

FRYE PRIZE COURT IS NOT ACCEPTABLE

Note of United States to Germany insists issue is for Diplomats to settle.

EVIDENCE IS IN AMERICA

Effect of Declaration of London Not Discussed in View of Reiterated Rejection of Provisions by Washington.

WASHINGTON, May 5.—By mutual agreement with the German Foreign Office, the State Department made public today the text of its reply to Germany's note concerning the indemnity to the owners of the American ship William F. Frye, sunk by the Prinz Eitel Friedrich.

The American communication takes note of the fact that Germany accepts liability for the loss of the Frye in 1914 between the United States and Prussia, but declines the suggestion that a German prize court pass on the legality of the capture and destruction of the ship or the standing of the claimants and the amount of indemnity.

Pointing out that the United States early in the present war announced that it would not be bound by the declaration of London, because it had not generally been ratified, the note asserts that the standing of the claimants and the amount of indemnity lend themselves to diplomatic negotiations and suggests that the German Embassy in Washington be authorized to deal with the matter.

Proposal for Prize Court Rejected.

The text of the reply of the United States is as follows: "In reply to your excellency's note of the 7th instant, which, in view of the interest of the United States, admits the liability of the Imperial German Government for the damages resulting from the sinking of the American sailing vessel William F. Frye by the German auxiliary cruiser Prinz Eitel Friedrich on January 28 last, I have the honor to advise you that the Government, while the promptness with which the Imperial German Government has admitted its liability is highly appreciated, my Government feels that it would be inappropriate in the circumstances of this case and would involve unnecessary delay to adopt the suggestion of your note that the legality of the capture and destruction, the standing of the claimants and the amount of indemnity should be submitted to a prize court.

"Unquestionably the destruction of this vessel was a violation of the obligations imposed upon the Imperial German Government under existing treaty stipulations between the United States and Prussia, and the United States Government has presented to the Imperial German Government a claim for indemnity on account of the destruction of the vessel and the damages suffered by American citizens.

Question One for Diplomacy.

"The liability of the Imperial German government and the standing of the claimants as American citizens and the amount of indemnity are questions which lend themselves to diplomatic negotiations between the two governments and happily, the question of liability has already been settled in that way. The status of the claimants and the amount of indemnity are the only questions remaining to be settled, and it is appropriate that they should be dealt with in the same way.

"The government of the United States fully understands that, as stated in your excellency's note, the German government is liable under the treaty provisions for the damages arising from the destruction of the vessel. But it will be observed that the claimants under discussion does not include damages for destruction of the cargo and the question of liability for the cargo therefore is not involved in the present discussion.

"The government of the United States recognizes that the German government will wish to be satisfied as to the American ownership of the vessel, and the amount of the damage sustained in consequence of her destruction.

Evidence Accessible in America.

"These matters are readily ascertainable, and if the German government desires any further evidence in substantiation of the claim on these points, in addition to that furnished by the ship's papers, which are already in the possession of the German government, any additional evidence found necessary will be produced. In that case, however, inasmuch as any evidence which the German government may wish to have produced is more accessible and can more conveniently be examined in the United States than elsewhere, on account of the presence there of the owners and captain of the William F. Frye and their documentary records, and other possible witnesses, the Government of the United States ventures to suggest the advisability of transferring the negotiations for the settlement of these points to the Imperial German Embassy in Washington.

"In view of the admission of liability or by reason of specific treaty stipulations, it has become unnecessary to enter into a discussion of the meaning and effect of the Declaration of London, which is given in your excellency's note of April 6, further than to say that, as the German government has already been advised, the Government of the United States does not regard the Declaration of London as in force."

CORVALLIS WOMAN NAMED

Miss Pauline Kline Becomes Child Labor Inspector May 21.

SALEM, Or., May 5.—(Special.)—George Palmer Putnam, private secretary to Governor Withycombe, today announced that the executive had appointed Miss Pauline Kline, of Corvallis, a member of the Board of Inspectors of Child Labor, to become effective May 21. She will succeed Henry Kundert, of Portland, who was appointed in 1905 and reappointed in 1911.

The other members are: Mrs. Millie R. Trumbull, of Portland; Mrs. Sarah A. Evans, of Portland; Mrs. Turner Oliver, of LaGrande; and Stephen G. Smith, of Portland. The term of office is five years. There is no compensation.

HIGHWAY WORK OUTLINED

Mr. Cantine Plans for Pacific Road Improvement.

SALEM, Or., May 5.—(Special.)—State Highway Engineer Cantine, who

YOU'RE quite welcome here—we will be glad to have you see the new Stein-Bloch Smart Clothes for Spring

It's a pleasure to us to show them; we know that you will enjoy seeing them.

They're a little smarter in style—a little better in fabric and workmanship—than the best you will find elsewhere.

That's what maintains Stein-Bloch Smart Clothes in their acknowledged supremacy.

\$20, \$25, \$30, \$35

BEN SELLING

Morrison at Fourth

Portland Agent for Dunlap Hats \$5; Brewer Hats \$3



The Stein-Bloch "Oscar"

MANLY NOT IN ARMY

Promenaders on Paris Boulevards Exasperate French.

