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FINAL DRAFT OF AGREEMENT IN LUSITANIA CASE

Bernstorff Presents Kaiser's Agreement, But Lansing Says That Germany's New Policy of Sinking Armed Merchantmen Without Warning Reopens Entire Question.

WASHINGTON, Feb. 16.—Count Von Bernstorff, the German ambassador, today presented to Secretary Lansing the latest draft of the Lusitania agreement, embodying the changes suggested by the American government and also one change suggested by Berlin.

Secretary Lansing said today that the German government's announced intention of sinking armed merchantmen without warning after February 29 has reopened the entire question of submarine warfare.

Later Secretary Lansing said the German communication was being studied closely to determine if anything contained in Germany's recent notice of intention to sink armed ships without warning after Feb. 29 conflicted with the assurances given in the Lusitania negotiations.

It was pointed out that American officials realized that the Lusitania agreement refers to "liners" and that the newly announced German submarine policy refers to all armed ships.

Count von Bernstorff told Secretary Lansing it was his personal opinion that in carrying out the new submarine campaign it was not the intention of the German government to sink "liners."

As now drawn and formally signed by the German ambassador, the agreement is in reply to the last American note.

It begins with reference to the formal assurances given by Germany last September that submarines would not sink unarmed liners without warning and regard for the safety of life aboard.

WASHINGTON, Feb. 16.—President Wilson today signed the first of the national defense bills. One increases the entrance class at the naval academy by 200 cadets and the other makes immediately available \$300,000 for facilities for building warships at the Mare Island navy yard and \$100,000 for like improvement at the New York navy yard.

ERZERUM FALLS BEFORE INVADING RUSSIAN ARMY

Strong Turkish Citadel, Objective of Caucasian Campaign, Captured—Germans Repel British Attempts to Recover Trenches Southeast of Ypres, Lost Yesterday.

LONDON, Feb. 16.—Reuter's Petrograd correspondent telegraphs that Erzerum has been captured by the Russians.

The capture of Erzerum has been the objective of the recent campaign of the Russians in the Caucasus. Its possession is of considerable strategic importance, as it is the chief city of Turkish Armenia and the center of a system of roads.

Press dispatches from Petrograd recently said German Field Marshal Baron von der Goltz was in command at Erzerum with 80,000 men; that their escape had been cut off and that they had provisions for only a fortnight.

BERLIN, Feb. 16.—Three attacks by the British in efforts to recover the trenches southeast of Ypres, in Belgium, which they lost to the Germans, are announced today by army headquarters.

The official statement follows: "Western theater: The English made three vain attacks yesterday on the position southeast of Ypres, which we had captured. The lost 100 prisoners."

"Eastern theater: There has been a driving snow along the whole front. Nothing of importance has occurred."

ENGLAND TO SEIZE ALL DISTILLERIES

LONDON, Feb. 16.—The Central News says it is able to confirm the report that the government is about to commandeer all distilleries in the United Kingdom with as little delay as possible.

SEARCH FOR POISON GIVING CHEF PROCEEDS

CHICAGO, Feb. 16.—Police Captain Moran Collins said today he had received information that the mineral poison believed to have caused the illness of guests at the banquet to Archbishop Mundelein last week was only a secondary poison, but that some other drug was put in the soup with intent to kill.

AMSTERDAM, Feb. 16, via London.—A report of the budget committee for the Turkish parliament as reported here from Constantinople shows that since the beginning of the war the central powers have advanced to Turkey 21,000,000 pounds sterling. Turkey is now to borrow an additional 21,000,000 pounds sterling from Germany.

\$3,000,000 LOSS WHEN STEAMERS AND DOCKS BURN

Steamships Bolton Castle and Pacific Destroyed, Steamer Pallozie Damaged, Twenty-Five Scows Burned With 900-Foot Pier of New York Dock Company.

NEW YORK, Feb. 16.—The steamships Bolton Castle and Pacific and a 900-foot pier belonging to the New York Dock company at the foot of Pioneer street, Brooklyn, were destroyed early today by the most disastrous fire on the Brooklyn waterfront in years.

The origin of the fire is unknown, but suspicion that it was incendiary were aroused because of the fact that some of the steamers were loading with war munitions, some of which were intended for shipment to the Russian government to be delivered at Vladivostok.

The Bolton Castle, a British vessel, arrived here February 6, from Singapore, Port Natal and St. Lucia. The Pacific arrived from Hull, England, yesterday. Both belong to the Castle line. The burned pier was leased to Barber & Co., steamship agents, and is believed to have been filled with merchandise, including war munitions.

FALL RIVER, Mass., Feb. 16.—Estimates by owners of property and proprietors of stores in the business district swept by fire early today indicated that the total loss would be approximately \$2,000,000.

Police and firemen were unable to put forward any theory as to the probable origin of the fire. It started in the basement of a four-story brick building at the corner of South Main and Spring streets, occupied by the department store of the Steiger company.

Before the out-of-town engines arrived the flames had made such a start that it was impossible to stop their progress southward along South Main street until they had reached Columbus street.

BAR WOMEN FROM ILLINOIS PRIMARIES

SPRINGFIELD, Ill., Feb. 16.—Women of Illinois were denied the right to vote for delegates and alternates to national nominating conventions, state central and precinct committees in the supreme court today.

The decision held that while the legislature had the right to give women this suffrage, it had not yet done so and it was not within the province of the court to write the privilege into the law.

The primary at which national conventional delegates are to be chosen will be held on April 11.

