

NEW NOTE TO BERLIN LESS AGGRESSIVE, BUT FIRMLY MAINTAINS POSITION OF U. S.

BRYAN, IN APPEAL TO PEOPLE, RESTS CASE WITH THEM

Pleads for United States to Lead World Out of Black Night of War.

IF VERDICT AGAINST HIM, WILL ASK FOR NO MERCY

American Note to Germany Conforms to Old Standards of Force.

HE CHAMPIONS PERSUASION

In Another Statement To-Day, Former Secretary Will Address German-Americans.

WASHINGTON, June 10.—William Jennings Bryan, in an appeal addressed to the American people, to-night asks them to hear him before they pass sentence on his laying down the portfolio of Secretary of State in the midst of international stress.

Confident that the public will credit him with honorable intentions, Mr. Bryan frankly says that good intentions are not enough, and that if the public verdict is against him he asks no mercy, also asserting that men in public life must be "willing to bear any deserved punishment, from ostracism to execution."

Interpreting the American note to Germany on submarine warfare, which he refused to sign, as conforming to the "old system" of diplomatic standards, precedents for which are written in characters of blood upon almost every page of human history, and characterizing himself as champion of the new system—persuasion instead of force—and as "an humble follower of the Prince of Peace," the former Secretary of State pleads for the United States to lead the world "out of the black night of war into the light of that day when swords shall be beaten into plowshares."

To-morrow Mr. Bryan will issue another statement, an appeal, he says, to "German-Americans." The nature of this appeal he would not discuss, but with the issuance of the third statement since his resignation, the former secretary says he will be ready to rest his case.

"Of course, I shall always be ready to talk when the occasion arises, and I think it necessary," Mr. Bryan declared.

STATEMENT ENTITLED

"THE REAL ISSUE"

The statement to-night, entitled by the former secretary as "The Real Issue," is as follows:

"You now have before you the text of the note to Germany—the note which it would have been my official duty to sign had I remained Secretary of State. I ask you to sit in judgment upon my decision to resign rather than to share responsibility for it. I am sure you will credit me with honorable motives, but that is not enough. Good intentions could not atone for a mistake at such a time, on such a subject, and under such circumstances. If your verdict is against me, I ask no mercy; I desire none if I have acted unwisely. A man in public life must act according to his conscience, but, however conscientiously he acts, he must be prepared to accept without complaint any condemnation which his own errors may bring upon him; he must be willing to bear any deserved punishment, from ostracism to execution. But hear me before you pass sentence."

"The President and I am agreed in purpose; we desire a peaceful solution of the dispute which has arisen between the United States and Germany. We not only desire it, but with equal fervor we pray for it, but we differ irreconcilably as to the means of securing it. If it were merely a personal difference, it would be a matter of little moment for all the presumptions are on his side—the presumptions that go with power and authority. He is your President; I am a private citizen, without office or title—but one of the hundred million of inhabitants.

REAL ISSUE DECLARED

TO BE BETWEEN SYSTEMS

"But the real issue is not between persons; it is between systems; and I rely for vindication wholly upon the strength of the position taken.

"Among the influences which governments employ in dealing with each other, there are two which are pre-eminent and antagonistic—force and persuasion. Force speaks with firmness and acts through the ultimatum; persuasion employs argument, courts investigation and depends upon negotiation. Force represents the old system—the system that must pass away; persuasion represents the new system—the system that has been growing, all too slowly, it is true, but growing for nineteen hundred years. In the old system war is the chief corner-stone—war which at its best is little better than war at its worst; the new system contemplates a universal brotherhood, established through the uplifting power of example.

"If I correctly interpret the note to Germany, it conforms to the standards

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53.00—WEEK END RATE—\$3.00

Norfolk and Western Railway.

To Norfolk and Return.

Will Be Presented to Germany To-Day

Considerable Delay Experienced in Transmission of American Note.

The latest American note to Germany makes the direct request that the German government give assurances that American lives and American ships shall hereafter be safeguarded. It declares that, in the view of the American government, the contention that the Lusitania was carrying contraband of war, or that the munitions were exploded by a torpedo, "are irrelevant to the question of the legality of the methods used by the German naval authorities in sinking the vessel," and that it is upon the principle of humanity as well as upon the law founded upon this principle that the United States must stand.

