

Showers; cooler east portion; fresh westerly winds; continued cold east portion Sunday.

The Oregon Statesman

SEIZURE OF SHIPS IS ACT OF NECESSITY

Ship Shortage, Which Threatened to Postpone Victory for Allies, Led to Taking Over of Dutch Vessels

MEMORANDUM OF NOTE BY LANSING IS GIVEN

Germany's Menacing Action Led to Demand Holland Fulfill Agreement

WASHINGTON, April 12.—America's reply to the recent statement of The Netherlands' government bitterly protesting against and denouncing the action of the United States in taking over Dutch ships in its ports, was made public tonight in the form of a memorandum by Secretary Lansing, a copy of which has been sent to The Netherlands' legation.

Pointing out that The Netherlands' government itself does not question the legality of the act, Mr. Lansing devotes himself to a demonstration that it was an act of necessity resulting from Germany's menacing attitude which prevented Holland from fulfilling her engagements and that instead of an injustice the step results in real benefit to the Dutch ship owners and people.

The memorandum follows: "The Netherlands' government has issued a statement relative to the recent action of the government of the United States in putting into its service for the period of the present emergency certain privately owned vessels of The Netherlands' registry lying within the territorial jurisdiction of the United States. While this action is referred to as being indefensible from the standpoint of international law, the statement The Netherlands' government does not argue the question of legality. Nor is this government disposed to do so.

Legality Not Last Step. "The practice of nations and the opinions of jurists on the right of a belligerent to utilize all vessels which come voluntarily and unconditionally within its jurisdiction are sufficiently well known to render citation of precedent and of authority unnecessary. But as The Netherlands' government themselves suggest, our action must be subjected to a finer test than that of mere legality. It matters very little that our act be legal, if, as alleged, it violates traditional friendship and is inconsistent with ideals of right and justice.

"The Netherlands' government first declare that the very presence of Dutch ships in our ports resulted from our detention of them with an unfriendly hand. While our right to refuse bunkers and cargo licenses is conceded, friendship, it is said, should have led to the granting of special privileges in favor of the subjects of a friendly state. Our own supply of bunker coal at seaboard has been inadequate for our pressing national needs. The cargoes which were demanded were largely of grain, of which our own reserves are all too low. The bunkers, if granted, would have served to carry this grain to The Netherlands' where, as events have demonstrated, it was not needed and where, it would only have served to release equivalent foodstuffs for the enemy. Such action upon our part, whatever its intention, would in fact have been an act beneficial to the enemy and having no relation to our friendship to The Netherlands.

Owners Are Unwilling. "The owners of Dutch ships were, however, unwilling that their ships should perform any other services than those which it was clearly impossible for us to facilitate, and the ships of this maritime nation accordingly lay idle for many months, and until the conclusion on January 25, 1918, of the temporary shipping agreement which was proposed by The Netherlands' commissioners at London and accepted by the United States as a measure to restore the immediate activity that portion of The Netherlands' mercantile fleet lying within our waters.

"The statement of The Netherlands' government seems to imply that the agreement was in fact lived up to by The Netherlands' government. No evidence to the contrary is found in the statement itself which refers to the German objections as having prevented performance by that government of what is erroneously referred to as America's demand, but what was in reality a Netherlands' undertaking, that when a Dutch ship left the United States for The Netherlands a corresponding Dutch vessel should simultaneously leave The Netherlands for the United States.

"Had not The Netherlands' government, under German threats of violence, which were a matter of common knowledge, felt unable to carry out the temporary shipping agreement, it is inexplicable that the

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OREGON, IOWA FIRST TO GO OVER THE TOP

Evidence Is Gathered to Determine Which Completed Quota First

SUBSCRIPTIONS GROWING

Rural Districts Get Into Campaign—Portland Wins Honor Flag

WASHINGTON, April 12.—Liberty loan subscriptions reported to federal reserve banks up to the close of business last night representing the result of five days' canvassing, were \$451,744,000, or \$175,825,000 more than the total reported last night. This is just about enough money to pay the United States war expenses for two weeks.

Only part of these pledges have been received by federal reserve banks in binding form, accompanied by initial payments, but it is believed many millions of other subscriptions have been signed and not yet reported to local banks.

The New York federal reserve district continues to furnish almost half of the country's total. In the Minneapolis district the loan campaign will not really start until next Monday, and no figures are reported from there. Other districts' records are given today in messages to headquarters here, are as follows:

Chicago, \$55,210,000; Boston, \$46,361,000; Cleveland, \$33,989,000; Philadelphia, \$31,597,000; St. Louis, \$29,268,000; Dallas, \$15,347,000; Kansas City, \$13,267,000; San Francisco, \$11,426,000; Richmond, \$6,916,000; Atlanta, \$3,259,000.

