

DELAY IN SENDING AMERICAN NOTE UNEXPLAINED BY THE PRESIDENT

Purpose May Be to Give Messenger From Ambassador Bernstorff Time to Reach Capital of Germany.

LEGAL OFFICERS TO GO OVER IT MONDAY

President Puts Last Touches on Communication Meant to Bring Status of Neutrals to Definite Decision.

Washington, June 5.—The note which President Wilson, with the approval of his cabinet, had prepared to be sent to Germany, insisting on an adherence to the rules of international law in the conduct of maritime warfare, was not cabled today.

The reason for the delay in the dispatch of the note was not revealed. President Wilson played golf during the morning and went motoring after luncheon with members of his family, returning to the White House after sundown.

Officials declined to say when the note would be mailed, but that its status was the fact that the president had practically finished it led to the belief that Secretary Bryan would study it tonight and tomorrow, and that it would be given to Counselor Lansing and other officials of the state department on Monday for revision of legal detail.

If the communication is not sent before Monday night it would hardly reach Ambassador Gerard before Wednesday morning, as about forty-eight hours is allowed by officials now for transmission of messages via London and Copenhagen to Berlin.

Time of Cabling Not Set. Officials declined to say when the note would be mailed, but that its status was the fact that the president had practically finished it led to the belief that Secretary Bryan would study it tonight and tomorrow, and that it would be given to Counselor Lansing and other officials of the state department on Monday for revision of legal detail.

Officials generally were interested in when the document would finally be dispatched, but it remained an official secret tonight.

Lustania Was Unarmed. Sir Cecil Spring-Rice, the British ambassador here has transmitted a note from the British government solemnly assuring the United States that the Lustania was not armed. This assurance conforms with the investigation conducted by American officials before the ship was given clearance from the port of New York by Collector Daniel Field May.

CONDEMN LIQUOR SALES IN NORWAY BUILDING

San Francisco, June 5.—Condemnation of the management of the Norway building at the Panama-Pacific exposition for allowing the sale of intoxicants, was voted in resolutions adopted unanimously here today by the synod of Norwegian Evangelical Lutheran church of America, in its closing business session.

FULL SUFFRAGE CONFERRED UPON DANISH WOMEN

Copenhagen, June 5 (via London, 10:12 p. m.)—The Danish parliament on the anniversary of the signing of the first constitution, by Frederick VIII in 1849, unanimously passed the new constitution which confers the suffrage on women and abolishes the special electoral privileges heretofore exercised by the wealthy classes. The king signed the constitution this afternoon.

A large number of women composed of all classes marched to the palace where King Christian received a petition, which in behalf of the women of Denmark thanked him for their political emancipation. A deputation of women also went to the parliament and thanked the governor for conferring the franchise on women.

The king gave a reception tonight to the members of parliament.

WEATHER FORECAST. New Mexico—Sunday and Monday fair; warmer in north portion Sunday.

PORTER CHARLTON WAS MENTALLY RESPONSIBLE

(BY MORNING JOURNAL SPECIAL LEASED WIRE) Como, Italy, June 5 (via Paris, 5 p. m.)—Porter Charlton, the American accused of having murdered his wife at their villa here in June of 1910, was declared today to have been mentally responsible at the time of his wife's death. An opinion to this effect was presented in court here today by Professor Maggioro, who was appointed to examine Charlton's mental condition at the time he is alleged to have committed the crime.

ANOTHER BRIEF FILED IN RIGGS BANK CASE

Washington, June 5.—A supplemental brief in the Riggs bank suit against Secretary Meade and Comptroller Williams was filed today by Assistant Attorney General Warren, in support of the government's contention that the contract is unenforceable by law to penalize national banks for refusing to make special reports.

INQUIRY INTO ROCK ISLAND'S TROUBLESENDS

Little Effort Made by Officials and Members of Board to Raise Money With Which to Meet Road's Obligations.

Washington, June 5.—The Interstate Commerce commission concluded today its inquiry into the financial affairs of the Chicago, Rock Island & Pacific Railway Co., which passed into the hands of receivers six weeks ago. Officials and stockholders of the company and others were examined as to their knowledge of recent transactions leading up to the receivership.