The note denies, on the authority of the officials of the government, that the Lusitania was equipped with guns and ammunition, or was transporting Canadian troops or carrying a cargo not permitted by the laws of the United States, but hopes if the German government believes itself to be in possession of "convincing evidence" that these officials did not fully perform their duty, it will submit that evidence for consideration.

Latest advices from Berlin say that the note will be presented to Germany by the American ambassador on Friday, considerable delay having been experienced in transmission. While the United States is endeavoring to arrive at a settlement with Germany, all the belligerent nations are engaged in heavy operations, particularly with artillery, which have proved a heavy drain on war supplies, and the note will go up from England and France for more shells and ammunition.

FACE OF LABORER ON COIN

Special Issue to Commemorate Panama-Pacific Exposition.

SAN FRANCISCO, June 10.—A coin bearing the image of the face of a laborer soon will be placed in circulation by the United States government for the first time. Special gold dollars, commemorating the Panama-Pacific Exposition will be struck at the San Francisco mint, beginning next Tuesday, it was announced to-day. Twenty-five thousand of the coins will be issued.

The coin will have a double significance, for it will commemorate labor's share in the building of the nation, and will recognize the efforts of the workmen who built the Panama Canal. The emblem of labor will be on the obverse side, and a representation of two dolphins, typifying the oceans, will appear on the reverse side.

Besides the gold dollar and 50-cent gold coins, the exposition coinage includes a silver half-dollar and a gold two and one-half-dollar piece.

All the coins will be sold at a premium of 100 per cent, with the exception of \$2.50, which will be sold for \$4.

MONROE, LA., BANK CLOSES

Troubles Caused by Improvident Management, Says Comptroller.

WASHINGTON, June 10.—Comptroller Williams to-day issued a statement on the closing of the Union National Bank of Monroe, La., with a capital of \$200,000 and \$40,000 surplus. The bank was closed yesterday by its directors.

"Its troubles," said the comptroller's statement, "appear to have been caused by improvident management, excessive loans to certain officers and directors; disregard of the provisions of the national bank laws, and failure of the directors to give proper attention to the bank's affairs."

MORE FUNDS FOR RED CROSS

Duchess of Marlborough Loans Town House for a Concert.

[Special Cable to The Times-Dispatch.] LONDON, June 10.—The Duchess of Marlborough, who has been constantly working in the interests of the Red Cross Society and raising funds for its labors, to-day loaned her town residence, Sunderland House, for a concert in the aid of the society.

Practically every leading performer in London participated in the concert, and a large sum was realized for the fund.

SANCTIONED FOR SERVICE

Parliament Gives Authority for 3,200,000 Men in Army and Navy.

LONDON, June 10.—The total number of men for the army and the navy sanctioned by Parliament for service so far in the present war is 3,200,000. "This number will not be exceeded without authority of Parliament," said Premier Asquith to-day, thus setting at rest rumors that other forces had been mobilized without public knowledge.

GERMANY AFFIRMS RIGHT TO DESTROY

In Note on Case of the Frye Rejects Argument Advanced by United States.

AGREES TO PAY FOR LOSSES

Considered Certain That American Government Will Not Acquiesce in New Interpretation.

WASHINGTON, June 10.—Germany, in a note on the case of the William P. Frye, an American ship sunk by the Prinz Eitel Friedrich, has informed the United States that it interprets the Prussian-American treaty of 1828 to mean that American vessels carrying contraband can be destroyed.

Payment is promised for the destruction, but the right to destroy is asserted as a logical incident in the language of the treaty.

In retreating that she is ready to pay damages for losses to American citizens occasioned by the sinking of the Frye, Germany insists that a prize court first must pass on the case. The argument advanced by the United States that a prize court is unnecessary, since compensation is promised whenever there is a treaty violation, is rejected.

The liability for the sinking of the Frye is still admitted, but Germany contends the case was not "a violation" of the treaty. It is considered certain the American government will not acquiesce in the new interpretation given the treaty by Germany. Under the general principles of international law, the right to destroy a prize is granted only in extreme military necessity, when the danger of certain condemnation, and officials here contend that the German commander who examined the papers of the Frye did not have indubitable evidence concerning the character of the cargo.