Rural communities got into the campaign in earnest tonight with liberty loan rallies at country school houses in practically every township. A message from Secretary McAdoo was read saying:

"I rely upon the farmers, than whom there are no more vitally interested in protecting America's future and the liberties of the world, to do their utmost to help in this great liberty loan work."

To celebrate Oregon's record of being the first state to have its claim of over-subscribing its quota recognized, 100,000 Oregonians will hold a patriotic demonstration in Portland Saturday night.

Iowa also claims to have gone over the top, and evidence is being gathered by the Chicago federal reserve bank to show whether Iowa or Oregon officially reported the over-subscription first. Portland, Or., and Toledo, O., are the largest cities reported today to have won honor flags.

Treasury officials are genuinely pleased with the success of the loan in the first week closing tonight, but they display some anxiety over reports indicating that communities are over-optimistic. To make \$3,000,000,000 in four weeks, it is necessary to roll up \$125,000,000 every working day, they said, and the total officially reported does not make this average.

MRS. HAZARD IS DEAD, AGED 71

End Follows Illness of Week's Duration; Funeral Set for Sunday

Closely following the death of J. P. Rogers, former president of the United States National bank, comes the passing of Mrs. W. W. Hazard, wife of Edgar W. Hazard, cashier of the institution and also a prominent resident. Mrs. Hazard died yesterday afternoon at 1:40 o'clock at the family residence, 640 South Summer street. She was 71 years old.

Mrs. Hazard had been an invalid for some years but her recent illness was of only a week's duration. She had resided in Salem for the last 14 years. Besides her husband, Mrs. Hazard is survived by two daughters—Mrs. W. W. Sawyer of Seattle, Wash., and Miss Edith C. Hazard of Salem, and a son, Fred H. Hazard who has been living in Seattle.

The funeral will be held Sunday afternoon at 2:30 o'clock from the residence, Rev. W. C. Kautner of Portland, who is the acting pastor of the First Congregational church in place of Rev. James Elvin, who is in France, will conduct the services. Burial will be in City View cemetery. Minnie E. Hazard was a member of the First Congregational church. She was a devout wife, mother and friend. She was intensely interested in moral and patriotic movements of city, state and nation. To such movements, she contributed much of her time and means. She was also a member of the Order of Eastern Star.

IRELAND IS STEP NEARER HOME RULE

Convention at Dublin Submits Report to Parliament Showing Basis for Agreement on Many Questions

IRISH PARLIAMENT PLANS ARE LAID OUT

Foundation Agreed Upon Declared to be "Unprecedented in History"

LONDON, April 12.—Ireland has taken a step nearer to home rule. The Irish convention, which met at Dublin for eight months considering the problems besetting the island, have submitted to the British parliament a plan which, while not the unanimous decision of the convention, represents a basis for agreement on some of the questions that in the past have prevented all the parties of Ireland from acting in harmony.

The plan calls for an Irish parliament modelled after that of the empire, the authority of which would not be diminished. An executive responsible to it and with full powers over internal legislation, administration and direct taxation, also is provided.

To meet with objections from Unionists, it is agreed a forty per cent representation in the proposed parliament will be guaranteed them by the dominant Nationalists. Provision also is made for extra representation from Ulster.

Minority reports were submitted by the Ulster Unionists and the minority faction of the Nationalists.

LONDON, April 12.—The Irish convention failed to agree upon a scheme of self-government for Ireland but laid a foundation for an agreement "unprecedented in history," Sir Horace Plunkett, chairman of the convention, says in a letter to the prime minister, transmitting a report of the proceedings of that body.

"A large measure of agreement has been reached upon the principle and details of Irish self-government," he declares, "than has ever yet been attained."

It was not found possible, Sir Horace explained, to overcome the objections of the Ulsterites. The majority of the Nationalists, all southern Unionists and five out of seven labor representatives, however, agreed that the scheme set out in the report "should be immediately enacted in law."

The difficulties of the convention, says the chairman, may be summed up in two words, "Ulsters and customs"—the latter referring to demand of fiscal powers. To this demand the southern Unionists as well as the Ulster Unionists would not agree, but the southern Unionists and the Nationalists were willing, in order that an Irish parliament be established to postpone legislative decision on the question.

"I recognize," writes Sir Horace, "that action in parliament on the result of our deliberations must depend largely upon public opinion," adding "that the work of an Irish settlement is now felt to admit of no further postponement, in the dominions and the United States, as well as the other allied countries, the unsettled Irish question is a disturbing factor."

