

ALLIES INSIST BLOCKADE IS WITHIN LAW

Britain and France, in Reply to Protest, Promise to Aid Neutrals.

SHIPERS ACCUSED OF USING DECEIT

WASHINGTON, April 25.—The joint reply of Great Britain and France to the American protest of last November in regard to restrictions on trade caused by the blockade was made public by the State Department today.

It is a lengthy memorandum which deals in detail with the various points raised by the American protest. Great Britain and France maintain that the blockade is a fundamental belligerent right, that it is being conducted in the spirit of international law and with as little inconvenience to neutrals as possible without rendering the blockade ineffective.

The note first takes up questions relating to cargoes detained by the British authorities in order to prevent them from reaching an enemy destination.

Attempts to conceal contraband intended for the enemy and many devices being used for despatching goods to the enemy are given as the reason for the necessity of thoroughly investigating cargoes bound for neutral ports contiguous to Germany.

The size of modern vessels renders search at sea often impracticable, it is argued, and the ships are therefore taken to the nearest convenient ports.

Right is Fundamental.

"The question of the locality of the search is, however, one of secondary importance," the note says. "In the view of His Majesty's Government, the right of a belligerent to search neutral ports on its way to its enemy is fundamental and incontestable, and ought not to be restricted to intercepting contraband which happens to be on board the ship."

"What is essential is to determine whether or not the goods are on their way to the enemy. If they are, a belligerent is entitled to detain them, and, having regard to the nature of the struggle in which the Allies are engaged, they are compelled to take the most effective steps to exercise that right."

After stating that prize court proceedings have been facilitated for the benefit of neutrals, the note states that the American contention that much of the export trade of the United States to neutral countries in Europe has practically been stopped as a result of the blockade and the new prize court procedure in Great Britain.

"The first nine months in 1915," the note states, "may be taken as a period when the war conditions must have been known to all those engaged in commerce in the United States of America, and the new prize court procedure would have been recognized."

Export Growth Cited.

"During that period the exports from the United States of America to the three Scandinavian countries and Holland, the group of neutral countries whose exports have been most affected by the naval operations of the Allies, and by the procedure adopted in their prize courts, amounted to \$274,937,000, as compared with \$126,765,000 in the corresponding period of 1914.

"It is useless to take into account the corresponding figures of 1914 because of the dislocation of trade caused by the war, and not taking the previous months of 1914 into account, the figures for 1914 and 1915 were as follows: 1914, \$274,937,000; 1915, \$274,937,000.

"In every theatre and in each phase of the war has been visible the same shining desire for cooperation in the rights of innocent persons and neutral peoples. His Majesty's Government would welcome any combination of neutral nations, under the leadership of the United States, which would exert an effective influence to prevent the violation of neutral rights, and they cannot believe that they or their allies have much to gain from any combination for the protection of those rights which takes an impartial and comprehensive view of the conduct of this war and judges it by a reasonable and just interpretation of the accepted provisions of international law and by the rules of humanity that have hitherto been approved by the civilized world."

Grand Jury Kept Busy.

Truckmen Who Carried Materials for Dr. Scheele Questioned.

The Federal grand jury which is investigating the alleged plots to set fire to merchant ships carrying supplies to the Allies and to prevent the shipment of ammunition and arms to the Allies by the German blockade runners.

Roger B. Wood, Assistant United States Attorney in charge of the criminal division, spent some time with the grand jury today.

He is mentioned as the chemist who assembled the fire bombs and Franz von Rintelen is supposed to have furnished the material used before the grand jury.

Edward F. Hiney, Frederick Rittman and Frederick Conway, truckmen who carried materials for Dr. Scheele, are mentioned as having furnished evidence in the papers seized from Wolf Igel in connection with the plot to blow up the Welland Canal.

It is explained that probably \$1,000 would cover the cost of the expedition to Buffalo and Niagara Falls to blow up the canal.

Raymond H. Sarfaty, Assistant United States Attorney who has charge of the case against the Hinton-Hinton-Davis gang, Congressman Buchanan and ex-Congressman Fowler, called Henri Rogowski and other witnesses.

BERLIN INSISTS BRITAIN MUST EMBARK HER BLOCKADE

Reply to President Wilson's U Boat Note to Be Started on Way To-day—Is Expected to Pave Way for Negotiations.

Berlin, via Amsterdam, April 25.—Within twenty-four hours—forty-eight at the outside—Germany will have despatched the answer to President Wilson's submarine note. There is no indication as yet as to what the Government's decision is or will be, for there is an impenetrable veil of secrecy unprecedented here since the war began.

This much, however, is known here: The Kaiser will go to the greatest possible length in endeavoring to keep peace with America. In formulating its answer to the United States the German Government has not only bridged the great cleavage which just now exists between the two nations but at the same time of conciliating its own people.

"The humiliation" incurred by an admission that the weapon which has been repeatedly proclaimed as "the only effective weapon in Germany's struggle for her existence" has proved to be embarrassing.

