

United Press Association.  
Full Leased Wire Report  
The only paper in the  
world published in a city the  
size of Medford having a  
leased wire.

# MEDFORD MAIL TRIBUNE

THE WEATHER.  
Today and Tuesday, rain,  
warmer. Sunday, cloudy.  
High, 38; low, 24; range 32.

FOURTH YEAR.

MEDFORD, OREGON, MONDAY, DECEMBER 6, 1909.

No. 222.

## CONGRESS READY TO DECLARE WAR

### ZELAYA SAID CONGRESS IS TO BE ABOUT TO SKIP AGAIN AT WORK

Private Cablegram States President Is Prepared to Leave Country Tonight and Will Not Return.

At 12 o'clock, Noon, Two Gavel Fell and American Congress Once Again Resumed Its Labors.

### DECISIVE BATTLE EXPECTED TONIGHT

Estimated That 15,000 Men Will Take Part in Engagement When It Comes.

### MUCH WORK IN SIGHT FOR SOLONS

Committees Appointed to Notify President — Nothing Further Done Today.

WASHINGTON, Dec. 6.—Representative Sulzer today declared "war" on Nicaragua in a resolution in the house, proposing that the president use the land and naval forces of the United States to restore order and peace and protect life and property in Nicaragua.

WASHINGTON, D. C., Dec. 6.—With the gentle tapping of the ivory knock in the senate and resounding thump of the speaker's gavel, Vice President Sherman and Speaker Cannon opened the second session of the sixty-sixth congress which is expected to continue until May or June and developments of the liveliest legislative tilts ever seen in the capitol. The ceremonies today were brief consisting of the formal application of committee to notify the president that congress is in session. The first day was set aside as a time to pay respect to the memory of members who have died during the vacation period. When the adjournment was taken until tomorrow it was for that purpose.

He demands the arrest and punishment of President Zelaya for the murder of Cannon and Groce and also asks that Nicaragua be made to pay heavy damages. No action was taken on the resolution today. Unless there is an improvement in the Nicaragua situation tomorrow war will probably be declared.

The message of President Taft is expected to be read; until then the leaders are not taking any decisive steps. Though there is a general idea of what is to be expected in the presidential communication, as Taft has outlined his policies thoroughly in his public utterances, the statesmen are inclined to await the official reception of the message before making any comment or definite predictions of what the session may bring forth. The insurgents have lined up their batteries for a long, hot contest and it is expected that they will endeavor to make the most powerful fight that they have ever launched.

**Marines in Readiness.**  
PHILADELPHIA, Pa., Dec. 6.—Seven hundred marines, bound for Colon, where they will be held in readiness to be sent into Nicaragua should their presence there be deemed necessary, were transferred from the grounded transport Prairie to the transport Dixie early today. The Dixie immediately put to sea. Another unsuccessful attempt was made today to float the Prairie from the mud flats in the Delaware river, where she grounded. It is feared that a dredger must be employed to raise the ship from her position.

