the Agenda. Poor creature, what will become of him. I am reading a very interesting book, *La politique extérieure de l'Autriche-Hongrie*, by J. Larmeroux, which contains a large number of important documents relating to Balkan affairs, and I have also in prospect [Maurice-Henri] Weil's policy of Frederick the Great [*Morale Politique du Grand Frédéric*] as shown in his correspondence. Also I am reading Goethe's *Campagne in Frankreich*, which has the merit of covering a part of the country where fighting has taken place during the present war. As on this occasion, the Germans did not admit a military defeat, but only the weather that was against them! [Charles François] Dumouriez with 25,000 beat 80,000 Prussians and a mixed lot of other Germans [in 1792].

It looks as if the Germans would manage to set up a stable government, and that the Bolsheviks are approaching their downfall, both events to be heartily hoped for.

Yours ever

Ernest Satow

P.S. Let me recommend to you a preparation called *Viril* [Virol], which I have been taking lately. It has quite set me up again.

P.P.S. C.S. Davison, the writer of that American book on the Freedom of the Seas has sent me a long article he wrote in April last in reply to one that was published in the *American Journal of International Law*, and he suggested that I might get it published here. But I have replied that it is now out of date, and besides that I do not like the violent style. Davison is very hostile to James Brown Scott, whom Wilson has taken to Paris with him. But I don't think he can do much harm. Crowe and Hurst know him pretty well, of course. E.S.

36. January 27. 1919

Dear Reay,

Many thanks for sending me the Dutch book on the relations between the Netherlands

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and Japan. If you want it back again ultimately, please let me know. I should be very glad to hear how Raby's further operations succeeded.

I am reading two very interesting books, Weil's *Morale Politique du Grand Frédéric* [Frédéric] and [Albert] Sorel's *Le traité de Paris du 20 novembre 1815*. As Waterloo was fought June 18, five months elapsed before peace was signed. In 1871 the armistice was January 28, and the peace of Frankfurt was signed May 10, an interval of three months and twelve days, so if the preliminaries on the present occasion, as the Times said on Saturday, may perhaps not be fixed before the end of June, that is not to be wondered at, since there are so many more nations to be brought into line. The description of the devastation in France and Belgium in the same issue was an eye-opener for people on the other side of the Atlantic. I was glad to see the warning to the people who are fighting over boundaries that what they do will not be recognized by the Peace Conference.

Another book I am reading is the *Origines Diplomatiques de la Guerre de 1870-71* which the French Government is publishing. It goes back to 1863, the Danish question. It is an important book. The Danes seems to have asked us to fulfil a guarantee of the possession of Sleswig under a treaty of 1719! and the French under one of 1720. The Law Officers were of opinion that it was too ancient to appeal to, especially as the treaty of Kiel of 1814, which gave them Lauenburg in place of Norway, did not confirm the treaty of 1719. Russia had also given a guarantee about 1767, but declined to help. I suppose she had a secret understanding with Prussia, in return for her friendly attitude in the Polish question.

Yours ever

Ernest Satow

37. February 2. 1919

Dear Reay,

Many thanks for letting me keep the Dutch book on relations between Holland and Japan, and also for Eysinga's article on American influence on International Law. I do not quite agree with all he says. Dutch urging the principle of "free ships free goods" was in the interest of their shipping for which they wished to secure the carrying trade of Europe. [Petrus Johannes] Blok shows how even in time of war in which the Netherlands were engaged as belligerents, Dutch merchants and ship owners tried to

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carry on trade with the enemy just as in time of peace. Eysinga omits to mention that the United States in 1794 maintained that the capture of enemy goods in neutral ships was in accordance with international law, and that “free ships free goods” was an exceptional arrangement arising out of treaty agreements. But he is quite right in giving credit to the Americans for emphasizing the duties of neutrals.

Thanks also for the International Relations Section of the “Nation”. I have received an application for an abonnement direct from New York and also from the “Nation’s” agents in London, but am not disposed to take in that paper, as I want to limit my expenditure on newspapers in order to buy books of permanent value, such as Weil’s *Morale Politique du Grand Frédéric*, and Larmeroux’s *Politique Extérieure de l’Autriche Hongrie*, which I now have.

I am sorry for [Sir Walter] Townley,<sup>24</sup> who when he was at Peking with me was very efficient. But his wife’s [Lady Susan’s] indiscretions were of a rather serious kind. The “Times” of yesterday says that Conyngham Greene<sup>25</sup> will retire when he comes home from Tokio in the spring. I hear from there that he has not been altogether a success. Your suggestion of Granville<sup>26</sup> for the Hague seems to me excellent, but can he be spared from Athens?

I am very glad that Raby holds out to you the prospect of being able to walk at Easter, and that you find Virol does you good. It seems to me to be very invigorating. It is very sad that [Sir Thomas] Sanderson’s eyesight is so bad. I am not inclined to agree with him about leaving the Turks at Constantinople. They are not fit to rule a city containing Christian inhabitants. Just think of the massacre of the Armenians there a few years ago. Now that the Bulgarians have rendered themselves impossible, owing to their late King Ferdinand, surely the best thing would be to put it under the Americans as mandatory of the League of Nations. They have always taken great interest in the welfare of the Balkan peoples and of Asia Minor. I should like also to see them charged with the protection of the Armenian State. It is my impression that they had a missionary settlement at Van, and you know how great an influence the American missionary Societies have with their own people. I argue that it is scarcely possible to give Dantzig

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<sup>24</sup> Townley was Minister to the Netherlands, 1917-19. He resigned in January, 1919.

<sup>25</sup> Sir William Conyngham Greene (1854-1934). Ambassador to Japan, 1912-19.

<sup>26</sup> Granville Leveson-Gower, 3<sup>rd</sup> Earl Granville (1872-1939). Minister to Greece, 1917-21.

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to Poland, as that would separate East from West Prussia. As you say, the best plan would be for the league of nations to guarantee access to the sea to the Poles at that point. It used to be an independent republic, just as Riga was, & if it could be put back into that position nothing could be more desirable. After reading Smuts' little book on A League of Nations I rejoiced that he was put on that particular Committee. He must be a very able man. The Italian [Giuseppe] Salvago Raggi I knew at Peking, in 1900. He was one of the worst of those who took part in the looting, and his indemnity claim for the contents of his legation was grossly exaggerated.

Clarke. Can you give me full particulars of his age, academical qualifications, past career and the sort of salary he is looking for. I could inquire of the Clerk to Blundell's School, of which I am a governor, whether they want such assistance. Or perhaps the King's School here may be looking out for a mathematical master: as it is only a secondary school the salary would not be big.

Yours ever

Ernest Satow

38. May 11. 1919

Dear Reay,

It seems a long time since I have heard from you, and I am anxious to know what has been the result of Raby's treatment, are you able to get about more freely on your crutches, and what prospect is there of your being able to dispense with them altogether.

Mr. [Jean Pierre Adrien] François of the Dutch Foreign Office has sent me his thesis "Duikboot en Volkenrecht", [Submarines and International Law] which seems an excellent treatment of the subject. Perhaps I owe its reception to a hint from you. I have written to thank him. One thing he makes very clear by his citation of authorities, vizt. that writers on international law differ very much in their pronouncements, so that it is hardly possible to recognize them as "authorities".

It seems to me greatly to be regretted that the Entente Powers have inserted in the draft terms of peace the article about trying the Emperor William, in which it is said that his extradition is to be demanded of the Dutch Government. If the Germans have any sense of decency they will refuse to accept this article. But if they let it pass, and the demand is presented at the Hague, will the Dutch government consider that by the German consent their responsibility for delivering him up is covered?

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As to the rest, I suppose that the Germans will have to sign the treaty, with perhaps a few modifications.

The Bolsheviks, let us hope, are on their last legs. Things appear to be going very well for us on the Archangel front. My friend [John Harington] Gubbins has a son [Colin] as A.D.C. to General Ironside, so I hope to hear some details of the operations there.

The article in the peace terms providing for the restoration of the Louvain Library is very satisfactory. The John Rylands library has collected about 20,000 volumes in England to give towards the same object.<sup>27</sup>

My garden is looking very beautiful with various flowering trees in full bloom. Chirol is coming to me in about ten days time. I asked him to call on you after his return from Paris, & I also urged Coleridge to call.

Yours ever sincerely

Ernest Satow

39. Ottery St. Mary

September 26. 1919

Dear Reay,

If you have not read [Robert Threshie Reid, Lord] Loreburn's "How we came into the War"<sup>28</sup> and would like to see it I can lend you the book. He makes some strong points against Grey, but also makes some absurd suggestions, such as that France should have threatened Russia with withholding assistance if she mobilised before there was any immediate necessity, and that we should refuse to support her if she did not take that step. I am told that he is not a friend of either Grey or [Richard Burdon] Haldane. A friend of mine has promised to send me Haldane's Recollections as they appear in the Westminster Gazette.

I have been comparing quotations in Macaulay of passages in the letters of William III to [William Bentinck, 1<sup>st</sup> Earl of] Portland and Hemsius with the text of [Paul] Grimblot's "Letters of William III and Louis XIV", which differ in their wording in a

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<sup>27</sup> Satow sent a box full of books on the Jesuits for the new Louvain Library to the John Rylands library on January 5, 1917 (diary).

<sup>28</sup> The correct title is *How the War Came*, first published in 1919.



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remarkable way. Can it be that William wrote in Dutch to these two men, and that Macaulay and Grimblot translated them independently. Do you know of a Dutch publication of William III's correspondence? I suppose that it may be in the Archives of the House of Orange Nassau?

