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The Daily Capital Journal

CIRCULATION IS OVER 3900 DAILY

THIRTY-EIGHTH YEAR

SALEM, OREGON, THURSDAY, SEPTEMBER 23, 1915

PRICE TWO CENTS

ON TRAINS AND NEWS STANDS—FIVE CENTS

GERMANY WOULD SUBMIT FRYE CASE TO THE HAGUE

Sinking of American Vessel William P. Frye Is Discussed Freely in Official Note From Berlin—American Interpretation of Rules of Warfare Would Materially Cripple Germany, It Is Contended, and No Change of Policy Is Promised Pending Decision of Arbitration of Frye Case By Duly Appointed Tribunal

Washington, Sept. 23.—Germany has made concessions concerning attacks upon American ships carrying conditional contraband. This developed today when the state department made public the Berlin note on the sinking of the American vessel William P. Frye, which, she had contended was subject to attack as carrying such goods.

Germany consents to arbitrate the Frye case, and names experts to determine the pecuniary loss, but does not acknowledge that the sinking violated any treaty. She suggests settlement of the latter dispute by arbitration at The Hague.

Germany's concessions were orders to her commanders to allow ships this kind to proceed unimpeded provided it was impossible to take them into port, as America claimed should be done under an old Prussian-American treaty. This was granted, Germany said, as an evidence of her intention to be conciliatory toward America.

Full Text of Note. Ambassador Gerard reported to Secretary Lansing that he had the following message from the foreign office: "The undersigned has the honor to make the following reply to the note of His Excellency, the American ambassador dated the 13th ultimo, on the subject of claims for reparation for the sinking of the merchantman William P. Frye. With regard first to the ascertaining of damage by experts, the imperial German government believes it should dispense with the nomination of an umpire. In cases of ascertaining of damages hitherto arranged between Germany and a neutral from similar causes, the experts named have always reached an agreement on the amount of damage without difficulty; should it be impossible, however, to reach an agreement on some point, this could probably be settled by diplomatic negotiations. "Assuming the American government agrees to this, Germany names as its expert Dr. Kepny, of Bremen, director of the North German Lloyd; and begs to await the designation of the American expert.

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

Negotiations relating to signing of the compromise provided by article 32 of The Hague arbitration convention would best be conducted between the foreign office and the American embassy in view of difficulties in the way of instructing the imperial German ambassador at Washington. In case the United States agrees, the foreign office is prepared to submit to the embassy a draft of such a compromise. "America's inquiry as to whether Germany will govern its naval operations in accordance with the German or American interpretation of the treaties, pending arbitral proceedings, has been carefully considered. From the stand-



BULGARIA AND GREECE NEARWAR ADVICES INDICATE

Rumania's Position Still Matter of Uncertainty—Serbia Guards Frontier

BULGARIA NEUTRAL. Berlin, by wire to Tuckerton, N. J., Sept. 23.—Premier Radoslavoff, of Bulgaria, informed members of the Liberal party that Rumania had promised Austria and Germany that she would remain neutral, no matter what happens in the Balkans, according to the Sofia correspondent of the Tageblatt today.

London, Sept. 23.—Bulgaria and Greece were brought nearer to war by developments today, while Rumania's attitude was seemingly in doubt. Serbia replied to the Bulgarian mobilization maneuvers by moving two divisions within striking distance of the frontier, ready for action on a moment's notice. Then the commander of the Serbian patrols warned the Bulgarians that any trespass on Serbian soil would result seriously for the invaders, in view of the already strained relations between the two countries.

Crown Prince Alexander plans to lead the Serbians if war results from the seething Balkan situation. He has gone to the Krngyevatz headquarters for a conference with army chiefs as to Serbia's military plans. The Greek cabinet session continued until after midnight. No reports of its action had reached here early today to show what course had been taken toward the threatened war break. At many places, it was reported that Greek officers on leave had been ordered to be ready to go to Athens immediately.

The Duke of Mecklenburg was reported to be en route to Bucharest with German authorization to promise important concessions to Rumania if she would remain neutral. Despite the Bulgarian statement that mobilization was meant merely as armed neutrality, London was extremely pessimistic on this point, and believed that, in fact, it was intended as preliminary to a far more serious move.

Bulgarians Are Called. Berlin, by wire to Tuckerton, N. J., Sept. 23.—Numerous men, subject to military service, have left Germany in response to Bulgaria's summons to the colors. Vienna also reported that thousands of Bulgarians are turning homeward.

