

Medford Daily Tribune

A Live Paper in a Live Town. Published every evening except Sunday. Medford Publishing Company. G. PUTNAM, Editor and Manager.

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FREEDOM OF THE PRESS.

The conviction of the editor of the Tribune and his fine of \$150 upon a charge of criminally libeling the grand jury and deputy prosecuting attorney C. L. Reames will in no manner deter this paper in its duty to the public in criticizing the misconduct of public officials in the future.

Our personal interests in the outcome of this trial precludes any criticism on our part of the conduct or motives of the prosecution. It has always been and will remain the policy of this paper to treat all matters from an impartial and unprejudiced standpoint, and we will therefore leave it to the unprejudiced press of the state as to whether justice has been properly administered, without malice and vindictiveness.

"In morals, as in medicine, there is no antiseptic like the sunlight of Almighty God." We regard the criticism of official acts as one of the highest duties which a newspaper owes to mankind. It is always an obnoxious and invidious task to disclose to the public the misconduct or neglect of its servants in their official duties. If it is not done fearlessly, it cannot be done effectively, and it is not for editors trembling under the uplifted scourge of the prosecuting attorney that the public may expect a fulfillment of the highest function of a newspaper.

However, this paper proposes to turn on the light whenever or wherever there is a malfeasance in office, and neither jail nor fine will swerve it from its course.

While this may be a new theory in Southern Oregon as to the function and duty of a newspaper, it is not a new theory in the State of Oregon or in the United States, and though the court may place grand juries upon a higher pedestal than was ever occupied by European tyrant or Asiatic potentate and surround them with that ancient and obsolete prerogative of infallibility, any dissolution on the part of grand juries will be promptly and severely criticized in the columns of this paper.

The freedom of the press is the freedom of the people, and the greatest safeguard of their rights. No government can circumscribe the liberty of the press without dismantling public spirit. Every attempt to abrogate public officials above the fair criticism of the press is a blow at the freedom of the people.

The father of American Democracy said many years ago that eternal vigilance is the price of human liberty. The vigilance of the press is the vigilance of the people.

THE CASE OF PUTNAM.

The Portland Oregonian of January 12, under the above caption, says editorially:

"We have just closed a week notable chiefly for its various and extraordinary legal decisions. Judge Hanna, of the circuit court for Jackson county, adds his portion to the astonishing record by denying a Southern Oregon editor the right to plead the truth in a case for criminal libel. One Putnam, a Medford editor, had harshly criticized the grand jury and prosecuting attorney of Jackson county for their failure to return an indictment in an assault case at Medford. The prosecuting attorney caused Putnam's arrest and subsequent trial for criminal libel. Putnam endeavored to show that his criticisms were justified by introducing testimony of witnesses who saw the assault. The judge ruled him the right, in face of this plain provision of the Oregon statute:

"Section 2170.—In all criminal prosecutions to libel the truth may be given in evidence, and if it shall appear to the jury that the matter charged as libelous is true and was published with good motives and justifiable ends, the defendant must be found not guilty."

"There would seem to be no way of avoiding the plain meaning of the law, but Judge Hanna seems to have found a way. The Oregonian doesn't seem much about the merits of the articles issued by the Medford editor. Very little that was not warranted. But the Oregonian does know as to the reports from Jacksonville as to the conduct of Judge Hanna's court appearance, that this has been a most surprising revelation of the liberty of the press and an unjustifiable denial of Putnam's statutory rights before the law as a citizen. This decision means that a newspaper has no right to criticize a grand jury or a court. This is absurd and cannot stand any test of history or experience or judicial precedent. If it shall be said—as we suspect it may be—that Putnam acted in meddling the grand jury while the assault case was pending, and was therefore in contempt, whatever the facts as to the assault, it is pertinent to inquire why he was prosecuted for libel, and not for contempt of court?

"Sensibly it is too much to hope for."

but we should really like to have from Judge Hanna an explanation of his remarkable decision; or we should like to be corrected if our understanding as to what the decision is is not correct.

REAMES' IDEA OF AN EDITOR.