Supposing, said an authority today, that Germany in her reply to President Wilson will agree to suspend submarine warfare for one or two months, an offer which would be tantamount to a declaration of the armistice, she is willing to do so if within that period of time the United States shall endeavor once again to persuade Great Britain to discontinue her "blockade."

In other words, supposing that Germany should say to America: "We still believe in the blockade of the British coast. Fine warfare is theoretically legitimate reprisal against an illegal starvation war openly announced and ruthlessly pursued by Great Britain. The submarine is the one and only weapon with which we can frustrate the plan to starve out our women and children."

"We have hoped that, realizing our plight, our struggle for our national existence, the United States would stretch a point of international law and take measures to prevent their citizens from recklessly risking their lives on belligerent vessels or forbid England to violate international law by declaring and maintaining an admittedly illegal blockade.

"In these hopes we found ourselves sorely disappointed. American lives have been lost and Americans have been injured. In view of this fact, deeply regretted by us, the American Government has now demanded of us to discontinue this war."

"With the greatest reluctance, but prompted by the sincere wish that the friendly relations between the two nations should continue, we now offer to accede to the demand that we temporarily discontinue our submarine warfare, but in so doing find ourselves compelled to request of the United States Government that it suspend its suspension to prevail upon the British Government to discontinue the blockade of German ports, against which the United States Government has itself requested more than a year ago, without the slightest results."

One Pro-German.

When the twelve talesmen, after a rigorous examination, were sworn in by William Leary, clerk of the court, there was one pro-German in the jury box. He was the only one who expressed his feelings regarding the European war.

One man, Arthur Doremus, business manager of the Crocker-Wheeler Company, a manufacturing chemist for the Allies, and in the jury box was A. F. Monte, the Austrian in whose room in Manhattan Chief William J. Flynn of the United States secret service found a large quantity of explosives.

He was excused by Judge Howe because he said frankly that he would be inclined to give favorable consideration to the German cause. One German, Charles W. Ward, said he supposed "blood was thicker than water" and he did not prove acceptable to the prosecution.

The jurors were selected by Roger B. Wood, Assistant United States Attorney in charge of the criminal division, and the other members of the jury, who has worked up the case ever since the arrests were made by Chief Flynn and Capt. Tunney of the local bomb squad.

The defense did not nod their approval of the twelve men until the jury was sworn in by Judge Wood. They are all men of high standing in the community.

Personal of Jury.

The jury is made up as follows: 1. HOWARD M. PATTERSON, printer, living at 201 Alexander avenue, rather prominent in the community. 2. JOSEPH LONDON, real estate man, 422 East 14th street, parents born in Russia.

3. MATTHEW L. SLOAN, paper manufacturer, 200 West 121st street, parents born in America. 4. JOHN J. TAYLOR, paper manufacturer, parents born in the United States. 5. FREDERICK B. SKWALL, furniture dealer, 100 West 121st street, New York, sympathy for the Allies.

6. J. SHANNON, paying clerk of the Union Trust Company, 235 West 121st street, sympathy for the Allies. 7. THOMAS J. TAYLOR, paper manufacturer, parents born in the United States. 8. FREDERICK B. SKWALL, furniture dealer, 100 West 121st street, New York, sympathy for the Allies.

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ONE PRO-GERMAN ON JURY FOR BRITAIN VIOLENCE

Thirty-eight Out of Forty Talesmen Examined Before Twelve Are Chosen.

The first jury to pass on the merits of the evidence in a case based on the alleged plots of German agents to plant bombs with the aim of hampering or preventing the shipment of arms and other supplies to the Allies was selected at 4:13 yesterday afternoon before Judge Howe in the Criminal Branch of the Federal court.

The jurors chosen will decide whether Robert Fay, ex-lieutenant in the German army; Walter E. Scholz, his brother-in-law, and Paul Daech, son of a wealthy manufacturer in Germany, all subject to the Emperor's orders, are guilty of a conspiracy to blow up munition carrying ships and despoil marine insurance underwriters by such plots.

Out of forty talesmen summoned to be questioned as to their availability for service in the case, twelve were finally selected. The Government exercised five peremptory challenges to disperse with men believed to be too ardently pro-German.

So we moved along with considerable confidence. On the hilltop we had had the view of Verdun caudal tower thrust up like a black flag from a lake of smoke, and we had seen the suburbs of Belleville and Fort de Belleville, we thought, so thickly wrapped in smoke that it seemed as if the situation there must be extremely desperate.

Ditches Provide Refuge.

On the hilltop too we had eaten our bread and meat and warmed ourselves against the bitter wind by a pull at the aluminum flask.

At that time the French had not found it and except for the draft of the German shells as they passed over our heads or having some mischief done to the ear drums by the report of the guns, there was no perceptible sound from the battery if we made good time during the two minutes allowed us. Even so, there are many pleasant ways of taking your morning's promenade than this.

Six Cannon Fired at Once.

Upon our return from the hilltop the situation in and around the battery had changed. There was no two minute allowance for promenade now. The six cannons were firing in rapid succession, striking out by the military order if I put it in—were working briskly and sometimes fired "salvo," which means all together and which produces a sound which is like the firing of a machine gun.

