ZELAYA SUBMITS TO FORCE, HE SAYS

Nicaraguan Ruler Tells Interviewer He Is Willing to Abdicate.

WOULD NAME SUCCESSOR

Precipitate Retirement Would Result in Many Uprisings—Revolutionists Insist on Estrada Taking the Reins.

MANAGUA, Dec. 10.—"The United States unjustly condemns my administration," said President Zelaya in an interview with a staff correspondent of the Associated Press today.

"I proposed to Secretary of State Knox that he submit the case to the investigation of a committee of his own choosing, agreeing to surrender my rights to the presidency if charges in his letter to Isidore Hezera, ex-Nicaraguan Minister to the United States, were sustained. Secretary Knox has not replied.

"Defenseless against the hostility of a powerful nation, I must submit, although I have been condemned unheard."

Knox Ruling Favors Rebels.

"The coercion of the United States will not redound to its credit as a Nation, whose motives are questioned in all Latin America. The shooting of Groce and Cannon was a pretext. Both were amenable to the laws of Nicaragua, which distinctly authorize the shooting of individuals commanding rebels," Zelaya continued.

"It is different if a person is captured in the course of an international war. The attempt of Secretary Knox to establish the inviolability of Americans participating in foreign revolutions will result in constant revolutions led by immune Americans.

"The initiative in the shooting of Groce and Cannon was not mine. I simply refused to extend clemency to them after a properly constituted military tribunal had passed upon the case."

French Loan Blocked.

President Zelaya then recited several instances of what he declares is hostility against him in the United States, through paid articles appearing in American newspapers. In one of these instances, he says, he was endeavoring to raise a loan in France, when his enemies persuaded the United States to interpose an objection through the French Ambassador at Washington, on the pretext that the money sought was intended for the purchase of war materials, when in reality it was to have been used in the construction of a railway.

"While I am ready to surrender the Presidency," continued President Zelaya, "I cannot do it precipitately, as it would result in uprisings by several factions, each of which is eager to obtain power.

Name of Successor Submitted.

"I am in negotiations with the revolutionists to secure their indorsement to a successor who will be acceptable to all parties, and have submitted the name of Jose Madriz, judge of the Cartago court.

"I hope this will obviate the necessity for American intervention, which would be intensely distasteful to all Central America. I am informed that it is the intention of the United States to prevent my leaving Nicaragua. I do not believe this is true."

It is reported that the revolutionists will reject Senor Madriz as Zelaya's successor and insist upon General Estrada assuming the Presidency, declaring that the United States has promised to furnish 2000 marines at Bluefields to bring about his success.

"The hostility of the United States," continued Zelaya, "is due to the machinations of Senor Cabrara, of Guatemala, whom I refused in 1906 to join in an offensive and defensive alliance of Central America against Mexico, and thereby thwarted his efforts to establish a virtual dictatorship in Central America. Since then Cabrara has pursued me with relentless effort, turning the public mind against me.

"I am preparing to refute the statement of Secretary Knox relative to the contemptuous treatment of American diplomats here by submitting to him a letter from John Gardiner Coolidge, ex-Minister to Nicaragua, expressing appreciation for the cordial treatment given him."

DEMAND REBELS' SURRENDER

Estrada Amazed by Purpose of Conference Sought by Vasquez.

BLUEFIELDS, Nicaragua, Dec. 10.—General Estrada was dumfounded today when he learned that the object of the conference of Zelayan envoys with General Fornos Diaz, representing the insurgent leader, was to demand the surrender of the insurgents' army.

General Vasquez, in command of a division of the government troops near Rama, on Wednesday, proposed a conference to General Estrada. The latter, believing that Vasquez sought opportunity for an advantageous surrender, sent General Diaz to meet him. The government envoys proved to be Julio Bonilla and Major Eva. Accompanying General Diaz, for the insurgents, was Major Zelaya, a nephew of the President.

When Diaz heard the demand for the surrender of the insurgents, he immediately declared that Vasquez was the one who should surrender, declaring that the insurgent position at Rama was impregnable and that the United States was supporting General Estrada. The conference continues today.

The arrival of the United States cruiser Des Moines has created the greatest enthusiasm and drawn the whole town to the water front. The cruiser's band played the "Star-Spangled Banner." Commander John H. Shipley, of the Des Moines, conferred with Thomas P. Moffatt, the United States Consul at Bluefields.

MADRIZ TO SUCCEED ZELAYA?

Selection Would Be Far From Pleasing to United States.

