The Weather
Full data concerning the weather will be found today On Page Twenty-four.

The News and Observer

SECTION ONE
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ANSWERS CHARGES OF INCONSISTENCY

Bryan Explains Contrasting Attitude Toward The Two Notes To Germany

SOFTNESS OF REJOINDER

Certain Changes, He Said, Were Made After He Resigned But Were Insufficient To Cause Withdrawal of Resignation; Says Conditions Guided Action

(By the Associated Press.)

Washington, D. C., June 12.—Official announcement of the delivery of the American note to Germany reiterating insistence that submarine warfare conform to rules of humanity and international law was received today from Ambassador Gerard at Gerlin.

The message came at the close of a day marked by a more optimistic feeling in official quarters that the German answer would forestall any possibility of war between the two nations and also avoid a breach of diplomatic relations.

Apparently there was a general relaxation of tension in the international situation. President Wilson spent part of the day at golf and let it be known that later in the month he planned to take a short vacation at Cornish. No answer to the American rejoinder is expected for ten days at least.

Bryan Makes Statement.

Former Secretary Bryan, who resigned rather than sign the second note to Germany, issued another statement today declaring that the note was materially revised following the presentation of his resignation. The revision, Mr. Bryan averred, softened the note, but was not sufficient to justify him in withdrawing his resignation.

"It is true," said Mr. Bryan, "that I saw the final draft of the note just before my resignation took effect, but it contained an important change. I had no knowledge of this change at the time my resignation was tendered and accepted.

"This change, while very much softening the note, was not however, sufficient, in my judgment, to justify me in asking permission to withdraw my resignation. As Germany had suggested arbitration, I felt that we could not do less than reply to this offer by expressing a willingness to apply the principle of the peace treaties to the case."

Wouldn't Discuss Change.

"What was the change in the note?" Mr. Bryan was asked.

"I cannot discuss that," he replied.

It was suggested that the clause added to the note was that saying the United States would entertain any evidence Germany might have that American officials had not thoroughly performed their duty in examining the Lusitania before her departure to see that she was not armed for offensive action. Mr. Bryan only smiled at the suggestion.

Secretary Lansing also declined to discuss changes made in the note.

The clause referred to follows:

Change Referred To.

"If the Imperial German government should deem itself to be in possession of convincing evidence that the officials of the government of the United States did not perform these duties with thoroughness the government of the United States sincerely hopes that it will submit that evidence for consideration."

"Irrespective of whether that clause was inserted or not," Mr. Bryan was asked, "does it not open the way for further negotiations with Germany?"

"I can only reiterate what I have said, that the note was softened," Mr. Bryan replied, "but not sufficiently to justify me in asking permission to withdraw my resignation."

Replies To Charges.

In his statement tonight Mr. Bryan replied to published charges of inconsistency because he signed the first note after the Lusitania disaster and refused to sign the second.

"The notes," he said, "must be considered in connection with the conditions under which they were sent. The first note presented the case of this government upon such evidence as we then had. It was like the plaintiff's statement in a case, his claim being based upon the facts as he presents them. I did not agree entirely with the language of the first note, but the differences were not so material as to justify a refusal to sign it. Then, too, I was at that time hoping that certain things would be done which would make it easier for Germany to acquiesce in our demands."

Three Things Emphasized.

Mr. Bryan then repeats in his statement the three things he has emphasized in his proposal, namely that the United States should offer to employ the principle of investigation embodied in thirty treaties with other nations, take action in which would prevent American citizens from traveling on belligerent ships or American ships carrying contraband, and that this government should protest against interference with American trade with neutrals.

Hopes for Peace.

