

Medford Daily Tribune
A Live Paper in a Live Town.
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G. PUTNAM, Editor and Manager.

REFERENDUM FINDS
DEFENDER IN PHIPPS

Medford Attorney Writes in Defense
of Popular Rule—People Have Right
to Revise Actions of Their Elected
Representatives.

The following letter from Attorney
W. E. Phipps of Medford on the refer-
endum appears in the Portland Jour-
nal:
"Medford, Or., Feb. 28.—To the Editor
of The Journal: A considerable
portion of the Oregonian's editorial
page of the 17th inst. was devoted to
facetious comment on the proposed
application of the referendum to deci-
sions of the courts. An editorial of the
New York Sun is quoted therein under
headlines of apparent disapproval, but
the perusal of the Oregonian 'leader'
convinces one that its editor shares the
convictions of the Sun writer on the
subject. It is perfectly clear, of course,
that Attorney W. W. Calkins' scheme
for the call of the referendum on deci-
sions of the courts was merely bad-
inage intended to discredit the initiative
and referendum generally, and the dis-
cussion thereof by platocratic newspa-
pers maintains the same spirit. Ridi-
cule is frequently more potent than rea-
son, and it is manifestly ridiculous to
these writers that the people could in-
telligently pass on the findings of fact
and conclusions of law involved in a
law suit. And if the initiative and
referendum are not broad enough to
comprehend our three branches of gov-
ernment, the inference intended is that
no part of it can be regulated thereby.

Each judge sat there with solemn face,
And heard the argument so keen,
When the decision came 'twas seen—
"Five to four."

Our words beyond the deep blue sea?
Ah, surely here they will agree!
But after rods of legal lore
Behold the spectacle once more—
"Five to four."

A law to safeguard human life,
To care for orphans and for wife,
Ah, judges on that will agree!
But there's the record—look and see—
"Five to four."

—W. M. M.
Will Invoke Referendum.
The average litigant would prefer a
referendum decision to a "five to
four" decision of a court. He would
prefer a referendum decision to a unani-
mous decision like that recently ren-
dered by the California court in the
Schmitt case. Nor is it necessary to get
outside of Oregon for comparisons.

Too much superstitious reverence at-
taches to the cap and gown and the
title of judge. We haven't entirely
outgrown ancestral effects of pomp
and pageantry for the antique and
defunct carmine, although it exudes an
unpleasant aroma. Too bad Thackeray
did not write verses applicable to judges
like the following snapshot he gave the
clergy:
" 'Tis I were a cassowary on the plains
of Timbuctou,
I would out a missionary, hat and gown
and hymnbook, too."

The time will come when the people
will annul corrupt decisions of the
courts, and it may require the referen-
dum to accomplish it. In the meantime,
the initiative and referendum are come
to stay in spite of any ridicule that
may be heaped upon them. For now as
of yore, "The laughter of fools sounds
like the crackling of thorns under a
pot."

REAL ESTATE TRANSFERS.

- J. N. Taggart to C. M. Laming,
80 acres in section 20, township
28, range 2 E. \$ 500
L. E. Hoover to Joseph Taylor
et al, 878-1000 of an acre in
D. L. C. 61, township 37,
range 2 W. 1
Laura A. Bradley to Joseph Tay-
lor, 121.66 acres in township 37,
range 2 W. 1500
Fish Lake Water (to) to H. von
der Hellen, land in section 13,
township 36, range 1 W. 205
Jesse W. Berry to Mary A. Berry
et al, 175 acres a township 38,
range 2 W. 1
Mary B. Orr to J. H. Cochran et
al, property in Medford, 1650
Harriet Fouchette to M. F. Eg-
gleston, property on Railroad
Addition, Ashland 200
Joseph M. Griffin to Eugenia L.
Atkinson, property on Main
street, Ashland 2000
Mofford Lodge, No. 83, I. O. O.
F., to Jackson county, 5/2 acres
in section 29, township 37,
range 1 W. 175
G. W. H. Albert to Adam Eng,
property in Barr's Addition,
Medford 400
Gessie Kniss to Adam Eng,
property in Barr's Addition,
Medford 150
United States to Andrew Taylor,
land in section 7, township
39, range 2 E. Patent
Eva Miller to Elva M. Rouse, lot
2, block 45, Summit Addition,
Ashland 1600
Elin J. Wadsworth to A. P.
Taylor, 20 acres in section 8,
township 37, range 2 W. 275

WOULD SELL FAIR SITE
AS NAVAL COALING STATION

WASHINGTON, March 5.—The
receivers of the Jamestown Exposition
company, with their attorneys, have
not the house committee on naval af-
fairs and unadvised government pur-
chase of the 350 acres composing the
exposition site, to be used by the United
States as a naval and coaling station.
The price asked is \$2,500,000, and a bill
for the purchase will be introduced by
Representative Magnien of Virginia.
The committee was informed that, in
addition to the \$2,500,000 loan owed to
the government, the company's debts
aggregated \$1,000,000, exclusive of its
liabilities to stockholders, so that the
whole of the \$3,500,000 purchase price
is needed to straighten out the com-
pany's affairs. The committee reached
no decision.

