

THE METAL MARKET
COPPER
Electrolytic,
nearly 27 1/2
38; Zinc and
later 26 to 27.

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SEE INSIDE PAGE
IN GOLD

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City Edition

Garrison Breaks With President---Resigns Cabinet

BLAME IS PUT ON EDISON CO. FOR EXPLOSION

At Hearing by Naval Court of Inquiry Into E-2 Accident in Which 5 Were Killed, Counsel for Commander Cooke Says Battery Was Defective

COMPANY DEFENDED BY EX-ARMY OFFICER

On Day of Accident, Battery Was at Disposal of Manufacturer for Tests; Instructions For Use Incomplete

NEW YORK, Feb. 10.—Responsibility for the explosion on the submarine E-2, which resulted in five deaths, was placed upon the Edison Storage Battery company by Lieutenant Nimitz, counsel for Lieutenant Cooke, commander of the vessel, who summed up the evidence before the naval court of inquiry.

Commander McGraw of the United States army, retired, who represented the Edison interests, declared, on the contrary, that they could not be at fault.

Nimitz contended that the storage battery from which it had been repaired, hydrogen gas was escaping prior to the explosion, was defective in its construction, and that the instructions in accordance with directions of the manufacturer, as was the ventilating system.

Instructions incomplete. He asserted that instructions for the size and operation of the battery were incomplete regarding ventilation. He said Cooke discovered the existence of "low cells" which were removed on long discharges of the battery.

He asserted that Cooke sought to obtain his own hydroxy defective device but none was supplied him and that authorization by the bureau steam engineering of an instrument to enable him to get individual cell voltage readings, was held by objections of the Edison company.

At Cooke's disposal. It was asserted that the first series of tests on the E-2 was considered satisfactory by the Edison company and that thereafter the submarine battery was placed at the disposal of the manufacturer so that it might be improved.

The discharge of the storage battery to a zero voltage on the day of the accident, Nimitz said, was in accordance with the desire of the Edison company. Nimitz declared that the Edison company was fully aware that the battery was to be watered on the day of the accident, but Lieutenant Cooke was not warned of the danger, if any existed, of watering the battery at the same time it was discharging.

In closing, Nimitz contended that the conduct of the commander and crew prior to the accident was "exceptionally commendable" because they made every effort to familiarize themselves with the new battery and safeguard against accidents.

Company's obligation. Captain McGraw asserted that while the company was not obligated to supply anything more than the battery, it did try to do so in order to assure the success of the battery. It supplied the navy department with all information possible concerning the battery and ventilation cooling system which "threw up" an important part in the accident.

McGraw argued that the real issue was whether the company misrepresented the battery or failed to disclose anything which had reason to believe the navy department should have regarding possible danger.

He held that if naval officers failed to determine these facts it was not the manufacturer's fault.

LOVE BANDIT BEING SOUGHT BY POSSES

CHERRYBUSH, Feb. 10.—Poses are being set in one locality but have not yet been set in another.

The robber is believed to have boarded the train at Green River. After ordering passengers to depart, he threw his money and valuables in his hat, which he forced a brakeman to carry, he seized the loot and leaped from the train.

Beautiful Austro-Polish Aristocrat Wins People's Love by Her War Work



COUNTESS WANDA LUBIENKA

Countess Wanda Lubienka, an Austro-Polish aristocrat of high social position in Poland, is a patroness of the Society for War Invalids. She has made herself very popular with the people by her energetic work for the war sufferers.

MERCHANTMEN HELD WARSHIPS

Beginning March 1, Austria and Germany Will Sink Such Vessels Without Warning; Accords With U. S. Views

WASHINGTON, Feb. 10.—Germany and Austria notified the United States that, beginning with March, submarine commanders will consider armed merchantmen of the allies as warships and treat them accordingly.

The announcement is considered as a development of the memorandum proposing the sinking of merchantmen, which Lansing received yesterday.

High officials of the state department seemed displeased to consider that the development was broad enough to warrant the claim that the fundamental questions involved in submarine warfare have been settled in accordance with the convictions of the United States.

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REPUBLICANS ASSURE WILSON OF THEIR HELP

Members of House Military Committee Assure President Army Increase Bill Accomplishing Desired Objects, Will Be Ready in 3 Weeks

NAVAL RESERVE WILL BE MOBILIZED SOON

Only Difference of Opinion Relates to Proposed Continental Army, Some Committee Members Favoring National Guard

WASHINGTON, D. C., Feb. 10.—Republicans of the house military committee assured the president today that a strong army increase bill drafted in a non-partisan spirit and accomplishing all the main objects sought by the war department, would be on the house calendar within three weeks.

They told him the committee would oppose amendments to the congressional army bill.

The conference was friendly. The only difference of opinion was on the continental army proposed by Garrison as a substitute for the national guard in the first line of defense. The committee informed the president that a substitute was in process of formulation by which members felt certain the national guard would be welded into an effective instrument of national defense and brought up to the strength believed necessary by military experts.