"No one will be happier than I," said Mr. Bryan. "If the President's plan results in a peaceful settlement, but no one was in a position to say what effect our note would have upon Germany or what results would follow if she in anger broke off diplomatic relations, and I was not only unwilling to assume the responsibility for the risks incurred—risks which no one could with any degree of accuracy measure—but I felt that, having done all I could in the cabinet, it was my duty to undertake outside the cabinet, the duty upon which I have entered. I have no doubt that the country will unanimously support the President during the war, if so great a misfortune should overtake us, but I believe that the chances of war will be lessened in proportion as the country expresses itself in favor of peace—not 'peace at any price'—but in preference to a war for the redress of such grievances as we have against Germany—at least against war until we have given Germany the opportunity which we are pledged to

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GERMANY REJOICES OVER SECOND NOTE

Its Friendliness of Tone Overshadows Premature Speculation of Contents

HOPE FOR NEGOTIATIONS

German Press Sees Opportunity For That Country and U. S. To Come To Satisfactory Terms, and Joy Is Expressed Over Fact That Note Was Not Ultimatum

(By the Associated Press.)

Berlin, June 12.—Via London, June 13.—The text of the American note was published today in the Berlin afternoon newspapers. Definite statements as to the attitude of the German government with respect to the note are not yet available, but in circles which, while themselves not officially responsible, are often good barometers of the sentiment in responsible quarters, the note seems to have made a distinctly favorable impression and is believed to offer the possibility of negotiations on which satisfactory settlement may be reached.

"The conciliatory tone of the note apparently has evoked a responsive attitude here. Individuals, who in the earlier stages of the negotiations, displayed stiff-necked adherence to their own views, which made discussion almost impossible, are now willing to talk of compromises in which the compromise would not be all on one side.

The official viewpoint particularly can be correctly appraised only after conferences of the imperial chancellor, Dr. Von Bethmann-Hollweg; the foreign Secretary Herr Von Jagow, and representatives of the army and admiralty, the naval and general staff. The Emperor, it is believed, will speak the final word.

Conference to Begin Immediately.

It is understood that these conferences will begin immediately. The answer will certainly not be drafted, and the lines of the German policy probably will not be definitely decided upon, before Dr. Anton Meyer-Gerhard, the special envoy from Count Von Bernstoff, the German Ambassador, at Washington, has arrived and made his report.

Rejoice As Friendly Tone.

Both the Lokal Anzeiger and the Vossische Zeitung hail the second American note as opening the way for further negotiations between Germany and the United States, which both profess to believe will straighten out the situation. These papers admit that the note contains little that is new, but they rejoice at its friendly tone.

The Vossische Zeitung says: "There is no difference of opinion about desirability of saving lives. The note opens the way for negotiations between Germany and America and regarding what Germany can do and what America must do to protect life in the future."

Expression Original Standpoint.

The Lokal Anzeiger says: "From the wording of the note, as it is now published, one sees that the announcements sent out broadcast by the enemy that the note would be an ultimatum—nothing else was to be expected—were wholly baseless. The form is friendly and it contains no asperity, as has been announced. The new note is really a roundabout expression by President Wilson of his original standpoint, and it will be a matter of further negotiations, during which the German arguments will be repeated and their justification proved.

"It would be premature to go into details, especially of a technical nature, now; it is enough to be satisfied that the Wilson note is so constructed as to admit the possibility of additional negotiations. He himself shows a desire for such negotiations. He suggests that the German government produce further proofs substantiating the claims regarding the Lusitania, and declares himself ready to act as an intermediary between Germany and Great Britain regarding mutual concessions so far as submarine warfare is concerned.

"True, this offer would have been of considerable more value if the President had explained that he was willing to make such preparations; whereas, he intimated that Germany and Great Britain should initiate the suggestions.

"However that may be, the United States will see from further negotiations that Germany has an honorable desire to treat a friendly suggestion in a friendly spirit.

"At all events, the situation created by the publication of the note is such that the hypothesis heralded throughout the world that America also was in the ranks of our enemies is now shown to be once more the old case of the wish is father to the thought."

No Sabre-Rattling.

Captain Persius, the naval expert of the Tagleblatt writes:

"A harmonizing of views is possible, and the Washington government shows a sincere disposition to reach an understanding. That is the keynote of the American note; there is no sabre-rattling."

