

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.
Tonight and Saturday—
Cloudy, warmer; Thursday
—High, 56; low, 44; range,
50.

FOURTH YEAR.

MEDFORD, OREGON, FRIDAY, DECEMBER 10, 1909.

No. 226.

CHANGES ARE PROPOSED IN CITY CHARTER

Move On to Relieve Recorder of Police Court Work— Turn It Over to the Mayor and Later to Justice.

TO PROVIDE ALL OFFICIALS WITH PAY

Another Change Will Be to Designate Depositaries for City's Funds.

At the coming city election several charter amendments will be submitted to the people for their rejection or acceptance and the ballot will be a lengthy one. Five changes are proposed at present and probably other changes will be proposed later.

An amendment will be offered to relieve the city recorder of his duties as police judge, giving that office to the mayor, and giving the council power to later turn it over to the justice of the peace if they see fit.

Another proposed change is the voting of salaries to the councilmen and mayor. The councilmen are to be paid either \$25 or \$30 a month and the mayor \$75. A petition is being circulated now for the purpose of having this question submitted.

An amendment changing certain technicalities in levying assessments in order to facilitate the work will be offered.

An amendment authorizing the council to designate the depositaries for the city's funds will also be submitted, as will one giving the council authority as regards the planting of trees in the city.

REFUSED TO SAY WHERE WIFE WAS AND IS KILLED

OAKLAND, Cal., Dec. 10.—The murder of Mrs. H. A. Jones of Oakland by Fred Schenk, who then committed suicide, is believed today by the police to have been followed by the woman's refusal to tell Schenk where the wife who is said to have left him is hiding.

Schenk last evening entered the room where Jones and his wife were at dinner. After flourishing a revolver in each hand, he shot and fatally wounded Mrs. Jones and fired two shots at her husband, both of which missed their mark. He then ended his own life by sending a bullet into his brain.

WORST STORM IN 20 YEARS ON COAST

Huge Gale Sweeping Along Off Shore—Fears Felt for the Safety of Schooner.

MARSHFIELD, Or., Dec. 10.—The storm on the ocean is the worst that has been experienced off Coos Bay for a long time. Captain Magee, former tug master, says it is worse than at any time in the last 40 years. Four tugs and several schooners are waiting in the bay for better weather. Some misgivings are felt for the safety of the schooner Westerner. She came close to shore Tuesday to pump out because of a leak and after temporary repairs continued to San Pedro.

Mr. A. W. Bish and sons, Amos and George, are hastening the completion of Mr. Coleman's new residence in the Edwards addition in North Medford.

FENTON SAYS CITY SHOULD WIN AT LAW

Gives Opinion to City Council Saying That Coke's Judgement Is Not Open to Collateral Attack.

SAYS INJUNCTION SHOULD DISSOLVE

Goes Thoroughly Into Question and Touches on All the Points of Law.

"Considering the whole record in this case, I am of the opinion that there was no such irregularity in the proceedings at the special term in the trial of the case of the city of Medford vs. M. F. Hanley as to divest the court of jurisdiction, and that the judgment in that action is not open to collateral attack, and that the injunction in the case of Hanley vs. city should be dissolved and the suit dismissed."

Such is the opinion of W. D. Fenton, one of the foremost attorneys of the state, of whom the city council recently asked an opinion regarding the suit between the city and M. F. Hanley. The council went about the matter quietly and the first known of the matter was the allowing of a \$100 bill at their last session in favor of Mr. Fenton.

Mr. Fenton's opinion throughout shows where the law favors the city. It deals at length with legal questions and is complete, concluding with the summary quoted above.

MAKING EVERY EFFORT TO SHIFT THE BLAME

SPOKANE, Wash., Dec. 10.—Every effort is being made today by the entrymen recently examined in the Cunningham coal lands inquiry to shift the responsibility for the various enterprises launched in connection with the joint development of coal projects to the shoulders of Clarence Cunningham. The government has introduced Cunningham's private journal, and also reports, for the purpose of showing that money invested in surveys for railroads, wharves, coal bunkers and tunnels was paid from the common fund with collusive action by entrymen in developing the property. The entrymen now disclaim any participation in these promotions, and say that it was the work of Cunningham. Entrymen F. C. Davidson, and Joseph H. Neil testified along these lines at the hearing today. Neil stated that he sold his claim some months ago through H. V. Winchell of Minneapolis, who is said to be buying for the Guggenheims, for \$15,000. The title to this claim is said to have been placed in the name of Fred S. Snyder.