I am reading Hohenlohe's<sup>29</sup> Memoirs, which are very interesting after he becomes President of the Council at Munich in 1867. But some of his forecasts were not verified by events. It seems dangerous to prophesy in political matters.

I hope you are well, and that the weather is now milder with you, as it is here.

Yours ever

Ernest Satow

40. September 28. 1919

Beaumont

Ottery St. Mary.

Dear Reay,

Our letters have crossed, owing perhaps to telepathy. Many thanks for the two Dutch newspaper extracts. It has always seemed to me that Holland would dislike the League of Nations, which does away with neutrality. For that is ingrained in the Dutch political mind. It was they who originated the idea that enemy goods in neutral ships should go free, in order that when other nations were at war they might reap the advantage of being carriers for both parties. And suppose another war should arise in which the nations of the League sought to coerce Germany, the position of Holland would be exceedingly dangerous, exposed to invasion if she aided the League and to blockade if she did not. So that the sentiments of the Dutch professor do not surprise me. Of course one sees that without an alliance of England, France and America to enforce its will the League of Nations would be powerless. It is just the renewal of the alliance of the Four Powers in 1815 to guarantee the execution of the Second Peace of Paris. The female teacher's discourse on Mendelism [the theory of heredity as formulated by Gregor Mendel] and the improvement of races was rather too dry for me to read through.

I have not read the letters in the "Times" about the exchange of pulpits, but the suggestion does not seem to be such as the majority of church people would accept.

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<sup>29</sup> Chlodwig, Prince of Hohenlohe-Schillingsfürst (1819-1901).

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Personally I should like it, for nothing more dreary than the sermons preached in our parish church, at the least those of our vicar, can be imagined. The curate is better, but his voice is not agreeable.

The railway strike is very unfortunate, and shows an immense want of consideration, except for their own advantage, on the part of the strikers, especially as the wages they were drawing could not be altered before December 31. All of us are obliged to economize in our expenditure, and why should not the railway workers do the same. The wages they receive far exceed what they are obliged to spend on food, clothing and housing. My brother Sam is stranded here at present, but I hope he will find means of getting home by motor to Berkhamsted [Hertfordshire], and the owners of chars-à-banc will doubtless come to the rescue. Hundreds of visitors to the seaside will be seriously inconvenienced.

As to the separation of Mrs. Whetham and her husband I have not heard anything here. It is certain however that she is very strange in her manner at meetings of committees of which she is a member. Him I have not seen since the 6 July, and had supposed him to be away at the property left him by an old uncle a year or two ago, looking after farming operations, and he will be returning to Trinity College [Cambridge] on October 1. I wonder why [Joshua Milne] Cheetham has been sent from Cairo to a South-American post. [Charles] Eliot<sup>30</sup> at Tokio ought to be a success. He is exceedingly clever, and I read some delightfully witty despatches he wrote from Tangier. Young according to the "Times" list was to go to Prag. Tower has come home from Buenos Aires and I believe means to retire. He is an excellent diplomatist, but too independent for the taste of the F.O.

Yours ever

Ernest Satow

41. Ottery St. Mary

October 20. 1919

Dear Reay,

It seems quite impossible to get anything in the town to pack apples in, but Tertius

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<sup>30</sup> Sir Charles Norton Edgcumbe Eliot (1862-1931). Diplomat, colonial administrator and botanist. Ambassador to Japan, 1919-25.

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[Saburō] tells me he has a box that would probably hold the quantity you are buying, so I have been over today to Cadhay Farm and told Miss Wedlake that if her brother will send here to fetch away the box, he can have it to pack your fruit in. That is the best I can do for you. The farmers here who send away their apples wholesale are in a great quandary for want of boxes and hampers to pack them in, for what they have used on former occasions they have not received back, as the railway companies make difficulties about transporting returned empties.

I hope you will soon get over your bronchial catarrh, and so be enabled to return to Berkeley Square, where you will have a warmer climate than Laidlawstiel.

I read the note in which Germany was invited to join the other Powers against the Bolsheviks, and think I understand why the Supreme Council did this. If they had left Germany out, the latter might interpret the omission as sanctioning their backing up the party of anarchy in Russia, and that the Great Powers do not desire to see. I suppose therefore that the invitation was given by the governments of the Powers concerned, as being the preferable evil of the two.

By article 16 of the treaty of peace it will not be necessary to assert the views of the League of Nations by force of arms in the first place, but they will apply the financial and commercial boycott, also cutting off postal communication. Recourse would only be had to arms in the last resort. I have no fear of the League calling on us to disarm our navy, though I think it might be well to curtail its activities. I am told on the best authority that we have monitors on the Yangtze which by no means facilitate keeping the peace there, and there are six big submarines (of the L. class) on their way to China. A nephew of mine commands one. I have not yet heard of their having got beyond Port Said. But I cannot conceive what was the necessity of sending them there. We never had any before the war.

Cheetham I have not seen since he was a 2nd Secretary at Tokio at the end of last century. Sending him to South America looks as if the F.O. did not value him very highly.

I did not read the proceedings of the Church Congress, which were reported at such great length in the "Times". Perhaps I will get the book when it comes out. The limitation of families to my mind is a horrible sin, converting a wife into something little better than a prostitute. I am glad to think that nothing of the kind has ever occurred in my family. When the number of children has been small it has been due to

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physical inability.

Yours very sincerely

Ernest Satow

42. November 10. 1919

Dear Reay,

This afternoon I have seen Wedlake. He got two boxes from my people, and Mrs. Whetham lent two more, so that he was able to dispatch the whole quantity you had asked for. When the fruit gets to town, it will no doubt be unpacked, and the boxes sent back here as empties. I am very sorry to hear that you are still troubled with bronchitis. It would be so pleasant if you could get rid of it, and come down. One can scarcely believe that the climate of Scotland in the winter can be suitable for people of advanced age.

I think the choice of Tower<sup>31</sup> for Dantzig is a first rate one. He was with me at Peking in 1900, when after the Boxer outbreak had been put down, we had to decide the spoils, i.e. land on which government buildings had stood, and Tower carried through very skilfully the delimitation of the boundary between us and the Russian legation. He is now to have a similar task laid on his shoulders, but on a very much bigger scale.

I really do not know what to think about our finances. The paper I see is the "Times", and I do not trust its statements or its figures. All I know is that today I paid my rates for the halfyear @ 5d/9d in the £, i.e. country rate and district rate. I do not therefore much wish to see more taxation. A capital levy is incomprehensible, shares, debentures, Consols etc. The people who cry out for a levy on capital forget that an enormous number of small people have investments, and that every insured person in an Approved Society has an interest in its accumulated and invested funds. Where the money is to come from for housing I do not know; the whole thing seems to be in a muddle. I am very glad that Curzon is now at the F.O. I stayed with him a week at Simla in [July] 1903 when I was going out to Peking a second time. The speeches he delivered shortly before he gave up the reins in India struck me as being remarkably statesman-like. It is

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<sup>31</sup> Reginald Tower had served in Peking as Secretary of Legation, 1900-01. He visited Satow in Ottery from November 1<sup>st</sup> to 3<sup>rd</sup>, 1920. Satow noted that he had had 'great difficulties' at Danzig. (diary)

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true that he has a rather odd manner, but when you discover that every one gets in [gets treated in the same way?] you cease to feel aggrieved. But I suppose no one ever drafted such admirable state papers as Balfour.

Yours ever

Ernest Satow

43. Ottery St. Mary

December 14. 1919

Dear Reay,

I am very glad to hear that you have got safely back to town, and hope the weather will soon be mild enough for you to get out into the open air; as you speak of taking exercise in the house on crutches, no doubt you have made progress in their use, as compared with what you were able to do when you were here.

For little Norah I have bought a very pretty picture book with not much letter press in it, for though she goes to the dayschool now I don't suppose she has acquired the art of reading. She is a delicate child, and I cannot say whether she is intelligent from my personal knowledge. My parlour maid thinks she is not very. However I will get hold of her on Christmas day when I give her the book. The family name is Godfrey. The father works on our local railway and I believe gets good wages. My old housekeeper [Mrs. Kassburg] has gone to live with a married nephew near Glasgow. She is past 84 and very infirm. Last winter she kept her bedroom for between 3 & 4 months, which threw much extra work on the maids, and so I was very pleased when the doctor, who is also Scotch, persuaded her that she would be happier living with her relations.

The Enabling Bill does not please me, because of the franchise being limited to baptised persons who make a declaration that they do not belong to any other religious body. The parochial church council which is to be elected by persons having this qualification is to take the place of the vestry. Now the vestry consists of all the ratepayers, no matter what their religious profession. Consequently it is 'a measure of disenfranchisement', and I agree with those bishops and others who wrote to the "Times" a few days ago protesting against the bill having been passed. With the Lords' amendments to the Aliens' Bill I am well pleased. It is unreasonable to suppose that all Germans, Bulgarians, Austrians and Turks are to remain our enemies for ever. We ought to strive to make friends again as soon as possible with our late enemies, just as

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we did after the peace of Amiens [in 1802] and the peace of Vienna [in 1815].