Captain Persius assumes that the German answer will remove the last obstacle in the way of eliminating all differences. As he understands the American note, it by no means takes the view that the German admiralty must order a suspension of submarine warfare before negotiations can proceed. He regrets that the United States "has failed duly to appreciate Germany's previous offer to place restrictions upon the activity of the submarine, provided that it is certain that no satisfactory solution is possible unless Great Britain makes this concession, as Great Britain "was the first to break the international law."

He concludes:

"We have firm confidence that the friendly relations between Germany and the United States will smooth the way to a complete understanding and thus give victory to justice and humanity."

President Wilson Remains Firm.

Paris, June 12.—The Temps in an editorial today on the American note

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BATTLE IS RAGING ALONG DNEISTER

Russians Endeavor To Check Austro-German Advance On Lemberg

FIGHTING IN THE BALTIC

Here The Germans Claim Success; British and Belgian Forces Form Offensive Against Germans To Prevent Relief Against French Between Rheims and Arras

(By the Associated Press.)

London, June 12.—Another big battle is being fought along the line of the Dniester river in Galicia in which Russian forces are pitted against those of Austria and Germany. Those German troops which had crossed the Dniester at Zurawna having been driven back, and the Russians in eastern Galicia and Bukowina also having been forced to withdraw to the river the two armies now face one another across the wide and crooked stream, each making thrusts in an effort to gain the initiative for an offensive.

The Austrians in their official report claim to have succeeded in crossing the river east of Horodenka, a movement which in view of their recent experience near Zurawna, might prove dangerous.

The Austro-Germans, however, still have Lemberg as their objective and they are ont likely to allow any reverses they have suffered near Zurawna and east of Przemysl to put them off. So that fighting as severe as any witnessed in recent weeks may be expected during the next few days.

Heavy Fighting in Baltic.

Heavy fighting also continues in the Baltic provinces and on the east Prussian frontier, in which both sides claim advantages. With the view, doubtless, of preventing the Russians from sending reinforcements to either of their wings, the Germans yesterday attacked along the Rawka river, between Bolimow and Bochaczew, the scene of important battles last winter. In yesterday's attack the Germans claim to have broken into the Russian positions and to have taken 2,000 prisoners.

At points between Rheims and north of Arras the French continue their attacks which they report have been successful, but which the Germans, however, invariably state have been repulsed.

Although no big forward movement has been made, fighting is almost continuous along the line from the sea to Champagne and in the Woevre. The British and Belgians are playing an important role in these operations, for to them falls the task of holding large German forces in their front by threatening an offensive and thus preventing the Germans from sending relief to those troops which the French are assailing.

Italian Success.

The Italians have scored another success on the Isonzo river by the capture of the town of Gradisca, and it is reported they are carrying out a strong offensive all along the river as far up as Tolmino, which they are trying to outflank.

Unofficial reports state the allies are steadily progressing on the Gallipoli peninsula, but no details are given and official confirmation is lacking.

Today's report of German submarine activity shows one steamer and three trawlers were sunk. Since last Saturday, German submarines have sunk fifty-four vessels, of which seven were neutral.

The others comprised two French, two Belgian, three Russian and forty British. Of the British vessels 22 were fishing craft. In addition two fishing smacks were sunk by a Zeppelin.

Russian Destroyer Sunk.

Constantinople, June 12, via London.—Official announcement was made today that a Russian torpedo boat destroyer was sunk in the lack Sea Friday night by the Turkish cruiser Midullu, formerly the German cruiser Breslau. The Midullu returned safely to port.

Aeroplanes Drop Bombs.

Rome, via Paris, June 12.—Aviators of two enemy aeroplanes dropped bombs today on Mola Di Bari, then threw bombs on Polignana, where a woman was killed and finally on Monopoli, it is officially announced.

Italians Advance.

Verona, Italy, June 12, via Chiasso and Paris, June 13.—The Italian advance on Rovereto, in Tyrol, 13 miles southwest of Trent, and Mori, 18 miles southwest of Trent, has pushed so close to both towns that either they have already been taken or are about

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WILL KEEP THE SAME NUMBER OF DEPUTIES

No Reduction to be Made in the Staff of Collectors J. W. Bailey and A. D. Watts.