Coal for Sale.
We are now prepared to furnish hand
picked coal at the mines, five mil-
lions of tons, in any amount desired
\$7.50 per ton.
PACIFIC COAL CO.

NOTICE OF ELECTION.
Be It Resolved, by the City Council
of the City of Medford, Oregon, the
Mayor approving, That there be, and is
hereby called a special election to hold
city for the purpose of submitting to
the voters of said city for their ap-
proval or rejection, a proposed amend-
ment to section 72 of the City Charter
of said city, and such other matters as
may lawfully be brought up at said
election, that said election be held upon
the 17th day of March, 1908, between
the hours of 8 a. m. and 5 p. m. of said
day.

The following are hereby designat-
ed and appointed as the polling places
and the judges and clerks of said elec-
tion:
For the First ward—Polling place,
104 One Half street, Washburn drug store,
Judge, Geo. A. Johnson, judge and clerk,
P. M. Jordan; judge and clerk, J. C.

CITY CLEANING DAY.

The Commercial club has suggested
to Mayor Reddy that he appoint a gen-
eral cleaning up day for Medford, a day
on which every one will work at clean-
ing up his premises so that they will
make a presentable appearance.

It is planned to interest the ladies
of Medford in the work of beautifying
the city, and as the first step toward
improvement, streets, alleys and yards
must be placed in apple pie order.

The suggestion is a good one and
should receive general support. Pride
in one's home should be enough to
make one keep his place in order. But
if it isn't, the example of his neigh-
bors should prove contagious. If it
doesn't, compulsion should be used.

"Cleanliness is next to Godliness,"
and to be clean and neat is one of the
first requisites of good citizenship. Slovenliness, shiftness and dirt drive
more people out of a place than all boom
literature can bring in. Nothing is
quite so repulsive as filth-laden streets
and belittered yards.

By all means, let us have a general
cleaning-up day and follow it with a
tree and shrub planting day. Let us
be clean and let us beautify.

THIRTY DAYS IN JAIL
FOR STEALING BLANKETS

Thomas Williams and Henry Wil-
liams, two young men who were given
shelter by Night Watchman Freiden-
burg Tuesday night in the calaboose, and
upon request were liberated at an early
hour Wednesday morning to catch a
freight train north-bound, stole a bun-
dle of blankets which were the property
of Albert Johnson, just as the freight
pulled out. The blankets were missed
in a short time and Freidenburg's at-
tention called to the theft. He immedi-
ately telephoned to the Grants Pass
marshal, who arrested the young men on
arrival. Chief of Police Turpin
brought the men back to Medford. They
were taken before Justice P. M. Stew-
art, entered a plea of guilty and were
sentenced to 30 days' imprisonment in
the county jail at Jacksonville, and by
2 o'clock Wednesday were serving
time.

BOURNE DELAYS NAMING
OF DISTRICT ATTORNEY

WASHINGTON, March 5.—The Ore-
gon delegation has not had its confer-
ence to settle the district attorneyship
because Senator Bourne could not be
present. He asked for delay and was
unable to say when he would find it
convenient to meet his colleagues. At
last, when asked if he could meet them
this afternoon, he said he could not.
Just before 1 o'clock Mr. Bourne saw
Senator F. D. and wanted a conference
at 3 o'clock, but as that short notice
it was impossible to get the delegation
together, so Representative Hawley was
his substitute.

Unless Mr. Bourne agrees to fix a
time for a conference on this matter
the delegation will be called together
and an agreement of whether Mr.
Bourne is elected or not. Mr. Bourne is
playing for time in the hope of getting
Chris Schuchel on the government pay-
roll. He now knows it is practically
too late to make him district attorney,
but because of the conditions attached to
T. J. Clinton's appointment, he is now
carefully striving to have Mr. Clinton
announced. Knowing that this is the
best and only chance of having Mr.
Schuchel appointed assistant district at-
torney.

FAMOUS LOST MINE OF
JAMES SHEFFLIN FOUND

MYRTLE BEACH, Or., March 5.—
What is believed to be the famous lost
mine of James Shefflin is located at
which hundreds of prospectors have
searched the Empire mountains for ten
years, has been discovered here by H.
M. Armstrong as shown by the find-
ings about eight miles from Myrtle. A
treasure chest of gold ore, with one
ounce weighing that was which that
the very first find here has been
discovered and the old prospectors
and diggers through which knowledge would
appear to know how much about the
time of the gold-mining days.

COURTS CRESTS OF THE PEOPLE.