I have seen the extracts from [Karl] Kautsky published in the “Times” but not the book itself. If you have that I should be grateful for the loan of it. It seems to me rather inconsistent of the Entente Powers to insist on German Austria not joining the Deutsches Reich, after claiming the right of self-determination for every other people; and the Entente has become responsible for the terrible want in Vienna. I agree that if you could have converted the former Austrian Empire into a federal republic it might have been better, but it is a big if. From the beginning of the war I felt certain that it would end in the union of German Austria with the rest of the German speaking peoples, and so it would have, if they had been allowed to do as they liked.

I don't think I have seen Mrs. Whetham's French poetry. She gave me two collections of her English verses, which I have put on the shelf. One has no time to read 'minor poets'. The cases I suppose went back to Wedlake. I have not heard of them. Coleridge always pretends that he went to call on you, but could not find you.<sup>32</sup> I suspect he went to Stanhope Street after you had moved [to 35 Berkeley Square?].

Yours ever sincerely

Ernest Satow

44. Ottery St. Mary

January 4. 1920

Dear Reay,

I am deeply grieved to read in the paper the account of Ian Mitchell's death.<sup>33</sup> It must have been a terrible upset for you and for his wife. We heard of it here by the local Exeter paper on the very day that it happened. And then I was distressed to see such a long report of the inquest in the “Times”. But I suppose it was best that it should be published with all the details, for otherwise the gossip would have been intolerable. I suppose he will be buried at Stow, but hope that you will not undertake the journey there yourself, at this time of year when the cold may be so severe.

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<sup>32</sup> See letter above dated October 8, 1918.

<sup>33</sup> “This evening's Express and Echo reports the death of Ian Mitchell, the owner of Carolside and Laidlawstiel, and a good deal of land thereabout, nephew by marriage of the late Lady Reay, from falling down stairs, early in the morning, after returning from a ball, at the age of 50.” (Satow's diary, January 1, 1920)

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You ask how I found out the date of your birthday. It was you who told me you would be 80 on December 22; but for that I should probably not have thought of it. I always knew that you were three years older than myself, but as I don't get to be 77 till next summer. I thought it would also be 1920 before you reached the ful[l]ness of eighty years.

I have written to Hatchards for [John Maynard] Keynes' book,<sup>34</sup> which I see is advertised by Macmillan, so I hope they have already reprinted it. They (Hatchards) have sent me [Gabriel] Hanotaux's book on the treaty of peace with Germany, also [Charles] Sproston on Palmerston and the Hungarian revolution of 1848, which was highly praised by the Literary Supplement. In the Times of January 1 there was an interesting summary of the peace negotiations. When you come to know what greed some of the Entente Powers displayed, and the great divergence of aims among the Big Five, you are no longer surprized [sic] at the length of time that elapsed between armistice and signature of peace. Oddly enough, at Vienna also in 1815 there were the Committee of Four, the Committee of Five & the Committee of Ten.

I shall look eagerly for Haldane's apologia.

Yours ever

Ernest Satow

45. January 22. 1920

Dear Reay,

[Charles] Gore is going to lecture in Lent at Grosvenor Chapel, at 5 o'clock in the afternoon, as I hear from a friend at Kensington,<sup>35</sup> and you probably could get in there in a Bath chair if you sent beforehand to make arrangements.

I have read [Richard B.] Haldane.<sup>36</sup> After the first chapter I made a note that any diplomatist would agree with the views he expresses in that part of his book, especially p.2 about 'secret diplomacy', p.6 the impossibility of changing our military system by creating a big army; p. 8 (and also p.101) about the inevitable necessity of a balancing of powers: p.15 beginning of second paragraph. p.24 the German people trained simply

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<sup>34</sup> Presumably J.M. Keynes, *The Economic Consequences of the Peace*, 1919.

<sup>35</sup> Presumably Sister Agnes Mason who wrote to Satow on January 20, 1920 (PRO 30/33 13/9).

<sup>36</sup> R.B. Haldane, *Before the War*, New York and London: Funk and Wagnalls, 1920.

to obey. On p.58; Germany was warned already in 1912 that if France were attacked and an attempt made to occupy her territory, our neutrality must not be reckoned on by Germany. P.68 that Germany ought to have used her fleet at the outset to block the Straits of Dover. P.70. This is what he told Fry and myself in the autumn of 1912 when he came to Failand. P.80 honour & safety alike necessitated our taking the step we did, without delay. On p.87 one notes that he does not mention the U.S. and Japanese navies, probably because we had no need to be anxious about either. P.89 ‘popularly supposed that the Emperor was absolute master’; that was because he gave himself out as the autocrat, and the only man who stood up to him, Bülow, was got rid of. P.149 “I believe the Emperor and Bethmann to have desired wholeheartedly the preservation of peace.” (Clearly he would agree with you and me that art. 227 of the Peace Treaty is quite unjustifiable.) P.154 ‘the German is the one least capable of adapting himself to the mentality of other people’ is quite true. P.159 interesting forecast by von der Goltz. P.165 defence of his re-organisation of the artillery. P.170 & 171 Good reply to those who say we ought to have had an army of 2,000,000 in readiness. See also p.174 first paragraph. Then I also agree entirely with the epilogue, especially p.186. The huge reparation demands inserted in the Treaty would never have been put there by the negotiators but for the unwise questioning on this point by persons who had not considered the result. There are questions which it is highly impolitic to ask, because whatever answer is given ties the hands of those who give it, in a most inconvenient way. P.188 lines 4 & 5, a translation of the saying *Die Welt-Geschichte ist das Welt-Gericht*. [The History of the World is the Last Judgement.] Is this Goethe’s?<sup>37</sup> We must be reasonable even in dealing with our enemies. I read in the papers that a note has been drafted to be sent to the Hague asking for the surrender of the Emperor William. The story goes that Arthur Balfour told some one he hoped Holland would refuse. I hope so too. The right of asylum for political offenders ought to be regarded as sacred. As often as I read article 227 I am provoked to laughter at the stupidity of the persons who are not afraid to go down to posterity as the framers of it.

Bethmann Hollweg and Tirpitz’s books must be interesting reading, but they have not come my way. Hanotaux on the Treaty of Versailles is not impressive. Now I am going

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<sup>37</sup> No, it is originally from Schiller’s poem “Resignation” (1784 or 1785), quoted by Hegel.



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to read Keynes, which came yesterday. The account of it in the Literary Supplement was very unfavourable.

Yours ever

Ernest Satow

46. January 27. 1920

Dear Reay,

You must be quite satisfied I imagine with the answer of the Dutch Government to the request of the Entente Powers for the surrender of the Emperor William. It was just what was to be expected by a government resolved to be true to the national traditions. And the more often I look at Article 227 of the treaty of Peace the deeper becomes my contempt for people who could attach any value to such a stipulation.

I have read Keynes' book and think very highly of it. He is very clear headed and reasonable, not like a good many of our politicians, whom he pillories in his pages. It is pleasant to find him saying that Lloyd George's instincts were right and reasonable (p.128). He did not believe in hanging the Kaiser, or in the wisdom or possibility of a great indemnity. [George] Barnes p.129, was for hanging the Kaiser. But Lloyd George rapidly descended to the depths of indecency and foolish promises. But Eric Geddes seems to have been one of the worst demagogues (p.131). The analysis of Wilson on p.39 is interesting. Evidently he was quite ignorant of Europe and of European ways of looking at things, as indeed most Americans are. It will be necessary no doubt to cure some of the worst defects of the treaty, and to content ourselves with a very small indemnity, if we can get any at all.

What an opportunity for Asquith to show himself a great statesman. But I don't think he has got it in him.

Yours sincerely

Ernest Satow

47. 30 January 1920

Dear Reay,

As you have not got Keynes, I send you my copy to read, for you will not want to have a copy for yourself. These books connected with the war and the peace are mostly ephemeral productions. I did not notice any statements that he could only have procured

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in his official capacity. Perhaps what is objected to him by his critics is the personalities about Wilson, Lloyd George and Clemenceau, whom he was able to describe from having been present at discussions by the Big Four. His descriptions of them are very entertaining.

It will give me very great pleasure to pay you a visit in the spring, in conjunction with my visits to Oxford. Some time between Easter and Whitsuntide would suit me best. Would it be convenient to you if I were to come for a week, say on April 30, to May 7. And could I bring Tertius [Saburō] with me? I am very pleased to see that Dr. Jowett is going to preach in Durham Cathedral, with the approval and presence of the Bishop and Dean.

To judge by Lord Robert Cecil's speeches I should say that he is the most statesman[-]like personality among the younger men in the government, but I have never seen him and so do not know whether he would be a good leader. I am afraid that for that position a man must have a good deal of the demagogue in him.

The "Times" had a long paper about the extradition of the ex-Kaiser yesterday, which appeared to me quite beside the mark.

Most of the men who write to the press on this matter forget the wording of Art. 227; if he were given up (which of course will not take place) he could only be tried for what that article accuses him of.

Yours sincerely

Ernest Satow

48. Beaumont

Ottery St. Mary

February 15. 1920

Dear Reay,

Many thanks for your letter of the 7<sup>th</sup>. I am very glad that it will be convenient for me to come to you on April 30, and to bring Saburo. I saw in the "Times" a forecast of the new Note to be sent to the Hague about the Emperor William. It said that the demand for his extradition was not repeated, but it was suggested that he should be sent out of the way to some foreign Dutch possession. I daresay you remember that Charles X was sent to Holyrood, in order that he should be as far as possible from opportunities of intriguing against the Orleanist monarchy. So there is a precedent for what they say

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Holland will be asked to do.