Nathan A. Amster, elected a director by majority stockholders, declared he was the only member of the board who seriously endeavored to raise money to meet obligations of the road falling due May 1, last. He returned to New York to report his success, but the receiver declared that the company was in the receivers' hands.

First Learned of Receivership. "I went to the Rock Island office," he said, "but there was nobody to say anything to me except some people moving about. I went out and saw on the ticker that a receiver had been appointed for the company in Chicago. That was the first that I, as a director, heard of the receiver going to be appointed."

Amster produced a statement issued by the receiver which he declared showed that there was an excess of earnings over fixed charges for the remaining eight months of the calendar year amounting to between four and five million dollars, bearing out his assertion that there was no necessity for the receivership.

Statement by Mudge. President H. E. Mudge of the company, who is one of the receivers, declared that the statement was not a report of earnings, but a forecast of cash showing the money the receivers would need.

In view of the fact that the receivers contemplated asking the court for permission to borrow two or three million dollars to meet obligations about July 1, he said, "I got an impression to the contrary."

Amster explained his sale of 1,500 shares of Rock Island stock four days before the receivers were appointed by saying that he had had a difference with the broker in whose hands these shares were and closed out all business with him at that time. He said he owned over 4,000 shares of the stock.

Denver Post Figures Heavily. Joseph W. Folk, counsel for the commission, put an expert accountant on the stand to testify as to any "unusual" vouchers found in the Rock Island's reports. The accountant testified that he had found vouchers on which \$14,066 had been paid for "advertisements" in the editorial and news columns during 1905-1909, and that on the vouchers for the first year were notations that there had been a refund to the Post of 25 cents per hundred on paper shipped to it from Wisconsin.

Two clerks of the First National bank of New York, testified that each had held about \$7,500 worth of stock of the Rock Island in January or February, and that they had been told they were holding it as dummies for William H. Moore. Both assigned their stock in blank.

Mr. Folk presented also a partial stockholders' list, which he said showed that some twenty clerks in this bank held \$100,000 worth of the stock.

Other witnesses heard today were Thomas M. Schumaker, chairman of the Rock Island executive committee; Horace Haring, a New York stock broker, and Silas H. Strawn, a Chicago attorney.

SAYS BIRDMAN VIOLATED AMERICAN NEUTRALITY

(BY MORNING JOURNAL SPECIAL LEASED WIRE) Nogales, Ariz., June 5.—(By Editor Maguire.) The Villa commander announced tonight that he had filed a protest with the United States consul here against the alleged action of an aeroplane from the Carranza squadron at Agua Prieta in firing on American territory to make an attack on the Villa garrison at Santa Cruz several days ago.

FIERCE BATTLES ARE RAGING IN GALICIA; GERMAN ADVANCE CHECKED

Russians Report Struggles of Most Desperate and Bloody Character Along San and Other Rivers.

BAYONET FIGHTING IS MUCH IN VOGUE

Austrian Attacks, When Reinforced by Kaiser's Troops, Are Repulsed With Heavy Losses, Says Petrograd.

(BY MORNING JOURNAL SPECIAL LEASED WIRE) Petrograd, June 5 (via London, June 6, 1:20 a. m.)—"No important change has occurred on both banks of the Niemen river or on the front along the Narva river and the left bank of the Viitula.

"Our offensive on the lower San has developed successfully. On June 3 and 4 the Fourteenth Austrian army corps, which suffered defeat on preceding days on the front of Warsaw, Podvolina and Strita fell back on fortified positions between the rivers Leng and San and on the front of the villages Steny, Jata and the stations of Lennowia and Zarcina. Fighting for the possession of this position continues.

We took over 1,000 prisoners in this region on June 4. "To help the Austrians, who were hard pressed by us, a strong force of German reservists concentrated on the left bank of the river Leng and delivered three furious attacks on the night of June 3-4 on the front between Krowka and Burda. These attacks were repulsed.

"On the right bank of the river San between the rivers Lubaczowka and Sklo, our infantry, on June 4, captured several German trenches in the region of the village of Korzenka. "The enemy succeeded on June 3, in capturing the village of Starzawa, which is situated on the left bank of the Wyszynia. Our counter-attack dislodged him from this village, but he holds the ground in the neighborhood.