For two hours the French had been firing at this battery, knowing that as it commanded an important highway it deserved their special attention. As the shells came at the battery they found it. In fact, when we were 300 yards from it their shells were falling so near that we were warned by the constellations and the clouds of white smoke which were in front of their guns but to continue to hold them.

Just as we were turning in off the road to the guns a French shell came screaming from the south and fell in a field at the bottom of the slope behind the battery. It sent up a fountain of grayish smoke which was like nothing so much as spray of dirty water, and it put great deliberation into our hearts.

It had fallen 150 yards behind and a little to the left of the battery, not near enough to make one wish to run but near enough to create a feeling of anxiety and dread akin to apprehension. In a few seconds this shell was followed by one that fell 100 yards directly behind the battery. Such swift correction of fire looked ominous, and we began to walk rapidly, having by this time come in behind the battery.

Guns Get the Range.

The under officer directing the fire was screaming orders, the cannons began firing, their faces shining with perspiration, were loading and firing with a rapidity that was almost frantic and yet without any suggestion of hurry or haste. Two of them had just been fired when a third French shell struck fifty yards behind the third gun of the battery. It had passed directly over our heads.

This correction of fire—from 150 yards to 100 yards and from 100 yards to fifty yards, all in the course of perhaps ten seconds—meant that if that rate was maintained the fourth shell would strike inside the battery.

"Run, gentlemen, run!" the soldiers in our party shouted, and their orders were emphatically indorsed by the Argentine correspondent. He knew as well as the Germans with us that such rapid correction of fire meant the utmost peril. "They have got the range!" he screamed, and ran.

As I plunged over the uneven dirt floor of the battery I could see the wet faces, hair heads and wide, wild eyes of the cannonners and some of the soldiers felt so near to men in my life. One thinks fast under such conditions, and I remember that the thought ran through my mind, "I wonder if it's with these good fellows that I am going to finish life?" and I may add without any sentimentalizing that there was a kind of comfort in the thought. For the German soldier is a good fellow. Yes, it gives you plenty of warning of a kind, but it does not give you much chance. You have time for a general survey of your past life, but not much time to get any other good fellows that I am going to finish life with."

Meanwhile the fourth shell was on its way to us while I was coming under the officer who was directing the fire screamed "Salvo!" and all the guns spoke together. The roar of that volley did not make my heart beat any faster than I had done in time past, because this time my mind was so intent upon the approaching French shell that all other sounds were shut out of my mind.

As I ran I passed a bombproof and I remember wondering whether the wisest thing to do would be to plunge into it. That thought was brushed away by another. "No; perhaps the bombproof will last for hours, and if it does the bombproof will be beaten to pieces."

So I kept on running. We had reached the shell say, the fifth gun of the battery, or perhaps the last one, when the fourth French shell struck it. It, like the one before, had fallen behind it, nearly ten minutes of fifty yards behind it, only fifteen. This I was told later by colleagues who were behind me.

I did not wait to verify anything. I was begging it to the glad free landscape stretching so sweetly beyond the low parapets of the battery. Just as the fourth French shell struck, I stepped on them. I can see his face as I looked down. It was Brown of the New York Times.

Soldiers Huddle Under Guns.

A splinter had struck him and thrown him down," I thought, and I clutched at his arm. But he was not wounded. Expecting splinters he had thrown himself on the ground in the hope of escaping them. I can see his face as I looked down. It was Brown of the New York Times.

The fourth shell had fallen between the under officer and his guns and he was begging it down the slope. His men were huddled under their guns. This also I remember very clearly. The shells were falling and we all took advantage of that full to make time.

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SPECTATORS AT VERDUN RACE IN RAIN OF SHELLS

French Guns Find Range of Party of War Correspondents, Who Have Narrow Escapes From Death on Germans' Front Lines.

By JAMES O'DONNELL BENNETT.

VERDUN BATTLEFIELD, End of March.—Descending from a windward height which gave a view of burning Verdun we swung into half a mile of curving highway. Like all highways in this tumbled region this one sometimes skirts and sometimes crawls over the round knobs of hills. It reaches its lowest level at the untidy village of L. A few hundred yards outside the village it is commanded by a German battery of six pieces—an uncovered battery save for a few small trees and branches of larger trees which have been stuck up in front of it.

When our party of fifteen soldiers and correspondents came down from the hill and struck into the highway we separated into groups of three or four and walked two or three hundred feet apart. This was to avoid drawing the fire of an extremely energetic French battery.

As a rule cannonners do not consider it worth while to fire on groups of three or four. But a party of fifteen moving in close order presents a tempting target that even a battery commander who is saving his shells cannot be counted upon to resist.

So we moved along with considerable confidence. On the hilltop we had had the view of Verdun caudal tower thrust up like a black flag from a lake of smoke, and we had seen the suburbs of Belleville and Fort de Belleville, we thought, so thickly wrapped in smoke that it seemed as if the situation there must be extremely desperate.

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