

## THE TWENTY-SIXTH ESCAPES IN CASUALTIES

## FORD PARTY MUST NOT SET FOOT ON GERMAN SOIL

Virtually Prisoners During Trip Through Germany — Each Member Required to Submit Four Photographs.

Copenhagen, Jan. 3, via London. — The German government has granted the Ford peace expedition permission to travel to The Hague through Germany by special train. The party will leave Copenhagen next Friday.

The final arrangements for the trip were made through the German consul in Copenhagen who, after consultation with Berlin, announced that his government was willing for the mission to proceed through Germany territory. This privilege was granted despite the refusal of the American State Department to extend the passports of the members of the party to cover a belligerent country.

The conditions under which the Americans will travel are strict. Their train will be sealed, everyone being locked within. No one will be permitted to touch German soil during the journey. The members of the mission will not be permitted to carry written, printed or typewritten papers. The concealment of any papers, even of an innocent character, will result in complications for the entire party. Other things that the party must observe before reaching German territory are cameras, postcards, opera glasses and gold coin. Most of the baggage of the expedition will be shipped back to the United States from Copenhagen.

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Definite word came from Washington, however, it is declared, that the peace party must be kept out of warring countries, as its presence in them might entail complications.

Forbidden to Carry Documents of Any Kind.

That seemed to make passage through Germany out of the question. Accordingly, arrangements were made to charter a steamer to Holland, but this was thought to be objectionable on account of war conditions in the North Sea. Finally Gaston Plantiff, Mr. Ford's representative, went to the German minister and consul in Copenhagen, offering to pay \$50,000 for a special train on the German railroads. After negotiations with Berlin in which the nature of the peace expedition was explained and it being made clear that the members of the party did not desire to remain on German soil, the consent was given that the request had been granted, provided the peace-makers subject themselves to the strictest military law. It is understood that the railroad refused to accept any pay for the trip in addition to the regular charge in such cases. The 150 members of the party were busy throughout the day complying with the special arrangements. Each was obliged to furnish four extra photographs of himself, two to be sent to Berlin and two to the German consul. Each member of the party was cautioned against carrying papers on the penalty of being left in Germany if delayed on this account, as the train must proceed on schedule regardless of any side issues. Each person before departing must personally present his passport to the German consul as proof that he is an American citizen.

The announcement that the party will disband at The Hague on January 12, it is explained, means only that those who are not connected for places on the permanent peace board will depart.

## BORN.

HAZEN—On January 3rd, 1916, to Mr. and Mrs. Ward C. Hazen, 95 Union street, a son.

## DIED.

BOHAN—At Bath, N. B., on January 1st, Thomas Bohan, aged 55 years, leaving three sons and three daughters.

The funeral will take place on Tuesday morning from the late residence, FARRER—At his residence, after a lingering illness, William Farrer, age eighty-four years, leaving a wife, three daughters, one son and two grandsons to mourn their loss. Funeral on Wednesday at 2:30 p.m. from his late residence, 42 Peters street. Friends invited to attend.

## LAW OF THE SEA DATES BACK CENTURIES

Maritime Custom and Etiquette Had Begun to Crystallize Into Law Six Hundred Years Ago.

In the "Black Book of the Admiralty," the compilation of which seems to have commenced late in the 14th or early in the 15th century, amongst the duties of the Admiral we find it stated that every plaintiff and defendant is to receive right and justice "according to the law and ancient custom of the sea." For so long has the sea been the familiar element of Englishmen that, more than six hundred years ago, maritime custom and etiquette had already begun to crystallize into law. The manners of the medieval mariner were not essentially different from those of the modern sailor, for he was a man of action first and last; but we find that English Governments, even at that time, had an ideal, and between Governments and seamen was evolved that law and custom of the sea which remains such a remarkable testimony to the early and vigorous growth of English civilization.

In addition to the very numerous documents still extant, there are, of course, other sources of information, such as the "Statutes, Rolls of Parliament, Black Book of the Admiralty," which are essential to a proper understanding of the subject. As a nation, the sea has rapid and powerful growth, not only has it been to us what his mother Earth was to Antaeus, a source of ever renewed, ever-growing strength, but it has taught us the generosity of power, so that on the sea, and by England, were laid, six hundred and more years ago, the modern foundations of international maritime law.