Our sending troops to Russia, and supplying munitions to [Alexander] Koltchak, [Anton] Denikin and [Nikolai] Yudenitch have their parallel in the war against the French republic when we aided the royalists by our expeditions to the coast of France. If we were to shake hands with Trotsky & Lenin it would be not unlike Wellington's insisting on Louis XVIII taking the regicide and Terrorist [Joseph] Fouché into his cabinet. I was much interested in Lloyd George's speech about Russia. I anticipate some kind of settlement with Soviet Russia. One would like to hear Mackenzie Wallace on this subject. I am reading the 1912 edition of his "Russia", which explains a good deal of what has happened since. The report of the First meeting of the Council of the League of Nations in yesterday's "Times" is worth keeping.

The death of [Canon William] Pryke was a great blow to me. He and I had been very great friends ever since 1900 [1907?], and shared our thoughts on religious and social questions. I cannot realize that he is no longer there. I never see Monteath, and Portsmouth very rarely, for his work is chiefly County Council, with which I have nothing to do.

Pearce Higgins was the man I should have voted for as Whewell Professor [at Cambridge]. His book on the Hague Conferences is most valuable. Perhaps he is not such a philosophic lawyer as either Westlake or Oppenheim, but he probably knows treaties. Piggott was a candidate, but I should have regretted to see him elected.

Mrs. [Nesta Helen] Webster's French Revolution I read carefully, and did not think very highly of the performance. I am trying to get through the "Despatches from Paris", edited by Oscar Browning, to which she refers. Most of the authorities she quotes are out of my reach. Father [Walter] Macdonald's "[Some] ethical questions of peace and war" I have not seen. Miss Eden's Letters were well spoken of by the Literary Supplement. I suppose she was a near relation of Ashley Eden of the Indian Civil [Service]. I have been reading [Walter] Alison Phillips' "Confederation of Europe", which points out the rocks on which Alexander I's "Holy Alliance" split, as a warning to the Council of the League of Nations.

You ask me what wine I drink. I am now a water drinker, and find it suits my head and my pocket also. So you need not provide any for me. I have also given up my pipe. My doctor said I smoked twice as much as the profession approved. But it was easier to abstain altogether than to be merely moderate.

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It is remarkable that Curzon has said in the House of Lords that the Treaty of Peace will need some revision, and I see that the French are said to be discontented with his utterance on the subject. The story told by Wilson of the Chinaman and the moon was excellent. No doubt you read what the interpreter (Mantoux?) said about Keynes. But no one has had the courage to dispute Keynes' figures. Clearly Asquith is convinced of their correctness, and also the New York banker quoted by the "Times" correspondent. The meeting now being held in London will probably have something to say on these topics.

Yours ever

Ernest Satow

49. Beaumont

Ottery St. Mary

March 3. 1920

Dear Reay,

From Paris I have received an interesting book by Léon Bourgeois, Le Traité de Paix de Versailles. It does not contain the text of the Treaty, but begins with the report presented to the Senate by the Committee of Foreign Affairs on the bill for ratifying the treaty. This is a very detailed analysis of the treaty. Then comes Bougeois' speech in the Senate. Finally the Appendix gives a memorandum of the French government on the desirability of fixing the Western frontier of Germany at the Rhine with the interallied occupation of the bridges, dated Feb. 25 1919. This it seems was presented to the Big Four, and not adopted by them. Then there is the answer of the government on July 29, to questions put by the Committee of the Chamber of Deputies with respect to the abovenamed memorandum, the text of the Treaties with Great Britain and America, and the scale of the future German army. The book is interesting because it explains the reasons why France is not fully satisfied with the treaty as it stands. She thinks that like Belgium she ought to have a prior claim to indemnification for the destruction of a tenth of her territory &c. If you would like to see the book I shall be happy to send it to you.

No doubt you have read the polemic in the "Times" about Keynes' book. The long letter of Herbert Stephen seemed to me very wide of the mark. His argument that there can be no contract where there is no judicial authority to enforce it is nonsense. Keynes did not mean a contract in the sense of English law, but simply such an agreement as a

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man of honour would feel bound to carry out.

Yours ever

Ernest Satow

50. Beaumont

Ottery St. Mary

April 25. 1920

Dear Reay,

The train by which I propose to travel up to town on Friday is due at Waterloo at a quarter past four, so if it arrives there pretty punctually I ought to be with you in time for tea. I hope I shall find you well. Tertius [Saburō] will accompany me, and be ready to make himself useful. You probably know that, following your example, I am a water drinker; also that I no longer smoke; and I do not eat much meat, so there will be no need to kill the fatted calf for me. I will bring Bourgeois' book on the treaty of Versailles for you. That was a very interesting debate in the H. of L. on Friday. I marked the report in the "Times" to cut out and put into my book of newspaper extracts. I suppose no one who has not taken part in an international conference can have the slightest idea of the difficulties of arriving at agreement acceptable – I won't say agreeable – to all parties. We saw something of this at the Hague in 1907, and in 1900-01 we spent nearly a year at Peking settling up affairs with the Chinese government after the Boxer business. It is hardly necessary to go back to Westphalia or Vienna for such an experience.

Yours ever

Ernest Satow

51. Beaumont

Ottery St. Mary

May 10. 1920

Dear Reay,

I had a very comfortable journey down here on Friday [May 7<sup>th</sup>], finding a nephew [Ernest Allen] at Paddington who was coming to Oxford for the weekend, and helped me in various ways. After dinner we went to a concert including a quartett of Beethoven which I liked greatly, and some quite modern music which I did not care for at all.<sup>38</sup>

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On Saturday I went to call on Bishop [Archibald] Robertson to whom I gave your message of greeting, greatly to his gratification. He has palsy of the hands, but his wife said that it was caused by his gratification at seeing an old friend and I had a very pleasant walk around the Parks in the afternoon. I developed a running cold in the head, which kept me in bed till dinner time on Sunday and today again till noon, when I went to a luncheon where I met Dr. Headlam who succeeded Robertson [as Principal] at King's College,<sup>39</sup> and other Oxford people. I am staying with my nephew Percy Allen & his wife. With them is also the Central Asian traveller Sir Aurel Stein. His Christian name is really Marc-Aurel. Oxford is looking very lovely, with the fresh green foliage and the horsechestnut blooms. I greatly enjoyed my stay with you, and the opportunity it gave me of seeing many people after a long interval. My cold is much better, and I hope to get home on Friday to my books and garden. I trust you are in good health.

Yours ever

Ernest Satow

52. May 27. 1920

Beaumont

Ottery St. Mary

Dear Reay,

Mrs. Mitchell had written to me that you were poorly and unable to go out, so that I was much relieved to get your letter finished on the 23rd telling me your doctor had allowed you to go back into your sitting room. I hope you will soon be able to resume your promenades up and down in front of the Farm Street Church.

If [Jacques] Fagel<sup>40</sup> is with you pray give him my kind regards. I have not forgotten the walks we had together at Laidlawstiel a few years ago, which I much enjoyed.

I am very busy revising the M.S. of my story of Japan in the 60's for the printer, and hope to send it off by the end of next week. That with reading a Russian life of Alexander I and the correspondence of Erasmus occupies the greater part of the day. I have nearly finished [Admiral Alfred von] Tirpitz's *Erinnerungen*, a book that every

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<sup>38</sup> See diary for May 7, 1920 for details.

<sup>39</sup> Dr. Arthur Headlam was the eighth Principal of King's College London, 1903-12, after Archibald Robertson, 1897-1903.

<sup>40</sup> Lord Reay's cousin, whom Satow met at Laidlawstiel on September 7, 1915 (diary).

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English naval officer ought to read. He maintains that, ship for ship, the German fleet was superior to ours, and he is indignant with Bethmann<sup>41</sup> for adopting the view that it was the German navy that stood in the way of a friendly understanding with England. Next I shall read Bethmann, the first part of whose book I bought at Oxford. My garden is brilliant with azaleas and the roses are fast coming out.

I had always thought that the League of Nations would need the backing of a strong alliance of the Great Powers to enable it to be an effective instrument for keeping the peace of the world. [John Otway Percy] Bland's articles on China in the "Times" are worth reading, but I doubt much his being able to wake up the rulers of England to take an interest in the Far East and to put pressure on Japan, whose ambitions are unlimited. One can only hope that Europe will settle down in the course of time, but it will be a slow business getting back to normal conditions. Rosebery<sup>42</sup> is right in wondering how any statesman can sleep, but responsibility sits lightly on those who are at the helm.

Yours ever

Ernest Satow

53. July 28. 1920

Beaumont

Ottery St. Mary

Dear Reay,

It would give me great pleasure to become an Associé of the Institut de Droit International. The only publications of mine that are connected with the subject are

The Silesian Loan and Frederick the Great, Clarendon Press 1915 and

A Guide to Diplomatic Practice, 2 vols. 1917, Longmans, Green & Co.

Your long silence rather made me fear that you had been ill, which from your letter of yesterday I learn has been the fact. But I am very glad to see that you are all right again now. About a fortnight ago I received a parcel containing Keynes and Bougeois' *Le Traité de Versailles*. So I said to myself 'he is clearing out his room previously to going to Carolside'. Mrs. Mitchell I suppose is with you. Would it be indiscreet, do you think,

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<sup>41</sup> Theobald von Bethmann-Hollweg (1856-1921). Chancellor of the German Empire, 1909-17.

<sup>42</sup> Archibald Primrose, 5<sup>th</sup> Earl of Rosebery (1847-1929).