WASHINGTON, Dec. 10.—Evidence is multiplying that Zelaya intends to retire as President of Nicaragua. Reports to that effect are general throughout that country and the American Consular officers seem to give credence to them.

The latest news from Nicaragua reaching the State Department today said Jose Madriz was being talked of as Zelaya's successor. It is assumed this suggestion comes from Zelaya's friends and therefore his selection would be far from satisfactory to this Government.

Madriz was chairman of the Nicaraguan delegation to the Central American Peace Conference, held here in 1907, and he was also elected Secretary of the Conference. At present he is the representative of the Nicaraguan government in the Central American Court of Justice at Cartago, which is charged with the settlement of questions arising among the several Central American countries.

The cruiser Albany and the gunboat Yorktown, which received hurried orders last week while at Magdalena Bay to proceed immediately to Corinto, Nicaragua, are now half way to that place.

DES MOINES AT BLUEFIELDS

American Cruiser Awaits Result of Battle in Nicaragua.

WASHINGTON, Dec. 10.—The United States cruiser Des Moines is at Bluefields, Nicaragua, waiting the possible issue of an important engagement between the Nicaraguan government and revolutionary forces.

The Des Moines was sent to Port Limon two weeks ago to keep in close touch with the Nacaraguan revolution, and her arrival at Bluefields yesterday is the result of secret orders to proceed to that place and await results from the impending battle.

Commander Shipley, of the Des Moines, reported that all was quiet at Bluefields.

ZELAYA'S LIFE IS SOUGHT

Senator Rayner Would Punish Pan-American for Murder.

WASHINGTON, Dec. 10.—A resolution authorizing the President to take the necessary steps for the apprehension of President Zelaya of Nicaragua and for his punishment on the charge of murder, if the facts in the possession of the State Department warrant such action, was introduced today by Senator Rayner.

The resolution recites the circumstances connected with the execution of the two Americans, Groce and Cannon.

BROTHERS WIN ESTATE

DEFEAT SISTER'S SCHEME TO GET FATHER'S PROPERTY.

Will Alleged to Have Been Made Under Persuasion Is Set Aside in Favor of S. H. Childs' Son.

ALBANY, Or., Dec. 10.—(Special.)—Asserting that Mrs. Elsie L. Hamilton, of Kaukauna, Wis., came to Oregon for the sole purpose of getting control of the property of her father, Seth H. Childs, and that she poisoned his mind when he made his will bequeathing her all his property, the other heirs have succeeded in getting the will set aside. Judge Duncan today set aside the will and appointed George S. Childs, of Sodaville, Linn County, administrator.

The property which was bequeathed to Mrs. Hamilton will therefore be divided equally among Childs' three children, and Mrs. Hamilton, instead of getting it all, will share with her brothers, E. A. Childs, of Imperial, Cal., and George S. Childs, of Sodaville.

Seth H. Childs made the will which was the basis of this dispute at Lebanon, December 7, 1906. At that time he was over 86 years old and, it was asserted by witnesses at the hearing of the contest, was feeble both in mind and body and incapable of taking care of himself or managing his affairs.

Prior to this time he had lived for many years at Sodaville, with his son, George S. Childs, but shortly before he made his will Mrs. Hamilton came from her Wisconsin home to Sodaville on a visit. It is asserted by George S. Childs that she poisoned his mind against his two sons, persuading him that his boys had mistreated him and robbed him and were unworthy of his confidence.

It is asserted that before she took him back to Wisconsin with her she persuaded him to convert all his real estate into cash and to make a will leaving everything to her. Childs died at the Wisconsin home of his daughter, May 28, 1908.

The value of the estate involved is not large. It is believed that Childs sold his real property for $3500 when he left for Wisconsin, but how much of this amount was left when he died is unknown to the administrator. He thinks the amount on hand which the estate can secure is about $2150.

NO EVIDENCE IS PUT IN

HAMILTON DEFENSE WILL RELY ON TECHNICALITIES.

Verdict of Guilty of Larceny by Embezzlement Expected, When Case Will Go to High Court.

OLYMPIA, Wash., Dec. 10.—(Special.)—The case of Ortis Hamilton will go to the Supreme Court on technicalities if Monday the trial jury does as is confidently expected and finds him guilty of larceny by embezzlement of $1185, upon which he is being tried.

Today, when Judge Mitchell refused a directed verdict of acquittal, the defense, after consultation, announced it would put in no evidence. Judge Mitchell was forced to leave for Mason County, where a jury will be drawn tomorrow, and the hearing of final arguments went over until Monday.

