



BERLIN WARNED NOT TO OFFEND

Repetition to Be Held Deliberately Unfriendly.

NEUTRAL RIGHTS IMMUTABLE

Belligerent Must Adapt Practice to Conditions or Discontinue It.

TEXT OF REPLY IS GIVEN

America Disappointed to Find Germany Regards Itself Exempt From Obligation.

WASHINGTON, July 23.—The text of the American note on submarine warfare, presented at Berlin today by Ambassador Gerard, was made public here tonight.

It reveals that the imperial government has been informed it is the intention of the United States to regard as "deliberately unfriendly" any repetition by the commanders of German naval vessels of acts in contravention of American rights.

The United States announces that it will continue to contend for the freedom of the seas, "from whatever quarter violated, without compromise and at any cost."

Defense Regarded as Admission.

Containing that "defense of an act as retaliatory is an admission that it is illegal," the American Government argues that it cannot discuss actions of Great Britain with Germany and must regard as "irrelevant" in the present negotiations the conduct of other belligerents.

"Illegal and inhuman acts," says the note, "however justifiable they may be thought against an enemy who is believed to have acted in contravention of law and humanity, are manifestly indefensible when they deprive neutrals of their rights, particularly when they violate the right of life itself."

Persistence Is Unpardonable.

Pointing out that a belligerent should give up its measures of retaliation if unable to conduct them "without injuring the lives of neutrals," the note declares that persistence in such measures, under the circumstances, would constitute an unpardonable offense against the sovereignty of the neutral nations affected.

"The United States," it is further asserted, "is not unmindful of the extraordinary conditions" created by the present war and is "ready to make every reasonable allowance for these novel and unexpected aspects of war at sea," but cannot consent "to abate any essential or fundamental right of its people because of a mere alteration of circumstances."

Practicability Is Demonstrated.

The note says that events of the past two months clearly indicate that it is "possible and practicable" to conduct submarine operations "in substantial accord with the accepted practices of regulated warfare." The comment is added that the whole world has looked with interest and increasing satisfaction at the demonstration of this fact by German naval commanders, and that it is "manifestly possible to lift the whole practice of submarine attack above the criticism which it has aroused and remove the chief causes of offense."

In official and diplomatic quarters the communication was received as the strongest and most emphatic pronouncement that has come from the Washington Government since the beginning of its correspondence with the belligerents of Europe.

Text of Note Given Out.

The full text of the note is: "The Secretary of State, to Ambassador Gerard, Department of State, Washington, July 21, 1915.—You are instructed to deliver textually the following note to the Minister of Foreign Affairs:

"The note of the imperial German government dated July 8, 1915, has received the careful consideration of the Government of the United States, and it regrets to be obliged to say that it has found it very unsatisfactory, because it fails to meet the real differences between the two govern-

POINTS MADE BY UNITED STATES IN REPLY TO GERMANY.

German reply found unsatisfactory because it fails to see real issues.

American Government notes that Germany recognizes without reserve validity of principles insisted on by United States—that sea is free, that character of merchantman must be ascertained before she is sunk, and that non-combatants must not be put in jeopardy unless vessel resists or tries to escape.

America disappointed to find that Germany regards itself as in large measure exempt from obligation to observe these principles.

Defense of act as retaliatory regarded as admission that it is illegal.

Conduct of other belligerent governments declared irrelevant to discussion of grave and unjustifiable violations of rights of American citizens by German naval commanders.

"If a belligerent cannot retaliate against an enemy without injuring the lives of neutrals as well as their property," says the note, "humanity, as well as justice . . . should dictate that the practice be discontinued."

United States is willing to make reasonable allowance for new conditions of war, but cannot abate any essential or fundamental right of its people.

"The rights of neutrals in time of war," the note continues, "are based upon principles, not upon expediency, and the principles are immutable."

Events of past two months have shown that Germany may can, if it will, conduct operations in substantial accord with accepted principles of regulated warfare.

