

Disavows Sinking of Arabic

A Washington dispatch, dated Oct. 5, says: Secretary Lansing announced today that Germany "had disavowed the sinking of the Arabic and was prepared to pay an indemnity for the American lives lost."

Secretary Lansing gave out the text of a letter received today from Count von Bernstorff, the German ambassador, which was as follows:

"My Dear Mr. Secretary: Prompted by the desire to reach a satisfactory agreement with regard to the Arabic incident, my government has given me the following instruction:

"The orders issued by his majesty, the emperor, to the commanders of the German submarines, of which I notified you on a previous occasion, have been made so stringent that the recurrence of incidents similar to the Arabic case is considered out of the question.

"According to the report of Commander Schneider of the submarine which sank the Arabic, and his affidavit, as well as those of his men, Herr Schneider was convinced that the Arabic intended to ram the submarine.

"On the other hand, the imperial government does not doubt the good faith of the affidavit of the British officers of the Arabic, according to which the Arabic did not intend to ram the submarine.

"The attack of the submarine was undertaken against the instructions issued to the commander. The imperial government regrets and disavows this act and has notified Commander Schneider accordingly.

"Under these circumstances my government is prepared to pay an indemnity for American lives, which, to its deep regret, have been lost on the Arabic. I am authorized to negotiate with you about the amount of this indemnity.

"I remain, my dear Mr. Lansing, yours very sincerely,

"J. VON BERNSTORFF."

Secretary Lansing said he would make no comment on the ambassador's letter, as he considered the text spoke for itself. Inasmuch as the ambassador is acting with the fullest powers conferred upon him by the Berlin foreign office his representations are considered as final, the crisis is considered passed, and nothing remains to the Arabic case, except the fixing of indemnity, which will not be done by arbitration, as Germany first proposed, but by diplomatic negotiations between the two governments. These negotiations probably will begin orally.

In the absence of official comment, the ambassador's letter was generally regarded as signaling a completely successful outcome for the principles for which President Wilson has contended in the submarine warfare controversy, which at least twice brought Germany and the United States to the brink of a break in diplomatic relations.

Inasmuch as the Washington government has contended that the Arabic case must first be settled before it could consider the question of indemnity growing out of the sinking of the steamship Lusitania, for which Germany has offered to pay, it is believed that feature of the controversy next will be taken up.

With the submarine issue with Germany considered virtually settled, the way now is cleared for pressing the American complaint against Great Britain, on account of interferences with neutral commerce. Sending of a note long in preparation has been withheld because the president wished to avoid coupling controversies between the United States and opposing belligerents.

GERMAN NOTE IN FRYE CASE

An Associated Press dispatch from Washington, dated Sept. 23, says: Germany's latest note of the sinking of the American sailing ship, William P. Frye, made public today by the state department, discloses an important diplomatic victory for the United States. Germany accepts the proposal to fix damages by commission and to let The Hague pass upon disputed treaty rights involved. She also gives assurances that no more American ships carrying conditional contraband will be destroyed under any circumstances.

American ships carrying contraband, however, still may be destroyed. What effect this can have in practical operation is problematical, because Germany and Great Britain in their retaliations have made absolute contraband practically everything which was conditional under the Declaration of London.

One thing seemed certain to officials — German naval commanders now are ordered to exercise the rights of visit and search with respect to all American ships to determine what cargo the vessels carry, thus making it practically sure that none will be attacked without warning of ample time for passengers and crew to be transferred irrespective of cargo.

Considered with reference to the entire controversy between Germany and the United States the Frye note is regarded as an indication that the Berlin foreign office is anxious to avert a break with the Washington government. This increased today the interest in Germany's attitude toward the negotiations over the Arabic.