Last night it was thought Judge Mitchell would grant the directed verdict today, but private examination by the court of the other informations showed such a ruling would possibly wipe out the later prosecutions for forgery and for obtaining money under false pretenses. The trial court, by taking this position, puts it up to the Supreme Court to say whether or not an officer who has confessed taking to his own use thousands of dollars of state money shall go free because of technicalities.

Court was adjourned this afternoon until Monday, when the instructions to the jury will be given and arguments concluded. The state announced tonight that the other charges against Hamilton will be pressed regardless of the outcome of the present case.

UNCLE SAM'S SCALES OFF

Accused Sugar Grafters Say They Could Not Weigh Correctly.

NEW YORK, Dec. 10.—Supposed inaccuracy in the Government scales on the Brooklyn dock is the main feature of the defense of the six employes of the American Sugar Refining Company on trial here for alleged conspiracy.

Henry F. Cochrane, in opening his address for the defense today, declared that the 17 scales in question, on which the alleged underweighing was done, were of an obsolete style, grossly inaccurate of themselves, and that many of the Government weighers were incompetent.

"These defective scales, owned and operated by the Government," continued Mr. Cochrane, "weighed more than 900,000 tons of sugar every year, and no man in human reason could hope to supervise them."

The line of defense indicated by the statement was that it would be claimed that the shortages in weights were due to the scales and the Government employes, and not to a manipulation by the sugar company's employes.

SENATE GETS BUSY

Bills by Hundred Introduced in Upper House.

RAYNER IS AFTER ZELAYA

Maryland Senator Asks President to Apprehend Pan-American President as Murderer of Two American Citizens.

WASHINGTON, Dec. 10.—As a promise of activity in the interest of legislation, Senators today introduced more than 350 bills and resolutions covering a great variety of subjects. Many failed of passage in the last Congress, and 90 per cent will receive scant consideration this session. Many are for pensions not granted under the general law.

Standing out as a striking proposition was a resolution by Senator Rayner today authorizing the President of the United States to cause President Zelaya to be apprehended as a common criminal, charged with the murder of two Americans engaged in revolutionary activity in Nicaragua, contrary to the code of war of all civilized nations.

The House was in session an hour and a half and a large number of measures were introduced. The most striking feature of the proceedings was a speech by Representative Kuesterman, of Wisconsin, denying that his interest in German shipping was so great as to cause him to antagonize a bill for the relief of the American merchant marine.

As no reports have been made by committees, both houses are without subjects upon which to legislate. The Senate, therefore, adjourned until Monday and the House until Tuesday.

CUMMINS OFFERS RATE BILL

Enlarged Powers for Commerce Commission Are Proposed.

WASHINGTON, Dec. 10.—Senator Cummins, of Iowa, opened the railroad rate controversy in Congress today by introducing a new Interstate Commerce bill. The bill requires the commission to promulgate uniform classification schedules, and authorizes it to consider rates on its own motion, with a view of considering whether they are reasonable. Courts are debarred from inquiring, in suits brought, whether rates are reasonable. The acquisition of the capital stock of competing railroads is prohibited.

By the terms of the bill a carrier is prohibited from issuing any capital stock without payment at par, either in money or in property and, in effect, the Commission shall have supervision of the issues of stocks and bonds by any carrier. Specific directions are given for the disposition of the proceeds of any sale of bonds. After January 1, 1911, no carrier doing interstate business shall be permitted to engage in any other business than that of a common carrier.

Senator Elkins, it is expected, will introduce another bill to amend the Interstate Commerce act.

SENATORS' TOES STEPPED ON

They Object to Curtis and Cabell for Criticising Them.

WASHINGTON, Dec. 10.—Two incumbents of important positions in the Treasury Department were objected to in the Senate committee on finances today, when their names came up for approval.

They are James F. Curtis, of Massachusetts, who succeeded Mr. Reynolds as Assistant Secretary, and Royal E. Cabell, of Virginia, who succeeded Captain John G. Capers as Commissioner of Internal Revenue. Both names were submitted to a sub-committee for investigation.

According to the sub-committee's report, Mr. Cabell has expressed himself forcibly against members of Congress who attempt to exert influence in the matter of making appointments to positions under the Internal Revenue Bureau. The opposition to Mr. Curtis was based upon the fact that he had been appointed without the Massachusetts Senators having been consulted.

POWER SITE MONOPOLY SCORED

Representative Mann, in Bill, Attacks So-called Combine.