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to ask her to return to me “A pentecost of calamity”, which I have been wanting to lend to others. I have received vol. I of the “History of the Peace Conference in Paris”, edited by [Harold] Temperley, and have been much interested in it. Temperley wrote to me that he was going off on Saturday last on a short mission, which I suspected was somewhere in the Balkans, and later he gave me c/o British Legation Belgrade as his address. I must read Trevelyan’s *Life of Grey* and Gooch’s *French Revolution and Germany* which you tell me are very good. Temperley’s book rather confirms what Keynes wrote. It seems as if Grey were right about the League of Nations. You will see his letter in today’s “Times”. The Polish question ought to have been handed over to it at the outset, when the attack on Russia was made, but now it is too late. I should not like to be Lloyd George just now with so much on his hands. Philip Kerr,<sup>43</sup> who is one of his secretaries, seems to be a very able man, if one may judge from a contribution of his to “Introduction to the Study of International Relations”, a capital book now unfortunately out of print. I am very fit, but am sad about the hay.

Yours ever

Ernest Satow

54. 15 August 1920

Beaumont

Ottery St. Mary

Dear Reay,

I have just read the two new volumes<sup>44</sup> of the life of [Benjamin Disraeli, Lord] Beaconsfield, which is excellent. The most interesting part is the first part of vol. VI about the Eastern question in 1896, the Conference of Constantinople to which Salisbury went, the Russo-Turkish war of 1877 and the Congress of Berlin in 1878. What Beaconsfield wrote about Bismark is very remarkable, in his correspondence with Queen Victoria, and his two friends Ladies Bradford and Chesterfield. He was a plucky old fellow, in the way he endured his various illnesses. But the book has not altered my

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<sup>43</sup> Philip Kerr, 11<sup>th</sup> Marquess of Lothian (1882-1940). Private secretary to Prime Minister David Lloyd George, 1916-21.

<sup>44</sup> “Finished Vols V & VI of Buckle’s *Life of Dizzy*...” (Diary, August 14, 1920). George Earl Buckle, *Life of Benjamin Disraeli, Earl of Beaconsfield*. Vols. V and VI. (New York: The Macmillan Company. 1920. Pp. xii, 558; 712.)



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opinion in his favour. In vol V there is a capital chapter on “Lothair”.

What is to be the future of Adrianople [Edirne], which the Greeks have taken! Are they to keep the greater part of Eastern Thrace? If that comes about, they will one day have a chance of acquiring Constantinople, Smyrna and the territory they are acquiring in Anatolia will give them a larger population from which to raise troops.

The Chinese “National Defence League” has sent me a pamphlet “The Problem of the Anglo-Japanese alliance”, from which they wish Great Britain to be freed. I have not heard anything about the negotiations for its renewal.

Bishop Brewster of Maine and his wife<sup>45</sup> stayed with me three nights at the beginning of last week [see diary for August 9-12<sup>th</sup>] and I showed them the country round here, besides taking them to tea with Lady Kennaway, who is downstairs again. She looks very frail. The Brewsters are nice people. He is a descendant of one of the Pilgrim Fathers who went from Holland in the “Mayflower”, and they have now gone off to Paris and Leyden, where the ancestor lived for several years. Brewster is a strong supporter of the League of Nations, and hopes that America will ratify the treaty with Germany after the new President assumes office. Mrs. B. thinks that Wilson is finished, and that it is his wife who carries on in his name, but her husband did not support this view.

I hope you are well, and that you are able to get out every day.

Yours ever affectionately

Ernest Satow

55. August 22. 1920

Beaumont

Ottery St. Mary

Dear Reay,

The “Challenge” of August 13 on p.217 has a letter from ‘P.L.C.’ apparently approving the play of which you speak in your letter of the 19<sup>th</sup>, and he advises everyone who can to see the play. I confess that I am not inclined to agree with him. Epictetus has some wise sayings on this subject. “Who are you and for what did you

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<sup>45</sup> There are two letters, one each from Brewster and his wife Stella, both dated August 15, 1920 in PRO 30/33 13/10.

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come? Was it not as a mortal, one who should live upon earth with his little portion of flesh, and behold God's governance and share for a little while in this pageant and His festival? 'Yes, but I want my wife and my children to be with me.'

Are they yours? Are they not His who gave them? Are they not His who made you? Will you not give up what is not yours?"

Would the mother who revolts because her son has lost his life in the war, have revolted if he had died of say tuberculosis, or in a motor accident? Our dear ones die every day, but do we blame him, merely because they have not attained the three score years and ten of the Psalmist, and what right have we to fix the length of the term for which we shall keep them?

I cannot agree with the Bishop of Birmingham [Henry Wakefield], when he regards the teaching of the play as helpful to Faith, nor when he says the press and the theatre have more influence than the pulpit. If they have, is it not the fault of the preacher?

I have not yet seen the conclusions of the Lambeth Conference respecting spiritualism. The proposal that the acceptance of episcopacy should be one of the considerations of reunion seems quite hopeless. We might as well insist that membership of the League of Nations should only be accorded, say, to Republics who will accept limited monarchy of the English pattern. The condition imposed for the elective franchise under the National Assembly Act that the elector shall declare in writing that he does not belong to any other religious body than the Church of England appears to be in contradiction with the idea of reunion. It would be more to the purpose to declare that anyone, no matter of what religious body, should be admitted to the eucharist.

I am sorry to say that I cannot tell you anything about Miss Mason of Ambleside, beyond what can be read in "Who's who".

Of books relating to Scotch history and literature I have only the usual Waverley novels, Tales of a Grandfather, Scott's Poems and Lockhart's Life of Scott, but cannot spare them.

Yours ever

Ernest Satow

56. August 25. 1920

Beaumont

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Private correspondence from Satow to Lord Reay (with two drafts)

February 1918 – May 1921

Ottery St. Mary

Dear Reay,

In my letter of a few days ago I had meant to tell you of The British Yearbook of International Law, which has just come out, published by Henry Frowde and Hodder & Stoughton. It contains two unsigned articles on “Changes in the organisation of the Foreign Diplomatic Service” and “The League of Nations and the Laws of War”. The former seems undoubtedly to emanate from the F.O. the other either from the F.O. or the War Office. Also good and clearly written articles on the “Legal Position of Merchantmen in Foreign Ports and National Waters” by a H. Charteris,<sup>46</sup> and “Submarine Warfare” by Pearce Higgins, also biographical notices of Oppenheim & [Heinrich] Lammasch. If you would like to see it, I can lend you the volume. I am very busy preparing a Bk IV of Thucydides to read with a young niece who comes next week, and am to write an article for the Quarterly Review on the “History of the Peace Conference” which is edited by Temperley. Only vol 1 has as yet appeared, but vols 2 and 3 are to come out in September. The whole work will consist of 5 volumes. I think I told you that Temperley, who works in the Political Information Dept. of the F.O. has gone on a mission to Belgrade,

**[Page missing? Original checked at Kew on September 6, 2019 but page not found.]**

57. 5 September 1920

Beaumont

Ottery St. Mary

Dear Reay,

Herewith I return the article from the “Temps” enclosed in your letter of August 29. The fear expressed in it of Poland being overpowered by Bolshevisme seems to have been falsified by the successful repulse of the Red armies by the Poles under the French general. It is to be hoped that the Czecho-Slovaks and the Serbo-Croat-Slovenes will arrive at an understanding, and perhaps enter into an alliances [alliance].

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<sup>46</sup> Archibald Hamilton Charteris (1874-1940).

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I must try to get Lord Emmott's pamphlet on Nationalisation. But just at present my time is almost entirely taken up with studying the history of the Peace Conference of Paris and the treaties with Germany, Austria, Bulgaria and Turkey, and the subsidiary treaties with the new states. I did not read the story of the murder of the Russian imperial family. I knew it would be very horrible, and so passed it over.

Lovering is getting on quite well, and I employ him whenever I want to be fetched from Sidmouth Junction after a visit to Exeter, where I go every month for the Committee meeting of the blind Institution. I hear now and then of my old housekeeper, who is living at Grangemouth with a niece and her father. She found it impossible to get on with the wife of her nephew to whom she went first. It is the niece who writes, and Mrs. Kassburg does not seem able to use her pen. She never was a good correspondent.

Some time in October I may have to go to London to arrange about getting materials for a chapter. Temperley has asked me to write for vol V. of the history of the Peace Conference, and I should be very glad to take advantage of your kind invitation to ask me to stay with you. At the present moment I am looking forward to the visit of a Russian cousin of mine [Lisinka Satow] who has just arrived in England from Germany, and I expect to learn a good deal about the state of things in Germany. Before the war she lived at Blankenburg in the Hartz,<sup>47</sup> but I do not think she wants to return there.

You have for many years past been mentioned among the friends for whom I pray daily.

Yours ever sincerely

Ernest Satow

Cutting – article from *Le Temps* mentioned in letter.

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<sup>47</sup> Ernest and his brother Sam had visited their cousin Lisinka Satow in the Harz in June 1914. (See diary.)