TURKEY HEAVY BORROWER FROM CENTRAL POWERS

DIMES TO BUILD DREADNAUGHT LITTLE MISS' PLAN



Little Marjorie Sterret wants to build a dreadnaught with dimes. A fighting ship that will "sail right into a scrap and lick all creation, same as Paul Jones did," is the kind this 13-year-old Brooklyn patriot wants to give to Uncle Sam if a fight is necessary.

\$2,000,000 LOSS IN BLAZE SWEEPING FALL RIVER, MASS.

FALL RIVER, Mass., Feb. 16.—Estimates by owners of property and proprietors of stores in the business district swept by fire early today indicated that the total loss would be approximately \$2,000,000.

Police and firemen were unable to put forward any theory as to the probable origin of the fire. It started in the basement of a four-story brick building at the corner of South Main and Spring streets, occupied by the department store of the Steiger company.

WILLIARD-MORAN BOUT POSTPONED

CHICAGO, Feb. 16.—March 25 was set today as the date for the ten-round bout between Champion Jess Willard and Frank Moran of Pittsburgh after Tex Rickard, over the telephone from New York, agreed to a postponement declared necessary by Willard and his manager, Tom Jones.

ASTOR TAKES SEAT IN HOUSE OF LORDS

LONDON, Feb. 16.—Barron Astor, of Haver castle (William Waldorf Astor), took his seat for the first time today in the House of Lords.

William Waldorf Astor, formerly of New York, was created baron by King George on New Year's.

NEW YORK G. O. P. SOUND KEYNOTE OF CAMPAIGN

Barnes in Control — Wadsworth, Whitman, Tanner and Brown "Big Four" to Represent State in National Convention — Preparedness Leading Feature.

NEW YORK, Feb. 16.—The republican state convention today unanimously adopted a platform intended as the keynote for the republican national campaign, endorsed the Whitman state administration and named United States Senator James W. Wadsworth, Jr., Governor Charles Whitman, Frederick Tanner, chairman of the state committee and State Senator Elton R. Brown, republican leader in the senate, as the "big four" to represent New York state in the national convention.

The principal points of the platform adopted are: Advocacy of "complete preparations for the common defense, economic, industrial and financial, as well as military," including a recommendation for a naval general staff and substantial strengthening of the naval and military forces of the United States.

FIRE DESTROYS AMERICAN CLUB TORONTO, CANADA

TORONTO, Ont., Feb. 16.—One man was killed and two others injured in a fire which early today wrecked the six-story home of the American club. Several explosions were heard while the fire was burning, but according to the police there were no detonations before the flames were discovered.

The interior of the building was destroyed and the roof fell in. The walls are intact. The property loss is placed at \$50,000.

MARVE RESIGNS AS AMBASSADOR

PETROGRAD, Feb. 16.—George T. Marve, the American ambassador, has resigned, giving ill health as his reason. He has not been advised of the acceptance of his resignation by the state department.

INQUEST POSTPONED TO EXAMINE POISON

CHICAGO, Feb. 16.—The coroner's inquest in the death of Marian Frances Lambert, the Lake Forest high school girl found dead in the woods on the Cyrus McCormick estate, will not be resumed, it is believed, until a report has been received from experts testing poison crystals found in the girl's hand, in an effort to definitely establish the exact nature of the poison which caused her death.

BRANDEIS LACKS JUDICIAL MIND OF SUPREME COURT

History of Income Tax Decision Shows Qualities Nominee Lacks for Confirmation, Which Include a Marked Leaning Toward the Protection of Privilege.

WASHINGTON, Feb. 16.—One of the charges brought against Louis D. Brandeis by those who oppose his confirmation as a judge of the United States supreme court is that he lacks the "judicial mind."

Just what this quality is in a candidate for the supreme court may be inferred from a glance at one of the court's principal performances, namely, its decision of May 20, 1895, on the income tax law. By that decision the law was declared unconstitutional and void. It took twenty years to get an income tax law back on the statute books by means of a constitutional amendment and another congressional enactment.

The subject of taxing incomes was not a new one when the law of 1894 was passed. The supreme court had considered income tax acts on five previous occasions and in all those decisions had upheld the validity of such legislation. The decision of May 20, 1895, therefore, reversed five of its own decisions. In doing this the court was fortified by a brief presented by Jos. Choate, citing precedents to the effect that the court is not bound by its own precedents.

This decision did more to bring the supreme court into disrepute than anything that has happened in the history of the court. The verdict was reached by a vote of five judges to four. One judge, generally believed to have been Shiras, changed his judicial mind over night. The change was made necessary by the action of Justice Jackson, who favored the validity of the law, and who, though mortally ill, left his bed and insisted on being brought in a special car from his home in Belle Mead to take part in the decision.

Justice Fuller wrote the majority opinion. Justices Brown, Jackson, White and Harlan dissented. Of the court's ruling, Justice Harlan in his dissenting opinion said: "By its present construction of the constitution the court for the first time in all its history declares that our government has been so framed that in matters of taxation for its support and maintenance those who have incomes derived from the renting of real estate or from the leasing or using of tangible property, bonds, stock and investments of whatever kind have privileges that cannot be accorded to those having incomes derived from the labor of their hands or the exercise of their skill or the use of their brain."

The supreme court was the last resort of those who sought to nullify the law. The opposition in congress had been bitter and it is charged by a former United States senator that bribery was even attempted in the effort to prevent enforcement of the law.

WASHINGTON, Feb. 16.—Ambassador Marve's resignation will be accepted when it reaches Washington. It was said today that the state department had no reason to detain him longer than was necessary in a climate where his health was affected.