"The visit of Emperor William at the headquarters of Field Marshal Archduke Friedrich, the Austrian commander-in-chief, to take part in the celebration of the archduke's birthday, was made the occasion of rejoicing at the fall of Przemysl. Coincidence! The emperor's visit, the Emperor Schuchbaur company has published in London a dispatch from Vienna saying that it is now virtually certain that a coalition government is to be formed in Hungary.

Submarine activity by the Germans continued today, as a dispatch from Kirkwall, Orkney islands, which states that three more British vessels had been sunk. They are the steam fishing vessels Evening Star and Cortes of Aberdeen, and the Kathleen of Peterhead. A fourth vessel, the Esmeralda, Telegraph cable, was torpedoed on Friday and the crew landed at Herwick.

AMERICAN POSSE RESCUES BOYS FROM MEXICANS

Cross Border and Hold Up Colonel at Point of Guns in Presence of Soldiers and Bring Back Two Youths.

(BY MORNING JOURNAL SPECIAL LEASED WIRE) Nogales, Ariz., June 5.—A posse of ten American cowboys and miners rescued today a young American boy and his brother from the hands of Mexican soldiers. The boys were held up by the Mexicans at the point of a revolver. The boys' hands were tied.

Army officers, as also Sheriff McKnight, were notified, who promptly started out from here with a posse. The boys were rescued today by a posse of American cowboys and miners from Duquesne had taken the trail with the announced intention, which they proceeded to carry out, of going into Sonora to rescue the boys.

Governor Mastorena, whose headquarters are at Nogales, Sonora, said he had no knowledge of the kidnaping.

Army officers here said they were of the opinion the raid would have no serious consequences.

PART OF GREEK KING'S TENTH RIB IS TAKEN OUT

(BY MORNING JOURNAL SPECIAL LEASED WIRE) London, June 5 (9:05 p. m.)—An Athens dispatch to the Exchange Telegraph company says that Professor Eislerberg of Vienna, today performed an operation on King Constantine, removing part of the tenth rib.

The king felt some relief after the operation. The treatment is likely to cover a long period of time.

The operation performed on King Constantine indicates that the king probably is suffering from pleurisy with purulent effusion, which is known as empyema, the treatment for which consists of the removal of one or more ribs and drainage. One of the early bulletins on the king's condition, issued by the attending physician on May 15 mentioned the presence of pus in the pleural cavity which accounts for the occasional relapse which King Constantine has undergone. A favorable sign, however, is the comparatively low temperature and respiration noted in the latest reports.

Summary of War News of Yesterday

Brief mention is made in the new latest official statement issued by the Russian war office of the appearance of a "strong German fleet" in the Baltic, that has "exchanged shots" with the Russian fleet near the Gulf of Riga.

The nature of this fleet or where it came from is problematical, but nearly a month ago several German warships were observed cruising in the southern Baltic.

The Russian fleet which is to be sent to Berlin in reply to the German note on the American demands has been completed, but is not yet in the hands of the legal officers of the state department, according to Washington dispatches. The consequence of this will not be forwarded to Germany at an early date as was expected.

A further advance of the Teutonic allies toward Moscow with indications of a great battle near the Grudek lakes, south of Lemberg, are contained in reports from the Galician front. The Austro-German military authorities, according to these reports, are making serious opposition in the Grodek lakes region, on the part of the Russians, reinforced by large numbers of reserves.

With this event forecasted in the southeastern war theater, both the Russians and the Austro-Germans continue fighting along the entire front in Galicia. Reports from Vienna from Galicia report from Vienna in full retreat, although the Petrograd war office maintains that the advance of the enemy has been arrested ten miles east of Przemysl.

In France the Germans admit the loss of the French of the sugar refineries at Souchez, but declare that attack by the enemy at Neuville has been repulsed. Along the other fronts in the west, little of importance has occurred.

In the Italian war theater the Vienna dispatch declares that nothing of importance has occurred, but from Chiasso, Switzerland, come reports that the invading Italians are making slow progress in Tyrol where, it is stated, the American military authorities have decided to remove the civilian population.