There is no reason why the courts
should not be held accessible to the
people unless they are the embodiment of
all wisdom, and like the King, can do
no wrong. They are lawyers with the
white fly of judge wearied. "A
lawyer will make them as a lawyer has
made." Many lawyers become judges
less in wisdom of their ability and less
in days by political relations and the
business of the vested interests which
they have partially served as willing
tools. There a lawyer take on new
views merely by donning a cap and
gown? Does he thereby become more
powerful, wiser and infallible, exempt
from criticism and error? I am glad
the public press possesses the courage
and audacity to criticize the workings
of the courts from the lowest to
the highest. Even the Oregonian, its
editorial given weight to this, however
the National has always taken pains-
ful notice. The National's editorial recently
covered the following cases from the
courts, with its approval:
FIVE TO FOUR.
The judges of eight were taking the
case on the case Washington, D. C.
When some reason, all favored them
by judges wanted to block will go—
"Five to four."

THE THREE DEES? They produced life
and property with burning greed;
They would shut your work, greatly
wrote
Ostrander says they had the votes—
"Five to four."

THE MURDER? They a common case,

ADVERTISED LETTER LIST.
Address Unknown, French Hill, Ill.,
Care of A. V. ...
B. ...
C. ...
D. ...
E. ...
F. ...
G. ...
H. ...
I. ...
J. ...
K. ...
L. ...
M. ...
N. ...
O. ...
P. ...
Q. ...
R. ...
S. ...
T. ...
U. ...
V. ...
W. ...
X. ...
Y. ...
Z. ...

Clothes for All
SOME CLOTHES SEEM TO BE ONLY
FAIR - WEATHER CLOTHES, AND
COCKEL AND DROOP IN MIST AND RAIN. WOOLEN CLOTHES
DON'T, AND OURS ARE WOOLEN.
Model Made and Tested
THEY FIT YOU BEFORE YOUR EYES, AND THEY KEEP ON FIT-
TING TILL YOU ARE THROUGH WITH THEM.
YOU WILL SEE HERE THE GRANDEST DISPLAY OF "SPRING
CLOTHING" TO BE FOUND IN SOUTHERN OREGON. FOR MONEY
SAVING, QUALITY GETTING AND SATISFACTION-GIVING IT'S
THE GREATEST DISPLAY EVER ATTEMPTED. PERFECT MOD-
ELS IN EXTREME OR CONSERVATIVE DESIGNS, IN ALL THE
RICH FOREIGN AND DOMESTIC WEAVES.
CALL AND TRY ON A FEW.
Model Clothing Co.
"MEDFORD'S CORRECT CLOTHIERS"
WATCH OUR WINDOWS FOR THE CORRECT STYLES.

Willeke.
For the Second ward—Polling place,
sample room of Hotel Nash. Judge,
V. J. Emerick; judge and clerk, D. G.
Karnes; judge and clerk, H. H. Harvey.
For the Third ward—Polling place,
City Hall. Judge, A. T. Drisko; judge
and clerk, P. M. Stewart; judge and
clerk, C. E. Collins.
The foregoing resolution was adopted
by the City Council February 26, 1908.
Trowbridge, absent; Eifer voting aye,
Wortman aye, Merrick aye, Hafer aye,
Owll absent.
Approved February 26, 1908.
J. F. REDDY, Mayor.
Attest:
BENJ. M. COLLINS, Recorder.
Buy Tickets by Wire.
"Something which is of considerable
interest to the public generally and
which is perhaps not generally known
is the system of prepaid orders now in
effect between stations of the Southern
Pacific company and all points in the
United States. By means of this system
tickets may be purchased at Medford
from any place in the United States and
mailed or telegraphed direct to the
party wishing to come here. Sleeper
accommodations and small amounts of
cash in connection with these tickets
may also be furnished at the same
time."

Do You Want a Good
5-ACRE TRACT
Close to Medford, fine loca-
tion, good fruit and poul-
try land. Prices, \$90 to
\$125 per acre. Easy terms
DRESSLER & WOOD
West Seventh St. Medford, Or.

No Fire in the Kitchen Range
No Hot Water in the House
Then is the time you ap-
preciate 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 especially adapted for parties.
Clean
Safe
Simple
Durable
CALL AT CITY OFFICE
211 ...

RESPECTFUL ATTENTION
is always given to the patrons of the
Nash Cafe. While the steward's and
the culinary departments are carefully
looked over so that the tables may be
as neat perfection as possible, we do
not overlook the service. Hence, here
you are assured satisfaction in the best
sense of the word.
The Nash Cafe

Condor Water and Power Co.
Phone 887. Office on Seventh Street
Opposite the Big Electric Sign.

JUST RECEIVED
A fine line of Dinner Sets, French
China, and a large assortment of
high grade glass ware. Don't forget we have the only No. 1 and No. 2
cutters in the city.
MEDFORD TEA AND COFFEE HOUSE
216 WEST SEVENTH STREET.
McGLASHAN & JUNKEN - Proprietors

THE SECRET
of why our bread is in such demand
for its fine quality, lightness and most
delicious flavor is that it is made from
choice winter wheat and by the best
methods known in baking to give nu-
trition and enjoyment of eating at the
same time. If you are not using Van
Hardenberg Bros.' bread, try it.
Medford Steam Bakery