## Opinions de Province

Sous ce titre, le Temps trace ce saisissant tableau de la menace bolcheviste :

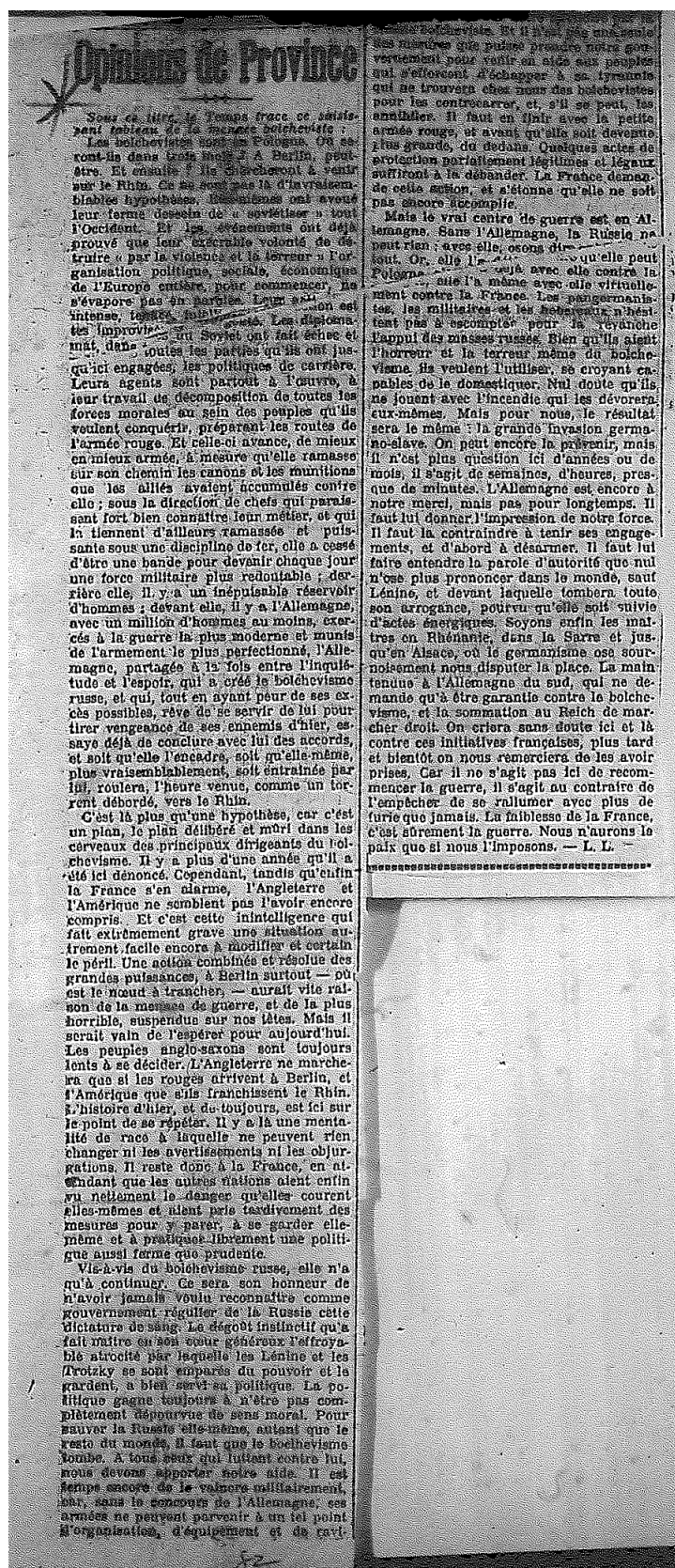
Les bolchevistes sont en Pologne. Ou seront-ils dans trois mois ? A Berlin, peut-être. Et ensuite ? Ils chercheront à venir sur le Rhin. Ce ne sont pas là d'inraisonnables hypothèses. Eux-mêmes ont avoué leur ferme dessein de « soviétiser » tout l'Occident. Et les événements ont déjà prouvé que leur exécrable volonté de détruire « par la violence et la terreur » l'organisation politique, sociale, économique de l'Europe entière, pour commencer, ne s'évanouit pas en paroles. Leur action est intense, tenace, implacable. Les diplomates improvisés du Soviet ont fait échec et mal, dans toutes les parties qu'ils ont jusqu'ici engagées, les politiques de carrière. Leurs agents sont partout à l'œuvre, à leur travail de décomposition de toutes les forces morales au sein des peuples qu'ils veulent conquérir, préparant les routes de l'armée rouge. Et celle-ci avance, de mieux en mieux armée, à mesure qu'elle ramasse sur son chemin les canons et les munitions que les alliés avaient accumulés contre elle ; sous la direction de chefs qui paraissent fort bien connaître leur métier, et qui la tiennent d'ailleurs ramassée et puissante sous une discipline de fer, elle a cessé d'être une bande pour devenir chaque jour une force militaire plus redoutable ; derrière elle, il y a un inépuisable réservoir d'hommes ; devant elle, il y a l'Allemagne, avec un million d'hommes au moins, exercés à la guerre la plus moderne et munis de l'armement le plus perfectionné, l'Allemagne, partagée à la fois entre l'inquiétude et l'espoir, qui a créé le bolchevisme russe, et qui, tout en ayant peur de ses excès possibles, rêve de se servir de lui pour tirer vengeance de ses ennemis d'hier, essaye déjà de conclure avec lui des accords, et soit qu'elle l'encadre, soit qu'elle même, plus vraisemblablement, soit entraînée par lui, roulera, l'heure venue, comme un torrent débordé, vers le Rhin.

C'est la plus qu'une hypothèse, car c'est un plan, le plan délibéré et mûri dans les cerveaux des principaux dirigeants du bolchevisme. Il y a plus d'une année qu'il a été ici dénoncé. Cependant, tandis qu'enfin la France s'en alarme, l'Angleterre et l'Amérique ne semblent pas l'avoir encore

talement, que les peuples, ses voisins, qu'il menace, ne soient capables, si nous leur fournissons les armes qui leur manquent et les conseils techniques d'officiers compétents, de les battre et de donner par là l'occasion à la vraie Russie de se débarrasser de ses maîtres sanglants d'un jour.

Mais pour pouvoir agir ainsi, et utilement, pour la destruction du bolchevisme, sans laquelle il n'y aura de sécurité dans le monde pour personne, et qui en veut aux biens et à la vie de tous, il est nécessaire que la France agisse d'abord avec vigueur et contre l'Allemagne et contre la propagande bolcheviste en son propre sein. Celle-ci a jeté bas le masque. Elle s'étale avec arrogance. On ne peut plus tolérer que l'ennemi du dehors ait au dedans des complices avérés. Aussi longtemps que la révolution a eu l'apparence d'un mouvement né et organisé sur notre propre sol, qu'elle a semblé être pour ainsi dire autochtone, on comprend les ménagements que des Français ont voulu avoir pour d'autres Français. Aussi bien elle a été défaits deux fois, en quelques mois, par le scrutin, et, lors de la grève, par la résistance pacifique du pays. Aujourd'hui, nous n'avons plus affaire qu'à des agents de l'étranger. Payés ou non par lui, ils reçoivent de lui des ordres, et ne nous cachent pas qu'ils sont commandés — et sont prêts à obéir — pour l'assassinat et le pillage. La révolution en France, aujourd'hui, comme partout d'ailleurs, c'est déjà la guerre portée sur notre territoire par la Russie bolcheviste. Et il n'est pas une seule des mesures que puisse prendre notre gouvernement pour venir en aide aux peuples qui s'efforcent d'échapper à sa tyrannie qui ne trouvera chez nous des bolchevistes pour les contrecarrer, et, s'il se peut, les annihiler. Il faut en finir avec la petite armée rouge, et avant qu'elle soit devenue plus grande, du dedans. Quelques actes de protection parfaitement légitimes et légaux suffiront à la débânder. La France demande cette action, et s'étonne qu'elle ne soit pas encore accomplie.

Mais le vrai centre de guerre est en Allemagne. Sans l'Allemagne, la Russie ne peut rien ; avec elle, osons dire, elle peut tout. Or, elle l'a déjà avec elle contre la Pologne, elle l'a même avec elle virtuellement contre la France. Les pangermanistes, les militaires et les hobereaux n'hésitent pas à escompter pour la revanche l'appui des masses russes. Bien qu'ils aient l'horreur et la terreur même du bolchevisme, ils veulent l'utiliser, se croyant capables de le domestiquer. Nul doute qu'ils ne jouent avec l'incendie qui les dévorera eux-mêmes. Mais pour nous, le résultat sera le même : la grande invasion germano-slave. On peut encore la prévenir, mais il n'est plus question ici d'années ou de mois, il s'agit de semaines, d'heures, presque de minutes. L'Allemagne est encore à notre merci, mais pas pour longtemps. Il faut lui donner l'impression de notre force. Il faut la contraindre à tenir ses engagements, et d'abord à désarmer. Il faut lui faire entendre la parole d'autorité que nul n'ose plus prononcer dans le monde, sauf Lénine, et devant laquelle tombera toute son arrogance, pourvu qu'elle soit suivie d'actes énergiques. Soyons enfin les maîtres en Rhénanie, dans la Sarre et jusqu'en Alsace, où le germanisme ose sournoisement nous disputer la place. La main tendue à l'Allemagne du sud, qui ne demande qu'à être garantie contre le bolchevisme, et la sommation au Reich de marcher droit. On criera sans doute ici et là contre ces initiatives françaises, plus tard et bientôt on nous remerciera de les avoir prises. Car il ne s'agit pas ici de recommencer la guerre, il s'agit au contraire de l'empêcher de se rallumer avec plus de fureur que jamais. La faiblesse de la France, c'est sûrement la guerre. Nous n'aurons la paix que si nous l'imposons. — L. L.



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58. Beaumont

Ottery St. Mary

4 November 1920

Dear Reay,

By this time I hope you are safely and comfortably reestablished in Berkeley Square, and with a satisfactory substitute for the attendant you had to get rid of. It is a relief to know that the miners' strike is at an end, and that the railway men, who have grievances of their own are not coming out.