American Government expects Germany to disavow wanton act . . . in sinking Lusitania, and to offer reparation.

Suggestion that certain vessels be designated as entitled to freedom of seas is rejected, as an abandonment of principles for which this Government contends.

United States will continue to contend for freedom of seas, "without compromise and at any cost."

"Friendship itself prompts it (this Government) to say," the note concludes, " . . . that repetition . . . of acts in contravention of these rights must be regarded by the Government of the United States, where they affect American citizens, as deliberately unfriendly."

WILSON NAMES BRYAN MEN

Ex-Secretary's Brother-in-Law Gets Federal Office in Nebraska.

WASHINGTON, July 23.—President Wilson today appointed Thomas S. Allen, of Lincoln, brother-in-law of W. J. Bryan, United States Attorney for Nebraska, and Thomas J. Flynn, of Omaha, to be United States Marshal for the same district.

George L. Loomis, of Fremont, was appointed Collector of Internal Revenue for Nebraska, and Charles W. McCune, of Omaha, was appointed Collector of Customs for the same district.

Mr. Loomis is classed by the White House as a Bryan supporter.

LINER IN PORT ON FIRE

Smoke Still Issues From Hold of British Emigrant Ship.

DURBAN, Africa, via London, July 23.—The Peninsula & Oriental Line steamship Benalla, on which fire broke out on her way through the Indian Ocean from London for Australia, with 800 emigrants on board, arrived here today with smoke still issuing from her hold.

A dispatch from Durban last night said that the crew of the Benalla had succeeded in getting the flames under control and that she was being escorted to Durban by the steamer Otaki.

JAPAN INCREASING NAVY

Four Dreadnoughts and Other War Vessels to Be Built at Once.

TOKIO, July 23.—(Special.)—The Japanese navy department proposes to construct four dreadnoughts, four scout cruisers, ten destroyers and eight submarines, defraying the cost of approximately \$100,000,000 by spreading it over the next six years.

This will complete a fleet with eight dreadnoughts and four battle cruisers. The motive for the increase is found in the desire of the naval authorities to keep abreast of the army, which recently received a credit for the creation of two new divisions.

MIRROR WARNS AUTOISTS

Dangerous Curve Reflected in Glass for Distance of 400 Feet.

PITTSBURGH, July 23.—Flashing a clear reflection of one of the most dangerous curves in Western Pennsylvania, a plate glass mirror, 20 by 48 inches, has been placed at the top of the Loomis Ferry Hill by the New Kensington Automobile Club near here.

The mirror is mounted so that automobile drivers may see the curve they are approaching for a distance of fully 400 feet.

FINAL SMASH DUE IN SIGHT OF WARSAW

Previous Bitter Fights Merely Preliminary.

RUSSIAN POWER IN BALANCE

Resistance Is Becoming More Stubborn; Hope Renewed.

DEFENSE IS BY BAYONET

Czar's Troops Use Little Ammunition and Morale Is Unshaken, Admits Berlin Report—Advance Is More Difficult.

LONDON, July 23.—All the desperate engagements constituting the Battle-Bessarabia battle that has been raging since the beginning several weeks ago of the great Russian reverse merely were preliminaries to a clash expected to be more costly than any in history and which is to be fought almost within sight of Warsaw, between the Vistula and Bug rivers.

The German staff expects to force a decisive engagement. On the outcome depends the fate of the city, and, according to some military observers, the fate of Russia as a fighting power for months to come.

The Austro-German forces have advanced within a few miles of the Lublin-Chelm railroad, Russia, however, according to one correspondent's dispatch, does not regard this line of strategic value.

Mighty Assault Planned. According to this same report, the Russian commander-in-chief has no intention of permitting the Teutons to advance north of the railroad.

Should the Russian defense of this ground succeed, the Austro-Germans are expected to concentrate all other available forces between the Vistula and Bug for a last mighty smash at Warsaw.

