

Tonkin Gulf Action Revives Question Of High Seas

GEN TONKIN
BY ARCH MACKENZIE
WASHINGTON (CP)—United States naval action against North Viet Nam in the crescent-shaped Gulf of Tonkin resurrects the often-raised question of where territorial waters end and the high seas begin.

On the basis of U.S. government reports, the two actions occurred 30 miles and 65 miles from the nearest mainland—normally far enough out to be rated as international waters or "the high seas."

There is no evidence here the gulf can not be regarded as the high seas under international law.

Authorities here agree in a tangled field, historic claims have substantial weight in establishing where and when a country can successfully argue that certain waters beyond accepted distances are its preserve.

The U.S. state department says it has no record of any claim by North Viet Nam to the Gulf of Tonkin, where American naval units have been patrolling regularly.

USED ARTICLE 57
 The U.S. says it thus acted, by firing back at North Vietnamese patrol torpedo boats and in launching an air strike at their bases, in line with article 51 of the United Nations Charter.

The article provides "nothing in the present Charter shall impair the inherent right of individual or collective self-defence against an attack by a UN member until the security council has taken action."

By tradition, the territorial water limit offshore here is the distance of the U.S. government recognizes internationally, six nautical miles.

In fact, however, the U.S. tacitly takes account of the 12-mile limit asserted unilaterally by Soviet Russia, a number of other countries and now Canada.

The Bay of Fundy between New Brunswick and Nova Scotia is an example of a larger body of water held to be a territorial property. Thus not long ago Russian trawlers quipped headed a Canadian government request to move out of the Bay of Fundy claimed on historic grounds by Canada.

BIGGER WATER POCKET
 The Gulf of Tonkin is a bigger pocket of water—part of the South China Sea and about 300 miles long on a north-south axis and 150-175 miles wide west to east. But it is bordered by the two sides by Communist-held land.

North Viet Nam lies to the west of the gulf and part of the north. North China occupies the rest of the north coast plus the Liaocheu Peninsula and the sizable island of Hainan which together jut southward more than 200 miles to form the gulf's east coast.

The outlet to the China Sea is about 150 miles wide and lies to the southeast, roughly along the 17th parallel dividing North and South Viet Nam. Small islands dot the coasts of North Viet Nam and China.

The U.S. consistently has referred to the gulf as international water.

Under international law as practiced generally, any attack on the high seas is aggression of the kind represented by Germany's sinking of the liner Lusitania. That precipitated U.S. entry into the First World War 1914-1918.

STANDARDIZING TERRITORIAL LIMITS was set back in 1960 by the failure at Geneva of a law of the sea conference. The conference failed by one vote to agree on a compromise formula for a six-mile territorial limit plus another six miles to preserve national fishing claims. No further public effort has been made on the question.

Authorities here are also in connection with the issue that the so-called headland-to-headland principle is another complicating factor.

Canada will employ this formula to some extent in laying down her territorial waters patterns. By using coastline projections.

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ENNSBRUCK, Austria (Reuters)—Magnets, easily detectable beneath deep snow, are to be sewn into skiers' clothing by a manufacturer here to help prevent loss of life in avalanches.

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12 The Guardian, Charlottetown, Mon. Aug. 10, 1964.

Kennedy's Grandmother Dies At 98

BOSTON (AP)—Mrs. John F. Fitzgerald, 98, grandmother of the late president John F. Kennedy, died Saturday.

In mid-summer of 1963 she posed for news photographers and a family group that included 10 of her 39 great-grandchildren.

On her 97th birthday—Oct. 31, 1963—she attended mass at the home of her son, Thomas A. Fitzgerald. Her nephew, Rev. John F. Fitzgerald, celebrated the mass, and the president's mother, Mrs. Joseph P. Kennedy, visited her.

The former Josephine Mary Hannon, she was born in Acton, Mass., and was married there in 1889 to the man who later was mayor of Boston.

They had six children.

Mrs. Fitzgerald had been a widow since 1930 and divided her time between Boston and Elyria, Ohio, where her son Thomas has a summer cottage. Three of her six children are still living. Besides Mrs. Kennedy they are John F. Fitzgerald of Milton and Thomas, with whom she made her home. Her husband was known in political circles as "Boss Fitz" a name which President Kennedy gave to the presidential yacht.

Italy's President Is Seriously Ill
ROME (AP)—President Antonio Segni, 73, felled by a stroke, appeared Sunday to be in increasingly serious condition. A medical bulletin said: "The president of the republic spent a rather agitated night. The neurological signs of a circulatory disturbance, which have hit the area of the cerebral artery on the left, have not yet regressed despite the use of all possible therapeutic aids."

Segni was stricken Friday night. Previous medical bulletins had described his condition as satisfactory.

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