NOTE ENLARGES UPON THE TREATY OF 1828

The note from Germany to-day enlarges upon the treaty of 1828 by claiming that, while the treaty did not specifically permit the destruction of a ship, nevertheless, if contraband could not be stopped in any other way, it could, "in the extreme case, be effected by the destruction of the contraband and of the ship carrying it."

The effect of Germany's answer to-day, if its assertions are accepted by the United States, would be to throw into the prize courts for decision all cases of whether destruction of an American vessel constituted an extreme case of military necessity.

International law, outside of treaty stipulations, has contained many moot cases on that point. While the Declaration of London established finally that in case of military necessity a ship whose cargo was more than half contraband could be destroyed after passengers and crew were removed to a place of safety, the declaration was not ratified by the United States, express notice having been given again by the American government to Germany in the note of April 28 that the declaration was not regarded as in force.

The obligation of a belligerent to pay compensation remains, regardless of the action of the prize court, the note insists, and, should the prize court fail to award compensation, Germany would undertake to arrange equitable indemnity. As a precaution and a preliminary procedure, Germany suggests that the American claimants enter their claims on record.

TEXT OF GERMAN REPLY IN FRYE CASE

The text of the German reply follows:

"Foreign Office, Berlin, June 7, 1915. The undersigned has the honor to make the following reply to the note of His Excellency, Mr. James W. Gerard, ambassador of the United States of America, dated April 30, 1915, Foreign Office number 3291, on the subject of the sinking of the American sailing vessel William P. Frye by the German auxiliary cruiser Prinz Eitel Friedrich.

"The German government cannot admit that, as the American government assumes, the destruction of the sailing vessel mentioned constitutes a violation of the treaties concluded between Prussia and the United States at an earlier date, and now applicable to the relations between the German empire and the United States, or of the American rights derived therefrom. For these treaties did not have the intention of depriving one of the contracting parties engaged in war of the right of stopping the supply of contraband to his enemy when he recognizes the supply of such as detrimental to his military interests.

"On the contrary, article 13, of the Prussian-American treaty, of July 11, 1799, expressly reserves to the party at war the right to stop the carrying of contraband and to detain the contraband. It follows, then, that if it cannot be accomplished in any other way, the stopping of the supply may in the extreme case be effected by the destruction of the contraband and of the ship carrying it. As a matter of course, the obligation of the party at war to pay compensation to the parties

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ATTENTION, HEPTASOPH!

A most enjoyable short water trip awaits you on your return home if you travel via York River line to Baltimore, the Chesapeake Bay Route. Consult Agents.

American Ambassador to Germany



—Photo by Pach Brothers, from Underwood & Underwood, New York. JAMES W. GERARD.

CHARGES ADMINISTRATORS WITH BIAS AND PREJUDICE

Gas Company Says Board's Report Was Willfully Framed to Mislead City Council.

COUNCIL REJECTS GAS LEASE

Action Taken Unanimously After Stormy Debate Over Charge That Board Distorted Figures in Its Report to Utilities Committee.

Charging the Administrative Board with submitting to the Public Utilities Committee a report on the gas lease application that was "willfully framed to prevent the Council from becoming cognizant of the true facts in connection with the gas situation," the Southern Gas and Electric Corporation petitioned the Common Council last night, before passing on the committee's recommendation that the lease application be rejected, to give it a fair opportunity to prove its assertions.

The petition asked the body either to give the company a hearing as a committee of the whole, or to refer the whole matter back to the Public Utilities Committee for an orderly, fair and businesslike inquiry into the respective contentions of the company and the Administrative Board.

Notwithstanding the sensational nature of the charges preferred against the Administrative Board and the disposition of several members to recommend the matter for a thoroughgoing probe, the body, after an hour's debate, unanimously adopted the committee resolution rejecting the leasing offer.

CHARGE ADMINISTRATIVE BOARD WITH PREJUDICE AND BIAS

In asking for such further consideration of its cause, the petitioner charged that the Administrative Board, in the hearing that it granted the company, "displayed a spirit of such bias and prejudice as rendered a fair and intelligent discussion of the gas situation almost impossible."

The company, in its petition, made the further sensational charge that the figures contained in the report of the Administrative Board are padded, untrue and self-contradictory, and challenged the truthfulness of substantially all of the material statements in the body of the report.