Field Marshal von Mackensen, operating between the Bug and the Vistula, continues his wild sledgehammer blows against the Chelm-Lublin line of the Russians, directing them now particularly against the City of Lublin, according to dispatches from Petrograd. His immediate objectives are Belyze, Travnik, Vossilavice and Grubochow. Belyze is 12 miles southwest of Lublin.

Battle on Bug Important. Of only slightly less importance in this region are the battles on the Bug between Krylow and Dobrotora. West of Warsaw the Russians have moved back to their second line of defenses at Blonie and Nadaryn and their positions in front of Ivangorod. The latter positions are regarded the strongest in the Russian line, as indicated by the fact that the Germans assaulted them furiously in their former campaigns against Warsaw and were unable to breach them.

To the northward battles are raging at Novogorodievsk and along the entire narrow line, which embraces the strong points of Pulask and Rozan, commanding the crossing in the bend of the river. Ostrolenka and Lomna, German and Austrian militarists conclude.

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CITY WOOD USED AS LID

Fuel to Be Held in Stock to Keep Down Prices of Dealers.

Feeling that the city's wood pile which is on hand for sale is a valuable asset, inasmuch as it is forcing wood prices down, the Council will make no effort to get rid of the wood at present, further than to sell it to persons who want to buy. No solicitors will be placed in the field, as was planned by Purchasing Agent Wood.

The Council yesterday decided that the wood belongs to the public and if wood prices are reduced thereby the public is benefited.

Commissioner Baker declared the high cost of cutting the wood was due to poor judgment in selecting a location for work.

LINER SAILS DEEP-LADEN

Cymric Takes Motor Cars, Aeroplanes and Shells to Britain.

NEW YORK, July 23.—The White Star liner Cymric, which sailed for Liverpool today, deep in the water from the 15,000 tons of cargo aboard, also carried 52 cabin and 120 steerage passengers, only one of whom, Frank R. Gibson, of Buffalo, is an American.

The big cargo includes tons of supplies for Great Britain, such as motor cars and trucks, aeroplanes, empty shells and cartridges.

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COWBOYS CAPTURE YOUTH'S ABDUCTOR

Rancher's Son Escapes From O'Leary's Grasp.

\$6000 RANSOM NOT PAID

Nightfall Is Downfall to Desperado.

VICTIM IS NOT INJURED

E. A. Empey's Relatives Are About Ready to Pay Over \$6000, but Posse Is Called Off and Disbanded When News Comes.

IDAHO FALLS, Idaho, July 23.—Cowboys late tonight captured the abductor of Ernest Empey, son of a wealthy rancher who was kidnapped several days ago and held for \$6000 ransom, according to a report received here.

The desperado, it is said, came down from Sheep Mountain at nightfall and was surrounded and taken on what is known as Crane's Flat.

Empey late today escaped from his abductor and was found by United States forest rangers and is now safe at Montpelier, according to advices reaching here.

Empey fled while his captor was asleep in a hut on Sheep Mountain, five miles from Empey's ranch, where he was taken at the point of a rifle.

According to a report from Montpelier, Empey recognized his abductor as a man employed upon his ranch about five years ago. Empey described the abductor for payment tomorrow night for the release of the cattleman in an effort to capture the man.

Immediately upon receipt of the news of Empey's escape a posse left here to conduct a search for the kidnaper.

Six thousand dollars in gold was taken late today to the spot indicated by the abductor for payment tomorrow night for the release of the cattleman in an effort to capture the man.

RELATIVES READY TO PAY

Sunday Was Day Named for Ransom of \$6000 to Be Given.

BOISE, Idaho, July 23.—(Special.)—As the news reached here tonight from Idaho Falls that the kidnaper of E. A. Empey had been captured, the posse organized to run down the desperado disbanded. His relatives had insisted they prefer to pay the \$6000 in gold, as directed by the desperado, because they were confident if they did not Empey would be killed.

They did not want to take chances. Officers and citizens in the eastern part of the state found themselves baffled by the attitude of Empey's relatives.