Confederate Continents. The president stated his preference for the continental army plan but preferred to retain the position of his cabinet before stating his own belief.

The only agency in the president's plan was for quick congressional action to put the country in a state of adequate defense, based on sound military policy and his desire that party politics not cloud what are considered vital national issues. He found his cabinet hearty accord on both de-

tails. He understood the president often had the underlying issue in mind on which the war department officials would their request for 400,000 men additional to the regulars, always in some form of federal control.

Constitutional Objection. Although the president's present line of the situation was understood, it is known that the war department officials have in view the possibility that American troops might be needed in some southern country to aid in routing an invader, and that the constitutional limitation on the use of the national guard to territorial United States purposes is one of the main reasons for the proposed defense of the Pan-American doctrine in case of need.

Both Democratic and Republican members of the committee take the position that the continental guard would be available for immediate use outside the country under the training it would be possible to give them in peace time.

Secretary Daniels, speaking at the convention of the United States Chamber of Commerce, said that "within a few weeks the civilian advisory board of every American territory can make and his output of the nation will have a more solid industrial mobilization planned."

An direct step in preparation, Captain Bennett announced that the navy department is arranging for the mobilization of the present naval reserve army attempted.

WASHINGTON, D. C., Feb. 10.—The Chamber of Commerce of the United States closed its national advisory convention with the adoption of the program for national defense which emphasizes universal military training, a conscription law, and the creation of a council for national defense in civilian, when needed, all the president's attention was directed to a discussion of national preparedness. Daniels made an address across the Arizona border, which he said was very well received.

THE WEATHER

For Arizona—Fair, "Tucson Showers"

(Continued on Page Two)

Canadian Capitol During Big Fire



The photo, taken during the fire in the Canadian parliament building, shows the corridors behind the senate chamber and the passageway connecting the parliament library. Madame Morin and Madame Gray of Quebec, who were guests of the house of commons, were also located near the spot where the firemen are playing the hose line.

TEUTON AGENTS INDICTED AS ADVERTISED

Thirty-Three German Consular Officers, Their Agents, Shipping Men and Sailors Charged With Violating Neutrality

SAN FRANCISCO, Feb. 10.—Thirty-three indictments against German consular officers, their alleged agents, shipping men and twenty-eight other individuals and firms are accused.

Roop, his two aids, and four others are accused in the indictments to have conspired to blow up all railroads in Canada except by transporting munitions and certain trucks, and to have conspired to destroy or sink ships and their crews bearing munitions for the allied forces.

Violated Neutrality. Roop, Von Detrich and Von Bruckner are indicted on the general charge of conspiring to set on foot, provide and maintain a military expedition against Canada from within the borders of the United States.

Associated with them in the indictments are Charles Crowley, a detective employed by the consular; Mrs. Margaret Curran, Crowley's agent; Johannes Van Koerbergen, an alleged German agent reported to be now held in Canada as a prisoner.

Indictments against all the above, except Smith, were voted by the grand jury charging conspiracy.

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GERMANS TAKE MORE TRENCHES ON WEST FRONT

Berlin Claims Capture of Large Section of Trenches on the French Line Northwest of Vimy and Recapture Craters

LONDON, Feb. 10.—There has been no diminution of the severe fighting between the French and Germans in the Artois region. Berlin claims the capture of a large section of French trenches northwest of Vimy and the recapture of craters previously lost to the French.

Paris asserts that in the district around LaPelle the Germans were very forced out of communicating trenches which they had occupied. Berlin claims that American troops in the capture of a large section of French trenches northwest of Vimy and the recapture of craters previously lost to the French.

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CONTINENTAL ARMY CAUSES DIFFERENCES

Executive Would Not Unvocally Back Proposal for Reserve Plan Urged by Secretary of War; President's Advocacy Was Lukewarm

WASHINGTON, Feb. 10.—Chairman Shirley of the house functions subcommittee, Secretary Lane and Assistant Secretary of the Navy Roosevelt are most frequently mentioned as possible successors to Garrison. It was indicated that the president will make an appointment as soon as possible.

Assistant Secretary BRECKENRIDGE OUT ALSO

Cabinet Minister Also Disappointed Granting Conditional Independence to Filipinos; An Abandonment of Duty

WASHINGTON, Feb. 10.—Lindley M. Garrison refused absolutely to discuss his resignation, an secretary of war upon his arrival from Washington at nine o'clock to night. He declared that all information regarding his resignation must come from Washington. Garrison declined to comment on Breckenridge's resignation. He said he "had troubles enough of his own."

WASHINGTON, Feb. 10.—It was reported that the president had at eight this evening that Garrison's resignation was accepted by the president. The resignation of Henry Breckenridge, assistant secretary of war, was also announced.

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