

# FAVORABLE REPLY TO LATEST AMERICAN NOTE ON THE LUSITANIA AFFAIR IS PREDICTED

## SINKING OF THE W.M. P. FRYE WAS UNJUSTIFIED

Nothing in Treaty Stipulations to Back Up Prinz Eitel's Actions.

TEXT OF U. S. NOTE ON THE MATTER.

Washington Refuses to Accept Berlin's Contention that Case Should go to Prize Court.

Washington, June 28.—By agreement with the German Foreign Office the State Department made public tonight the text of the note sent on June 24 by the United States, asking Germany to reconsider her refusal to settle by direct diplomatic negotiation, instead of by prize court proceedings, the claim presented on behalf of the captain and owners of the American ship William P. Frye, sunk with her cargo of wheat by the commerce-raider Prinz Eitel Friedrich. Ambassador Gerard cabled that he had delivered the note last Saturday afternoon. The American government declares that inasmuch as Germany has admitted liability for the sinking of the Frye, under the treaty of 1858, prize court proceedings are unnecessary, and not binding upon the United States.

Aside from the question of how the indemnity should be paid, the note brings out clearly the refusal of the United States to accept the contention that Germany has a right to stop the carrying of contraband by American ships, "by the destruction of the contraband and the ship carrying it." While no mention of submarine warfare was made in either the last German note or the present reply, occasion was taken to deny this right, because of a belief that admission of it now might in the future be used as a justification for submarine attacks on American ships.

Treaties Show No Justification For Act

"If the government of the United States correctly understands the position of the Imperial German government as now presented," says the American reply, "it is that the provisions of Article 13 of the treaty of 1799 between the United States and Prussia, which is continued in force by the treaty of 1828, justified the commander of the Prinz Eitel Friedrich in sinking the William P. Frye, although making the Imperial German government liable for the damages suffered in consequence, and that inasmuch as the treaty provides no specific method for ascertaining the amount of indemnity to be paid, that question must be submitted to the German prize court for determination.

"The government of the United States, on the other hand, does not find, in the treaty stipulations mentioned, any justification for the sinking of the Frye, and does not consider that the German prize court has any jurisdiction over the question of the amount of indemnity to be paid by the Imperial German government on account of its admitted liability for the destruction of an American vessel on the high seas.

"You state in your note of the 7th instant that Article 13 of the above mentioned treaty of 1799 expressly reserves to the party at war the right to stop the carrying of contraband, and to detain the contraband; it follows then that if it can not be accomplished in any other way, the stopping of the supply may, in the extreme case, be effected by the destruction of the contraband and of the ship carrying it."

"The government of the United States cannot concur in this conclusion. On the contrary, it holds that these treaty provisions do not authorize the destruction of a neutral vessel in any circumstances. By its express terms the treaty prohibits even the detention of a neutral vessel carrying contraband, if the master of the vessel is willing to surrender the contraband.

"In this case the admitted facts show that, pursuant to orders from the commander of the German cruiser, the master of the Frye undertook to throw overboard the cargo of that vessel, but that before the work of delivering out the cargo was finished the vessel, with the cargo, was sunk by order of the German commander.

"For these reasons, even if it be assumed, as your Excellency has done, that the cargo was contraband, your contention that the destruction of the vessel was justified by the provisions of Article 13 does not seem to be well founded.

The note concludes by suggesting that the Imperial German government "reconsider the subject," and "the government of the United States renounces its former

## WOMEN SHARPSHOOTERS FIGHTING IN MEXICO



Women sharpshooters now fighting with Mexican armies are shown in this picture. Women of this type are with both Villa and Carranza armies, and they not only do all the chores of camp life, cooking, etc., but are very handy with rifles when it comes to close quarters.

## MUCH OF POPE'S INTERVIEW PURE INVENTION

Papal Secretary of State says interviewer invented many of the assertions attributed by him to the Holy Father.

Rome, June 28, via Paris.—In an interview published in the *Corriere D'Italia* this morning with Cardinal Pietro Gasparri, the Papal Secretary of State, says of the interview obtained last week by Louis Latapie, a member of the staff of the Paris *La Liberte*, with Pope Benedict. "M. Latapie invented entirely many grave assertions. You must remember that a phrase isolated from the context can not reproduce faithfully a thought, and what is worse, it gives a meaning entirely false.

"With regard to the Jews, it was in March that Austria-Hungary sent a protest to the Holy See. The protest was not mentioned, as the Vatican could not condemn Russia on the sole affirmation of Austria-Hungary.

"The Pope was informed that Italy had taken some parish priest of the towns occupied as hostages, but the Bishop of Cremona informed him that they were being treated with every regard. Indeed, the Pontiff furnishes them with funds for masses. The Pope knows all this perfectly. How, then, could he put them in a category with the Belgian and French hostages, or with the Jews of Russia.

Never Regarded Letter  
From Gen. Von Bissing, the German governor of Belgium, neither the Holy Father nor the secretaryship of state ever received a letter or a communication from him directly or indirectly. Thus the Pope could not refer to such a letter, and he did not. The letter was born of the fervid imagination of M. Latapie.