District Attorney Reames in prosecuting the libel case, wherein George Putnam was accused of printing scandalous and defamatory matter of and concerning his brother and others, delivered the following remarkable diatribe upon editors in general:

"A man with a pair of lampbrush, a handful of old type, a shoe brush and a thimbleful of brains," which was intended and probably does represent the Reames idea of an editor.

This eloquent and expressive bit of diatribe did not originate in the fertile brain of the distinguished prosecutor. Mr. Reames made use of the above quotation before a jury, while acting in the high office of district attorney and at a time when the defendant was on trial because of the publication of alleged scandalous matter.

Mr. Reames' objection to the alleged libelous publication was that it held certain persons up to ridicule and public hatred, and while occupying this high moral plane he himself, it appears, was not above holding the defendant up to the scorn and ridicule of all his hearers. The rules of procedure, denied the defendant the right of answering or defending the vituperative abuse of the district attorney.

We have never known a respectable newspaper to resort to such vilification under any circumstances, and the columns of the newspaper are always open to the persons who have been criticized that they may vindicate themselves.

CHANCE FOR A FINE.

The Portland Journal of January 12 says editorially:

"Judge Hanna, holding court in Jackson county, has held that Editor Putnam of the Medford Tribune cannot introduce any evidence proving the truth of his statements alleged to be libelous. Putnam proposed to show that in what he published he was not actuated by any malice, and stated only the exact truth; this the judge holds he cannot do. At the risk of being in contempt of court, and itself libelous, The Journal will remark that this is neither justice nor common sense, and we are pretty sure it is not law."

OREGON'S CRIMINAL RECORD FOR YEAR 1907 IS DARK

Oregon's criminal blotter for the year 1907 shows the commission of 56 homicides. For these crimes not one conviction of murder in the first degree has been secured. Only two of the homicides were convicted of murder in the second degree, and are serving sentences in the state penitentiary. One other was convicted of manslaughter, but he is out on bail pending an appeal to the supreme court. Fourteen were acquitted for different causes, ten committed suicide. It has not been apprehended and 13 cases are pending in the courts. Of the 13 defendants awaiting trial, 9 will plead self-defense or justification, 3 went free because of lack of evidence, 2 were acquitted as insane and 1 successfully pleaded the "unwritten" law.

Real Estate Transfers.

F. J. Dunbar to Clifford Oggin, 308.45 acres in section 10, township 41, range 1 E., \$ 500. Putnam S. Crum to J. A. Ward, release of bond. Joseph A. Ward to August Law, lots, property in Park Addition, Medford, 225. William Ross to Timothy Daily et al., lot 2, block 5, Ross Addition, Medford, 30. Ephraim Badger to Alpha M. Walker, 64.109 acres in town 36, range 1 E.; also property on Granite street, Ashland, 2250. Eliza J. Lewis to H. J. Jostling, property in Park Addition, Medford, bond for deed, 4000.

SALE OF MUNICIPAL BONDS.

Scaled proposals will be received by the city council of the city of Medford, Oregon, at the office of the city recorder, 174 1/2 N. 7th street, Friday, January 15, 1908, at 10 o'clock p. m., for the purchase of \$20,000 in ten-year 6 percent coupon bonds of said city, in American form of \$100 each, interest payable semi-annually. Each bid must be accompanied by a certified check for an amount equal to 5 per cent of the amount of such bid, payable to the city of Medford, and said city council reserves the right to reject any or all bids. Dated at Medford, Oregon, January 10, 1908.

BENJ. M. COLLINS, City Recorder.

SHE GOT A DIVORCE FROM CHEAP ADVENTURER

Married in British Columbia in 1887, deserted in Selma, Cal., in 1905, Mrs. Anna E. Woollever obtained a divorce from Wilton A. Woollever. She said that while living in the California town her husband went her to San Francisco, to take charge of his business there, but when she arrived in that city he did not appear and she had to support herself. After the earthquake she went to Portland as a refugee. She is now carrying her own way as housekeeper of a hotel on the east side.

Woollever, the defendant, operated in this section about six years ago, when he solicited membership for the Modern Woodmen of America. He left Southern Oregon with an unsavory reputation.

CLASSIFIED ADVERTISEMENTS.