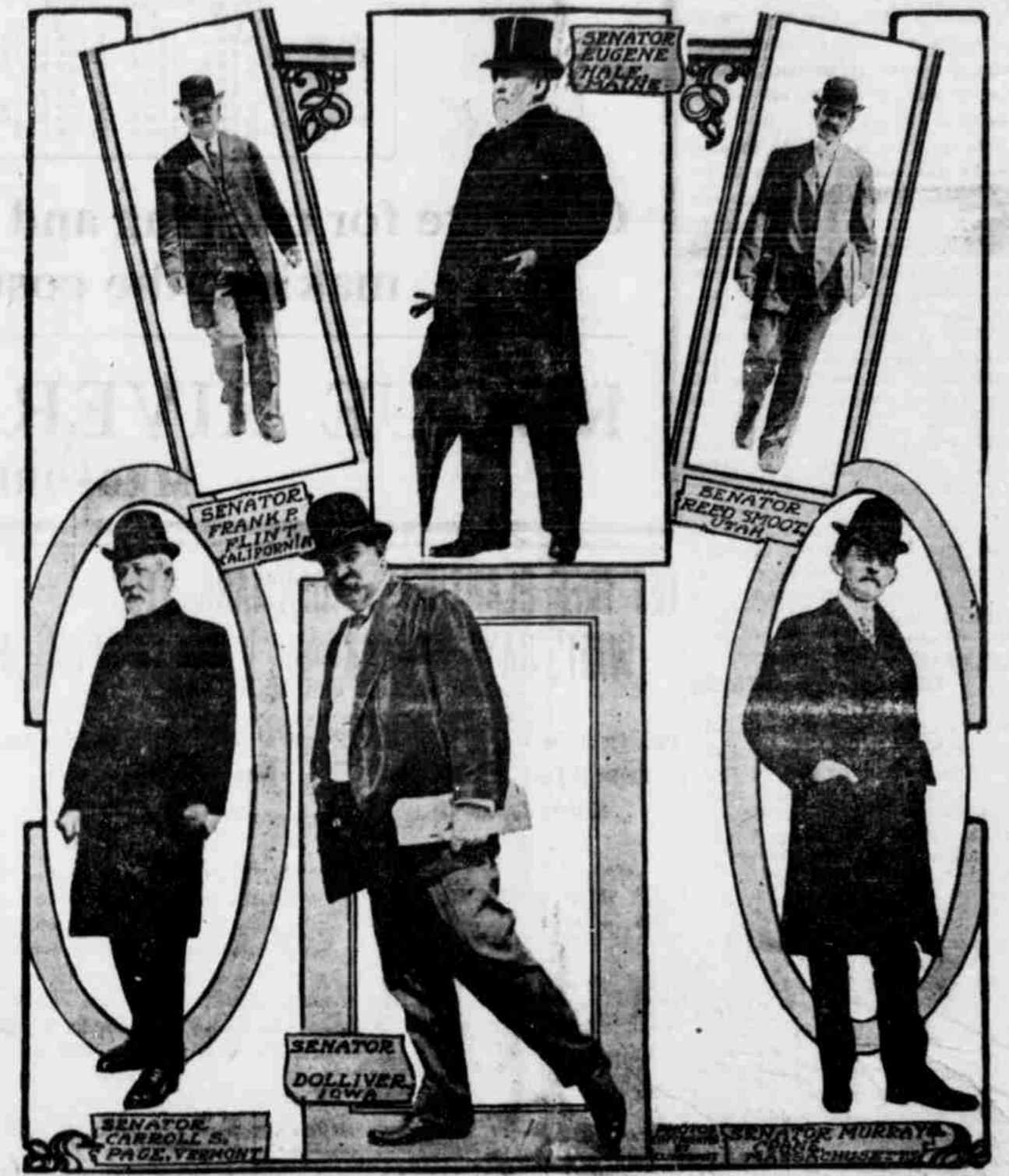
The Cunningham inquiry will conclude in Spokane tomorrow night or Monday if Clarence Cunningham is not called to the stand.

SOLONS WILL TAKE NO ACTION AT PRESENT

WASHINGTON, D. C., Dec. 10.—It was stated here by members of both houses of congress that no government aid would be promised the proposed Panama Pacific exposition until the residents of San Francisco and San Diego arrived at an understanding as to where the fair would be held.

It was suggested that the California legislature at its next session settle the matter. At present Flynn and the southern California representatives in congress are reported to favor the claims of San Diego, while Senator Perkins and the representatives from the northern congressional districts are equally strong for San Francisco.