Move Mobilization. Athens, Sept. 23.—A new mobilization decree promulgated by Czar Ferdinand of Bulgaria, at midnight last night called to the colors twenty-seven classes of reserves. Troops for Dardanelles. Athens, by Berlin, Sept. 23.—One hundred and ten thousand reinforcements arrived at the Dardanelles early this week, it was learned here today.

This move may be the beginning of a stronger campaign in the Dardanelles region, in fact, may mean that the allies anticipate the center of hostilities is to be transferred to the Dardanelles soon, as reported by four out of 12 members of the resolutions committee. State Control Wins. Portland, Ore., Sept. 23.—The Western States Water Power conference this afternoon by the vote of 23 to 7 passed the resolutions recommended by the majority of the resolutions committee declaring for state control of water power resources and development. The resolution expressed opposition to any policy looking toward governmental ownership. The passage of the resolution was a victory for those opposed to the Ferris bill.

DOCTRINE OF STATE CONTROL AFFIRMED

Resolutions of Power Conference Adopted Today Will Reek With It

Portland, Ore., Sept. 23.—In the final day's session of the water power conference of the Western States meeting here the delegates are working steadily toward the climax, which will come this afternoon in the adoption of resolution reeking with the doctrine of state control and declaring for making the national public domain subject to eminent domain right by the states. The resolutions of the majority, as presented this morning by United States Senator Reed Smoot, of Utah, chairman of the resolutions committee, favor nothing but a declaratory act by congress, which is in line with the desire of the water power interests for no legislation and the granting of water power rights in perpetuity to private interests.

Reading of formal papers was concluded this morning with those of United States Senator Clark of Wyoming and Frank H. Short of California, after which the resolutions were brought on the floor and general debate begun. Senator T. J. Walsh of Montana presented a minority report favoring the federal control under the leasing system. The minority report was favored by those who would have the water power resources of the country remain in private hands.

Washington, Sept. 23.—President Wilson has practically decided to call an extra session of the senate on October 18. It was authoritatively learned today. Subjects for consideration will be limited, however, to proposals for amendment of the cloture rules and discussion of treaties bearing on Central and South American relations. The president is now convinced that there is no danger that America will be drawn into the world war. He believes the fact that jingo speeches and inflammatory resolutions in the upper

COUNTY PUTS DOWN ROAD PAVING AT 67 CENTS A YARD

Can Lay Nine Foot Hard Surface On Roads As Cheaply As Macadam

COST NEXT YEAR WILL BE LESS THAN THIS. Road Districts Vote Special Taxes To Try Hard Surfacing In 1916

A total of 23,936 yards of paving put down at a total cost of \$15,933.68, or approximately 67 cents per square yard or \$5,600 per mile for a 12 foot road bed, which price includes a royalty on the plant of 15 cents per square yard. If the 15 cent royalty were deducted and there were added a cost of four cents per square yard to pay for overhead expenses and depreciation on the plant the cost of paving would be brought down to about \$4,500 per mile. Taking the difference between the 9-foot road bed usually laid for macadam roads and the 14-foot road bed laid for paving the cost would be further reduced to approximately the same as for macadamized road. The above figures show that the Marion county court has been able to lay paved roads at the same price as for macadamized roads. This is the record of the Marion county court in the paving business.

This year has seen the first venture of the county court of this county in the road paving business and other county courts of the state have been watching the procedure with considerable interest. Their interest is easily explained when it is shown that the 2.2 miles of pavement put down this year cost less than 67 cents per square yard for a pavement 2.2 inches thick, while the Warren Construction company is today laying pavement two inches thick for Multnomah county at a contract price of \$1.17 per square yard, 50 cents a yard more for one half inch less of pavement, and this is the lowest contract price yet reported for the Warren paving which is most like this pavement laid by the county court on the roads of this county this year.

The Warren Construction company has a patent on their pavement and this patent precludes all other companies or concerns using rocks larger than one-half inch in diameter in the paving mixture. The Marion county pavers had no desire to infringe on the patent rights of Warren so they used rock smaller than one-half inch in diameter and from this size on down to fine sand. All road men agree that the wearing qualities of both pavements are the same approximately though the cost of laying the finer mixture is slightly greater, about two cents per square yard under most circumstances.