The Russian occupation of Van, Turkish Armenia, has been followed by attacks by bands of Kurds in the districts of Bitlis, Mush and Diarbek, according to dispatches from Tiflis, Transcaucasia. The report from Tiflis also states that Armenian volunteers are fighting desperately to protect the Christian population from the Kurds.

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OKLAHOMA LIMITS PRODUCTION OF OIL

(BY MORNING JOURNAL SPECIAL LEASED WIRE) Oklahoma City, Okla., June 5.—Actual daily production of the head-ton oil field must be confined to the quantity necessary to supply the probable daily market demand, according to a ruling by the corporation commission under the new oil conservation law. The commission ruled today that nobody having the right to drill for oil shall take from the potential production of the field more than his equitable proportion.

TRANSPORTS TO BRING FOREIGNERS FROM MEXICO TO UNITED STATES

Red Cross Supplies Are Being Forwarded as Rapidly as Possible to American, French and Spanish Hospitals.

(BY MORNING JOURNAL SPECIAL LEASED WIRE) Washington, June 5.—The army transports Buford and Kilpatrick, now at Galveston, will be sent to Vera Cruz today to bring back American and other foreign refugees reaching that port from Mexico City on the trains now being arranged. Plans to send the ships were made at the war department today.

Under British auspices efforts will be made early next week to take parties of foreigners by horseback and automobile from Mexico City to Patlanchuca, from which place there is railroad communication with Vera Cruz. The American Red Cross will dispatch next Thursday a shipment of medical supplies to the American, Spanish and French hospitals in Mexico City via Vera Cruz and send two more carloads of relief supplies to Monterey.

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5,000 REFUGEES NOW ON LAREDO BORDER

Wretched State of Destitution Among Arrivals From Monterey; Many Not Allowed to Cross Boundary Line.

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American Consul in Charge. Arnold Shanklin, consul general at Mexico City, now awaiting orders at Vera Cruz, probably will take command of the American refugee situation at the capital and supervision of the distribution of relief supplies. It is doubtful if E. P. Morris, acting national director of the Red Cross, will go to Mexico City as he had previously planned.

In its summary today the Red Cross said: "In the last few days about 5,000 people, many of whom are destitute, have been crowded into the city of Monterey, as the result of an order published by the governor of Monterey, General Davilla, which provided that all civilians who wish to go to the border would be furnished free transportation. This information comes in a telegram from General Evans at Fort Sam Houston, Texas.

"The railroad between Nuevo Laredo, Mexico, and Monterey, was opened May 27, according to General Evans' dispatch, and since that time trains have been running very irregularly.

"People in Wretched Condition. "One train took three days coming from Monterey. The order of the governor was good for five days only. The Mexican authorities turned the refugees over to the American side for care, but the immigration authorities had to turn back about 90 per cent of them.

"They are in a wretched state of destitution," declares General Evans, "and what is going to become of those driven back to the other side of the river is not known."

C. A. Devol, director general of the American Red Cross, will leave tomorrow for Fort Sam Houston to confer with General Funston on the direction of the Mexican relief campaign. He will also visit several border points with a view to expediting relief efforts.

No Replies to Warning. The effect of President Wilson's warning to the factions in Mexico is still unknown to the United States government. None of the chiefs has made reply.

Evidence of a desire on the part of the Villa-Zapata forces to discuss terms of a reconciliation with the Carranza element, however, have not been lacking.

A coalition of the elements which originally composed the successful constitutional party in its campaign against General Huerta would meet with early recognition, according to the prevailing view in official quarters here.

The attitude of General Carranza has not been clearly defined but from all available information he intends to press his military campaign in an effort to dominate the situation by force.

No Compromise by Villa. Reports from the border that the Villa officials had sent a request to Eusebio Arredondo, Washington representative of Carranza, to outline a basis for negotiations were declared unfounded by Arredondo himself, as well as by Enrique C. Llerena, the Villa representative.

The president's statement, however, has stimulated discussion among Mexican officials of all factions here and the possibility of a reunion of the Villa-Zapata and Carranza factions is widely commented on. Administration officials are hopeful of a reconciliation but believe that until it is determined whether Villa has won a decisive victory over General Obregon, the Carranza commander in central Mexico, as reported, developments in the political situation are unlikely.