(W. R. YELVERTON.)

Washington, D. C., June 12.—North Carolina will have the same number of internal revenue deputies after July 1st as it has now according to an unofficial announcement following a conference today among Senator Simmons, Collectors J. W. Bailey and A. D. Watts and Commissioner Osborn. It is understood that Colonel Osborn was convinced by the arguments presented that the North Carolina collectors need all the men they now have on their rolls. It is likely, however, that the number of men hereafter employed at odd times on per diem basis may be reduced.

Withdrew From Defense.

(By the Associated Press.)

Los Angeles, Cal., June 12.—Le Compte Davis and Horace Appel withdrew today from the defense of M. A. Schmidt and David Caplan, who are awaiting trial here on a charge of murder in connection with the dynamiting of the Los Angeles Times building, October 1, 1910. It was announced that other counsel had been retained.

RECOGNITION IS WHAT IS LACKING

Carranza's Reply To Note Says Constitutionalists Control Mexico

VILLA INVITES NEW UNION

Addressed Communication To Carranza Asking Him To Agree On Conference "To Unite and Reorganize"; His Reply Not Yet Made Public at Washington

(By the Associated Press.)

Washington, D. C., June 12.—President Wilson had before him tonight the first reply to his recent statement regarding Mexico. It consisted of a "proclamation to the people" issued yesterday by General Carranza, asserting the right of the Constitutionalist government to recognition by the United States and other foreign powers. Lack of recognition is declared to be the one difficulty remaining in the way of restoring constitutional government in Mexico and the statement asserts:

Says Constitutionalists Control.

"At this time we believe ourselves to be in a position to overcome this last difficulty because the Constitutionalist government is now actually in definite possession of sovereignty, and the legitimate exercise of sovereignty is the essential condition which should be taken into account when deciding upon recognition of a government."

General Villa's answer also reached Washington today but was not delivered at the State Department. Until it is presented the Villa agency declined to make public the text.

Department officials declined to comment on the abstract of the Villa statement carried in press dispatches, or upon a copy of a letter from Villa to Carranza, also received at the agency, which urges that differences be forgotten and suggests a personal meeting between the two leaders to arrange for co-operation and restoration of peace.

General Carranza's proclamation was promptly laid before President Wilson. The document recites the history of the revolution beginning with the Madero uprising.

Cause of Madero's Failure.

President Madero's failure the document attributes to the opposition from Orozco, Reyes and Felix Diaz, of the old regime, and Zapata, instigated by their adherents. General Huerta, it contends, consummated this movement with the co-operation of "a group of foreigners favored by the old regime who surrounded Henry Lane Wilson," former American Ambassador to Mexico, and under the pretext of saving Mexico City from war.

The statement explains that as governor of the State of Coahuila, General Carranza assumed representation of the republic in accordance with the constitution, which, by its own terms, "will not lose its force and vigor even though through some rebellion, its observance is interrupted."

The schism of Villa and his followers, which later occurred, the statement attributes to the further intrigue of the old regime.

The statement asserts that the Constitutionalist element now has control of over seven-eighths of the national territory. Administrations, it is claimed, are being organized in twenty out of twenty-seven States of the republic, and that more than thirteen million of the fifteen millions population of Mexico are subject to constitutionalist authority.

Opposition Decreasing.

Opposition to the Carranza forces, it is asserted, is day by day decreasing and in a short time occupation of Mexico City is assured when harmonious government will be secured in all states and territories based on welfare and justice.

The Constitutionalist government has done all in its power, it is stated, for the people, especially the poor, by forbidding the export of necessaries and has punished abuses and protected the lives of those within its territory.

Foreign Nations Prejudiced.

As to foreign relations, Carranza asserts that one of his initial acts as First Chief was to apprise the United States of his attitude, facing rebellion and usurpation. He feels that his labors have been retarded by lack of understanding in the United States and other nations. The press, under the Cientifico influence, it is claimed, prejudiced foreign nations against him and this he was unable to combat, lacking the ordinary means offered when diplomatic relations exist between nations.