"Cardinal Gasparri denies that Pope Benedict said: 'It was under the Pontificate of Pius X.' when asked by M. Latapie if it was necessary to inquire whether the neutrality of Belgium had been violated, but the secretary of state does not say what words the Pontiff used.

cause he desired that Italy should not suffer the horrors of war, and he was pre-occupied with the delicate position of the Church if Italy entered the conflict. War once declared, the church became entirely neutral. It has not in any way tried to prevent their duty, according to their conscience, and it has done everything for the spiritual welfare of the soldiers.

"The Pontiff recognizes that the Italian government has done everything possible to attenuate any difficulties that might arise between it and the Holy See. The Vatican's correspondence is not being touched. But that does not mean that the situation of the Holy See is normal. It does not intend to create embarrassment for the government.

"The Holy Father much deplored the sinking of the Lusitania, but he could not pronounce directly on it because there was before him a question of fact regarding which each side makes different assertions."

Cardinal Gasparri ended the interview by saying:

"With regard to what concerns me personally, I saw M. Latapie only a few minutes. In that time the diplomatic relations between the Holy See and France were not mentioned. M. Latapie would have done better had he maintained the promise he formally gave me not to publish anything without previous authorization. But as that formal promise was not sufficient to preserve the Holy See from such deplorable indiscretions, M. Latapie will have the honor of being the last journalist to be received by the Holy Father during the war."

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But much graver is the confusion of M. Latapie when he speaks of the relations between the Holy See and Italy, continued Cardinal Gasparri.

The following is the real opinion of the Pontiff:  
"It is true that he wished Italy to remain outside the conflict upon receiving concessions from Austria, but suggestion that an effort be made to settle this claim by direct diplomatic negotiations."

## HEARING OF THE FULLERTON CHARGES BEGUN

Judges Named as Witnesses—Premier Norris and Three Other Ministers to be Called.

Winipeg, June 28.—Sitting in the Court of Appeals chamber of the court house one week after the charges were made, the Royal Commission, consisting of Mr. Justice Perdue, (chairman), Mr. Justice Galt, and Judge Robson, Public Utilities Commissioner for Manitoba, met this morning to investigate allegations that the Norris government took office as the result of a deal with the Roblin regime.

These charges were made last Monday by C. P. Fullerton, acting on behalf of private conservative members of the legislature. He charged that the Liberal organization had received a payment of money, in return for which the Liberals were to drop election protests and the parliament buildings investigation, and take over the government.

C. P. Fullerton attended to press his charge, with the assistance of E. K. Williams and A. E. Johnston, Hugh Phillips and Isaac Pitblado representing the Norris government. No witnesses were examined, and the session was devoted to organization.

Mr. Fullerton said he expected to call the Chief Justice of Manitoba, Judge Howell, the Chief Justice of the Court of King's Bench, Judge Mathers, and former Judge Phippen as witnesses.

Mr. Fullerton named the members of the present government whom he expected to prove were implicated in the deal alleged by him to have existed concerning the change in government. They are Premier Norris, the Hon. Thomas Johnson, the Hon. A. B. Hudson and the Hon. Valentine Winkler.

Premier Norris was named by Mr. Fullerton as representing the then opposition, in alleged negotiations concerning the payment of fifty thousand dollars for dropping election protests, and Messrs. Norris, Johnson, Hudson and Winkler are, he said, concerned in alleged negotiations regarding the change in government.

The names of Conservatives alleged to be implicated were not mentioned or asked for.  
"These are all the names I want to give now," said Fullerton. "I do not want to suggest any name unless I have evidence."  
Mr. Pitblado said he had seen it suggested some witnesses had left the province. The services of the provincial police were, he said, at Mr. Fullerton's service in any way he desired in securing the presence of witnesses.  
Mr. Fullerton said the Attorney

## BERLIN REPLY PROBABLY MORE SATISFACTORY

Official Despatch to Washington from Ambassador Gerhard indicates This.

GERMAN GOVERNMENT LESS BELLICOSE

Understood Concessions Will be Made in Regard to Submarine Warfare as it Affects Neutrals.

Washington, June 28.—Favorable reply from Germany to the last note of the United States concerning submarine warfare and the sinking of the Lusitania, was predicted in an official despatch from Ambassador Gerard received today at the State Department. It was transmitted to President Wilson at Cornish, New Hampshire.

While the Ambassador did not attempt to outline the forthcoming German note, he described the atmosphere in Berlin official quarters as favorable to a satisfactory reply. He referred to the visit of Dr. Meyer-Gerhardt, the emissary of Count Von Bernstorff, the German Ambassador, pointing out that the latter's information apparently had impressed the German government with the idea that the United States did not want war with Germany, but desired a satisfactory reply to her original demands.

The fact that Ambassador Gerard took occasion to predict informally the nature of the reply was regarded as significant in official quarters here, where it was pointed out that the Ambassador's forecasts in the past had been conservative and consistent.