Grover Alexander Not Yet Called in Draft

LINCOLN, Neb., April 12.—A statement tonight from K. D. Bahensky, clerk of the Howard county exemption board, says that Grover Cleveland Alexander, star cub pitcher, has not been notified he must enter the service of the government for war under the second draft. "The Howard county exemption board does not yet know whether Alexander will be called, or for that matter who will be called," he said.

House Favors Quotas on Registrant Basis

WASHINGTON, April 12.—The war department's plan for basing draft quotas on the number of registrants in class one instead of upon population was sustained in the house tonight after an all-day fight over the resolution passed by the senate authorizing the change. Opponents of the plan championed an amendment by Representative Shallenbarger of Nebraska, to base the quotas on total registration and liability to military service, which was defeated, 244 to 118.

Another amendment by the Nebraska member directing that credits on quotas be given for all volunteers in the military or naval service since April 1917, was adopted, 292 to 63.

COUNTER ACTION OF YANKS HOLDS BACK GERMANS

Only 200 of 800 Shock Troops Able to Climb Out of Trenches

AMERICAN FIRE DEADLY

Enemy Is Chased Back to Own Lines in Raid Carried Out Wednesday

WITH THE AMERICAN ARMY IN FRANCE, April 12.—In the raid carried out by the Germans on Wednesday against the Americans northwest of Toul, the enemy intended to penetrate to the third line positions, according to information obtained from a prisoner. This is corroborated by material found on dead Germans. The enemy carried wire, dynamite, entrenching tools and other implements for organizing the positions.

The Americans knew in advance of the proposed attack through information obtained a day or two previously from prisoners captured by the French on an adjacent sector. The attack was made by a special battalion of 800 shock troops, who had rehearsed the operation for two or three weeks behind the lines. As soon as the German barrage began, the American batteries, without waiting for a rocket signal, laid down a counter-barrage, with the result that less than 200 of the enemy succeeded in climbing out of their trenches and advancing toward the American line.

The German officers sent the men right through the barrage, but only two succeeded in reaching the front line and they were taken prisoners. When the German barrage started, the American outposts moved into the first line, where with other infantrymen and machine gunners they waited for the advancing enemy. The Americans poured a deadly fire into the raiders, then climbed out of the trenches and engaged with grenades and in hand to hand fighting the few Germans able to cross No Man's Land. The American infantrymen and, protected by machine gun and automatic fire, dragged the German dead back to the American trenches for identification.

The German losses were extremely heavy, as No Man's land was strewn with dead, and numbers of the enemy were killed by the artillery without being able to leave the German trenches.

The French officers commanding units in the neighboring sector, complimented the Americans' courage and gallantry displayed in the operation and the splendid work of the artillery. Some of the battery men worked in gas masks for several hours.

New Crisis Has Come Says Major Maurice

LONDON, April 12.—A definite crisis has again been reached. Major General F. B. Maurice, chief director of military operations at the war office, declared today.

"The situation is undoubtedly unpleasant," he added. "The enemy is within a short distance of Bailleul which is an important railway center for feeding our Messines-Wytschaet front. He is also advancing in the direction of Hazebrouck, which is a very important railway center."

General Maurice said that on the other hand, the Germans are advancing on a very flat and intricate country and have not yet gained any dominating position.

Paris Again Shelled 11 Persons Are Killed

PARIS, April 12.—For the first time since the long distance bombardment of Paris by German shells reached the Paris region after sunset, a projectile struck somewhere near the city at 8:05 o'clock this evening.

In the Paris district today two persons were killed and twelve were wounded by the bombardment.

Czernin Says French Premier's Words Untrue

LONDON, April 12.—Count Czernin, the Austro-Hungarian foreign minister, on Friday issued a circular stating that the interviewed Emperor Charles and that he was convinced that the statement of the French premier regarding the letter written by the emperor was untrue, according to a dispatch to the Berliner Tageblatt forwarded by the Copenhagen correspondent of the Exchange Telegraph company.

COUNTY OVER IN SALE OF WAR BONDS

Quota Is Passed in Salem and in Territory Outside, Official Returns From Localities Show

CAMPAIGN GOES ON, COMMITTEES INTACT

Number of Bond Holders in Community Increased 400 Per Cent

Hats off to the Cherry City and its battalion of indefatigable Liberty Loan workers! Salem is "over the top" and still going grandly toward a beautiful over-subscription!