"If, as we hope and wish," Carranza's proclamation continues, "for the benefit of the Mexican people and of the foreigners resident in the country, the governments of other nations recognize the Constitutionalist government they will lend by this act of justice and effective moral support which will not only strengthen the friendly relations which Mexico has always cultivated with these nations, and enable them to discuss their common affairs, thus reconciling their mutual interests, but also will more rapidly consolidate peace and establish the constructive constitutionalist government thus sustained in its reforms and in the program of the revolution whose object is the greatest good for the greatest number."

Carranza then asserts he thinks it his duty to call to the attention of the factions persisting in resistance to the Constitutionalist government the futility of their attitude, and inform the nation of "the political course which the Constitutionalist government will observe in the execution of the program of social reform contained in the decree of the twelfth of December, 1914."

This course is set forth in part as follows:

Course Set Forth.

"The Constitutionalist government will grant the foreigners resident in Mexico the guarantees to which they are entitled according to our laws and

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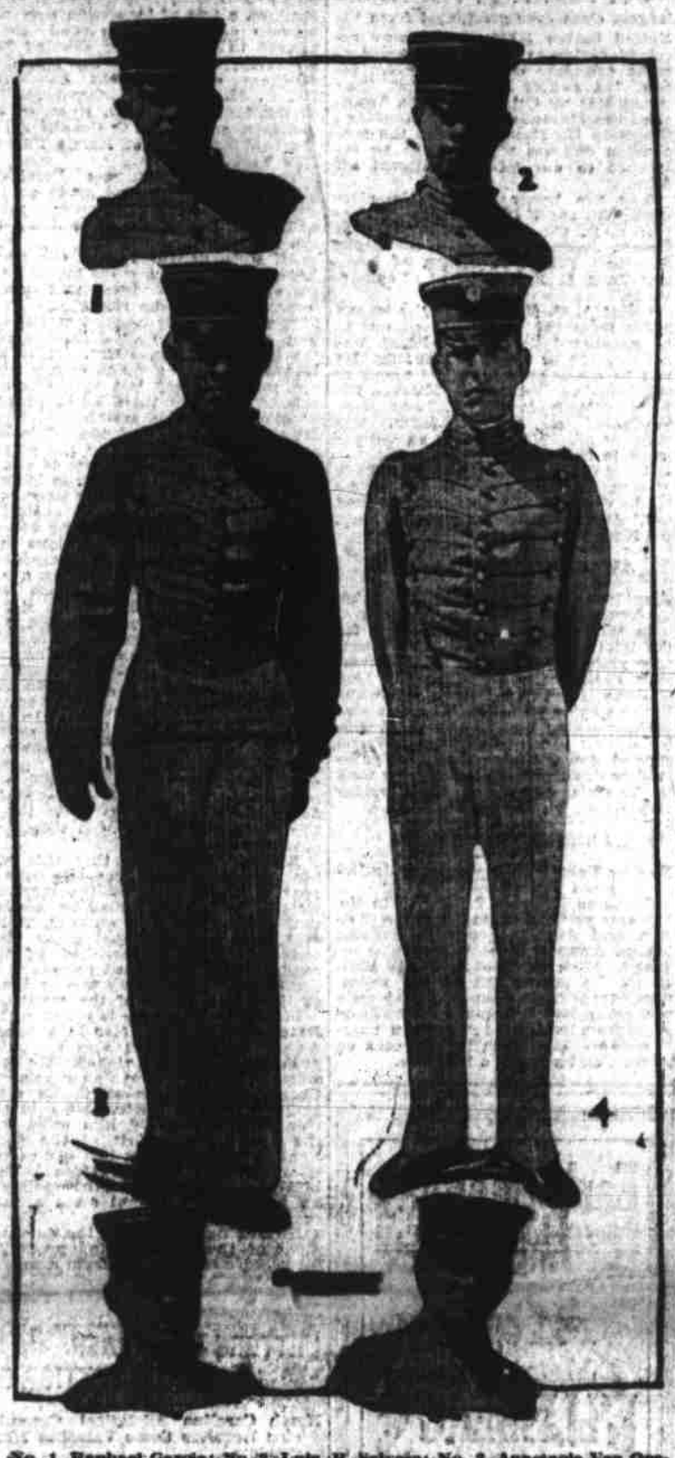
West Pointers From the Insular Possessions