While the Marion county court is pleased with the showing made this year they are satisfied that it can be bettered in future years because they have a lot of materials on hand now that need not be replaced, and the cost of all of these materials and paving machinery is included in the cost of the paving this year. Again the hauls have been greater this year because the county court desired to try the paving on different kinds of roads. The bookkeeping of the paving business of the county this year, follows: Total expenditure for paving including all materials, labor, royalty on plant, and all other items, \$16,177.76. Out of this the county is credited with 6,900 gallons of oil used on the roads not for paving or \$147.08 worth, 30 barrels of asphalt on hand, \$97; credits for small jobs laid off roads, \$224.08, leaving a total cost of all paving of \$15,933.68. From the state fair board was received \$2,485.81, from the city of Salem \$82.08, miscellaneous \$40.55; court house drives \$1,594.96, making the total deductions \$5,613.40 and leaving \$12,320.28 as the net cost of the paving on the county roads which was 1,600 lineal feet or 2.2 miles of 14-foot paving and at a cost of about \$5,600 per mile.

The extra expenses of starting, such as (Continued on Page Six.)

THE WEATHER. Oregon: Tonight and Friday unsettled, probably showers; southerly winds. LOOKS LIKE AN ALL DAY RAIN.

THREATEN GOVERNOR TO SAVE THE LIFE OF AN I. W. W. MURDERER

Salt Lake City, Utah, Sept. 23.—In a last desperate effort to save Joseph Hillstrom, "sweet singer" of the I. W. W. cause, from facing the states firing squad October 1, Emma Goldman, noted New York "red" is reported today to be coming here for an appeal direct to Governor Spry. As the case now stands, however, Hillstrom has but one chance to escape paying the death penalty for the double murder of J. G. Morrison, a grocer, and his son, Arling, on the night of January 10, 1914. The police maintain he killed them when they attempted to frustrate a robbery by him. His one chance rests with a married woman whom Hillstrom has persistently shielded. He has claimed that the woman he carried which caused his conviction was not the result of a duel with his two alleged victims—but that it was inflamed in the home of this married woman. The pardon board has suggested that he give the woman's name solely to the prison warden, who would investigate, and has promised if his story should be substantiated, to grant a full and unconditional pardon.

Regardless of his attorney's urging, Hillstrom has refused to divulge the woman's identity and will not consider anything but a re-trial. The prisoner is one of the most widely known members of the I. W. W. because of songs he has written for the cause, many of which are signed "G. Hill." These attack employers, the army and the navy. One of the best known is "The White Slave," written to the tune of "Meet Me Tonight in Dreamland." Members of his organization are suspected of having threatened Governor Spry with death if he did not save Hillstrom from death. The executive's mail has been flooded with threats and appeals, but he has persistently refused to intervene, and has declared that nothing will save the prisoner except the woman's voluntary appearance to substantiate Hillstrom's claims.

BASEBALL TODAY American League. Chicago 2 9 2, Washington 1 4 1, Scott and Schalk; Harper, Boehling and Williams. Detroit 6 8 1, Philadelphia 5 7 2, Londermilk and Stange; Sheehan and McAvoy, Lapp. Oldham replaced Londermilk. First game. R. H. E. Cleveland 4 8 2, Boston 5 9 1, Klepfer, Coombe and Egan; Wood, Mays and Cady. Second game. R. H. E. Cleveland 2 5 2, Boston 6 7 1, Denton, Collamore and Egan; Shore and Cady. First game. R. H. E. St. Louis 0 5 3, New York 1 10 0, Phillips, Hamilton, Sothorn, Sisler and Ruel, Severoid; Mrogdrige and Alexander. Second game. R. H. E. St. Louis 1 7 0, New York 5 6 1, Hoff and Agnew; Markley and Scherwerdt. Wellman replaced Hoff.

HESPERIAN SUNK BY A MINE, NOT BY SUBMARINE

German Admiralty Makes Report After Full Time of Investigation. By Carl W. Ackerman. (United Press staff correspondent.) Berlin, via The Hague, Sept. 23.—The admiralty today submitted to the foreign office a memorandum, declaring positively that no submarine sank the liner Hesperian. The statement, however, suggested the possibility that the vessel struck a mine which was intended to destroy a submarine. The admiralty stated that the last submarine which was operating in the war zone on the day of the Hesperian explosion had returned and reported. Commanders of the U-boats reported that there were many mines floating in the Irish sea, tending to strengthen the theory that the Hesperian may have fouled one of them. The memorandum will probably be embodied in a note to the United States. In some quarters it was reported the note had already been delivered to Ambassador Gerard, but this could not be confirmed.

"In these days of secret diplomacy," said Gerard, "if it had been received I would be unable to acknowledge it." The Kaiser's intention to receive Gerard soon after returning from the eastern front, is regarded as a speedy and complete adjustment of German-American relations. Philadelphia Ledger: On the day the czar took control via Russian press bureau announced a great victory. Which suggests that the czar took control of the press bureau.