PRESENCE IS RESENTED

Foreigners Who Evade Military Duty Told There Is Room for Them in Foreign Legion—Belgium to Call Out More Men.

PARIS, April 15.—(Correspondence of the Associated Press.)—Few young or middle-aged men are to be seen in the provinces of France now, but there are enough of them promenading the Paris boulevards to exasperate mothers, wives, sisters and sweethearts of soldiers.

REPRISALS ARE INTENT

POSITION WILL NOT COUNT IN RECKONING, SAYS ASQUITH.

Record of Evidence Obtained Regarding Prisoners in Germany Is Kept With View to Punishment.

LONDON, May 5.—"When the proper time comes, due reparation will be exacted of those—whatever their position or their antecedents—if it can be shown that they have violated the rules and usages of civilized warfare," said Premier Asquith in the House of Commons tonight, in the course of a debate on the treatment of British prisoners by Germany. He added that a careful record of events was being kept and of evidence which could be obtained in order that, when the proper hour came, proper punishment might be meted out.

The premier referred to the question of the neutral internment of prisoners which had been considered. Switzerland, he said, was the only country where it could be done, and there were insuperable difficulties in the way of doing so in this country," concluded the premier, "to preserve a clean record."

The question had been brought by Lord Robert Cecil, who said he had received letters from officers who had been subjected to special confinement by Germany because of the special treatment accorded German submarine officers by Great Britain. The officers declared that they were locked up separately in cells 12 by 6 feet and were not allowed to smoke.

Andrew Bonar Law, leader of the opposition, hoped that the country would no longer pay any attention to any convention which would prevent the war from being brought to an end. It was worth considering, he said, whether the risk of losing all British property in Germany they should confiscate every German article throughout the British Empire.

PENDLETON CASES HEARD

Supreme Court Will Not Hand Down Decisions Until Session Ends.

PENDLETON, Or., May 5.—(Special.)—The State Supreme Court in session here announced today that it will continue the custom of not handing down opinions on cases submitted during the Eastern Oregon session until after the court returns to Salem. It is probable that most of the cases argued at the current session will be passed upon next month.

Cases submitted yesterday were: A. W. Wagner, appellant, against Wallowa County, respondent; S. L. McGill, et al. appellants, against J. H. French, County Judge, et al. Wallowa County; Peter Evanson, administrator, appellant, against the Grand Ronde Lumber Company, respondent, Union County.

PERJURY TRIAL STARTED

Three-Months Babe With Mother in Court at Coquille.

MARSHFIELD, Or., May 5.—(Special.)—The case of Mrs. Ruby Simpson Nosler, charged with perjury, was called at Coquille today and a jury was chosen in a short time. Mrs. Nosler had her three-months old child with her in the courtroom.

John Penovich, Joe Seavich and Sam Logan, the last of a band of five who were convicted of forgery, were sentenced from two to 20 years in the State Penitentiary. Judge Coke said he would recommend Seavich, who is but a boy, to the mercy of the Board of Pardons.

Marshfield Bank Chartered.

SALEM, Or., May 5.—(Special.)—State Superintendent of Banks Sargent today issued a charter to the Scandinavian-American Bank of Marshfield, which has a capital stock of \$25,000 and a surplus of \$500. John E. Hoos is president, E. H. Olsen, vice-president, and Reidar Burge, cashier. Mr. Sargent believes that financial conditions are rapidly improving, and when they become normal he will grant other charters.

ROAD CONTRACT SIGNED

TWOHY BROS. CONCLUDE FORMAL AGREEMENT WITH GRANTS PASS.

Southern City Celebrating Assurance That Profitable Territory Will Be Provided With Outlet.

GRANTS PASS, Or., May 5.—(Special.)—Grants Pass is celebrating tonight Twohy Bros. formal agreement to build the railroad to the sea. This agreement was reached tonight after a short conference between Judge Twohy and representatives of the city.

Judge Twohy arrived here this morning to close the contract for the immediate completion of the Oregon-California Coast Railroad from this place to Crescent City, Cal. His son, Robert Twohy, arrived yesterday and spent the day looking over the ten miles of completed road and the right of way to the Kerby and Waldo sections, and investigated the resources through the districts awaiting transportation. The engineers' report had been received, but young Twohy wanted first-hand information and he returned quite optimistic over the plan.

Mr. Twohy said: "You have a great country out there, greater than I expected to find. We will build the road, that is settled, and we will begin work at once." Asked what he considered the best asset of the new road will have in the way of resources Mr. Twohy replied: "It's hard to say, there's a combination of resources that are immense and development alone can answer that question."

"We saw iron ore, gold mines, copper mines, lime quarries sufficient to feed the road, not to mention the farms and timber all along the route."

Roseburg to Observe Cleanup.

ROSEBURG, Or., May 5.—(Special.)—Acting upon a proclamation issued by

Lenses Will Break

Baggage Man "Calls Down" General Manager of Line.