No. 1, Raphael Garcia; No. 2, Luis R. Salvon; No. 3, Anastacio Ver Quevedo; No. 5, Fidel Segundo, and No. 6, Salvator Reyes, all of the Philippine Islands. No. 4, Luis Raoul Esteves, of Porto Rico.

Here are the Philippine and Porto Rico students at West Point two of whom are about to become officers in the army of the United States. Esteves is the first native of Porto Rico to graduate from the academy; Quevedo is the second Filipino to graduate. The others are still students at the academy and will remain there until they finish. The Filipinos and the one member from Porto Rico are as ardent American soldiers as will be found in the United States army. They are very proud of the fact that they will become officers in it.

COMPLETE CHANGE GERMAN ATTITUDE

With Reference To Present and Past Treatment of Neutral Shipping

EXPRESSED IN FIRST NOTE

President Wilson's Intention Was To Show Germany That Her Instructions To Commanders in August, 1914, Had Been Violated by Recent Methods Employed

(By the Associated Press.)

Washington, D. C., June 12.—The reference made by President Wilson in his first note to Germany regarding the sinking of the Lusitania, to the "humane and enlightened attitude hitherto assumed by the Imperial German government in matters of international right, and particularly with regard to the freedom of the seas," was based, it was learned today, upon the instructions of August 3, 1914, which the German government sent to its naval commanders. The President's purpose was to show a complete change of the German attitude over the treatment of neutral shipping during the war.

Possesses Prize Rules.

The German prize rules now are in the possession of the State Department and perhaps will figure specifically in future diplomatic correspondence on the subject of the Lusitania should there be no breach of relations.

While no mention is made in the rules of submarine warfare, the extent and method of the exercise of the right of research and the stoppage of ships is prescribed with precision and provision is made for the safety of passengers and crew.

After outlining the purposes of visit and searching vessels, the regulation adds:

Regard for Neutrals.

"All measures are to be carried out in a form whose observance, even against the enemy, will comport with the dignity of the German empire, and with a regard for neutrals conformable to the usages of international law and the German interests."

The method of signalling ships to

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STRONG APPEALS AGAINST FRANK

Petitions For Clemency From Outside The State Given Blow

EX-GOV. BROWN SPEAKER

He Said To Reverse Court's Decisions Was To Invoke Lynch Law and Weaken, If Not Destroy, Trial By Jury. Pertinent Questions Asked Frank's Counsel

(By the Associated Press.)

Atlanta, Ga., June 12.—Arguments for and against Leo M. Frank's application for commutation of his death sentence were made at a hearing before Governor Slaton here today. An unexpected adjournment of the hearing was taken until Monday, to allow Solicitor Dorsey to prepare a written brief and to present his oral argument against the application. Frank's counsel will be permitted to argue in reply.

Joseph M. Brown, who was governor of Georgia when Frank was arrested, was the principal speaker against clemency. He told of steps he took as governor to protect Frank when he heard rumors that a mob planned to attack the jail. These rumors, he declared, later proved to have been groundless. He protested against any overturning of the verdicts and judgments of Georgia juries and courts "on petitions of persons outside the State," and in closing declared:

"If your excellency wishes to invoke lynch law—if you wish to weaken, if not destroy, trial by jury, in this State, you can do it by reversing all the courts' decisions in the present case."

W. M. Howard, in his argument for Frank, said the condemned man would rely on the record of the case to convince the Governor of the prisoner's innocence. Governor Slaton put many questions to Mr. Howard concerning material circumstances in the case brought out at the trial. Among these were questions as to where, in the pencil factory, Mary

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DEFENDANTS NOW TOTAL FOURTEEN

Three More Ensigns Parties in Investigation By Navy Court

FULLAM WOULD RESIGN

Testimony Given That He Asserted Navy Department Must Sustain Him in Recommending Dismissal of Midshipmen or He Would Be Inclined To Withdraw as Supt.