ROOMS TO LET by day, week or month at the Emerick. tf

FIRST-CLASS Japanese cook wishes situation. Address Cook, Tribune, 50

FOR SALE—Town lots; good location, \$50 each; terms. Page & Lawton, 267

FOR SALE—One glass show case, 8 feet long, nearly new; cheap. Lindley & Lindley. tf

WANTED—All kinds of second hand goods at the Woods building near Hubbard's Lindley & Lindley. tf

FOR SALE—\$500 buys Lorimer's fruit and confectionery stand if bought at once. Morse blk, West Side. tf

WANTED—To rent a small unfurnished house, electric lights, close in. Call at my office. Dr. R. H. Hamilton. tf

FOR EXCHANGE—Medford property for other property. Address Lock Box 418, Medford, Or. tf

FOR SALE—Town lots, good location, \$50 each; terms. Page & Lawton, 267

WANT TO RENT 5 or 6-room house. Address, stating location, etc., H. L. Young, general delivery, city

FOR RENT—Gentleman wanted for nicely furnished room, near in. Apply at Hotel Moore. tf

FOR SALE—One five-horsepower motor, good as new; take it away for \$75. Peils Elite Laundry, Medford, Or. tf

FOR RENT—Desirable furnished rooms for housekeeping; convenient; for family of three; no children. 307 N. G street. 267

A WELL-ESTABLISHED retail business for sale in Medford. Address P. O. Box 716, or inquire Tribune office. tf

FOR SALE—Eight lots, west of school house and one block north of 7th st., for \$600. Apply or write J. E. Payette, Medford, Or. 255

FOR RENT—Nicely furnished rooms; electric lights. Inquire of Mrs. Adie Rippey, West Seventh st., in the White Bldg. 252

SITUATION WANTED—Girl, 15 years old, desires position to do housework or care for children. Address Mrs. W. T. Rogers, Jacksonville. tf

WORK WANTED—Japanese contractor; can do all kinds of general farming; general helper in all work; town or country. Address A. E. Tatsumi, Gen'l Del., Medford, Or. tf

FOR SALE—One 45-horsepower automobile Russell engine, in first-class shape; look this up, the price will surprise you. Peils Elite Laundry, Medford, Or. tf

FOR SALE—One acre, west of Medford City limits; price \$200, payable \$10 down and \$10 a month, without interest. Address P. O. Box 571, Medford, Oregon. 260

FOR SALE—Before buying nursery or ornamental stock call and see G. F. Linxwiler, North C street, or address him Box 114, Medford, Or., and get lowest prices. 249

FOR SALE—New residence, just completed, second block west of high school, West Seventh street; fine colonial interior; cheap if sold soon. Inquire Tribune office. tf

FOR SALE—Having purchased over 500,000 feet of first-class milling logs, we are prepared to furnish first-class lumber of all kinds in any amounts on short notice. If you contemplate building please your order with us; prices very reasonable; dimension and fine finish lumber a specialty. Write or call. Butte Falls Lumber Company, office over Jackson county bank, Medford, Or. tf

BATHS—Men only; hot air, steam and medicated sea salt, 5hr; with massage. Lull; good for rheumatism, colds, stiff joints, paralysis, etc.; will purify and tone up generally. Prof. Valesky, A street, corner of 7th st. tf

FOR RENT—Newly furnished rooms, by day, week or month. The Ober, over postoffice, Medford, Or. tf

FOR SALE—At a bargain, ninety acres of the choicest fruit land in Rogue river valley, rich soil, all level, well watered, good six-room house, good barn, three good wells, abundance of water. All under cultivation ready for orchard. Intending purchasers should see this place before purchasing. Geo. Mins, Nash Hotel, Medford, Or. 174 1/2

NURSERY STOCK—All kinds of fruit trees, both large and small fruits, standard varieties of apples and pears and peaches, including Newtown and Spitzenberg apples; a full line of up-to-date purebred stock, in large or small lots; also all kinds of ornamental trees and shrubbery, at my residence in South Medford, having just received a large shipment, am prepared to fill orders immediately. Inquire at Warner's Store, L. R. Warner, Sr., Medford, Or. tf

For City Recorder Benj. M. Collins INCUMBENT Candidate for ReElection. Competent, faithful, honest. His record speaks for itself.

