

# AUTHORITIES ARE BUSY WORKING ON EXTRADITION GERMAN OFFICER

**First Point of Law to be Taken  
Will be Definition of  
Offence**

**VON HORN SAYS  
HIS ACTION WAS  
POLITICAL ONE**

**If He Can Prove Contention,  
Hay-Pauncefote Treaty  
Will Not Apply**

(Western Associated Press)

VANCEBORO, Feb. 3.—Werner Von Horn, who attempted to blow up the railway bridge near here, today appealed to the German ambassador at Washington, Count Von Bernstorff.

He told the latter that he had not been on Canadian soil and asked for protection from extradition.

The telegram from Von Horn to the German ambassador at Washington read:

"I was arrested here for blowing up Canadian end of bridge at Vanceboro, between Maine and Canada. I am held here by attorney general of Maine at the request of Canadian authorities who are trying to get extradition papers for me from Washington. Please look after my interests in this matter as I am a German subject and did not put foot on Canadian soil. Answer."

(Special to The Edmonton Journal—Ford's Ottawa Service)

OTTAWA, Feb. 3.—Preparations are being continued for the extradition proceedings in the case of Van Horne, the German who attempted to blow up the C. P. R. bridge over the St. Croix river. No reply has been received yet from Washington to the communication sent last night. E. Batty, vice-president of the C. P. R. and head of the company's legal department, is here today conferring with the justice department regarding the extradition proceedings.—FORD.

**APPLICATION IN  
WASHINGTON NOW**

(Western Associated Press)

WASHINGTON, Feb. 3.—Great Britain's application for the extradition of Werner Von Horn charged with attempting to blow up a C. P. R. bridge on the Canadian side of the St. Croix river with dynamite, rested today in the British embassy. It was to be formally presented to the state department before night. Meanwhile American officers declined to discuss the case, and the diplomatic represen-

latives of the allies here, as well as of Germany and Austria were observing the proceedings with watchful interest.

The case presents some novel features and in some respects is without precedent. In time of peace and under normal conditions the matter would be simple, for the crime is covered in paragraph 12, article 1, of the supplementary extradition treaty of 1900 between the United States and Great Britain, negotiated by Secretary Hay and Ambassador Pauncefote.

### Effective Clause

The article adds to the list of crimes for which extradition may be demanded included in the original treaty in 1899, the following:

"Wilful and unlawful destruction or obstruction of railroads which endangers human life."

But Von Horn is reported to have set up the plea that his offense was political and article two of the treaty of 1899 reads:

"A fugitive criminal shall not be surrendered if the offense in respect of which his surrender is demanded be one of a political character, or if he proves that the requisition for his surrender has, in fact, been made with a view to try and punish him for an offense of a political character"

### Question Before U. S.

So the question, undoubtedly, will be whether Von Horn's effort to cut a railroad through which his country's enemy receives munitions of war and reinforcements can be considered as a political offense.

A commissioner designated by the department of justice will hear the case. If he decides Von Horn is not guilty of the offense with which he is charged and orders him released, the state department may not be called on for any action; but if the commissioner holds that extradition should be granted, an appeal will have to go to the department.

The application for Von Horn's extradition is of a formal character. The department probably will reply that it will await the commissioner's decision before passing upon the terms of the extradition treaty.

At the German embassy it was stated that, while there were somewhat similar names on the list of the German army officers, there was no Werner Von Horn on their list, although it does not include retired officers of the German army.