(By the Associated Press.)

Annapolis, Md., June 12.—That Rear Admiral Fullam, Superintendent of the Naval Academy, will be further drawn into the proceedings before the court of inquiry investigating irregularities in connection with examination papers, was indicated by today's testimony.

Presidents of three classes of midshipmen gave practically the same testimony to the effect that at a conference with the superintendent after seven midshipmen had been recommended by him for dismissal for cheating in examinations, Admiral Fullam said if the Navy Department did not back him up in the matter of the previous investigation, he would be inclined to resign. He further remarked that he would rather go to sea in command of a collier than stay at Annapolis under such circumstances.

There were four presidents and a president-elect of the new first class present at this conference. The three who were cross-examined today by counsel for the defendant midshipmen concerning this conference were Ensign Richard R. Adams, president, and "Honor" man of the recently graduated first class, who was the first witness to testify that he heard the Admiral make the statement attributed to him; Midshipman H. B. Broadfoot, president of the former second class, and B. R. Holcombe, president of the new first class.

Warned Not To Become Defendant.

Captain Russell, president of the court, asked Broadfoot just before he left the stand what took place when he reported at the office of Superintendent Fullam this morning prior to coming to court. Broadfoot said he did not see the superintendent, but his aide, Lieutenant Manley, warned him that if he allowed himself to become a defendant and accepted the counsel of the present defendants he would assume the status of those defendants.

"Did Lieutenant Manley discuss or attempt to discuss with you your testimony to be given before this court?" Captain Russell asked.

To this there was a negative reply.

Several midshipmen have testified, in cross-examination by counsel for the seven original accused midshipmen, that Admiral Fullam had warned them not to become associated with the seven defendants who are under arrest.

Broadfoot's Testimony.

Broadfoot testified that he and his classmates considered that L. P. Wessell and T. W. Harrison, Jr., members of their class, who were recommended for dismissal, were honest and that their honesty never had been questioned. He thought they ought to have been put on the stand as principals rather than as witnesses, at the investigation made by the board of officers before they were recommended for dismissal.

Asked if he thought he could speak for his classmates as to their present feeling in the matter, he replied in the affirmative. The sentiment was that they would be going out of the service for the same thing that forty per cent of the class did.

Broadfoot said he had seen a copy of the "dope" going around, but did not pay any attention to it because it seemed too far advanced.

"We place most of the blame upon the man who came over here (to the language department) and got these examinations," said Broadfoot. "He was the one who got us into the whole trouble because most of us thought we were only getting the regular kind of 'dope.'"

Midshipman Holcombe said the instructor in his section, Professor Des Garennes, was in the habit of giving the section advance information on examinations, such as the fact that there would be no verbs or that there would be no dictation. That was called legitimate "dope." But he believed that if any professor knew what the actual questions in an examination were to be he would refuse to give out information concerning them.

Asked About Resolutions.

Midshipman Adams was questioned about resolutions said to have been adopted by the first-class men in behalf of Ralph McK. Nelson after he had been recommended for dismissal. It was held against Nelson that he had been alleged fraudulent papers and had failed to report them and that he had helped certain fourth-class men to make use of the papers.

At a meeting of the class, Nelson presented the resolutions and requested the members to sign them. When Adams saw that one clause said that whoever signed would be guilty in the same degree, he withheld his signature until he could read the findings of the board of investigation.

Had Not Studied "Dope."

"The reading enlightened me to the extent that I could not see every one equally guilty and I declined to sign it," said Adams.

Adams testified he had seen two-fifths of the examination question in Spanish on fragmentary "dope" sheets prior to the examination, but had not studied up on them, as he did not know until he got into the examination room, that the information was part of the examination list.

The number of the defendants was increased to fourteen today, three more young ensigns being notified that they had become parties to the investigation. These are W. J. Donnally, E. B. Hough and R. Burhen, graduates of last week.