

German Note And Reply

Stalin (by wireless to Sagville, N. Y.), May 5.—Following is the text of the note of the German government in reply to the American note respecting submarine warfare, delivered on Thursday by Gottlieb Von Jagow, the foreign secretary, to Ambassador Gerard:

"The undersigned on behalf of the Imperial German government has the honor to present to his excellency, the ambassador of the United States, Mr. James W. Gerard, the following reply to the note of April 20, regarding the conduct of German submarine warfare.

"The German government handed over to the proper naval authorities for early investigation the evidence concerning the Sussex as communicated by the government of the United States. Judging by the results that the investigation was hitherto yielded the German government is alive to the possibility that the ship mentioned in the note of April 10 as having been torpedoed by a German submarine is actually identical with the Sussex.

"The German government begs to receive further communication on the matter until certain points are ascertained, which are of decisive importance for establishing the facts of the case. Should it turn out that the commander was wrong in assuming the vessel to be a man of war the German government will not fail to draw the consequences resulting therefrom.

"In connection with the case of the Sussex the government of the United States made a series of statements, the gist of which is the assertion that the incident is to be considered but one instance of a deliberate method of indiscriminate destruction of vessels of all sorts, nationalities and destinations by German submarine commanders.

Repeats Charges.

"The German government must emphatically repudiate the assertion. The German government, however, thinks it of little avail to enter into details in the present stage of affairs, more particularly as the government of the United States omitted to substantiate the assertion by reference to concrete facts.

"The German government will only state that it has imposed far reaching restraints upon the use of the submarine weapon, solely in consideration of neutral interests, in spite of the fact that these restrictions are necessarily of advantage to Germany's enemies. No such considerations have ever been shown neutrals by Great Britain and her allies.

"The German submarine forces have had, in fact, orders to conduct the submarine warfare in accordance with the general principles of visit and search and the destruction of merchant vessels recognized by international law, the sole exception being the conduct of warfare against enemy trade carried on enemy freight ships encountered in the way zone surrounding Great Britain. With regard to these no assurances have ever been given to the government of the United States. No such assurances are contained in the declaration of February 4, 1915.

Errors Cannot Be Avoided.

"The German government cannot admit and doubt that these orders were given or are executed in good faith. Errors actually occurred. They can in no kind of warfare be avoided altogether. Allowances must be made in the conduct of naval warfare against an enemy resorting to all kinds of ruses, whether permissible or illicit.

"But apart from the possibility of errors, naval warfare just like warfare on land, implies unavoidable dangers for neutral persons and goods entering the fighting zone. Even in cases where the naval action is confined to ordinary forms of cruiser warfare neutral persons and goods repeatedly come to grief.

"The German government has repeatedly and explicitly pointed out the dangers from mines that have led to the loss of numerous ships.

"The German government has made several proposals to the government of the United States in order to reduce to a minimum for American travelers and goods the inherent dangers of naval warfare. Unfortunately the government of the United States decided not to accept the proposals. Had it accepted the government of the United States would have been instrumental in preventing the greater part of the accidents that American citizens have met with in the seas.

"The German government still stands by its offer to come to an agreement along these lines.

Makes Further Statement.

"As the German government repeatedly declared, it cannot dispose with the use of the submarine weapon in the conduct of warfare against enemy trade. The German government, however, has now decided to make a further concession, adopting

methods of submarine war to the interests of neutrals.

"In reaching this decision the German government is actuated by considerations which are above the level of disputed question.

"The German government attaches no less importance to the sacred principles of humanity than the government of the United States. It again fully takes into account that both governments for many years co-operated in developing international law in conformity with these principles, the ultimate object of which has always been to confine warfare on sea and land to armed forces of belligerents and safeguard as far as possible non-combatants against the horrors of war. But although these considerations are of great weight, they alone would not under present circumstances have determined the attitude of the German government. For in answer to the appeal by the government of the United States on behalf of the sacred principles of humanity and international law the German government must repeat once more with all emphasis that it was not the German, but the British government which ignored all accepted rules of international law and extended this terrible war to the lives and property of non-combatants, having no regard whatever for the interests and rights of neutrals and non-combatants that through this method of warfare have been severely injured.