The right of visit and search, for instance, was thoroughly established by the time the "Black Book of the Admiralty" was compiled. An English ship meeting a strange vessel might lawfully inquire as to the place of origin of the ship and examine its papers and crew, and if there were suspicion that the goods belonged to an enemy the ship was to be brought before the Admiral, where, if it was found that the cargo was genuinely the property of friendly merchants, it was to be restored without damage. Even if a vessel resisted our ships and had to be forcibly taken, it was to be brought before the Admiral without pillage or damage, there to be dealt with as "the law and custom of the sea" demanded. It was forbidden that seamen should be allowed to land in an enemy's country except under the control of responsible persons who could be answerable for them in case they committed any offence against the country people; and the penalty was to be imprisonment and judgment "according to the usage and custom of the country" where the offence was committed. At the same time no mariner, when in the enemy's country, was to rob a church, ravish a woman, or set fire to a house except by command, under pain of death. So much for the rule of conduct laid down for our seamen six hundred years ago.

To certain articles drawn up by the Commons, and presented in the Parliament of 1442, providing for the setting out of a fleet to keep the sea, we find it insisted that no ship of the fleet should in any way harm friendly vessels, ships that if any ships were taken as enemies, and brought to an English port, their cargoes should not be divided until it should be proved whether they were the property of enemies or friends; such proof, however, to be made within six weeks of their coming to land. There having been great complaint of attacks made on the high seas and elsewhere upon people comprised within truces or safe-conducts granted by the King, it was enacted in 1414 (Stat. 2, Henry V.), that such breaking of truces and safe-conducts, or the aiding and abetting of the offence, should be adjudged high treason. So much rigor called forth bitter opposition, for, as it was repeatedly stated in Parliament, no such penalty was enforced against the subjects of any foreign nation, either of the King's adversaries or allies. The result of the statute was that enemies were encouraged to attack English ships, and Englishmen feared to seek their own remedy "by way of reprisal." A statute of the year 1416 promised to these Englishmen who had suffered such attacks that Letters of Reprisal should be issued, asking for restitution or satisfaction for the injury done them, and if these failed, Letters of Marque were to be issued in due form. Complaints of the unjust harshness of the Statute of Henry V. were made in Parliament not only in 1416, but also in 1429, 1433 and 1435. In the latter year it was agreed that the statute remain in abeyance for seven years, and it was once more re-enacted in 1442. But again in 1474 every existing statute (with the exception of 2 Henry V., which made the offence high treason) was ordered to be "rigidly enforced against truce-breakers, and those who

disregarded safe-conducts granted to ships by the King. These safe-conducts, whether granted to friends or enemies, were a source of great trouble. Indeed, the Commons alleged in 1436 that, under one variety of safe-conduct, "all an hole Narve of Adversaries might be, and are, shadowed, and daily vitall, stuffe, and refreshment, and especially of England." Natural goods in enemy bottoms were subject to seizure by Stat. 4, Henry VI., cap. 7 (1435), unless they were under the King's safe-conduct or protection. This was a necessary provision for, according to the Commons, neutrals were in the habit of freighting vessels of the King of England's enemies, and when the ships were captured, these friendly neutrals claimed, and received restitution of, enemy goods, alleging them to be their own and proving their case by false oaths and testimony and counterfeit marks.

Complaining bitterly of the robberies committed by Sea Rovers "who are commonly thieves, outlaws, fugitives, and those who have foresworn or been banished out of divers Realms," the Commons in 1429 and 1430-1 begged that such malefactors should be adjudged felons, and their offences be punishable by Justices in each shire as if for felony committed on land. This was refused, and it was not till the years 1536 and 1537 (Stat. 27, Henry VIII., cap. 4, and 28, Henry VIII., cap. 15) that such provision was made for the trial by Common Law, as for an offence committed on land, as accords very nearly with the Commons' demand more than a hundred years earlier. The offenders were also to be denied benefit of clergy and sanctuary.

The Statute of 1414 had provided that before a ship left port the master, and the owner if present, should be sworn to attempt nothing contrary to the King's truces and safe-conducts. The binding of English shipmasters to be of good behaviour at sea was not uncommon throughout the Middle Ages. Among the Acts of the Privy Council we may notice an Order dated 1547, which, owing to the piratical deeds of some Englishmen, provided that no man should be permitted to "pass to the seas as a man of Warre, upon pretence to annoy his Majesties enemies," except by special licence. And no ship "shall for merchandise or any other purpose make any voyage to the sea, except the same first be bound with good and sufficient sureties to be of good behaviour upon the seas towards all the Kinges Majesties subjects and all other the subjects of any his Majesties confederates or friends." Even such a brief glance as we have taken at the historical basis of English maritime conduct and jurisprudence may perhaps serve to prove that our ideals are not of mushroom growth. The world is safe while seapower remains in Britain, because it is power for which this nation has been prepared by centuries of civilization.