WASHINGTON, Dec. 10.—The so-called power site monopoly was the object of attack in a bill offered in the House today by Representative Mann, chairman of the committee on interstate and foreign commerce. It provides that, before dams across navigable or non-navigable streams can be constructed, permission and approval must be obtained of the Secretary of War and the Chief of Engineers and makes it unlawful to deviate from such approved plans.

Applicants must guarantee free power to the United States Government. The Government is also given authority to regulate absolutely charges that may be made to the public for the use of the power derived from such sources.

TAFT CUTS OUT AUTOMOBILES

Internal Revenue Men Must Economize in Future.

WASHINGTON, Dec. 10.—Economy in expense accounts is being impressed upon officials in the Government service.

A notable case is that of internal revenue agents and inspectors, who are instructed that cabs, taxicabs and automobiles are to be used only in cases of absolute necessity.

8-STORY BUILDING TO RISE

(Continued From First Page.)

and will be equipped with six passenger elevators, two freight and six sidewalk elevators, vacuum cleaners on each floor, a sprinkler system, package chutes, the latest ventilating system and a private lighting system. The plans have been prepared by Doyle & Patterson, architects.

There will be a delicate tearoom for the customers, rest rooms and many other attractive features which are now being worked out in the plans. The show windows will be of the latest models.

First Street First Location.

Lipman, Wolfe & Co. first started in business on the corner of First and Washington streets, where they remained for a number of years in what was then the center of the business section of the city. When the move was made to Third and Washington it was at first thought that a radical change had been made and that the trade would never go that far west in Portland.

The move from the present quarters, which have become inadequate, has been under contemplation for some time. A number of projects were considered, and the Fifth-street location finally decided on. The firm has decided to remain in the present cramped quarters until the permanent change to the more desirable location can be made.

The great structure will be built in the heart of a district which promises to be the most active in building operations in Portland for the next few years. On the east side of Fifth street, directly opposite, John B. Yeon proposes to erect a 15-story office building. This structure will be the largest and finest structure north of San Francisco. It is learned that two other 12-story buildings may soon be erected in this same neighborhood. W. L. Morgan and W. A. T. Bushong will start at once to build on the quarter block at the corner of Fourth and Alder, while on Seventh and Alder the large Electric building is just being finished, and there are rumors of a large building to be erected on the southeast corner of Seventh and Alder, where negotiations have been pending for some time for the purchase of the property.

UPPER WASHINGTON LOT SOLD

Corner of Washington and Lucretia Brings $25,000.

J. R. Kaseburg, a local capitalist, has purchased a lot 73 feet square at the northeast corner of Washington and Lucretia streets. The property was owned by S. Morton Cohn and the consideration named is $25,000. The sale was made through the office of E. J. Daly.

This lot is located in the upper end of Washington street in the heart of the district which is now becoming valuable for semi-business purposes as well as for apartment-houses. Mr. Kaseburg bought the corner as an investment and expects to improve it later.

REALTY MEN WILL NOT DINE

Instead, General Good Fellowship Meeting Will Be Held.

Instead of holding a dinner the first Friday in January, it was decided yesterday at the monthly meeting of the Realty Board to have a general good fellowship meeting. In this a number of the local real estate men will appear in vaudeville stunts, for it has been learned certain dealers have long fostered a secret desire to appear before the footlights.

A hall will be rented, a "Dutch lunch" served and the evening will be spent in jollity and a general good time. At the business meeting yesterday ten new firms were voted into membership of the Realty Board.

PORTLAND BUILDING DROPS

Loss of 12 Per Cent in Permits Is Recorded for November.

The figures of the building permits for the month of November, as taken from the American Contractor, Chicago, show an aggregate gain of 3 per cent for the country at large.

No Western city shows any appreciable gain over the figures of November, 1908. Portland shows a loss of 12 per cent, Spokane a loss of 23 per cent and San Francisco a loss of 23 per cent. Seattle's figures show a gain of 1 per cent. The best record is shown in Oklahoma City, where the gain is 659 per cent. The total building operations for the country for November were $52,264,869, as compared with $50,686,154 for November, 1908.

JUDGE'S REPLY IS CURT

GIVES LAWYER TO UNDERSTAND HE IS RUNNING COURT.

Jurist Intercedes and Prevents Encounter Between Deputy Sheriff and Attorney.

