

**BANK HOLIDAY  
TODAY**

# MEDFORD MAIL TRIBUNE

**WEATHER**  
Fair—Bar 29.70, Max 87.5,  
Min 45, Mean 65

Forty-First Year,  
Daily—Sixth Year.

MEDFORD, OREGON, TUESDAY, MAY 30, 1911.

No. 59.

## TRIBUTE PAID SOLDIER DEAD IN THIS CITY

Nearly Fifty Graves in Local Cemetery Are Decorated by Members of G. A. R. and Woman's Relief Corps.

## SERVICES THIS AFTERNOON IN CENTRAL CITY PARK

Parade Will Form at 2 o'clock—Many Orders to Take Part in Parade.

Memorial day is being fittingly observed in Medford today and loyal citizens are paying their tribute to the thinning ranks of veteran defenders and revering the memory of those who have gone before. Most of the business houses are closed, stilling the wheels of commercialism while a grateful and sorrowing people visited local cemeteries, carrying with them hundreds of floral tributes to lay upon the graves of their dear ones. This afternoon hundreds of town people will congregate in the city park, to attend the memorial services which have been arranged.

Early this morning the members of Chester A. Arthur post, G. A. R. and the local Women's Relief Corps met at the G. A. R. hall and repaired to the cemetery, where they decorated the graves of nearly 50 union veterans and a number of Confederate dead.

At noon upon returning from the cemeteries the veterans with their families met at the G. A. R. hall where luncheon was served.

This afternoon a parade will form at the Angle Opera House and march to the city park where suitable services will be held in honor of the country's soldier dead.

Order of the parade is as follows: Marshall, West Lawton; orator, Hon. William Gore, accompanied by invited guests; General Sooy-Smith and others; police; mayor of the city of Medford and city council; city fire company, escort to G. A. R. post No. 47, department of Oregon; Sons of Veterans, department of Oregon and California; Relief Corps of Chester Arthur post No. 34; twenty-four young ladies representing flag drill, conducted by Mrs. Schultz; B. P. O. Elks; I. O. O. F.; school children of the city.

## REYES WILL MAKE RACE FOR PRESIDENCY

MEXICO CITY, Mexico, May 20.—General Bernard Reyes will be a candidate for the presidency of Mexico, according to word received here today from Havana. The opinion prevails here that if Reyes succeeds in getting the nomination of the national Catholic party, which is not unlikely, he stands a splendid chance of election, despite the present big Madero boom. Reyes, it is said, also will have the support of the army.

## FOREST FIRES RAGING IN VANCOUVER ISLAND

VICTORIA, B. C., May 20.—Forest fires have already made their appearance in Southern and Central Vancouver Island, upwards of seventy-five men being engaged on Sunday in fighting a threatening blaze between Coldstream and Sooke Lake. The fire is said to have originated through burning on the C. N. P. Railway right of way getting out of hand, and for a time considerable area of valuable timber was threatened.

## OKLAHOMA PERMITTED TO CHANGE CAPITAL

WASHINGTON, May 30.—The supreme court of the United States has endorsed the action of Oklahoma in changing its capital from Guthrie to Oklahoma. Justice Holmes and McKenna dissented.

## FATALITIES MAR GREAT AUTO RACE

Amplex Car, Archie Greiner Driving, Hurled Into Air and Overtured—Driver Fatally Injured and Mechanician Instantly Killed.

## QUARTER MILLION DOLLARS SPENT PREVENT ACCIDENTS

Entire Speedway Paved With Brick and Cemented to Prevent Disasters—All to No Purpose

INDIANAPOLIS, Ind., May 20.—The first fatality occurred in the 13th mile of the automobile race, when the Amplex car, Archie Greiner driving, was hurled into the air and overturned. S. P. Dixon, mechanic, was instantly killed and Greiner was fatally injured. The accident was caused by the explosion of both rear tires. Greiner was one of a family who follow the racing fame for "sport."