## MAY CALL IN SHIPS TRADING BETWEEN FOREIGN PORTS

Admiralty Taking Over a Large Number of Vessels for Shipment of Wheat from the Americas.

London, Jan. 3.—The government is taking stringent measures to see that the prevailing shortage in ships shall not interfere with the shipment of food and other necessities to ports in the United Kingdom. Vessels are being requisitioned right and left for the shipment of wheat from the Americas, and in shipping circles it is reported that the admiralty intends to call in the British ships that are now trading between foreign ports.

The latter measure is expected to particularly affect British ships trading between South America and the United States. Shippers here predict that such action would have a disastrous effect on this trade. Shipowners in England and neutral shippers regard the new-born energy of the government with misgivings, as requisitioned wheat ships are receiving only thirteen shillings, compared with the normal rate of seventeen shillings. The first hint a vessel receives that it is to be requisitioned is the following telegram from the admiralty toward the free end of its voyage: "You are required by the requisitioning (carriage of foodstuffs) committee to fix your vessel to load a cargo of 75 per cent. wheat from the Atlantic coast of Canada, the United States or the Gulf to the United Kingdom. You may make your own arrangements as to freight, etc. Formal notice is following by letter."

Halifax, Jan. 4.—Two freight trains from Moncton were in collision at Thomson's Sliding at midnight. It was a rear-end collision. Conductor E. Johnson was killed, and one of the firemen injured. The wreck is a bad one, many of the cars being shattered.

New York, Jan. 3.—Heavy storms in France during the past few days have seriously interfered with telegraphic communication and for this reason the French Cable Company announced today that messages for transmission through that country would be accepted subject to indefinite delay.

Message received here today from France did not give any details of the damage other than that gales and heavy rains had broken down the wires.

## FOUND ENGLISH NATIONAL CALM AND SELF-CONFIDENT

German Writer Tells Berlin of "Strong Sense of Power that Seems to be Very Atmospheric of England."

Amsterdam, Jan. 2.—(Correspondence of The Associated Press).—The "strong sense of power and of self-confidence that seems to be the very atmosphere of England," is commented upon by Dr. Hans Vorst, a professor of history at the University of Berlin, in a recent visit to England to the Berliner Tageblatt. He begins his article by telling of meeting a Russian government official in London, who, after a rather despondent review of the operations on the Russian front, said: "At any rate, one feels quite at ease and heartened again after a few days in London."

He decided to make a closer investigation of the Russian remark, and found that he himself soon succumbed to the sense of London's might. In his own words, he came under the spell of London's "silent demonstration of solid wealth, quiet strength and established power."

Speaking of life in London, Dr. Vorst tells of the people of Berlin that he found London has changed little during the war beyond the darkening of its streets. Nowhere in the warring capitals has street traffic suffered so little. In Berlin and Paris, motorbuses have disappeared. But in London, even those that were sent over to France in the beginning of the war have been replaced. Paris's hotels have reduced their prices to a war scale. But no such concession has been made in London. Furthermore, the stages of London are as resplendent as ever, evening dress is common in the houses and on the streets, except for officers in uniform, and the restaurants have lost none of their elegance.

Conversations with Englishmen, continued the writer, show that the English themselves are dominated by a sense of conscious power.

"This impression grows," he adds, "the more one talks with Englishmen. The hysterical behavior of certain English newspapers does not seem to me to reflect the nation's feelings in any way. On the contrary, I have always noticed a totally calm and objective attitude toward the whole business, for constant excitement is not a part of the national character. "So from my own experiences I am inclined to consider these last peace speeches in the House of Lords as a sign of this conscious power. The English people still feels itself strong enough for anything, and is consequently not afraid to have such speeches exploited as signs of weakness, especially when they are an expression of what all nations without exception want at the bottom of their breasts—peace."

R. D. Denman, M. P., hitherto known as one of the chief pacifists, a bitter anti-war speaker, has obtained a commission in the artillery. The news of his going into the army has consequently brought discouragement to the Union of Democratic Control, Ramsey MacDonald's peace organization. It was only recently that Denman brought out a pamphlet entitled "On the Road to Peace" in which he ridiculed England's position in the war and stirred up a great deal of anger against himself. In consequence of this, the Liberal party council of Carlisle, his constituency, passed a vote of no confidence in him and instructed him to find another candidate for parliament. However, Denman declared he would run again at the next election on his own ticket. He is thirty-nine years of age and the brother of Lord Denman.