Official, Not Known to Employee, Gets Tart Response When He Complains of Train Being Held.

EUGENE, Or., May 5.—(Special.)—C. O. Jenks, general manager of the Oregon Electric, had the surprise of his life this morning when one of his minor employees virtually told him to attend to his own business. Jenks occurred in public after Mr. Jenks had reprimanded him sharply before all the passengers for holding the train after leaving time.

"What's the matter with this train; why isn't it leaving?" demanded the general manager of the employee in what he regarded as a harsh tone.

But when they do, remember that we can make repairs within an hour.

If we made your glasses, you need only to telephone your name, and new lens will be ready when you call.

If you bought your glasses elsewhere, bring us the pieces and we will duplicate them exactly.

This is the kind of service you want. Why not get it?

THOMPSON OPTICAL INSTITUTE 209-10-11 Corbett Bldg., Fifth and Morrison.

BUSH & LANE'S Quality Clearance Sale

Of Exchanged and Slightly Used PIANOS

AT PRICES THAT SHOULD MAKE YOU THINK! This sale comprises more well-known Pianos in better condition and much lower prices, quality considered, than any similar event ever held in this state.

These Pianos were relinquished, not because unsatisfactory—not because worn out or musically deficient, but because their owners preferred our Bush & Lane Cecilian Player Piano—the Piano which every member of their families could play—and play artistically.

How modern these exchanged pianos are is shown by the fact that they are all, except one, upright pianos and really all in late-style cases. No music house offering an inducement to exchange, less powerful, could possibly gather together such a splendid collection of instruments.

WE ARE OFFERING THESE INSTRUMENTS At Prices Way Under Their Real Value

In order to convince you of this, we will agree to take back any piano which you buy at this sale any time within three years, and allow you every dollar that you paid for it—if you should desire to purchase one of our new instruments from us. We can afford to do this, for the reason that we know that these pianos will be just as good three years from now as they are today.

THURSDAY'S EXTRAORDINARY BARGAINS

On Thursday morning we will place on sale the following Pianos. These are only a few of the many exceptional bargains that comprise this sale. NOTE that names are all old and well-known Pianos:

Table with 3 columns: Piano Name, Price When New, Sale Price. Includes Chickering, Vose & Sons, Kohler & Chase, Kimball, Kurtzman, Steinway (square), Kimball, Farrand, Werner.

You can buy any of these Pianos on practically YOUR OWN TERMS—as low as \$1.50 a week and as long as thirty-six months' time in which to pay for it.

We have a few special bargains in pianos of our own make—Bush & Lane and Victor—exchanged for Player Pianos and used less than a year.

One BUSH & LANE Piano, beautiful Art Style, Mahogany—factory store price \$500, goes now at \$325.

One VICTOR Piano, was \$375, used less than a year, goes now at \$265.

A few BUSH & LANE and VICTOR Player Pianos repossessed from dealers—never been sold—go in this sale at greatly reduced prices.

People who in the past would never think of attending a second-hand sale—teachers, musicians—even those of large means should attend this sale if interested in buying a Piano or Player Piano.

You must see these instruments to appreciate their value. Their names and prices alone are not sufficient. It is only when you see and try them that you can fully realize the exceptional character of this opportunity. If you live out of town—no matter how far away—write us at once for a complete descriptive price list.

Bring this advertisement with you BUSH & LANE Manufacturers—Wholesale—Retail 433-435 Washington St., Cor. Twelfth All Cars Transfer

Mayor Rice, the people of Roseburg intend to observe "clean-up and paint-up" week in accordance with the wishes of Governor Withycombe. Many of the Roseburg civic organizations already have laid their plans for the week and a general clean-up is anticipated.

Coquille Caucus Well Attended. MARSHFIELD, Or., May 5.—(Special.)—At the Coquille municipal caucus the city hall was inadequate to accommodate the gathering and the circuit court room had to be used. Five candidates for recorder were named: John S. Lawrence, incumbent; Lee Godman, Mary A. Piers, Mrs. W. J. Longston and A. T. Boldon. For councilmen for two years, three vacancies, O. C. Stanford, N. C. Kelly, J. E. Paulson, E. H. Kern and Charles Medley were nominated.

Port Worth, Tex., is constructing a municipal water reservoir to cover 8500 acres of land and to contain 40,000,000 gallons of water.

The Fast de Luxe Route

\$26.75 Round Trip to San Francisco

Sale Dates—May 6 to 11, inclusive. Return limit, 15 days.

\$42.50 round trip to Los Angeles. Return limit, 30 days. Sale Dates—May 13 to 18, May 20 to 25. Account National conventions.

"NORTH BANK ROAD" And the Six-Deck, Triple-Screw, 24-Knot Palatial S. S.

"NORTHERN PACIFIC" Sails May 7, 11, 15, 19, 23, 27, 31

Tickets and reservations: Fifth and Stark

All Agents Northern Pacific, Great Northern, Burlington Route, Oregon Electric, Oregon Trunk and S. P. & S.