

PLEDGE PUT TO TEST IN ARABIA SINKING

Note from Berlin Shows Submarine Sank Liner Without Investigation.

THOUGHT HER TRANSPORT

Washington Officials Silent, but German Explanation Is Not Viewed Favorably.

Special to The New York Times.

WASHINGTON, Dec. 7.—The German Government's explanation of the sinking of the British Liner Arabia by a German submarine in the Mediterranean on Nov. 6 was received by Secretary Lansing today in a communication from the American Embassy at Berlin.

It took the form of a note which was handed to Joseph C. Grew, the American chargé d'Affaires, on Monday, by Alfred Zimmermann, the newly appointed German Foreign Minister, who explains that the Arabia was sunk because the submarine commander was convinced by the attendant circumstances that he was dealing with a transport ship for troops in the service of the British Government. The commander considered himself "justified in attacking the steamer without delay and sank it." There was one American on board, according to reports reaching Washington, and he was saved.

After setting forth the German Government's version of the destruction of the Arabia, the note states that if the American Government should give official data showing that the Arabia was at the time of the torpedoing an ordinary passenger steamer, the action of the commander would have been contrary to instructions. Herr Zimmermann states that "these instructions are now, as before, in agreement with the assurances of the German note of May, 1916." This is the German note in the Sussex case in which pledges and guarantees were given which President Wilson accepted as satisfactory if lived up to scrupulously.

If the American Government can present evidence to show that the Arabia was an ordinary passenger steamer and not being used as a transport at the time she was attacked, Germany, according to Herr Zimmermann's note, will regard the case as one of a "regrettable mistake from which the German Government would promptly draw the appropriate consequences." This is interpreted as meaning that if the German Government is convinced that the Arabia was an ordinary merchant steamer, and a mistake was made, that it will give reparation to the United States Government.

Secretary Lansing made public the Zimmermann note without any comment. The explanation in the Arabia case is the same, in effect, as that given in the case of the steamship Marina.

What action the State Department will take is problematical. Should it be shown that the Arabia was a transport, this Government probably would admit the sinking was justified. If, however, it should be shown that the submarine commander was mistaken in holding her to be a transport, a most serious situation would confront the State Department. At the time the Sussex was sunk, Germany was told that this country could not tolerate "regrettable mistakes."

The text of the German Government's note regarding the sinking of the Arabia follows:

Foreign Office,
Berlin, Dec. 4, 1916.

The undersigned has the honor to inform Mr. Grew, Chargé d'Affaires of the United States of America, in reply to the note of the 21st ultimo, Foreign Office, No. 14,401, that the investigation conducted by the German Government concerning the sinking of the British steamer Arabia has led to the following results:

On the morning of Nov. 6 a German submarine encountered a large steamer coming from the Cerigo Straits, 100 nautical miles west of the Island of Cerigo; the steamer was painted black and had black superstructures, and not, as is otherwise the case with the P. & O. Line superstructures, a light color; the steamer, which was identical with the Arabia, was not traveling on the route regularly used by the passenger steamers between Port Said and Malta, as is made plain on the inclosed map, but was taking a zigzag course toward the west, 120 nautical miles north of that route; this course, on which the submarine had passed three similar steamers at the same spot on the same morning, leads from the Aegean to Malta, so that the Arabia was moving on the transport route Cerigo-Malta, used solely for war purposes, according to the experiences until now. The commander of the submarine further ascertained that there were large batches of Chinese and other colored persons in their national costumes on board the steamer; he considered them to be workmen soldiers, such as are used in great numbers behind the front by the enemies of Germany; in spite of

the clear weather and careful observation, he did not perceive any women and children.

In these circumstances, the commander of the submarine was convinced that in the case of this steamer he was concerned with a transport ship for troops in the service of the British Government, which is to be considered as an auxiliary warship, according to international law, and can therefore be treated like a warship. He accordingly considered himself justified in attacking the steamer without delay, and sank it.

Should the American Government give the official data showing that the Arabia was at the time of the torpedoing an ordinary passenger steamer, the action of the commander would not have been in accordance with the instructions given him, since these instructions are now, as before, in agreement with the assurances of the German note of May, 1916. This would then be a case of a regrettable mistake, from which the German Government would promptly draw the appropriate consequences.

The undersigned requests the Chargé d'Affaires to bring the above to the knowledge of the American Government and avails himself.
(Signed) ZIMMERMANN.

Cautious in the Next Step.

It may be said that the United States does not regard the circumstances which the German note recites as showing justification for sinking the Arabia without warning or as relieving the submarine commander of the responsibility of establishing the status of the liner. The presence of Chinese on board is considered of little importance, but will be investigated.

It may be stated authoritatively that no immediate action will be taken, as another step is regarded as too serious to be taken without complete facts. It hinges entirely on whether the pledges given in the Sussex case were broken. The note in the Arabia case is not regarded in official quarters as making out a strong case for Germany.