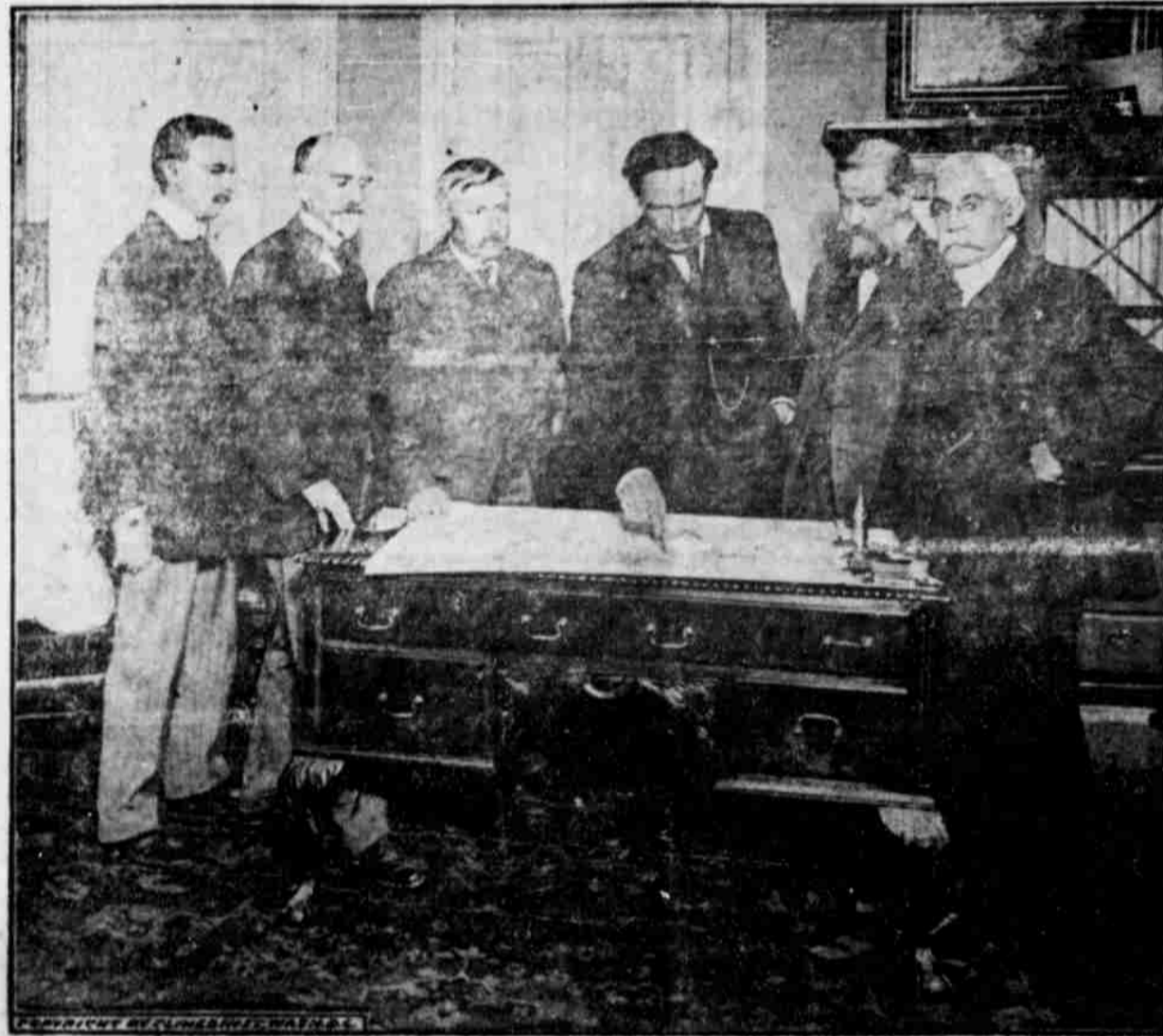
**CURED OF LEPROSY, WIFE FINDS HUSBAND WEDDED**  
SAN JOSE, Cal., Dec. 6.—In the police court here it developed that the homecoming of Mrs. Manuel Freitas, who had been cured of leprosy, was a sad experience for all concerned. Mrs. Freitas appeared at her husband's ranch in Santa Clara county as unexpectedly as if she had been raised from the dead. She was one of those released from the Molokai Island colony in the Pacific recently after a government examination. When she arrived home she found another woman had taken her place and had borne her husband three children. Freitas refused at first to give up the other woman. Tears availed not. Then came a justice court warrant and promise of court trouble. The matter was settled out of court and Mrs. Freitas was taken back.

**BLUEFIELDS, Nicaragua, Dec. 6.**—The crisis of the Nicaraguan revolution is believed to be approaching. With every road and highway leading to Rama underlain with mines, Provisional President Estrada today awaits Zelaya's attack. The vanguard of the dictator's army is said to be within a couple of hours' march of Estrada's outposts and desultory fighting may begin at any moment. It was estimated today that 15,000 men will be in action when the coming battle begins. The strength of the rival forces have been circumscribed. Zelaya claims to have 10,000 men in camp, while Estrada's force is said to number 15,000. This numerical discrepancy will be offset by the superior condition and equipment of the rebels. According to messages brought to this city from Greytown, which is besieged by the rebels under General Chamorro, the situation there is critical. The defending forces under General Toledo are reported to be undeterred and poorly armed. Chamorro probably will attack the moment the result of the impending battle at Rama is brought to him.

When Mrs. Freitas first discovered she was suffering from the disease her husband accompanied her to the leper colony. He regretted this soon, and when he found that he was not allowed to leave he escaped by swimming, showing his little child before him on a raft.