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CHARGES THAT COMPANY PROMISED BIG DIVIDENDS

(BY MORNING JOURNAL SPECIAL LEASED WIRE) Los Angeles, June 5.—The government began introducing documentary evidence today in the trial of Charles A. Elder and ten other former officials of the Los Angeles Investment company who are charged in the United States district court with having used the mails for fraudulent purposes.

Mrs. Lucy R. Carnes of Central City, Ia., was one of the witnesses called to the stand. She identified a letter sent her by the company in reply to an inquiry concerning the purchase of stock. The communication was one of the five upon which Elder and his associates were indicted. In it the statement was made that profits on 400 shares of stock would buy five additional shares every time a dividend was declared, and that the guarantee fund absolutely protected investors from all losses.

OCCUPIED TERRITORY PLANTED BY GERMANS

(BY MORNING JOURNAL SPECIAL LEASED WIRE) Berlin, June 5 (via London, 8:05 p. m.)—The Prussian minister of agriculture informed the budget committee of the diet today that German troops had planted 80 per cent of the arable area of the occupied territory in Belgium and France. Grain and potatoes were planted.

The minister added that the cultivation of the moor lands of Germany would not materially affect the food supply.

7 MIDSHIPMEN CHARGED WITH GRAVESMISDEEDS

President Wilson and Secretary Daniels Order Investigation into Alleged Irregularities in Examinations.

(BY MORNING JOURNAL SPECIAL LEASED WIRE) Washington, June 5.—Following a conference with President Wilson today, Secretary Daniels appointed a court of inquiry to investigate charges that seven midshipmen at the Annapolis naval academy had secured advance information on examinations.

The court will make a sweeping inquiry, however, into reports that other midshipmen and possibly some instructors were involved in the irregularities. No attempt was made at the navy department tonight to minimize the gravity of the situation.

The annual practice cruise of the midshipmen, which was postponed in order that students at the academy may testify before the court of inquiry which will be convened at Annapolis next Monday.

During his conference with Secretary Daniels, President Wilson approved recommendations that three cadets at the academy charged with irregularities in connection with recent examinations be dismissed from the service.

One of them was charged with having offered a bribe to a civilian employe of the academy for advance information on an examination, while it was alleged that the other two broke into professors' rooms to ascertain the standing they had attained in an examination.

The seven midshipmen whose cases will furnish the basis for an investigation have already been recommended for dismissal by the academy board, but Secretary Daniels, following a personal investigation of the situation at the academy this week, decided that it was better to go thoroughly into all charges involving others.

The seven midshipmen under specific charges are Ralph McK. Nelson, Jr., of New York; Chas. E. Evans, of Virginia; Stuart Hamilton, of Connecticut; Leonard P. Wessels, of North Carolina; Donald E. Dunham, of Michigan; Thomas W. Harrison, of Maryland, and James E. Moss, of Maryland.

Nelson is the only first classman among the seven directly involved. He stood third in his class and had achieved a reputation as a mathematician. His diploma was withheld at the graduation exercises yesterday.

Concerning the operations on the Italian frontier the advices are very meager, but British military experts gather from them that the Italians, without much opposition are occupying positions which are likely to prove of the greatest importance when the big battle begins.

TEXAS ELECTION FRAUDS PROBED BY FEDERAL COURT

(BY MORNING JOURNAL SPECIAL LEASED WIRE) Corpus Christi, Tex., June 5.—Federal indictments charging corruption of an election were returned today against forty-two persons, including prominent city and county officials by the United States grand jury here, which has concluded an extensive investigation into alleged frauds in the election of last November. The federal court took jurisdiction here as in the Terre Haute case because three congressmen were voted for in this district.

Tonday for the indicted men were set at various times from \$10,000 to \$500 and all of those arrested except several Mexicans, had been released on bond tonight. United States Judge W. T. Harris set the trials for a special term of federal court here September 5.