"In self defense against the illegal conduct of British warfare, while fighting a bitter struggle for national existence, Germany had to resort to the hard but effective weapon of submarine warfare.

Alleges Discrimination.

"As matters stand the German government cannot but reiterate regret that the sentiments of humanity which the government of the United States extends with such fervor to the unhappy victims of submarine warfare are not extended with the same warmth of feeling to many millions of women and children who, according to the avowed intention of the British government, shall be starved, and who, by sufferings shall force the victorious armies of the central powers into ignominious capitulation. The German government, in agreement with the German people, fails to understand this discrimination, all the more as it has repeatedly and explicitly declared itself ready to use the submarine weapon in strict conformity with the rules of international law as recognized before the outbreak of the war, if Great Britain likewise was ready to adapt the conduct of warfare to these rules.

"Several attempts made by the government of the United States to prevail upon the British government to act accordingly failed because of flat refusal on the part of the British government. Moreover, Great Britain again and again has violated international law, surpassing all bounds in outraging neutral rights. The latest measure, adopted by Great Britain, declaring German bunker coal contraband and establishing conditions under which English bunker coal alone is supplied to neutrals is nothing but an unheard of attempt by way of extortion to force neutral tonnage into the service of British trade war."

War Materials to Enemies.

"The German people knows that the government of the United States has the power to confine the war to armed forces of the belligerent countries, in the interest of humanity and maintenance of international law. The government of the United States would have been certain of attaining this end had it been determined to insist, against Great Britain, on the incontrovertible rights to freedom of the seas. But as matters stand the German people is under the impression that the government of the United States while demanding that Germany struggling for existence shall refrain the use of an effective weapon and while making compliance with these demands a condition for maintenance of relations with Germany, confines itself to protest against illegal methods adopted by Germany's enemies. Moreover, the German people knows to what considerable extent its enemies are supported with all kinds of war material from the United States.

"It will, therefore, be understood that the appeal made by the government of the United States to sentiments of humanity and principles of international law cannot under the circumstances meet the same hourly response from the German people which such an appeal otherwise always is certain to find here. If the German government nevertheless is resolved to go to the utmost limit of concessions it has been guided not alone by the friendship connecting the two great nations for over one hundred years but also by the thought of the great doom which threatens the entire civilized world should the land and

sanguinary war be extended and prolonged.

Position as to Peace.

"The German government conscious of Germany's strength twice within the last few months announced before the world its readiness to make peace on a basis safeguarding Germany's vital interests, thus indicating that it is not Germany's fault if peace is still withheld from the nations of Europe. The German government feels all the more justified in declaring that responsibility could not be borne before the forum of mankind and in history if after twenty-one months of the war's duration the submarine question under discussion between the German government and the government of the United States were to take a turn seriously threatening maintenance of peace between the two countries in peace between the two nations.

"As far as lies with the German government, it wishes to prevent things from taking such a course. The German government, moreover is prepared to do its utmost to confine operations of the war for the rest of its duration to the fighting forces of the belligerents, thereby also insuring freedom of the sea, a principle upon which the German government believes, now as before, that it is in agreement with the government of the United States.

"The German government, guided by this idea, notifies the government of the United States that German naval forces have received the following order: 'In accordance with the general principles of visit and search and the destruction of merchant vessels recognized by international law such vessels, both within and without the area declared a naval war zone, shall not be sunk without warning and without saving human lives unless the ship attempt to escape or offers resistance.'

For Freedom of the Seas.

"But neutrals cannot expect that Germany, forced to fight for existence, shall for the sake of neutral interests, restrict the use of an effective weapon if the enemy is permitted to continue to apply at will, methods of warfare violating rules of international law. Such a demand would be incompatible with the character of neutrality, and the German government is convinced that the government of the United States does not think of making such a demand, knowing that the government of the United States repeatedly declares that it is determined to restore the principle of freedom of the seas, from whatever quarter it has been violated."