At 6 o'clock last night festivities were being tossed about at headquarters as the totals were checked up, revealing the fact that Salem had rolled up an aggregate of \$517,500, passing the quota mark by a generous margin. And even while the story was being told, hundreds of dollars worth of bonds were coming into the secretaries' hands. Salem has wiped out past deficiencies and has redeemed itself in this record of patriotism and generosity, and with other cities will be proud to float the "Liberty Loan Honor Flag" which has been justly earned.

Whole County Over.

Along with the triumph of Salem goes the gratifying fact that Marion county has also passed its quota of \$829,000, some of the smaller towns being the first to win out and are still far in the lead in their proportion of over-subscription.

In closing up five days of the most strenuous effort ever put forth for a public enterprise, Director Deckebach of the county committee and "General" Steiner are constrained to express the highest appreciation of the hearty, whole-souled co-operation they have received from the captains and personnel of the forty-one teams who have scoured the city of Salem and the rural districts with conscientious thoroughness. To them they give the credit for the success of the campaign, which in many respects is without precedent. And in turn, the workers are constrained to express their appreciation of the response made by the business men and the citizens generally to their appeals in behalf of liberty and humanity.

Rank and File Responsible.

Incidentally it might be said that the campaign has been marked throughout by absolute good will and harmony, and the co-ordination of effort developed in the drive augurs well for future campaigns.

The fact has been brought out at headquarters that there have been at least 400 per cent more individual subscriptions enrolled in this drive than in any other effort. It is a victory of the rank and file rather than of the monied class, though the latter responded in a most creditable manner. It may safely be said that there are more individual bond buyers to the population in this section than in any other part of the north-west.

Will Keep Teams Intact.

Having attained the desired results in the campaign, it has been decided that because of the perfect efficiency of the organization, the same teams and committees will be retained intact for the next drive which will probably come within six months. The commercial club will keep files of all the records made in this campaign, and by a thorough card-index system the managers will be able to ascertain six months from now just where every citizen stood on this issue, and there will be no trouble in locating the man who could and should have contributed this week.

With the quota attained, the teams have no intention of dropping the work but will "carry on" until every person in Marion county has at least been seen and labored with a second time.

One Subscription \$5000.

At the hour of writing a detailed statement of the results by districts was not obtainable. Statistics show that the following districts have either reached or passed their quotas: Aumsville, Donald, Gervais, Mill City and Monitor, Mt. Angel, Stayton, St. Paul.

If time and space permitted, a multitude of human interest stories might be brought to light from the returns, for there were cases of opposition that were almost tragic, some that were comic and others pathetic. Numerous cases might be cited where people in humble circumstances endangered their future prospects by taking bonds. The great majority of subscriptions have been for comparatively small amounts, the largest single subscription, being \$5000. It is estimated that over 90 per cent of the population are bond buyers.

HUNS ACTIVE AT NAVAL BASE OF CITY OF KIEL

Heavy Guns Recalled From Western Front to Join; Austrians Help

BATTLE LINE SEETHING

British Inflict Severe Casualties on Advancing Germans in North

GENEVA, Switzerland, April 12.—Great activity reigns at German naval bases, especially at Kiel. Coal and ammunition are being shipped to the fleet in large quantities, according to information received here this morning from a reliable neutral source.

German naval contingents, with heavy guns, were recently recalled from the western front to join the fleets and were replaced by Austrian artillery manned by land forces. Indications are that a naval raid of great magnitude is about to be attempted.

French Coming to Aid.

FRANCE, April 12.—Throughout last night and this morning the northern battle line has continued to seethe with attacks and counter-attacks. From Givenchy to the Lawe river the situation remained unchanged but further north the British withdrew somewhat from a point west of Estaires northward to the region of Steenwerck. There was desperate fighting about Vieuville-Chapelle during the night as the result of heavy hostile attacks.

The famous fifty-first division stood its ground in the face of vicious thrusts by superior numbers of the enemy and inflicted most severe casualties on the attacking forces. This morning the enemy was pressing hard in the region of Le Becque, Steenwerck and Merville, while further north the German gunners at 2:45 o'clock opened a terrific bombardment of the much contested ground east of Ploegsteert.

ANOTHER ANGLE SHOWN IN CASE

One Interpretation of Bishop-Kay Action Is That Plain-tiff Won

On Thursday Judge Percy R. Kelly of the circuit court handed down a decision in the case of Fannie Kay Bishop against her brother, Thomas B. Kay, state treasurer.

A Statesman reporter, in yesterday morning's paper, tried to give the strictly news feature of the findings, together with something of the facts upon which the contentions of the parties were based.