The time for the first 20 miles was 15 minutes and 6 seconds. Wishard in a Mercedes, was leading. Greiner's car skidded 20 feet and both rear wheels were torn off. Then the car, bumping and jolting, shot from the track and overturned. Spectators in the grandstand were ignorant of the accident.

Dickson's body was terribly mutilated. He was dragged along by the car, which overturned three times as it left the track. Greiner was thrown clear of the machine. At first it was believed he was dead but in a few minutes he regained consciousness. Physicians were summoned and after a careful examination said there was a chance for Greiner to recover. The accident occurred when the car was in the 30th mile.

Driver Tezof of the Lozier was thrown from his car and his leg broken. In the 155th mile he steered too close to Disbrow's Pope-Hartford, his front wheel striking the rear hub of Disbrow's car. Both cars were damaged and withdrawn. Texlin's mechanic, Dave Lewis, was hurled from the car. One of his arms and one of his legs were broken.

Race Begins at 1:30. The racers flashed away at 1:45. A feature of the betting was based on the hazards the drivers faced. A pool was formed on the number of drivers likely to perish.

More than \$250,000 was spent by the promoters of the Indianapolis motor speedway this year to "prevent accidents" during the races which began today.

Speedway Paved. The entire speedway track had been re-paved with brick. Over the brick a veneer of cement was placed, and this, in turn, was highly polished, making what is probably the smoothest motor track in the world. The cost of this repaving and polishing alone amounted to \$250,000, but dollars were spent in other work to make the Indianapolis motor speedway the "safest and fastest track in the world."

To prevent some of the accidents due, at the opening races, to the use of the oval track, the inner speedway was closed and the races confined to the outer or elliptical course of 2 1/2 miles. Immense grandstands accommodating 37,000 in seats and standing for 50,000 more were provided. Today's races have shown that a quarter of a million dollars spent in making the speedway "safe" failed to prevent the tragedies of motor car racing.

At the opening races on the speedway in 1909, seven persons were killed.

## COLLEGE STUDENTS OPPOSE SUFFRAGE FOR WOMEN

CHICAGO, Ill., May 30.—Eighty-four students of Northwestern university, all of whom will be graduated June 14, are out today against granting equal suffrage to women. Their attitude was learned when they balloted on the subject at class day exercises. Out of the 84 students only five voted in favor of the proposition.

## Veterans Passing Reviewing Stand Memorial Day Parade In New York



VETERANS PASSING THE REVIEWING STAND. The parade of the veterans of the Grand Army of the Republic is the feature of the Memorial Day march in New York City. Over twenty thousand soldiers, sailors and members of patriotic and fraternal organizations take part in this monster parade as a tribute to the martial dead.

## FLORIDA FOR PEOPLES RULE

Eighth State to Submit Initiation and Referendum to Vote—Question Pending in Many Other States of the Union.

WASHINGTON, D. C., May 30.—Florida is the latest of the "corner states" following Maine, Washington and California, to line up for the initiative and referendum. The principle today is in the constitutions of eight states—Oregon, Oklahoma, Nevada, Missouri, Montana, South Dakota, Arkansas and Maine—and the near-state of Arizona.

Seven states in which the legislatures have, within six months, voted to submit to the people amendments to their constitutions for the adoption of then initiative and referendum, are Colorado, California, Washington, Wyoming, North Dakota, Nebraska and Florida, where it was approved by the legislature.

The question is pending in the legislature of Wisconsin, Michigan, Iowa, Indiana, Massachusetts, Pennsylvania and Maryland.

It was defeated by small majorities in Kansas and Illinois.

## HARRIMAN'S NEICE IS GRANTED DIVORCE AT RENO

RENO, Nev., May 30.—Mary E. Thurston, niece of the late E. H. Harriman, is planning to leave the divorce colony here today, having been granted a decree from her husband, Charles S. Thurston, a Boston attorney. No property rights or children were involved. Mrs. Thurston has resumed her maiden name, Mary Eimons.