Text of the Note

The note follows:

"With regard first to the ascertainment of the damage by experts, the German government believes that it should dispense with the nomination of an umpire. In the cases of the ascertainment of damages hitherto arranged between the German government and a neutral government named by the two parties have always reached an agreement as to the amount of the damage without difficulty; should it not be possible, however, to reach an agreement on some point, it should probably be settled by diplomatic negotiations. Assuming that the American government agrees to this, the German government names as its expert Doctor Kepny of Bremen, director of the North German Lloyds. It begs to await the designation of the American expert.

"The German government declares that it agrees to the proposal of the American government to separate the question of indemnity from the question of the interpretation of the Prussian-American treaties of 1785, 1799 and 1828. It therefore again expressly states that in making payment it does not acknowledge the violation of the treaty as contended by the American side, but it will admit that the settlement of the question of indemnity does not prejudice the arrangement of the differences of opinion concerning the interpretation of the treaty rights, and that this dispute is left to be decided by The Hague tribunal of arbitration.

"The negotiations relative to the signing of the compromise provided by article fifty-two of The Hague arbitration convention would best be conducted between the foreign office and the American embassy at Berlin in view of the difficulties in the way of instructing the imperial ambassador at Washington. In case the Amer-

ican government agrees the foreign office is prepared to submit to the embassy a draft of such a compromise.

Settle by Arbitration

"The American government's inquiry whether the German government will govern its naval operations in accordance with the German or the American interpretation of the treaty stipulations in question, pending the arbitral proceedings has been carefully considered by the German government. From the standpoint of law and equity it is not prevented in its opinion from proceeding against American ships carrying contraband according to its interpretation until the question is settled by arbitration.

"For the German government does not need to depart from the application of generally recognized rules of the law of maritime war, as the Declaration of London, unless and insofar as an exception based on a treaty is established beyond all doubt. In the case of the present difference of opinion between the German and the American government such an exception could not be taken to be established except on the ground of the arbitral award. Moreover, the disadvantages to Germany which would ensue from the American interpretation of the treaty stipulations would be so much greater as to be out of proportion to those which the German interpretation would entail for the United States. For whereas the American interpretation would materially impede Germany in her conduct of warfare hardly any particular disadvantage to American citizens would result from the German interpretation since they receive full reparation for any property damage sustained.

"Nevertheless the German government in order to furnish to the American government evidence of its conciliatory attitude, has issued orders to the German naval forces not to destroy American merchantmen which have loaded conditional contraband even when the conditions of international law are present, but to permit them to continue their voyage unhindered if it is not possible to take them into port.

"On the other hand it must reserve to itself the right to destroy vessels carrying absolute contraband wherever such destruction is permissible according to the provisions of the Declaration of London."

"BEAUTIFUL" EXAMPLE OF THE TARIFF TAX

In the last days of the passage of the Underwood tariff bill, old Champ Clark took the floor to approve the bill, and in his speech said some things that appeared strange to even those of us who were in favor of the bill. He said, among other things, that during the campaign just prior to the passage of the bill, that the protectionists in England advanced the same arguments for a protective tariff there that protectionists advance here. That they were not willing to allow the laborers there to compete with the pauper labor of the United States. We have often wondered if the old man was right and if his statement was not the result of too much enthusiasm. But here is some additional evidence that it is true. Take the advertisement of the Dodge Bros. automobile that appears regularly in the Saturday Evening Post. They state frankly that the car is priced here in the United States at \$785.00 and that the Canadian price is \$1,100.00. There can be but one reason why the consumers of Canada should pay \$315.00 more for the car than the consumer here and that is the tariff charges. Of course, it would not do for the government there to say that they needed the money for govern-

ment expenses and just taxed the car that much, so they tell the common fellow that they want to shield him from competition with the pauper labor of the United States and they get away with it just like our big guns tell our laborers that they want to shield them from the pauper labor of other countries. — From "Comment by Connelly," in Mankato (Kans.) Western Advocate.

You wouldn't think that actions speak louder than words if you could hear some people talk. — Philadelphia Telegraph.

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