SPOKANE, Wash., Dec. 10.—(Special.)—"I'll have you understand that this Police Court is not running my cases," exclaimed Attorney Samuel T. Crane, who has appeared in behalf of I. W. W. prisoners, this morning, in Judge Mann's court.

"Well, I'll have you to understand that while your case is before me, I will run it," retorted Judge Mann. "You have the right to demand a change of venue, but when you are in this court you will abide by the rulings of this court."

Deputy Prosecutor C. A. McMillan summoned Deputy Sheriff Logan to his side. Crane objected, with words directed at Logan and McMillan. The prosecutor and the officer refused to be dictated to by the excited attorney. It was necessary for Judge Mann to come between Crane and Logan, who were glaring at each other, ready for an encounter.

To defend him in a slander suit, Chief of Police John T. Sullivan has retained the services of W. C. Donovan, former Deputy Prosecuting Attorney, and J. E. Blair, of the corporation counsel's office. The Chief has been sued by Attorney Samuel T. Crane for $10,000 damages on slander.

COTTON JUMPS SUDDENLY

Report of Short Crop Causes Wild Scenes on Exchange.

NEW YORK, Dec. 10.—Not since the Sully boom of 1904 has the New York Cotton Exchange witnessed a more spectacular rise in prices than occurred today with the announcement of the Government crop report.

With galleries crowded with visitors from the South, the market soared to a new high record for the season, with gains of more than $2 a bale over yesterday. Both the May and the July options touched the high mark of $15.80, both gaining approximately 42 points over yesterday's close.

The Government estimate was only 10,088,000 bales—the smallest crop since 1903, and about 200,000 bales below predictions of the most sanguine of the bulls. It now remains to be determined whether Federal estimates have underestimated, as for the last ten years.

DYNAMITE MANGLES THREE

Explosive Is Set Off as Men Unload Cars at St. Paul.

ST. PAUL, Minn., Dec. 10.—Explosion of a quantity of dynamite in a freight car at the Minnesota Transfer yards late this afternoon resulted in the death of one man, the fatal injury of another and serious injury to a third, and caused much excitement because of a report that striking switchmen were involved.

It was ascertained, however, that the explosion was accidental, as the dynamite was being removed from the car when it exploded. All the dead and injured were freight handlers.

Dufur Girls Defeat The Dalles.

DUFUR, Or., Dec. 10.—In a game of basketball played here tonight between the girls' teams of The Dalles High School and Dufur High School, the latter was victorious by a score of 18 to 15. The Dufur girls were outclassed both in height and weight, but won the game on skillful basket-throwing.

HARD FIGHT AHEAD

Turbulent Scenes Expected in Illinois Legislature.

DENEEN IS MUCH STRONGER

With Aid of Democrats, Governor Is Confident of Putting Another Direct Primary Law on Statute Books of State.

CHICAGO, Dec. 10.—(Special.)—Turbulent scenes in the making of political history in Illinois that will influence future alignments for years to come are predicted during the life of the special session of the Legislature opening next Tuesday at Springfield.

Governor Deneen and Senator Lorimer stand out as the dominating figures whose futures will be shaped during the session, say those who have taken an inventory of the outlook. The Governor, who has been compelled to battle hard for everything he has got out of the Legislature, is in better shape now than at any time since he took the executive chair five years ago, assert his supporters.

Members of the Democratic side in both branches of the General Assembly are prepared to go along with Governor Deneen's programme upon the big things to be taken up during the extraordinary session, it was declared today by men who know whereof they speak. This means that the state administration will be able to put over any and all of the questions involved in the Governor's call.

With the Democrats standing for a direct primary bill, the Governor is assured of putting on the statute books a fourth measure dealing with the subject he has fought for ever since he became Chief Executive of the state.

REASER IS NOT RELEASED

Will Be Taken to Seattle to Face Charges of Robbery.

CHICAGO, Dec. 10.—Charles Reaser, who is wanted in Seattle on charges of robbery and on suspicion of being involved in a murder, failed for the second time to secure his release on a writ of habeas corpus here today. His petition for release cited there was no indictment against him in Washington and that he could not be extradited.

The court declined to interfere, as a warrant from Governor Hay, of Washington, is in the hands of the police.

Detective John Wickham and Reaser will leave for Seattle tomorrow.

MISTAKEN, FRIEND SHOT

Kentucky Man Thinks Neighbor Is Night Rider and Slays Him.

CYNTHIANA, Ky., Dec. 10.—Mistaking him for a Night Rider, Nicholas Montz shot and killed his neighbor, Elva Coy, near here early today.