Sunday was the day on which the money was to have been carried in a sack and deposited at a designated spot in an isolated section of Eastern Bingham County and there left for the kidnaper. If it was so delivered it would forthwith release Empey. If it

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WILSON STUDIES NATION'S DEFENSE

REPORTS FROM HEADS OF DEPARTMENTS CALLED FOR.

Navy Equal to Any and Military Training for Every Citizen to Constitute Programme.

WASHINGTON, July 23.—President Wilson has called for reports on the subject of National defense. These will be made to him personally by the heads of the War and Navy departments. The fact that this action had been taken became known here tonight after the release for publication of the note to Germany relating to submarine warfare.

Without regard to present-day controversies, the President, in association with various heads of departments, has been giving consideration for some time to the preparation of a reasonable and adequate naval programme which he will propose to Congress at the proper time.

He particularly wishes the Navy to stand on equality with the most efficient sea force maintained by any power. As to the Army, it is known here that the President is preparing to incorporate in his next message to Congress a definite programme relating to the development and equipment of this branch of the service.

This will provide a plan for the proper military training of citizens in every way consistent with American traditions and National policy, and which the President believes will commend itself to all patriotic and practical minds. In this matter the President is working with the Secretary of War and his professional associates.

STATUE MYSTERY SOLVED

Iron Figure Crumbles When Workmen on Fountain Let It Fall.

The mystery of the missing iron woman from the fountain at Sixteenth and Washington streets has been solved.

Inquiry into the case yesterday by Commissioner Baker revealed the fact that workmen in trying to fix the figure accidentally let it slip and it broke into several hundred pieces.

The figure had been on top of the fountain for years. Several years ago, a figure was mislaid and the Portland Light & Power Company since has maintained a big cluster of lights on top without charge. Recently the company sent the city a bill for back light, which the city failed to pay, and the company shut off the light. Workmen of the park bureau went up to fix the figure and the top of the light, and the calamity followed.

CANAL PAYING EXPENSES

Waterway Shows Profit if Interest Is Not Counted.

WASHINGTON, July 23.—Counting only the cost of operation; of civil government, sanitary work and the administration and handling of ships, the Panama Canal is now on a paying basis, according to official reports.

Receipts from May not only wiped out the deficit of \$39,480, which had grown up since the opening up of the Canal trade, but left a balance of \$177,795, which works out a profit of 4.79 per cent on the expenditure.

This, however, does not make any allowance for interest on the vast sum expended in the construction, and from that point of view receipts have not yet equaled expenses.

CUPID ABOVE SUPERSTITION

Streetcar Man Gets License Friday, 23, and Has No Fears.

Friday, the 25d, has no terrors for W. E. Stillwell, a streetcar man who lives at 1224 Albina avenue. Yesterday he obtained a license to marry Miss Boney M. Holmes.

"Not superstitious about a date like that, are you?" asked John W. Cochran, deputy County Clerk, as he wrote out the license.

"The date doesn't worry me," said Mr. Stillwell. "President Wilson's daughter got married on Friday, the 13th, and I guess I can get away with it on Friday, the 23d."

LOSS OF WARSHIP DENIED

German Admiralty Says Only Minelayer Was Sunk in Baltic.

BERLIN, via London, July 23.—Supplementing the denial made last night that a German warship had been sunk in the Baltic by a hostile submarine, the German Admiralty today authorized the statement that in the operations in question no battleship of the Deutschland class was attacked by a submarine and that no German warship of any kind was sunk.

The only loss during the operations was the Albatross, a minelayer, it was said.

FOREIGN LEGION HARD HIT

Swiss Fighting for France Are Slain by Thousands.

BERLIN, July 23.—(By wireless to Sayville, N. Y.)—The Overseas News Service gave out today a dispatch from Geneva saying that two Swiss soldiers of the French Foreign Legion who have returned from France as invalids report that one regiment consisting of 4600 Swiss men after the battle of Arras 820 men.

A second regiment, consisting of 2000 Swiss, after the same battle, numbered 232 men. The regiment lost all its officers.