## MEDFORD MAN MAKES A VISIT TO CAMP OF REBEL CHIEF AT TIA JUANA

Walter Moore, formerly of Medford, now of La Mesa, San Diego county, writes as follows under date of May 23, regarding a visit to Tia Juana and what he saw there:  
TIA JUANA.—The Mexican village just across the border, is now in the limelight. Captain Rhys Pryce and his band of 300 rebels or insurgents have driven out the forces of Porfirio Diaz—taken possession and established a new utopia and unfurled to the breeze the red flag, bearing the inscription of "Tiempos y Libertad," or land of liberty.

To celebrate the event the general slipped out to San Diego for a sniff of civilization when Uncle Sam nabbed him—put him in limbo—then released him.

Hearing that the general was expecting a tussle with some of Diaz's folks, also the fact that the rebel general was very amicable to newspaper people, I took it upon myself to see a real live insurrecto camp in action, so went over to see Tia Juana.

After landing at Tia Juana in company with a mixed crew of Swedes, negroes, Mexicans and soldiers of fortune, the first sight to attract attention was the sight of the Stars and Stripes flying from the custom house, and red flag flying from a standard a few yards away. Uncle Sam's sentry paced the border line

## WAPPENSTEIN'S TRIAL BEGINS

Accused Grafting Chief of Police Faces Court—Jury is Drawn and One Witness Examined—Evidence Taking Begins Tomorrow.

SEATTLE, Wash., May 30.—Haying completed and sworn in the jury, the opening statement of the prosecution and examined one witness, everything was ready for a day of testimony in the C. W. Wappenstein case, but the court granted a holiday. Evidence taking formally will begin tomorrow.

Prosecutor Murphy in outlining the things that the state will seek to prove, accused Wappenstein, as chief of police, with proposing to Gideon Tupper that Tupper buy two Wappenstein, Murphy said, telephoned to State Senator Nichols that houses in the restricted district. Tupper was all right and on that recommendation Tupper was granted a license on the Paris house. Murphy said that Clarence Gerald had introduced Wappenstein and Tupper ten days before Wappenstein became police chief. At that time, it is charged, Wappenstein told Gerald "there'll be a chance for all of us to make some money."

## PICKARD SURRENDERS.

SAN FRANCISCO, Cal., May 30.—Charles H. Pickard, at whose home in Oakland yesterday infernal machines fatally injured Constable Kihn and injured two deputy sheriffs, surrendered today to the harbor police here.

## AGED WOMAN EATS SQUIRREL POISON

Mrs. Whetstone, Residing Near Tolo, While Mentally Unbalanced, Eats Poisoned Raisins—Doctor Saves Her Life After a Hard Fight.

Mrs. Mary Whetstone, aged 68, who some weeks, attempted Monday, while temporarily insane, to take her own life by eating a quantity of raisins, which had been treated with squirrel poison. Dr. Anderson of Central Point was called and after a hard fight brought her safely out from the effects of the poison.

Mrs. Whetstone lives on the edge of the desert near Tolo. For the past few weeks she has been suffering from a number of complications and the illness is thought to have unbalanced her mind. When found Monday she was very busy eating the poisoned raisins.

## ESCAPED CONVICT MAKES SECOND ESCAPE IN WEEK

VANCOUVER, B. C., May 30.—John Kelly appears to be a second Jack Shephard. For him stone walls do not a prison make, nor iron bars a cage. Arrested here last Friday for breaking out of Walla Walla penitentiary, on Sunday he broke out of the city jail and is now clear of the police. Kelly was picked up on Friday by detectives Thompson, O'Grady and Jewitt on the street here. They recognized him from a description attached to a \$50 reward which the Walla Walla authorities were offering for his recapture.

## 600 VETERANS GO TO PRESIDIO

Escorted by Regulars and National Guardsmen Numbering 2500, Old Soldiers at San Francisco, March to Fort—Old Battle Flags Carried.