The presentation of the company's petition produced the most exciting hour that the Common Council has known in many months. Councilmen Pollock, Haddon and Jones saw in the indictment a grave arraignment of an integral branch of the city government, and, in heated speeches, urged a summary recommission of the whole matter to the Public Utilities Committee for a rigid sifting of the charges preferred against the Administrative Board, to the end that they may be either established or discredited.

QUESTION OF LEASE

IS ONE OF POLICY

Councilmen Ratcliffe, Filcher and English, while admitting the gravity of the charges preferred against the Administrative Board, thought that nothing could be accomplished by such a reference. The question of leasing the Gas Works, they argued, had become a question of policy, which the Council was in a position to decide now and at once, leaving reprimanda

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SUPREME COURT UPHOLDS WALKER-RATCLIFFE CASE

Thomas Grant Walker Wins \$5,000 for Alienation of Wife's Affections.

CHARGED FAMILY CONSPIRACY

Case Is Unique, Not Only in Romantic Interest, but Also in Being First Decision in Virginia as to Alienation of Wife's Affections.

In the Supreme Court of Appeals at Wytheville yesterday an opinion was handed down sustaining the verdict of a jury in the Law and Equity Court of Richmond, in which Thomas Grant Walker was awarded \$5,000 damages against H. L. Ratcliffe and other members of the Ratcliffe family for alienation of the affections of his wife, Mrs. Elizabeth Ratcliffe Walker. The case has attracted widespread interest in Virginia, not only because of its romantic details, but also because it is the first instance in which the Supreme Court has passed upon an appeal involving the question of alienation.

The opinion of the court was written by Judge Joseph L. Kelly, and its wording will be watched with great interest by the legal profession and general public, in view of the fact that there are now several cases pending in the lower courts of Virginia in which practically the same questions are involved. The Walker-Ratcliffe suit was tried in December, 1913, and the defendant appealed, when Judge Beverly T. Crump, of the Law and Equity Court, refused to disturb the jury's verdict. The Supreme Court heard arguments of counsel in Richmond last March.

TRIAL REVEALED SHATTERED ROMANCE

The trial of the case revealed the shattered romance of Thomas Grant Walker, former engineer on the Richmond, Fredericksburg and Potomac Railroad, and Elizabeth Ratcliffe, sister of H. L. Ratcliffe. After a lengthy courtship and engagement, during which time the plaintiff said he was almost looked upon as a member of the Ratcliffe family, they were married in Richmond on April 25, 1913, by Rev. J. Calvin Stewart, D. D., at the minister's home. There were present members of the Walker family, but the Ratcliffes were not informed of the nuptials until after the ceremony.

The couple began their bridal trip the same afternoon, leaving the city en route for Washington. At Doswell, thirty miles out of the city, they received a telegram in which it was stated that the bride's mother was dying, and urging her return. Mr. and Mrs. Walker came back to Richmond. The bride and groom separated ten hours after their marriage—she going to the home of her parents. Mrs. Walker refused to return to her husband, declaring that their marriage was "all a mistake," and that they could never be happy together. He was never able to see her unless a third party was present until he went to Pittsburgh, where in vain he endeavored to persuade her to return to him. At the time of the marriage Walker was thirty-two and his bride twenty-two.

Charging conspiracy on the part of the Ratcliffes to alienate his wife's

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GERMANY IS ASKED TO ASSURE SAFETY OF AMERICAN LIVES

Friendly Terms Mark Document, Which Renews Former Representations, Insisting Upon Observance of Principles of Humanity.

ALTERNATIVE IN CASE OF REFUSAL OF LATEST DEMANDS NOT STATED

Washington Government Maintains Its Contention That Destroyed Liner Was an Unarmed Passenger Ship, and That Kaiser's Representatives Were Misinformed in Assuming That Vessel Carried Guns.

Right of Neutral Citizens to Travel on High Seas on Lawful Errands Is Reasserted—Desire of United States to Be of Any Service in Bringing Germany and Great Britain to Understanding Cordially Expressed.

WASHINGTON, June 10.—The United States, in its latest note to Germany, made public to-night, formally asks the imperial government for assurances that measures hereafter will be adopted to safeguard "American lives and American ships" on the high seas. The alternative in case of refusal is not stated.