Ambassador Gerard understands the German official purpose to be to make no concessions which will affect the use of the submarine as a means of warring on the commerce of Great Britain but to propose some way by

## NEW RUSSIAN WAR MINISTER

Petrograd, June 28, via London, June 29.—An official statement issued tonight says that the Emperor has accepted the resignation of General Soukhomlinoff as minister of war, and has designated General Polivanoff to succeed him.

General had notified him any member of the government wanted as a witness would attend at any time desired, any any documents in the possession of the government would be produced when notice was given. Other witnesses must be summoned by subpoena.

No counsel appeared for the former government and the chairman suggested they should be represented, since the charges suggested improper dealing between the late government and the present.

## SUFFERED ANGUISH WITH ECZEMA

Child Failed to Mere Skeleton, Could Not Bear Clothing, Used Cuticura. No Trace of Trouble.

890 Palmerston St., Sarnia, Ont.—"My little girl developed a slight eruption on her hips which I was told was eczema. It spread to her hands and feet, her eyes and behind her ears. She suffered terrible anguish and failed to a mere skeleton. The skin all came off the palms of her hands and the soles of her feet and we thought she would die. She could not bear her clothing near her."

"I got a box of Cuticura Ointment and a cake of Cuticura Soap. In a few weeks there was no trace of the trouble left." (Signed) Mrs. H. Langlois, Feb. 21, 1914.

Sample Each Free by Mail

With 25-c. Skin Book on request. Address post-card "Cuticura, Dept. D, Boston, U. S. A." Sold throughout the world.

## Sale of Trimmed Hats At Marr's

Very smartest of the new summer hats in white, black and all the popular colors. Hundreds to select from. This big collection of trimmed Hats represents the newest designs. Only best materials used.

## Clean-Away Millinery Sale Marr Millinery Co. Ltd.

which American lives and legitimate interests will be safeguarded. Officials here have no inkling as to the methods by which this object is to be attained, but from previous despatches from Berlin it is assumed that an arrangement will be suggested whereby German man submarines would refrain entirely from attacks on ships of any nationality primarily used for passenger travel, while continuing to wage vigorous warfare on enemy ships devoted chiefly to the transportation of contraband.

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Domino Players in a Novel Comedy Drama of a Bewitching Tom-Boy and a Minister  
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SPECIAL Holiday Program

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"GETTING ACQUAINTED"  
We Know Him Well Enough But He Introduces Some New Stunts in This Bubbling Comedy  
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Miss Him Not in "Getting Acquainted"

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**TONIGHT and TOMORROW** MATINEE NIGHT  
ENTIRE CHANCE OF PROGRAM STARTING THURSDAY WITH SPECIAL HOLIDAY MATINEE  
10-20-30c Seats Sold in Advance Phone M 1363

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A Duo of Grotesque—A Riot of Fun  
**BUNTH AND RUDD**  
The High Art of European Clowning  
Animated Week and Orchestra

## The Daily Fashion Hint.



A hand painted dance frock. It is of pale shell pink taffeta and is hand painted in a Nattier blue bowknot design edged with gold tinsel. Tulle is draped over the shoulders and fine flower garlands are posed on the waist.

**REPO**

**French Burie**  
Paul Gillet, who Nine Months Before, Back Home

**SAW MANY VICTIM GERMAN OUT**  
Inhuman methods of the troops have on determination French to win.

A mystic quality which German front of steel to Paris and retreat from which since has proved to the furious onslaught and which now is wearisomely the defensive army along the Western observed in almost every the French republic. In he more than a Paul Gillet of infantry and a designer Paris and in New York. Immediately upon the of news of war between France, Mr. Gillet obtained absence from Marcus & of No. 544 Fifth avenue adieu to his wife in Hastings, left New York 15 last for France. A tall man, Mr. Gillet's health. A shadow of h he arrived here a few days an honorable discharge. French military service was contracted in the Verdun.

That which is being stalwart sons of the s may be imagined from ordeal through which he ed; the awful conditions he lived for nine long survived. Accustomed tary life of a designer and unbroken to the m save when he was a y Mr. Gillet was cast with into the breach through days of horrid doubt for feared the German tid Paris. He not only stemmed suried it back.

Buried Alive In

Mr. Gillet related for few of the grim exper firing line, most of a hundred yards from first line of trenches a occasions in bayonet invaders.

"Twice I was buried shells of heavy caliber the trench where I was Mr. Gillet. He spoke of alive as if it were the occurrence in the life of a dier.

"I suffered two great the trench where I was buried. The first one was explosion, and the second saw my wife for the first I left my home in Ha lost fifty-three pounds, consequently was taken to a hospital ne, in the south of France, entered the roads in the onday I came to know the day I could imagine I had come to France. I had my regiment ar patiently in Paris until her."

Mr. Gillet told how t believable atrocities of troops had lashed the France to a fury of anger on the firing line before hundreds of opportunity the tactics of the German at all times to strike t hearts of the Frenchmen.

"Little did they know the soldier-designer, gaped with incredulity French women and child the forefront of the s umns when these bruties

**Headaches**  
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Fresno

**Dr. Chase's Nerve Food**