SAN FRANCISCO, Cal., May 30.—Escorted by regulars and National Guardsmen numbering 2,500, six hundred gray haired veterans of the civil war marched from Van Ness Avenue to the Presidio, where memorial day exercises were held. The veterans carried their old battle flags, as well as bunches of flowers in the muzzles of their guns. For the first time in the history of Decoration Day parades here, they did not attempt to march the entire distance.

## WIFE REFUSED TO TALK SO HUSBY GETS DIVORCE

SEATTLE, Wash., May 30.—Because his wife refused to entertain his friends and would not speak a single word to him for many days at a time, former State Senator Lincoln Davis today has a divorce decree. Davis charged that his wife without reason refused to be companionable, though he wanted to be a loving and affectionate husband. Mrs. Davis denied all charges and was permitted to resume her maiden name, Edna Dunmore. She is now living in her old home at Spokane where she is prominent socially.

SEATTLE, Wash., May 30.—By an ordinance passed today, the city council has decided to permit boxes in cafes, providing one side door is open. License fees are unchanged.

## OPENS WAY FOR CRIMINAL PROSECUTION

Consolation Big Business Interests Find in Tobacco Trust Decision Melting Away—Basis is Formed for Jail Sentences.

## HARLAN VIGOROUSLY DISSENTS TO RULE OF REASON CLAUSE

Justice Claims Court Has Nullified Sherman Act Second Time—Not in Accord Previous Decisions.

WASHINGTON, D. C., May 30.—Much of the consolation which the big business interests purported to find in the decisions of the supreme court in the Standard Oil and American Tobacco Company cases was dispelled, when attorneys who studied the decision of Chief Justice White yesterday in the tobacco case declared their belief that it opened the way for criminal prosecutions of the tobacco magnates.

The decision, it is pointed, not only lays a basis for prosecutions, but in the strongest language urges such action. This construction is placed on phrases recurring through the opinion of Chief Justice White. Had the court merely affirmed the decree of the trial court and ordered the dissolution of the trust, criminal suits would have been barred. But by reversing the judgment the court held the directors and officers parties to a conspiracy and significantly referred to "manifestations of conscious wrongdoing."

British Trust to Dissolve. Lawyers construe this as an intimation of the government's duty to proceed criminally.

Under the decision of the supreme court in the tobacco case, it is believed that the British trust will be forced to discontinue its expert business to America.

That the ruling of the higher court will mean more litigation and that it probably will be a year before the trust is finally dissolved is the general belief here. The matter has been left to the United States circuit court for the Southern District of New York to handle, and it is this court that must devise the plans for the dissolution. It is generally believed that the defendants by frequent appeals to the supreme court will seek delay.

Harlan Dissents Strongly. Strongly resenting the writing in to the Sherman anti-trust law of the "rule of reason" and its application to the decision in the American Tobacco trust case by the United States supreme court, Associate Justice Harlan dissented as vigorously as he had done in the Standard Oil decision.

Intimating that the decision of the supreme nullified the purpose and intent of the Sherman anti-trust act through this "rule of reason"; that it exorciated the admitted illegal combination but without applying a remedy or punishment for the violation of then law, Justice Harlan said: "I have not found anything in the record which makes me at all anxious to perpetuate any new combination between those companies which the court concedes has at all times exhibited a conscious wrongdoing."

Justice Harlan resents the statement of the court that the decisions in the Standard Oil and American Tobacco cases "were in accordance with previous decisions."

"It is scarcely just," he declares in his dissenting opinion, "for the court at this late date to say or intimate that Justice Packham and his colleagues interpreted the act of congress with regard to the 'rule of reason,' or to assume that the act was for the first time in the Standard Oil case interpreted in the 'light of reason.'"

"The 'rule of reason,'" goes on the vigorous old justice, "I am certain, does not justify perversion of the plain words of an act of congress in order to defeat the will of congress."

The dissenting opinion further declares that the supreme court has, in effect, still further nullified the Sherman law by adding to the "rule of reason" written into it in the Standard Oil case the word "undue" or "undue restraint" in the case of the American Tobacco trust.

(Continued on Page 4.)