No Fire in the Kitchen Range No Hot Water in the House Then is the time you appreciate the convenience of ELECTRIC WATER HEATERS. Attach a plug to the nearest lamp socket and turn the switch. PINT, QUART, TWO QUART AND LARGER SIZES. Pint Size is specially adapted for nursery. Clean Safe Simple Durable.

Condor Water and Power Co. Phone 885. Office on Seventh Street. Opposite the Big Electric Sign.

Special Sale Closing Out of a Large Stock of Fancy China Ware At Cost = At Cost Call At C. O. D. Grocery 7th St., for Particulars. H. MEMZ & SON.

Food for Convalescents. Do you ever have the grip—ache all over in spots, and have your head feel as though you'd been out the night before trying to remember the names of famous men? when in reality you want to feel as well as with an antiseptic plaster over your forehead and your system full of hot liniments and flaxseed tea and your mouth all puckered up with quinine? It says there is no parting so bitter as the parting of a quinine course just as you are in the act of swallowing it. No basset, any doctor's diploma, but when it comes to things like grip or cold, she knows the proper dose to break them silly. And when you're working through, she knows how to make the dandy broth and chicken and poached eggs and lots of things to bring you right up on the bit and make you feel like your old self again. We have all the things, and lots more, like olive oil and grape juice and stuff to tone up your system after you've been up against it. MILLER & EWBANK

GET UNDER COVER It's a good idea for everybody to get under cover in Medford, including the city council, and we are here to furnish you the BEST PROPERTY IN MEDFORD for the least money. If you are a stranger in Medford, you can't afford to lose money by boarding with your family at a hotel. The business man's way of doing is to buy a nice cheap tract and build a nice house while the present financial situation continues. It's a fact that you can build cheaper now than you could a month ago; or, better yet, BUY A CHEAP HOME CLOSE IN TO A BUSINESS CENTER and watch it grow into more money before spring. We are prepared to equip all homeseekers with desirable homes at a low figure. Now is the time to buy, save rent and make money by the advance in price. Rogue River Land Co. EXHIBIT BUILDING, MEDFORD, OREGON.

The Medford National Bank MEDFORD, OR. CAPITAL \$50,000 SURPLUS 10,000 Safety Boxes to Rent. A General Banking Business Transacted. We Solicit Your Patronage.

THE SIGN OF SAFETY 1ST NATIONAL BANK OF MEDFORD CAPITAL, \$50,000 ALWAYS CONSERVATIVE. ALWAYS SAFE. Wm. S. Crowell, President. Geo. W. Dunn, 2d Vice-President. F. K. Deuel, Vice-President. M. L. Alvord, Cashier. Orlo Crawford, Assistant Cashier.

Because He Paid by Check Not long ago, a business man in this community was presented with a bill that he had already paid. He produced the paid check as voucher in evidence, and it was thus at once proven that he had paid the bill. Don't you see the importance of paying by check? This bank cordially invites your account, subject to check, and will be pleased to render you the most efficient service. JACKSON COUNTY BANK Established 1888 MEDFORD, OR. Capital, Surplus and Deposits Over \$825,000

Medford Steam Bakery HOT ROLLS FOR BREAKFAST or dainty little dinner rolls that will tempt the appetite of the most fastidious, is the kind we serve every day when ordered. Breadstuffs, light, white and delicious, is our specialty, as well as the richest, finest cakes, pastries and pies. When you want to enjoy your meals, order your breadstuffs from us.

CATALOG HOUSES ARE NOT MERCHANT TAILORS They drain the towns of money and neither give the fit, style nor distinction to your clothes that your own city tailor can. PATRONIZE HOME INDUSTRY The clothes I make are the kind that "carry distinction," that bespeak the man, that keeps your money at home and are superior in every detail to the "sweatshop" goods of catalogue houses. KEEP YOUR MONEY HOME EIFERT FRESH DRY CLEANING ADD REPAIRING NEATLY DONE The City Tailor Medford