"Accordingly the German government is confident that in consequence of the new orders issued to the naval forces the government of the United States will also now consider all impediments removed which may have been in the way of mutual co-operation toward restoration of the freedom of the seas during the war, as suggested in the note of July 23, 1916, and it does not doubt that the government of the United States will now demand and insist that the British government shall forthwith observe the rules of international law universally recognized before the war as are laid down in the notes presented by the government of the United States to the British government December 28, 1914, and November 5, 1915.

"Should steps taken by the government of the United States not attain the object it desires to have the laws of humanity followed by all belligerent nations, the German government would then be facing a new situation in which it must reserve to itself complete liberty of decision.

"The undersigned avails himself of this opportunity to renew to the American ambassador assurances of highest consideration."

Text of the American Note Cabled to Germany by Secretary Lansing.

Washington, May 8.—Following is the text of the note cabled today by Secretary Lansing to Ambassador Gerard at Berlin with instructions to deliver it to the German minister of foreign affairs:

"The note of the Imperial German government under date of May 4, 1916, has received careful consideration by the government of the United States. It is especially noted as indicating the purpose of the Imperial government as to the future, that it is prepared to do its utmost to confine the operation of the war for the rest of its duration to the fighting forces of the belligerents, and that it is determined to impose upon all its contrabands the limitations of the recognized rules of international law upon which the government of the United States has insisted.

"Throughout the months which have elapsed since the Imperial government announced on February 4, 1915, its submarine policy, now happily abandoned, the government of the United States has been constantly

guided and restrained by motives of friendship in its patient efforts to bring to an amicable settlement the critical questions arising from that policy. Accepting the Imperial government's declaration of its abandonment of the policy which has so seriously menaced the good relations between the two countries, the government of the United States will rely upon an scrupulous execution henceforth of the now altered policy of the Imperial government such as will remove the principal danger to an interruption of the good relations existing between the United States and Germany.

"The government of the United States feels it necessary to state that it takes it for granted that the Imperial German government does not intend to imply that the maintenance of its newly announced policies is in any way contingent upon the course or result of diplomatic negotiations between the government of the United States and any other belligerent government, notwithstanding the fact that certain passages in the Imperial government's note of the 4th instant might appear to be susceptible of that construction. In order, however, to avoid any possible misunderstanding, the government of the United States notifies the Imperial government that it cannot for a moment entertain, much less discuss, a suggestion that respect by German navy authorities for the rights of citizens of the United States upon the high seas should in any way or in the slightest degree be made contingent upon the conduct of any other government affecting the rights of neutrals and non-combatants. Responsibility in such matters is single, not joint; absolute, not relative."

Not Saebbish.

From a Speech by Judge L. C. Smith, At Holly Grove, Ark.

"Now should you honor me with the office of Governor, and come to Little Rock on business, after I am sworn in, and your wife should come along with you to do her shopping, drop in on your Governor; but before you leave home, if your old grip is not too full, pull up some turnips, tops and all, and when you land, I will have my little wife (who weighs about 100 pounds) to put your name in the dinner pot. Also bring along your cob pipe and I will furnish the Hillside Navy, and we will sit down and talk about the interests of our State and discuss old times, and plan for the future prosperity of our State, and better understand each other's needs and wants. You know the Good Book tells us in this language, 'He that is greatest among you shall be your servant,' therefore, instead of you taking off your hat to your Governor, he should take his hat off to you, because he is your servant. My time is up, and in conclusion, permit me to state: That I never swear, or use profane language in any form, and I do not like to be in company with a man who is addicted to profanity; but should you honor me with the office of Governor, I will promise you now that you will have one of the damdest best Governors that the State of Arkansas has ever had. Try me one time, fasten my name-strings, and hook my tugs, give me forty minutes' sleep at cross-roads, a cake of corn bread, and a pint of pot licker, and let me go. I thank you."

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