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BURGLAR-CATCHING POPULAR PASTIME

Latest Capture Is Mr. Honeyman's Fifth.

PURSUIT GIVEN IN "NIGHTIE"

Unpleasant Seance With Intruders Related.

LIFE OFTEN THREATENED

Smaller of Two "Visitors" Wielded Gaspipe Has Inscrutable Disposition, but Victim Parleys Until Point Is Obtained.

Catching burglars has become a popular athletic pastime with Walter H. Honeyman, clubman, society favorite and member of the Honeyman Hardware Company.

Mr. Honeyman used to be a star athlete at the Multnomah Amateur Athletic Club. He took mostly to sprinting. Six years ago he sprinted three blocks down Alder street from Eleventh in hot pursuit of a man who had snatched a purse containing \$28 from a woman. He got his man.

At about 2 o'clock yesterday morning, with the assistance of Patrolman Hilton, he got his fourth burglar since that occasion, bringing the total up to five.

Attire in Chase Seemly.

This time Mr. Honeyman, attired principally in a nightgown and pair of carpet slippers, was driving an automobile in which he had chased the burglar and a "pal" who got away, over half the streets in North Portland. Mr. Honeyman believes he shot the "pal."

For about 25 minutes previous to the chase, however, the two burglars, who appeared suddenly in the bedroom where Mr. and Mrs. Honeyman were sleeping in their beautiful home at 249 Cornell Drive, had the laugh all on their side.

They made Mr. Honeyman and his wife lie with their hands stretched in the air while they alternately jammed pillows over their heads, playfully poked a big revolver in their faces, and kept up a running argument with Mr. Honeyman as to the whereabouts of his trousers.

Threats Are Frequent.

The burglar who got caught was the most man of the conventional "tail and short" combination. He carried a thick gaspipe a couple of feet long, with which he frequently expressed his intention of "braining" Mr. Honeyman.

Once after a particularly hot argument about the trousers, this burglar, who seemed to be a very bad humor indeed, spitefully rapped the gaspipe across Mr. Honeyman's shin and then across those of Mrs. Honeyman.

If it hadn't been for a restive pup Mr. Honeyman's brother gave him a few days ago, the burglars probably would have given the house in the first place. Mr. Honeyman said yesterday that he woke up some time after midnight and heard a queer noise downstairs. It subsided almost immediately and he concluded it was the dog.

Dog Unwittingly Accomplishes.

In reality it was the burglars jimmied the window to the living-room downstairs, through which they climbed into the house. Now catching burglars as they are trying to get into his house has become a specialty with Mr. Honeyman. He got two burglars in two successive years when he lived on Hoyt street before removing to his present home.

This time, however, he went back to sleep, thinking hard things about the dog.

The dog, which rightly appears in this narrative as a sort of accessory villain, also favored the burglars in another way. Usually Mr. and Mrs. Honeyman sleep on a porch in front, and all the bedroom doors are locked. But the dog made such a racket the night before that they decided to sleep indoors so they wouldn't hear him.

Preliminaries Are Brief.

At about 1:15 o'clock, Mr. Honeyman said yesterday, he suddenly awoke again. He thought he heard a noise just outside the bedroom. A curtain which he had been back about a week was flapping, and some impulse made him say loudly:

"Who are you in there?"

Then several things happened at once.

From the doorway came a voice, "Hands up!" as a strong electric flashlight was turned on Mr. Honeyman's face. It blinded him and he couldn't see the man behind it, but he could see a nickel-plated revolver pointed directly at his head. He put his hands up.

Demand Made for "Pants."

At almost the same instant the short burglar materialized beside the bed, grabbed the dog by the front of his head and jammed it over his face.

"Now, where are your pants?" he demanded.

Mr. Honeyman indignantly pulled the pillow off his face. "We just got back from the coast and I haven't got a thing with me," he explained.

"Shut up," snapped the burglar, taking Mr. Honeyman's watch and jamming the pillow over his head a second

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