It was this note to which William Jennings Bryan refused to attach his signature, resigning instead his portfolio as Secretary of State, thereby precipitating a dramatic Cabinet crisis. Robert Lansing, Secretary of State ad interim, signed the communication, which went forth with the approval of President Wilson and his entire Cabinet.

Friendly terms characterize the document, which renews representations made in the American note of May 15, after the Lusitania was torpedoed and sunk. The German government, it is declared, "must have been misinformed when it assumed the Lusitania carried guns, as official information is at hand to corroborate the original contention of the Washington government—that the Lusitania was an unarmed passenger ship—which, since it did not resist capture, could not be sunk without transferring passengers and crew to a place of safety.

U. S. MUST STAND ON PRINCIPLE OF HUMANITY.

The communication informs Germany that it is "on the principle of humanity as well as upon the law founded upon this principle that the United States must stand." Opportunity is given to Germany to submit any evidence that American officials did not execute their tasks thoroughly in inspecting the Lusitania before she sailed, but the cardinal fact—that the liner was given no warning and made no resistance and was primarily a passenger ship—the American government declares, throws into the background "any special circumstances of detail" and lifts the case "out of the class of ordinary subjects of diplomatic discussion or international controversy."

The issuance of another statement by former Secretary Bryan coincident with the publication of the note to-night added to the surprise in official quarters at the character of Mr. Bryan's argument. High officials said the note employed virtually the process—persuasion—which Mr. Bryan advocated, and did not necessarily lead to war.

FAVORABLE IMPRESSION IN DIPLOMATIC CIRCLES.

A copy of the note was delivered to Count Bernstorff, the German ambassador, who declined to comment on it. In diplomatic circles generally the note seemed to create a favorable impression. In quarters friendly to Germany it was stated the document confirmed a belief held since Count Bernstorff's recent interview with President Wilson, that the critical stage had been passed, and that, with the American viewpoint clearly before it, the German government would be able to find a way out of the dilemma that would satisfy the United States.

One phase of the note which attracted much attention in diplomatic circles was that relating to mediatory steps on the part of the United States looking toward a reformation of warfare on the seas generally. In this connection it was suggested that the chief difficulty might be an insistence by Germany—that the allies refrain from interfering, not only with foodstuffs consigned to her civilian population, but with raw materials of all kinds.

NOTE SENT TO GERARD TO BE DELIVERED TO FOREIGN OFFICE.

The text of the note follows: "The Secretary of State ad interim to the American ambassador at Berlin:

"Department of State, Washington, June 9, 1915.

"American Ambassador, Berlin: "You are instructed to deliver textually the following note to the Minister of Foreign Affairs:

"In compliance with Your Excellency's request, I did not fail to transmit to my government immediately upon their receipt your note of May 28 in reply to my note of May 15 and your supplementary note of June 1, setting forth the conclusions, so far as reached by the imperial German government, concerning the attacks on the American steamers Cushing and Gulfight. I am now instructed by my government to communicate the following in reply:

"The government of the United States notes with gratification the full recognition by the imperial German government, in discussing the cases of the Cushing and the Gulfight, of the principle of freedom of all parts of the open sea to neutral ships, and the frank willingness of the imperial German government to acknowledge and meet its liability where the fact of attack upon neutral ships 'which have not been guilty of any hostile act' by German aircraft or vessels of war is satisfactorily established; and the government of the United States will in due course lay before the imperial German government, as it requests, full information concerning the attack on the steamer Cushing.

PRINCIPLES OF HUMANITY NOT ALTERED.

"With regard to the sinking of the steamer Falaba, by which an American citizen lost his life, the government of the United States is surprised to find the imperial German government contending that an effort on the part of a merchantman to escape capture and secure assistance alters the obligation of the officer seeking to make the capture in respect of the safety of the lives of those on board the merchantman, although the vessel had ceased her attempt to escape when torpedoed. These are not new circumstances. They have been in the minds of statesmen and of international jurists throughout the development of naval warfare, and the government of the United States does not understand that they have ever Nothing but actual forcible resistance or continued efforts to escape by flight when ordered to stop for the purpose of visit on the part of the merchantman has ever been held to forfeit the lives of her passengers or crew. The government of the United States, however, does not understand that the imperial German government is seeking in this case to relieve itself