The outcome of the revolution, it is believed, depends almost wholly upon the result of the Rama engagement. Chamorro is admitted to be in command of the situation at Greytown, and probably will meet no serious resistance when he moves upon the city. If Estrada is successful at Rama it is thought that both armies will combine and concentrate upon Managua, the capital.

### PEARY ACCORDED FULL HONORS



PEARY EXPLAINS HIS POLAR TRIP TO THE NATIONAL GEOGRAPHICAL SOCIETY.

The National Geographical society has awarded a medal to Robert E. Peary for his trip to the north pole and has conferred a similar honor upon Captain A. C. Bartlett, who commanded the Roosevelt on the arctic journey. This photograph was taken when Commander Peary was before the research committee of the society in Washington. Those in the group from left to right are: Gilbert H. Grosvenor, editor of the Geographic Magazine; Otto H. Tittman, superintendent of the coast and geodetic survey; Willis L. Moore, chief of the weather bureau and president of the society; Robert E. Peary; Henry Gannett, chief of the United States geographic board, and Rear Admiral Colby M. Chester of the United States bureau of equipment.

### ROADS STATE STRIKE IS OVER MANY CLAIM WATER OF BUTTE

Flour Mills Resume Operations—Have Assurance of Officials That the Strike Is Completely Broken.

Fifty Claims to Waters Have Been Filed With the State Water Board—Hearing Is Now Under Way.

### STRIKING SWITCHMEN SAY END IS NOT YET

### FIRST STEPS TAKEN IN ADJUDICATION

Seattle Situation Relieved—Big Freight Houses Are Open for Business.

Water Supply of City Is Included in List—Rogue River Up Next.

MINNEAPOLIS, Minn., Dec. 6.—Practically every flour mill in the Twin Cities resumed operations today with a full force of men at work. The mill owners are said to have had assurances from the railroad officials that their product would be handled, and they predict no curtailment in the usual output after today.

H. R. Holgate, state superintendent of water for the Southern Oregon district, and R. R. Cowgill, assistant state engineer, are in session with the water users of Little Butte creek today, in adjudicating the claims for water from that stream.

The congestion resulting from the freight tieup of the last week is slightly relieved today, owing to the fact that little freight was brought to the local warehouses for shipment Saturday. The railroad officials claim that the strike is virtually broken, despite the declaration of the leaders of the striking switchmen that they will call out all switchmen between St. Paul and Buffalo if necessary to win their fight.

The state board of control is not an executive board, as many people suppose, but its functions are purely administrative—that is, in case of non-agreement between water users as to the purpose of adjudication of their rights, the water users must decide their differences in the courts. However, the workings of the law in Wyoming, from which statute the Oregon law is taken, have proved beneficial to the state and the people. More or less litigation arose at first, it is true, but the rights to water were finally firmly established and the confusion existing before was eliminated.

The strikers won a signal victory when President Shepard of the Order of Railway Conductors ordered out all conductors who had been promoted to positions as trainmaster in order that they might break in the green switchmen imported as strikebreakers from Chicago and Milwaukee.

The adjustment of the claims on Butte Creek is proceeding very well. Mr. Holgate has no authority to say that this man shall have so much water and that one so much, but the claimants may file affidavits stating the amount of water to which they are entitled and a showing as to appropriation. There is a difference between filing and appropriation under the law. Butte creek filings to (Continued on page 5.)

Seattle Again Busy.  
SEATTLE, Wash., Dec. 6.—The first effort to break the switchmen's strike and to relieve the local freight (Continued on page 5.)

### WEATHER MAN SAYS IT WILL SOON BE WARM

Warmer and Rain Prediction for Tonight—May Mean Another Big Flood Over the Entire State.

The high wind which prevailed Monday carried down the power mains from Gold Ray and for two hours the city was without light or power. No other damage has been reported other than to a few awnings in the city.

### SUPREME COURT TO REVIEW CASE LABOR LEADERS

Charles W. Morse, Former Ice King, Loses Last Hope of Freedom—Must Serve Ten Years.

WASHINGTON, Dec. 6.—The United States supreme court today decided to review the papers of President Gompers and Vice-President Mitchell and Secretary Morrison of the American Federation of Labor.

### HARMON STARTS WORK ON GREAT GRAFT EXPOSURE

Ohio's Executive Institutes Proceedings Which Are Expected to Shake the Entire State.