I will find out about apples from Wedlake and ask him to let you know whether he can send you any and at what price.

[Reginald T.] Tower has been here for a couple of days [November 1-3<sup>rd</sup>], and told me a good deal about Danzig, where he has had great difficulties, at one time about the landing of munitions for Poland, then in connexion with the treaty to be negotiated between Poland and the Free City. Finally that was drawn up by the Council of Ambassadors at Paris, and accepted by Danzig. The Poles refused, and submitted a draft of their own, which the Council is trying to force on the Danzigers, who say "No! We have already accepted what you proposed, and we cannot change."

At Danzig we have a single battalion, with a General in command, and the French have as many. But there is the danger that Poland may attempt to seize the city by a coup de main, and as the Anglo-French troops are so few, they could not resist successfully, and there would be a massacre. T. hopes our men will be withdrawn before this happens.

He says Germany is still very poor and hungry. At restaurants in Berlin you have to produce a bread ticket. At Danzig neither bread nor milk to be had. He found the French very difficult to work with, because they want to sit on the Germans very heavily now that they have got them down, while we are willing to shake hands & be friends again. Whether he goes back to Danzig or not seems uncertain.

As to property of Germans in England, & of English in Germany I can see no justification in refusing to restore it. Most of the treaties of the 18<sup>th</sup> century expressly provide against confiscation.

I am afraid I shall not be able to come to town this year as I have engagements up to December 6, and after that I fear the cold of winter.

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Yours ever sincerely

Ernest Satow

59. Beaumont

Ottery St. Mary

6 November 1920

Dear Reay,

I hope you have received the two additional bushels you wrote for on November 23. I sent on your message at once to H[enry].N. Mortimer and also asked him to let you have the bill.

That book of Princess Blücher,<sup>48</sup> *An Englishwoman in Berlin* is a valuable contribution to the history of the War. I have also read Bernstorff's<sup>49</sup> book, which Tower got for me from Berlin. It is printed in Roman type, which is a great help. He seems to have been liked at Washington. If the people at Berlin would have taken his advice America would never have broken off relations and declared war. We ought to be very glad that the military men refused to listen to him. William II seems really to have been little more than a figurehead. Bethmann-Hollweg and [Gottlieb von] Jagow certainly did not wish for war. I am now hoping to read [Ottokar] Czernin and [Hermann von] Eckardstein.

A doubt has arisen as to the real wording of Art. 19 of the Armistice Convention of November 11, 1918. Where the copy issued from the War Office has "Sous réserve de toute rénonciation et réclamation ultérieure de la part des Alliés et des États-Unis" the French government appears to have 'revendications'. We, that is to say Temperley and I, are trying to clear this matter up, as it is of importance, for it affects the reparation clauses of the treaty. I think we were wrong in claiming repayment of military pensions and separation allowances, for these were in reality part of soldier's pay, not damage to civilians. But Smuts and J.B. Scott seems to have taken the other view, and persuaded Lloyd George and Wilson to adopt it.

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<sup>48</sup> Evelyn Fürstin Blücher von Wahlstatt (1876-1960).

<sup>49</sup> Johann Heinrich von Bernstorff (1862-1939) was German ambassador to the United States from 1908 to 1917. He wrote *My three years in America* (New York: Scribner's, 1920), but the book mentioned here is probably *Deutschland und Amerika: Erinnerungen aus dem fünfjährigen Kriege* (Berlin: Ullstein, 1920).



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I hope you have got over the cold you spoke of on November 23. Ireland is in a most terrible state.

Yours ever

Ernest Satow

60. Beaumont

Ottery St. Mary

21 November 1920

Dear Reay,

Many thanks for the stamps enclosed in your letter of the 19<sup>th</sup>. I will ask your purveyor of apples to send you his bill. The Greeks I suppose wanted to get a rest, as their army has been mobilized for eight whole years, since the outbreak of the first Balkan war.

The Church Assembly does not quite please me. It will be necessary first to see what the Parish Church Councils become. My vicar (a new one) [L.B. Stallard] tells me he does not think the Ottery Council contains all the men he would like to see elected to it. One member, the wife of a farmer, advanced the proposition that we ought to ask for a share of the great tithes for payment of the vicar's stipend, on the ground that their value has increased! Gore is a very good fellow, but hardly a light on politics.

"The Mirrors of Downing Street"[by Harold Begbie] has reached me, and I am delighted with it. Many thanks for telling me of this book. His account of the intrigue against Haldane is remarkable. I am proud of always having defended him against his ignorant detractors. Asquith deserves what he gets from the gentleman with a duster, so does Balfour. The sketch of Carnock is very good, he is exactly what the author describes him. It seems surprising that he does not include Grey, but perhaps he does not know him so well.

I hope your cold is soon to disappear. Today, if you have as brilliant sunshine as we have, you might venture out, if well wrapped up. But shut in among houses as you Londoners are, you have not all its benefits. From my windows the view extends four or five miles, yours only a few hundred yards.

Yours ever

Ernest Satow

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61. Henry N. Mortimer to Reay

27 November 1920

HOLCOMBE BARTON

OTTERY ST. MARY

Dear Sir,

I am sorry I have no more apples to spare. I usually have a lot but they were scarce this season and if I had known before I would not have sent any to Covent Garden.

The account is

	£	s	
2 bushels Bramleys at 23/-	2.	6.	0
carriage		<u>7.</u>	<u>4</u>
	2.	13.	4

I should be glad to have the baskets back.

Yours faithfully,

Henry N. Mortimer

62. Beaumont

Ottery St. Mary

8 December 1920

Dear Reay,

Our new vicar is the Rev. Leonard Stallard, the son-in-law of my neighbour Mrs. Gawne, who lives at the house opposite to the road which branches off on this side of the church to Honiton and Sidmouth Junction. He and his wife are excellent people and we are very pleased with the change. The curate Mr. Tozer is still here.

I have had a talk with the fruiterer opposite to the post-office, and she hopes to be able to send you a couple of bushels of apples in a day or two. The price will be about £1 a bushel and you will pay the cost of transport when they reach you. I am afraid they will not be the same sort as what you received from Mortimer. The fact is that apples are very scarce here.

Many thanks for letting me see Chabrol's letter. I hope that [Georges] Leygues and Lloyd George have now agreed about reparation, and also to insist on the Bolsheviks' recognizing all the debts of the tsarist government as a condition precedent to the

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renewal of commercial relations. The decision of the French cabinet to resume official intercourse with the Vatican is an excellent thing. One begins to hope that the negotiations that are going on about Ireland will succeed. It looks as if they were going on well. The discussion in the "Times" about building battleships is important. As long as other nations continue to build them it seems that we must do the same. We could not carry on maritime war with only cruisers and submarines anywhere except in the North Sea and the Channel. For such a war at the other side of the world we must have the biggest and best ships afloat. I am very sorry to hear that Holland is alarmed about the Franco-Belgian treaty. One would think the Belgians had already had quite enough of war.

I am reading [Ottokar] Czernin's book, which is well-written, and as far as I have gone very good. His account of Franz Ferdinand is enlightening. He confirms [Maurice] de Bunsen's view that Tschvisky made much mischief, and went beyond his instructions. William II was the captive of his generals.

Yours ever

Ernest Satow

63. Christmas Day 1920

Beaumont

Ottery St. Mary

Dear Reay,

Very sincere congratulations on your attainment of eighty one years which the "Times" said you achieved on the 22nd of this month. My best wishes for Christmas and the New Year to both you and Mrs. Mitchell. I hope you have as mild and sunshiny weather as we here in Devon. Little Norah came over to receive the Christmas present you gave her, but she was very shy, and I am not sure whether she can recollect your gift of sweetmeats when you were staying with me. Perhaps that is not surprising, as she is not much over five years of age. But she sent a message of thanks to you. She is an extremely pretty child, with a lovely complexion, but is probably delicate, like all her brothers.

Temperley and I have not succeeded in ascertaining what the real wording of Art. 19 of the Armistice Convention is, in spite of efforts directed to the War Office and the Embassy at Paris. Perhaps it is not a matter of such importance as it at first appeared, for

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after all the peace conditions as to reparations are embodied in Wilson's Note to Germany of November 5, 1918, and the mention of damages in the armistice is evidently merely by way of an additional precaution, to prevent the subject being neglected while peace was being negotiated. At first the idea was to have 'preliminaries', but that was abandoned, doubtless owing to the difficulty of getting an agreement among the Entente Powers.

I am reading [Karl] Helfferich,<sup>50</sup> and have also [General Erich] Ludendorff's huge volume "Meine Kriegserinnerungen", which will be very dull no doubt, as all accounts of military operations are.

Yours ever sincerely

Ernest Satow

64. Beaumont

Ottery St. Mary

23 January 1921

Dear Reay,

Since Christmas the weather has been so mild that I hope you have been able to get out of doors a good deal, and perhaps to have gone as far as the Park to see the crocuses and snowdrops which are no doubt blooming with you as they do here.

Recently I have been reading part of a book by H.G. Wells, called "The Outline of History", full of excellent illustrations and in parts admirably put together. Perhaps the last chapter of all is the most worth reading. He disapproves of the League of Nations in its present form, which he says is an association of governments, and not of peoples. He traces much of our international troubles to the existence of Foreign Offices, hot beds of intrigue and nothing more. If you could get some one to read the last few chapters to you, I think you would enjoy them.