SOLONS IN THE PUBLIC EYE



A few of the men who figure daily in news from the nation's capital. All of these arrived early in Washington and had outlined their work clearly before the present session of congress began.

CRATER CASE NOT SET FOR HEARING

Case Supposed to Have Been Placed on Calendar for a Hearing December 12.

The whereabouts of the Crater Lake road case at present is a matter of conjecture, owing to the fact that the different attorneys who volunteered to appear in its defense have not yet been able to agree upon a day when they could argue the matter.

The supreme court evidenced a willingness to advance it on the calendar to suit the convenience of the attorneys for the defense but so far the case has not been placed on the calendar. It was proposed some time ago to try the case out in the supreme court on December 12 but it happened that all of the attorneys could not be present on that day. Since, apparently no effort has been made to have it set for trial and now the matter seems forgotten by those supposed to have it in charge.

BELIEVE FERRY BOAT FOUNDERED AT SEA

CLEVELAND, Ohio, Dec. 10.—More than forty hours overdue on her trip between Conneaut and Fort Stanley, Ontario, the car ferry, Marquette and Bessemer, is supposed to have foundered in the stiff gales that for the last two days have swept Lake Erie.

Early today a mass of wreckage was described off Long Point. It was supposed to be a portion of the superstructure of the ferryboat.

EARTHQUAKE IS FELT IN CANADIAN TOWN

OTTAWA, Ont., Dec. 10.—A sharp earthquake was felt this afternoon in this city and was recorded at the local observatory. Reports from surrounding towns indicate that the disturbance was local.

DANCE THIS EVENING FOR LIBRARY BENEFIT

The ladies of the Greater Medford Club will give a dance at the Angle opera house for the benefit of the public library. All holding Swastika tickets are invited to attend.

MAKES PLEA FOR RED FLAG

Attorney for Woman in the Spokane Free Speech Fight Makes Impassioned Talk.

SPOKANE, Wash., Dec. 10.—After deliberating for 20 minutes the jury hearing the case of Elizabeth Gurley Flynn, national organizer of the Industrial Workers of the World, charged with conspiracy to incite violation of the laws of Spokane, was last night found guilty and sentenced to serve three months in the county jail. In an impassioned address to the jury, Fred H. Moore, counsel for the defense, declared that the battle of Bunker Hill had been fought under a red flag and that the flag of the United States was a red flag having stripes and stars simply to designate the states.

The convicted woman will most probably take her case to a higher court.

Darrow to Aid Case.

Believing that the whole Socialist and Industrial Workers' movement is imperiled by the conviction of Elizabeth Gurley Flynn, national organizer of the Industrial Workers of the World, on charges of conspiracy to incite violation of the laws of Spokane, Clarence Darrow, the Chicago lawyer, who successfully defended Haywood, Moyer and Pettibone at Boise, in connection with the murder of Governor Steunenberg, was asked

COUNCIL DEFERS FINAL ACTION

Grants Pass Decides to Wait Until Monday Evening Before Taking Action.

The city council of Grants Pass at a session held Thursday evening deferred action on the application for an electric road franchise asked in that city by John R. Allen, until Monday evening. The postponement was due to the recent city election held in that city.

This afternoon Mr. Allen meets with the city council of Ashland to discuss with them the granting of a franchise in that city. The petition of Mr. Allen was tendered Tuesday evening and Friday afternoon was set as the time for discussion. Formal action will follow later.

by the Socialists by telegram today to rush to this city in defense of the imprisoned Industrial Workers.

The belief is general here that Darrow will leave immediately for Spokane.

The jury in the case against Miss Flynn was out less than twenty minutes, when it returned a verdict of guilty as indicted, and the woman was immediately sentenced to serve three months in the county jail.

Miss Flynn Stunned.

As the import of the sentence dawned upon her Miss Flynn was for the moment stunned. When she had sufficiently recovered her composure she requested that Attorney Darrow be immediately asked to come to this city in her defense.

"This is cruel, inhuman, unjust," she said as she was being led from the court room. "We will take this case to the United States supreme court and if it is possible for one to get justice in the courts of this country, I will get it."

Fred H. Moore, who defended Miss Flynn, was bitter in his denunciation of the verdict.

SAYS CHARGE PART OF PLOT TO RUIN COOK

Dillon Wallace Comes to Aid of Explorer and Asserts Dunkle and Loose Are Mere Blackmailers.

SAYS PLOT FORMED TO DISCREDIT COOK

Maintains That He Knew Dunkle of Old and That It's a Scheme Against Cook.