COLUMBUS, Ohio, Dec. 6.—An exposure of graft alleged to have existed in several state departments, which may implicate many former state officials was instituted today by Governor Harmon. The revelations that are promised threaten to shake the entire state.

If the weather man has not made another mis-ene another flood over the state is about due. He predicts that it will rain tonight and tomorrow and that the thermometer will steadily rise. This means that the snow which now covers surrounding mountains will melt rapidly and streams are bound to rise high, perhaps higher than last month. It depends upon the amount of rainfall, together with the temperature.

Charles W. Morse, the former ice king, must serve 10 years in the federal penitentiary at Atlanta, imposed by the circuit court for alleged swindling of the National Bank of North America, the supreme court refusing to review the case.

Attorney General Denman has filed suits to compel the Federal Union Surety company of Indianapolis to "make good" on the state money deposited by State Treasurer W. S. McKimmon in the defunct Euclid Avenue National Bank of Cleveland. The Indianapolis is a surety on the bond of the Euclid bank and the attorney general is said to be in possession of evidence to the effect that the former treasurer deposited public funds there and pocketed the interest.

During the recent storm over four inches of snow fell but melted rapidly in the valley. Only a few scattered drifts remain in the city and these are rapidly passing. No damage whatever was done locally.

On the ground that judges of the circuit court of the northern district of California certified the case without due regard to the so-called expediting act, the federal supreme court today refused to consider at this time the famous suit of the Southern Pacific railroad against the Interstate commerce commission concerning the right to protect railroad rates. The entire litigation was remanded to the court for "proceedings in accordance with the law."

Experts today are examining the books of several banks pursuant to orders of the governor, to ascertain what funds were loaned by former treasurers before the enactment of the depository law of 1904.

The storm started on Friday evening but snow did not begin to fall in earnest until Saturday morning. Snow fell heaviest about 11 o'clock Saturday night.

The state supreme court today decided that no public utilities corporation can hold perpetual franchise within the state of Colorado. The decision was given in a case involving the ownership of the sewer system in Leadville and will affect many.

He proposes to sue to recover payment for all such funds and it was stated that suits would be filed against living ex-treasurers, the estates of treasurers deceased, and banks said to have profited by the use of state money.

The thermometer dropped to 24 degrees Monday morning and Medford people shivered about the heaters just as they would have at 24 below in the states from which some of them came.

The Benson Investment company, having outgrown their old quarters opposite Hotel Moore, are now installed in a modern suite of offices over Farmers and Fruitgrowers bank, corner Main and Grape streets.

The Cincinnati bank of "Boss" George B. Cox has been inspected. Governor Harmon is trying to gain access to the books of the Union National bank of this city. The bank has refused to permit his experts to examine their records. Treasurer Gramer today withdraws 90,000 of state funds on deposit at the bank because of the refusal.

### FAMOUS TIMBER CONTEST AT END

Louis Kohlhaugen Secures Right to Valuable Timber Claim After Expensive Fight.

ROSEBURG, Or., Dec. 6.—By a recent decision of the United States land office Louis Kohlhaugen of this city secures title to valuable timber lands and a memorable contest has been definitely settled.

### DEAR GIRLS WERE OH! SO VERY COLD

Huddled in Sleeping Car With Steam Heat Off, They Waited and Froze.

The chorus of the "Land of Nod" company had a strenuous time Sunday night trying to keep warm. The hotel accommodations were not sufficient for the people and some of them were compelled to remain in the car. When the steam heat was shut off the car transformed itself into a refrigerator, and as a consequence there was such a hustling for extra wraps as had never been known in the history of the company.

Experts today are examining the books of several banks pursuant to orders of the governor, to ascertain what funds were loaned by former treasurers before the enactment of the depository law of 1904. He proposes to sue to recover payment for all such funds and it was stated that suits would be filed against living ex-treasurers, the estates of treasurers deceased, and banks said to have profited by the use of state money.

Everybody survived, however, and beyond the fracture of one of the commandments in the use of language which should have raised the temperature materially, but didn't, no damage resulted. homestead for a monetary consideration, and thereby forfeited his right which gave Kohlhaugen the legal right to the claim. At the contest before the land office in this city last year were about 30 people who were in quest of the land, besides an equal number of witnesses and a score of attorneys, making in all about 100 people, there being three different people after each claim.