## I.C.R. CONDUCTOR KILLED IN WRECK

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## A Powerful Story, in Four Acts, of Hereditary Impulse

## "BRED IN THE BONE"

FEATURING DOROTHY GISH, Filmom's Enchanting Star, who plays the part of a Stage-struck Girl who becomes a celebrated actress, but who turns her back on success to answer the higher call of love and home.

## TRAFFIC WAR BETWEEN C. N. R. AND THE C. P. R.

Entry of New Transcontinental Into Freight Traffic Precipitates Fight for Business Between Prairies and Pacific Coast.

Vancouver, Jan. 3.—An interesting fight between the Canadian Northern and Canadian Pacific for business between the prairies and the Pacific coast appears to have been precipitated by the recent entry of the new transcontinental into the field of freight traffic.

Canadian Northern officials alleged today that when their line started business a few weeks ago reduction in rates to and from Edmonton and many other points came into effect. They say that immediately following this the C. P. R. retaliated by clapping on a rate too high for switching cars at terminals in Vancouver and New Westminster.

The C. P. R. now owns and will own for many years to come, practically all local switches and side-tracks to industries and warehouses.

A few days ago the C. N. R. threatened to appeal to the Railway Commission against a charge of \$20 for switching a car when it believed the C. P. R. should have charged only \$3. The answer of the C. P. R. is that the C. N. R. cannot appeal to the Railway Commission, insofar as the railway in British Columbia is concerned, because MacKenzie and Mann agreed some years ago to give the provincial government at Victoria absolute control of rates. In that agreement MacKenzie and Mann agreed specifically not to appeal to the Railway Commission as to rates. This brings a political as well as a railway question into the dispute.

## FAMOUS JEWELS LOST WITH STR. PERSIA

London, Jan. 3. (Persia).—A Cairo despatch to the Evening News says that the jewels of the Maharajah of Kapurthala, valued at 800,000 pounds sterling, were lost aboard the steamer Persia. The members of the Maharajah's suite were aboard the ship, but the Maharajah himself intended to join at Port Said.

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## BERLIN ADMITS LUSITANIA NOT ARMED VESSEL

Abandons contention in course of negotiations for settlement of the case, Sec. Lansing says.

Washington, Jan. 3.—Germany no longer contends that the Lusitania could be classed as an armed vessel, a contention which was advanced as a justification for the destruction of the ship with more than 100 Americans lost. Secretary Lansing disclosed today that the contention has been abandoned in the course of the negotiations for settlement now in progress between the United States and Germany.

## MAY INDICT HUERTA FOR VIOLATION OF U. S. NEUTRALITY

Charged with plot to obtain Presidency of Mexico — Under arrest and seriously ill.

San Antonio, Texas, Jan. 3.—Investigation of an alleged plot to restore Victoriano Huerta to power in Mexico was begun by a federal grand jury here today. United States District Attorney Camp asks that General Huerta, former president of Mexico, and nine other men already arrested be indicted on a charge of violating United States neutrality laws.

Gen. Huerta, who is in custody of the authorities at El Paso, is seriously ill.

Huerta's Condition Critical. El Paso, Jan. 3.—The condition of General Huerta, former provisional president of Mexico, who underwent an operation late Saturday for gall stones, remains critical today, according to the physicians. A bulletin issued just before noon today by Dr. M. P. Schuster said: "Pulse and temperature normal. Condition still serious."

## RECRUITING AT RATE OF 1,000 A WEEK

Winnipeg, Jan. 3.—Col. Rutan, officer commanding Military District No. 10, stated today that men in this territory are enlisting at the rate of 1,000 a week, which is equal to one new battalion every seven days. "The west," he said, "will do its full share in proportion to the population to uphold its end of the campaign to rule the Canadian overseas army to half a million men, as announced on New Year's by Premier Borden."

## MAJ. MCKENZIE OF 26TH BEING TREATED AT THE GENERAL HEADQUARTERS

London, Jan. 3, Montreal (Gazette cable).—C. F. Just, former Canadian trade commissioner at Hamburg, has returned from Canada and is expected to address the Canadian Export Merchants' Association next week.

Major J. A. McKenzie of the 26th New Brunswick Battalion, who was recently wounded, is under treatment at General Headquarters.

Lieut. M. N. McPhee of the Fifth Field Company of Engineers is at the Duchess of Westminster's Hospital at Le Touquet, suffering from a bullet wound in the thigh.

Little Miss MAIDEN CHARM

Brings Roses to the Cheeks. COCOA'S REFLECTION COCOA