I read Tommy Bowles' letter to the "Times" of which you speak in your letter of December 27, in which he compares the League of Nations to the Hague Conference (he means the Maritime Conference that was held in London) and threatens to stir up the country as he did against the International Prize Court. But I don't think he would succeed in wrecking the idea that lies at the bottom of it. We shall see what comes of

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<sup>50</sup> Presumably *The World War*, (Der Weltkrieg) (3 vols.), Berlin: Ullstein & Co., 1919

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the new President's [Warren Harding's] proposal to Japan and England to limit naval armaments. If battleships are to cost £8,000,000 apiece, it is certainly desirable to call a halt. I distrust the political ambitions of Japan. She is building against the United States and wants to secure the domination of the Pacific with equality of race between white and yellow people which America opposed at the Peace Conference. It is quite natural that the United States and Canada should object to their spare lands being overrun by Asiatics who will never amalgamate with the Anglo-Saxon, and wherever they go set up an imperium in imperio.<sup>51</sup>

It is comfortable to be able to believe that before long the quartern loaf<sup>52</sup> will be sold everywhere at a shilling.

Yours ever

Ernest Satow

65. Beaumont

Ottery St. Mary

30 January 1921

Dear Reay,

I heard the other day that the submarines sent out to China in September 1919, one of which is commanded by my brother Sam's youngest son [Christopher], have been paid off, and that he expects to be home by the end of March. So this looks as if the government were beginning to cut down unnecessary expenses. Why submarines were sent to the China Station, where we had never had any before, seemed inexplicable, except in order to keep the officers and men of that arm in constant exercise. Some battleships I suppose we must have, if America and Japan go on increasing their fleet. I cannot help fearing that some day those two countries may have a war. This question about the cable station on the island of Yap [in Micronesia, east of the Philippines] is an addition to the causes of ill-feeling which have arisen over the Japanese claim to be treated on an equality with white people. The rate of taxation in Japan seems to be nearer £3 a head than £1.10 which you give, if the figures of the budget, recently

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<sup>51</sup> imperium in imperio: a government, power or sovereignty within a government, power or sovereignty (Merriam Webster).

<sup>52</sup> A loaf of bread weighing about four pounds.

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published in the “Times” are correct. But it looks as if even that were too much for the people to bear, to judge by the rise in price of articles of daily necessity. There cannot be much doubt that high taxes are a chief cause of the increase of prices. But there are signs of a fall here in bread and clothing, and the “Times” prophesies a relief to the income tax payer in the next budget. The present budget partially relieves the man whose income is partly earned.

The Association for International Conciliation send me their publications, which I have often found useful. I shall read the January number on Bolshevism of which you tell me.

It will give me much pleasure to see Mr. Stewart Thompson,<sup>53</sup> who you say may pay me a visit in the spring. He will be pretty certain to find me at home.

The weather is still very mild. I should not be sorry if it were more wintry, for then I should be better able to take long walks. But one must be content with what one gets, either way. Our roads are very muddy, and the Urban Council is repairing them, which does not improve matters.

ever yours sincerely

Ernest Satow

66. February 27. 1921

Beaumont

Ottery St. Mary

Dear Reay,

Last week I was very busy with committee meetings at Exeter, besides going to Ilfracombe to attend the funeral of my elder brother [David], who died suddenly on the 19<sup>th</sup>. It is a sad loss to me, for I was so accustomed to think of him as existing there, and now I have him no more.

It does not look to me “possible” to expect an understanding to come about between ourselves and the Americans and Japanese. The latter are ambitious, and the speech of their Minister of Marine quite recently on their naval programme seemed to me very menacing; he talked of each succeeding battleship being 5000 tons larger than its

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<sup>53</sup> W. Stewart Thompson, General Secretary and Treasurer of the British in India Mission. Satow met him at the Exeter Club on February 25, 1921 (diary).

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predecessor. The longing of the Japanese to be admitted to an equality with the white nations and the dispute about Yap are ominous signs. Not that I anticipate a collision at the moment, and I am sure that we shall never go to war with the United States for the sake of the Japanese alliance. That compact has served its turn and is now out of date; it might be allowed to expire. The difficulty in the way is that it continues beyond 1921 until one of the parties gives notice to terminate. Such a notice would be interpreted by the world in general as the proof of an unfriendly attitude towards the party that received the notice, and the matter would have to be handled with the greatest possible tact.<sup>54</sup>

You ask me when my “peace volume” will be ready. But I am not writing on that subject. I should like to write an article on art. XIX of the Armistice Convention and the inclusion in reparation of the cost of separation allowances and pensions, which I regard as quite incompatible with our terms of November 5 1918, but I cannot do it until I have seen a photograph of the Armistice Convention as it was actually signed. And there seems no likelihood of our getting such a photograph.

I wrote to Portsmouth that Stewart Thompson would go to see him, but on Friday when I was entertaining the latter to lunch at the club in Exeter, Portsmouth happened to be in the room, so I introduced them to each other, and Thompson got a subscription out of Portsmouth. I also put Thompson in the way of making the acquaintance of General [James] Wilfred Stirling of Exeter, who may perhaps help him to get up a drawing room meeting there.

Your letter of the 17<sup>th</sup> was full of interest. [Sir Thomas] Sanderson has given me an American book called [“]The Rising Tide of Colour” by a man named [Lothrop] Stoddard, rather alarmist, but at bottom intended to strengthen the hands of politicians in the States who object to Japanese immigration. Would you like to see it?

Also I have [Bernard M.] Baruch’s Economic & Reparation Clauses of the Treaty, which is well done, and not too long.

Yours ever

Ernest Satow

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<sup>54</sup> The Anglo-Japanese Alliance was merged into the Four-Power Treaty between the United States, Britain, France and Japan signed at the Washington Naval Conference on December 13, 1921.

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P.S. The Round Table of December last has a capital article on the Anglo-Japanese alliance.

67. Donald Aitkenhead to Lord Reay

School House

Earlston

15<sup>th</sup> March 1921

My Lord

I beg to thank you for the kind expression of your sympathy and condolence with us in our sever bereavement.

My wife devoutly believed and looked forward to that better dispensation referred to in Your Lordship's letter.

It gives us great satisfaction to know that your Lordship's health is good.

We hope you will be long spared to your friends of whom you have many in this district who entertain for your Lordship the highest esteem, reverence, and affection.

I have the honour to be

Your Lordship's obedient servant

Daniel Aitkenhead

The Lord Reay

35 Berkeley Square

London, W1

68. Ottery St. Mary

May 7. 1921

Dear Reay,

I was very sorry to see the death of our friend Henry Howard,<sup>55</sup> and still more to learn from you that it was cancer that removed him, a most painful disease. He was an excellent colleague, and I regret greatly that I had not seen him for many years past.

Numerous invitations came to me for the visit of the Crown Prince of Japan, but I declined them all, for travelling is very uncomfortable just now. I dislike wearing

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<sup>55</sup> Sir Henry Howard (1843 – 4 May 1921). Diplomat, envoy to the Vatican. British delegate with Reay and Satow at the Hague Peace Conference, 1907.



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uniform and decorations, and have forgotten much of my Japanese. But the F.O. have a young gentleman from the Embassy at Tokio named Ashton-Gwatkin,<sup>56</sup> who is attached to the suite; he knows modern Japanese quite well. If I had been coming up to town for these festivities I think I should have made bold to ask you to give me a bed.

It is no wonder that the clergy have so little influence. Yesterday I heard a sermon from our Curate on the Ascension, repeating the literal words of the gospel story, which are no longer acceptable. If the clergy would only say what they really hold to be the truth, they would be listened to with more effect. I have been reading a magazine called “The Modern Churchman”, chiefly occupied with theological disputes. I felt inclined to write to the Editor. Yes, that is all very well, but does not help a man to live aright. There are two sentences which seem to contain all that is necessary.

“Teach me to do the thing that pleaseth Thee; for Thou art my God.” and “Qui sequitur me non ambulat in tenebris, sed habebit lumen vitae.”

You did send me “Keurgarven” [a book of Bible readings for every day of the year] and I read it daily before going to bed, with the chapter for the day in the Dutch bible. The latter seems to me an admirable version, a good deal better than ours.

Have you seen [Robert] Lansing’s book?<sup>57</sup> I think he is right about the League of Nations, especially in his condemnation of Article X. The substitute he suggested to Wilson would have made it easy for the Senate to adopt the Covenant and the Treaty. So many things are put on the back of the Council by various articles of the Treaty that the rejection of the Covenant quite unavoidably entails the rejection of the Treaty. Temperley tells me that the best general account of the P. Conference is [Charles Thaddeus] Thompson’s “Peace Conference day by day”, published by Brentano of New York [in 1920]. I have asked Hatchards to get it for me. Maurice Hankey’s “Diplomacy by Conference” in the April “Round Table” is not worth much, and he is far from wellread in the literature of the subject. Form [From] 1815 to 1818 the four ambassadors at Paris were a Conference, which produced over 300 protocols of their proceedings, of which little is known.

Yours ever

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<sup>56</sup> Frank Trelawney Arthur Ashton-Gwatkin (1889-1976). Student interpreter in Japan, 1913. Promoted to Diplomatic service, January 1921. Attached to the Suite of the Crown Prince of Japan on his visit to England, May 1921.

<sup>57</sup> Probably *The Peace Negotiations: A Personal Narrative*, Houghton Mifflin, 1921.

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Ernest Satow

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