Among those named in the indictments are T. B. Southgate, United States commissioner; W. B. Hopkins, district judge; Walter F. Thion, county judge; Claude Fowler, chief of police; Michael B. Wright, sheriff; Russell Savage, city attorney; and minor officials, city policemen and private citizens. Of the forty-two indicted, thirty-eight were whites, of whom eight were Mexicans, and four negroes.

ALLIES NOW HAVE THE DARDANELLES PRACTICALLY IN THEIR CONTROL

Only a Few More Miles to Be Gained by Invaders When Constantinople Will Be Dominated by Guns of Fleet.

GERMAN OFFENSIVE IN WEST BREAKS DOWN

Heavy Fighting in Galicia Continues and Churchill Says Worst of Submarine Attacks Is Over.

(BY MORNING JOURNAL SPECIAL LEASED WIRE) London, June 5 (10:30 p. m.)—A dispatch from Mitylene that a combined general offensive against the Turkish positions began yesterday, and Winston Spencer Churchill's statement at Dundee that the allied forces are within a few miles of victory are taken as an indication that things are moving a little more quickly on the Gallipoli peninsula, where the Anglo-French troops are fighting for positions which will give them command of the Dardanelles.

These operations have been necessarily slow. After landing, the first allied forces had to be supplied with necessary artillery and reinforcements to enable them to attack the Turks who occupied very strong positions and have been delivering repeated attacks on the British and French lines.

Allies Repulse Attacks. Nothing official has been received from either side for several days, but dispatches from Athens state that the allies have repulsed all the attacks, the last of which against the Australians and New Zealanders on Monday resulted in very heavy Turkish losses. A successful ending to these operations would be joyfully received here as an addition to the losses sustained by the land forces and the warships which are supporting them in the constant danger from German submarines. This, of course, would mean the end to Turkey so far as Europe is concerned.

Turkey is reported to be at the end of her resources in the Caucasus, where the Russians are making steady progress and the Turks may have to meet an Italian landing in Asia Minor.

Heavy Fighting in Galicia. Heavy fighting is still in progress in Galicia, where the Austro-Germans are attempting an encircling movement against Lemberg, such as proved successful at Przemysl. In this, the fortunes are fluctuating. The Austro-Germans appear to be making progress from the south, while their left wing is held up on the lower reaches of the San river, and their extreme right in eastern Galicia and Bukowina is being severely hammered by the Russians.

The attempted German offensive in the west seems to have failed, as Berlin admits today the loss of the sugar refinery at Souchez, which is considered an important position and to gain which many British shells have been expended. Fighting, however, is still going on between the Germans and British at Hooge, first one and then the other taking the offensive.

Submarines Active. Although Mr. Churchill, the former first lord of the Admiralty, has stated that the submarine menace has been fixed within certain limits, the Germans have been very successful in this warfare in the last few days, particularly against fishing craft, although such craft under the Hague treaty, are supposed to be immune from attack. Since Wednesday, the Germans have sunk five steamers, three of which were British, one Danish and one Swedish, twelve British trawlers and two sailing vessels.

The German total for the week ended Wednesday was eight British vessels, out of a total of 1,300 measuring 300 tons and over, which arrived at or departed from British ports.

Important Progress Reported from Paris. Paris, June 5 (10:35 p. m.)—The following official communication was issued by the war office tonight: "In the section to the north of Arras we have realized important progress. Within Neuville we are holding at present more than one-half of the northern section of all the eastern part, that is to say, more than two-thirds of the village.

"We have likewise gained 450 meters in the northern part of the 'Baby-rinch' and made slight progress in the center of that work, where the struggle continues without cessation.

"On the whole of the front of that section, the artillery engagement, notably at Lorette, at Neuville and at the 'Baby-rinch' has been one of extreme violence.

"The German gun which last night fired on Verdun was located this morning and came under our fire, which damaged the concrete base and blew up the ammunition depot."

GERMAN SUBMARINE AT CONSTANTINOPLE

Berlin, June 5 (via London, June 6, 1:05 a. m.)—A Constantinople dispatch to the Lokal Anzeiger, says: "A submarine which has been operating around the Dardanelles has arrived at Constantinople, where it received an ovation. The submarine flew the Turkish flag and its commander wore a fez."

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