National League. Boston 4 5 0, Pittsburgh 8 12 1, Rudolph and Whaling; Mammoux and Gibson. Cooper replaced Mammoux. Brooklyn 3 9 1, Cincinnati 2 5 1, Pfeffer and McCarty; Toney and Wingo. Lear replaced Toney. First game. R. H. E. Philadelphia 5 11 3, Chicago 1 6 4, Alexander and Burns; Adams, Schorr and Archer. Second game. R. H. E. Philadelphia 3 5 0, Chicago 2 6 4, Rixey and Burns; Douglas and Brennan. New York 7 13 0, St. Louis 3 8 2, Teareau and Meyers; Sallee, Meadows and Snyder.

(Continued on Page Five.)

Czar Ferdinand In Center of European Affairs Now

Note.—In view of the momentous situation in the Balkans, Henry Wood, United Press staff correspondent, who has just reached London after spending several months in the Balkans, today cabled the following character picture of Czar Ferdinand, who holds the key to the Balkan crisis. Wood spent several weeks at Sofia, where he interviewed the Premier, and learned the most intimate detail concerning Ferdinand.

Hammering at Serbia. Nish, Serbia, Sept. 23.—Though the Austro-Germans hammered at Serbia from the principal points of the Danube from Sunday, their fire was without military result, according to an official statement issued here at midnight. This announced that the Teutons kept up a steady artillery fire for four hours and accompanied it by violent infantry and machine gun fire.

Blow Up Munition Depots. Paris, Sept. 23.—French batteries blew up several German munition depots in the Champagne district last night the official communique reported today. German artillery battering at the French forces was silenced. Germans were reported to have shelled the Rohrbach sector. North and south of Avre, the French fire was extremely intense and effective. Heavy artillery battling is proceeding at Henrignaux.

Damage Munition Depot. Amsterdam, Sept. 23.—Allied air-men bombarded a submarine and military base at Brugge on Sunday and Monday nights, inflicting heavy damage, and, it is reported, destroying a German factory.

BLOODY FIGHTING FOR CONTROL OF RUSSIAN FORT

Dvinsk Is Now Storm Center Campaign On East Front. GERMANS LACKING SHELLS FIGHT WITH THE BAYONET. French Airmen Active In Raids On German Munition Depots. London, Sept. 23.—Tעות and Slav are fighting a bloody duel for possession of Dvinsk, strategic railway center on the path to Riga and Petrograd. The battle is now at close range. At many points the two armies are fighting it out with the bayonet, according to the official statement from the Petrograd war office early today. This announcement was interpreted here as further proof that the German supply of shells is decreasing, and that men instead of ammunition must now be sacrificed in the hope of gaining a victory over the Russian horde. Many prisoners and a large quantity of arms, it was stated, fell into the Slavs' hands during bitter battling for possession of Birshale, northwest of Friedriehstadt. The Kaiser's forces have met remarkably strong resistance at many points. West of Molodechno, it was declared, the two armies came to grips, and the Russians occupied the village of Ledovo, capturing men and guns. Still another village, Smorgna fell to the Slavs after a sharp bayonet battle. Successes east of Lida, and east of the Oginski canal were also claimed.

Close In On Dvinsk. Berlin, via London, Sept. 23.—Germans, closing in on Dvinsk from the west, have penetrated the Russian advance positions, taking 2123 prisoners, the official statement said today. The Slavs are now retiring upon the outer defenses which the Germans have bombarded since Sunday. Prince Leopold's Bavarian forces have captured several positions west of Vavleka. This announcement was interpreted as presaging the early capture of Dvinsk, an important point in connection with the supposed Teutonic ambition to take Riga and perhaps drive against Petrograd.

Aviators Brought Down. Berlin, via London, Sept. 23.—Four French aviators were brought down yesterday during the "greatest air-craft and artillery action along two entire fronts," according to official announcement today. Mine Sinks Vessel. London, Sept. 23.—One member of the crew of the British steamer Groningen was killed when that vessel was destroyed by a mine.

Allies Use False Markings. Berlin, Sept. 23.—That the allies are using false markings on their aeroplanes, as it is claimed, they have done with their ships, was charged in an official statement reporting an air attack on Ztuttgart. Four persons were killed and a number of civilians and soldiers were wounded when enemy aviators, bearing German marks on their machines, dropped bombs on the city, said the statement.

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SESSION OF SENATE SET FOR OCTOBER FOR SPECIAL WORK

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