NEW YORK, Dec. 10.—Dillon Wallace, the Labrador explorer, who organized an expedition a year ago for the purpose of searching for Dr. Fred Cook, if he had not returned before last summer, today came strongly to the defense of the Brooklyn explorer, and declared that the affidavits made by George H. Dunkle and Captain Loose are a part of a plot to discredit Dr. Cook.

"Dunkle came to me and tried to get me to introduce him to Dr. Cook," said Wallace today. "I refused. I had no confidence in him or any suspicions that he might have. He called on me last March when I was organizing the relief expedition and told me that he was one of the best promoters alive."

Is a Promoter.

"He declared that he could raise any amount we wanted if we would give him one-half of the money he collected. I believe that he entered this deal at the suggestions of others and that it was part of a plan to discredit the first man who reached the pole."

Wallace insists that Dr. Cook reached the north pole. He alleged that before Peary started on his last trip to the Arctic regions he left behind him, "with a group of men who for many years have gleaned recognition through association with him," a letter designed to make public if Cook should return while Peary was away and claim that he discovered the pole. Wallace said this letter was designed to announce that Cook's claim was a "gold brick."

Would Help Cook.

Wallace asserted that the letter was about to be made public when Cook was first heard from, but finally it was decided that it would help rather than retard recognition of Dr. Cook's claims.

Wallace alleged that a plot now exists to send an exploring expedition to the top of McKinlay this winter to "destroy the records left at the summit by Dr. Cook."

Calling attention to the fact that Dr. Cook had been on eight separate Arctic and Antarctic expeditions, Wallace stated he was "scientifically" qualified to make records showing truly where he had been.

Wallace declares that Cook's description of the ice about the pole was different from that ever seen by any other man previously and that this description was confirmed by Commander Peary's own story. For this reason Wallace says Cook must have gone to the pole, as "no man could have guessed so accurately."

ALL OFFICIALS OF NEW ROAD ARE IN SEATTLE

SEATTLE, Wash., Dec. 10.—With the transfer from the Battle today of the headquarters of P. C. Hart, general superintendent, all of the operating officials of the Chicago, Milwaukee and Puget Sound railroad are now located in Seattle. Mr. Hart arrived in the city yesterday and today opened his offices in the Henry building, where are the offices of other officials of the road and by Monday next his complete force of assistants and clerks will have moved to this city.

UNCLE SAM CENSURED FOR STAND

Committee Representing Various Central American Colonies Adopt Resolutions of Condemnation.

WAR NEARLY OVER IN NICARAGUA

Revolutionary Forces Confidently Awaiting Approach of Zelaya's Troops.

MEXICO CITY, Mex., Dec. 10.—The action of a committee composed of 50 members of the various Central American colonies here in adopting caustic resolutions arraigning the United States government for its action concerning the execution of its citizens in Nicaragua, is causing much excitement in this city today.

The resolutions declared that the action of the United States government with the attending rebuking note from Secretary of State Knox and the Nicaragua clause of President Taft's message established a precedent whereby no Central American country could punish a North American criminal without fear of summary retaliation on the part of the United States.

"Almost every resident of the local colonies of Central America is approved to this. American residents are equally rabid in their condemnation of the spirit which provoked their passage."

BLUEFIELDS, Nicaragua, Dec. 10.—(By Wireless to Colon.)—Strongly reinforced near Rama, the revolutionary forces are awaiting the approach of the Zelayans, confident that the end of the struggle is only a few days distant.

Following their decisive victory near Rama last Tuesday, when General Vasquez' troops were repulsed, leaving 200 dead on the field and abandoning his cannon and a large supply of ammunition, the rebels retired into Rama and busied themselves in strengthening their defenses. Earthworks have been thrown around on three sides of the town, in front of which has been strung a network of barbed wire. A towering hill behind the city safeguards attack from that direction.

Zelaya's army under General Oseja, is reported to have approached within ten miles of Rama. Estrada apparently has determined to remain behind his fortifications and await the attack he thinks the Zelayans will make. If Oseja refuses to precipitate the fight it is thought the revolutionists will take the initiative.

900 BANKS ARE CALLED TO ACCOUNT

Annual Report of Comptroller of Currency Shows Wonderful Increase in the Assets.

WASHINGTON, Dec. 10.—The annual report of the comptroller of the currency, just issued, shows an increase of \$376,878,571 in the assets of the national banks of the country. There are today, according to the report, 6977 national banks in the United States, an increase of 124 over last year.

The total assets September 1, 1909, were \$9,573,954,377. The report states that nearly 900 banks have been warned by the comptroller that they are violating the banking laws and are in danger of forfeiting their charters.