Two paragraphs of the "Findings of Fact" make the case a rather remarkable one. They are as follows:

"14. That plaintiff (Mrs. Bishop) disclaims having charged or intending to charge defendant (Mr. Kay) with dishonesty.

"10. That the defendant has strictly accounted for the assets of both estates." (Meaning the estates of father and mother of the parties to the suit.)

But the Statesman reporter was in error when he stated that the case was dismissed.

And one who has reviewed the findings declares:

"An analysis of the contentions of the parties to the litigation, as shown by their pleadings, with the decision itself, shows that Mrs. Bishop, as the administratrix of her mother's estate, was sustained by the court in every particular. Mrs. Bishop has for many years contended that her father's and mother's estates were separate and distinct, while the defendant, Thomas B. Kay, has contended otherwise. This controversy grew out of the construction of the will of the late Thomas Kay and the court sustains Mrs. Bishop's construction of this document in every respect and holds that the two estates should be separate, and that Mrs. Bishop, as administratrix of her mother's estate, could not properly administer upon that estate without an accounting from her brother, Thomas B. Kay, who had handled the funds of her mother for many years prior to her death. This is exactly what Mrs. Bishop was contending for. Prior to the time of the bringing of the suit in question she made a demand upon the defendant for this accounting. At that time the defendant rendered to her a sworn statement showing that there was belonging to said estate more than \$25,000. Mrs. Bishop contended that this was not correct and that it did not segregate the two estates. Mr. Kay refused to give any further accounting and upon this refusal Mrs. Bishop, as the administratrix of her mother's estate, commenced the suit in question, de-

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HAIG MEN YIELD TO GERMANS

Troops Pushed Back in Continuous Fighting to Positions in Neighborhood of Bailleul Railway; Other Points Are Maintained

"THERE MUST BE NO FURTHER RETIREMENT"

Back to Wall, Says Haig, But French Are Reported as Coming to Aid; Great Battle Seems Approaching

(By The Associated Press) Great Britain's armies stand at bay in France and Flanders. After three weeks of combat which has eclipsed anything that has raged during the entire four years of warfare, Field Marshal Haig has issued a command to his men to hold their ground at whatever cost and fight with the knowledge that their blow has struck "for the safety of their homes and the freedom of mankind."

The end of the first phase of this giant struggle now may be considered as passed. "There must be no retirement," is Haig's admonition, which adds that the British now are fighting "with their backs to the wall." The withdrawal in Picardy was officially reported to have been a part of the allied strategy but the period for such tactics seemingly has gone into history.

The order issued by the field marshal contains another sentence which may be pregnant with significance. "The French army is moving rapidly and in great force to our support," he said. This is the first official intimation that the allies are ready to strike back at the German invaders. This blow may not necessarily fall in Flanders, nor in Picardy, but may be aimed at some pair of the lines where Generalissimo Foch may believe he can cut through the German front and compel the Teutons to relax their pressure against the British.

The allies stand today on a front which has been dented and battered but which is very strong throughout. Tracing this line from the south it is found to leave the old battle front at Braucourt, west of Laon. From this point it runs to the west, passes south of Couchy-le-Chateau, and curves north until it reaches the Duse river, which it follows until it reaches a point south of Noyon. Here the line runs just north of west to Meulst, west of Montdidier, where it turns to the north. It continued as far as Castel, where it turns northwest to Hangard and then by a crooked line through Abry to a point east of Hebuterne. The line then runs off to the northeast through Buquoy and Boisleux to Fampoux, east of Arras.

Whole Line Aflame. At this point it turns north to beyond Lens and then turns sharply to the northwest past Bethune entering the scene of the most bitter fighting. It continues as far as Merville, which marks the farthest advance of the Germans in their present offensive, and then bends to the northeast to Fassechenele, north and east of Ypres. Here it curves to the northwest to Merckem, and thence north over the lowlands of Belgium to Nieuport to the sea.

The capture of Merville features the fighting during the last day but all along the line from just north of Lens to Hollebeke southeast of Ypres there have been tremendous attacks which have been met by savage resistance. The hardest fighting along this front seems to have centered about Messines ridge, for which the Germans and British have struggled hand to hand. At last reports the Germans held the eastern half of the ridge while the British were in control of the western slope.

The Turks and Germans have been attacking the British lines north of Jericho since April 10 and entered British positions both east and west of the Jordan, but London says they were driven out by a counter-attack.

LONDON, April 12.—Field Marshal Haig's report from headquarters in France tonight says:

"Strong pressure has been maintained by the enemy all day south and southwest of Bailleul. Constant attacks in great force were made in this area and are continuing. "Our troops have been pushed back slowly in continuous fighting to po-

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