ASSOCIATED PRESS DISPATCHES

# Medford Daily Cribune.

The Weather

THIRD YEAR.

MEDFORD, OR., WEDNESDAY, MAY 13, 1908.

# THIRD MURDEROUS ASSAULT WITHIN FORTY-EIGHT HOURS

# CRIME RIFE IN PORTLAND ASSAILANT CAPTURED LYNCHING FEARED

Positively Identified as Man Who Struck Down Chinaman in His Shop This Noon-Thought to Be the Griminal in the Newman and Herman Affairs--Police Feared Lynching of Prisoner.

vagrants.

When confronted by Chung, who pos

itively identified him as the man who

had committed the assault, the pris

had committed the associated oner exclaimed:

"I am sorry I did not kill you, I have killed many more like you."

was not fatally in-

The Chinaman was not fatally in-

Neumann and Hermann, the junkmen,

PORTLAND, May 13,-A prisoner

Fred Downing and Clyde Metz are

hobbling about on crutches, the result of being too awkward with tools.

Dave Phipps came in from Klamath

Hon, C. B. Anderson, regent of the

Dr. Johnson of Creek, Neb., a prom

inent physician there, arrives in Med-ford tonight, a friend N. E. R. Warner, Hon. B. F. Mulkey was in fown to-

A. L. Gale and his family have re-moved to South Jacksonville provinct,

where At, will assist G. E. Osgard in

W. Dodge of Talent precinct, the

any who did business in Medford dur-

Mrs. G. E. Pox of Central Point vis

were recent business vis-

ited her parents, Captain ayl Mrs. W. Rawlings, a few days since.

E. Beeson and N. R. Brophy of Tal-

John L. Thorndike and Mr. James

dso Frank Roundtree of Jacksonville

ave gone to Sterling to put up a resi

Ex-Sheriff Rader was over from his

feminine type: (2).—Cettage Gree

James Armpriest, a pioneer reside

few dayls ago. His mataly is the result of an extended sightness."

Marvel M. Taylor of Jacksonville

lemogratic nomines for county treas-

Mr. and Mrs. E. W. Starr, who have been residents of Medford for many

are, left for Portland Taceday to re

David A. Presley has begun a sulf

The parties were married in Ashlanand have one child, about a year old

P. D. Gibert, the affable representative of Wadhams & (b., of Portland

dile. They have our best wishes when

rer, was in town vesterday.

for divorce against his wife, May Pesley, on the ground of adultery

Butte Creek ranch Monday.

his borticultural operations,

nt procinct.

Lender.

itors in Medford.

well-known mule-raiser, was

Palls last week on a short lusiness visit. He has already returned.

PORTLAND, May 13,-The third of [lean. three murderous assaults upon people of this city within 48 hours occurred today when John Chung, a Chinese thilor, was street down in his shop, beat-en about the head with a piece of iron by an unknown man. Ching was not rendered unconscious and the assailant alarmed by the tailor's display of vi-

tality, ran from the store, which is located at 249 Ankeny street, The assailant ran to a saloon at Second and Burnside streets, fallowed by the Chinaman, who was bleeding progressly from his wounds. A crowd joined in pursuit and the thug dodged down and surrounded.

A special officer placed the follows. FORTIAND, May 15.—A prisoner finally captured gave the name of Jack on the china particular of the particular first many properties. The prisoner finally captured gave the was 21 years of the police have gave the wards the particular first many prisoner finally captured gave the name of Jack on the prisoner finally captured gave the many in the captured gave the name of Jack on the particular first many prisoner finally captured gave the name of Jack on the particular first many prisoner finally captured gave the name of Jack on the particular first many prisoner finally captured gave the name of Jack on the particular first many prisoner finally captured gave the name of Jack on the particular first many prisoner finally captured gave the name of Jack on the particular first many prisoner finally captured gave the name of Jack on the particular first many prisoner finally captured gave the name of Jack on the particular first many prisoner finally captured gave the name of Jack on the particular first many prisoner finally captured gave the name of Jack on the particular first many prisoner finally captured gave the name of Jack on the particular first many prisoner finally captured gave the name of Jack on the particular first many prisoner firs

A special officer placed the fellow watch has been identified as one takunder arrest and was obliged to draw en from the store of H. Neumann, who a pistol to keep the crowd from harmwas so terribly beaten by a robber yesing his prisoner. The prisoner refused to give his name or any particulars of the develops that the prisoner was ar-

The young man is of-fine physical proportions and apparently an Amer-

PAVORABLY REPORTED WASHINGTON, May 13,-The sen atel committee on commerce today re ported favorably on Senator Bourne's bill renaming the customs districts in Oregon and increasing the soluries of custom officers. The committee amend ed the bill so that the salary of \$6000 for the Portland collector shall be in Hen of all fees, commissions, storage and perquisites of every kind and nature.

#### COUNCIL VOTES CONTRACT FOR ROCK FROM JACKSONVILLE

At the council meeting Monday exning an ordinance was passed giving the mayor and recorder authority to make a contract with Barnum and the Rogue River Electric company for ten years to haul rock from Jacksonville to Medfard for 20 cents per tan. The vote at the special election of

the water bonds was accepted.

#### ATTEMPT TO BREAK JAIL IN INDIA KILLS MANY

YEATERINO, India, May 13.-Au attempt was made yesterday to break the government jail here by exploding a bomb for the purpose of making a hole in the wall. As a result 29 conviets are dead, 28 wounded and 11 se

#### HARRIMAN ROADS DECLARE QUARTERLY DIVIDENDS

NEW YORK, May 12.- The regular dividends of 2% per cent quarterly o Union Pacific common stock and of per cent quarterly on Southern Pacific Pacific preferred stock was declared today,

#### · LAMPHERE UNDER ARREST CHARGED WITH COMPLICITY

LA PORTE, Ind., May 13.—Ray Lamplers is under arrest, charged with to the insane asylum from Ashland compliaity in the wholesale numbers at few dayle ago. His mainly is the Ganness form. He denies vigor result of an extended sickness.\* ously that he made a confession or any promise to Ret. E. A. Schell.

#### RAILROADS PUT OUT OF COMMISSION BY STORMS

six railroads between Omaha and Chivago are working this morning. The ount of the washouts following the There was another tornado and storn

For Sale

interviewed his many em-Pive sere tracts just within and ad-Hon, and Mrs. J. W. Perkins have re ' joining Medford city limits on five years' time; \$100 invested now, it is turned from their trip to Portland. E. E. Houston and W. M. Smith believed, will pay you \$500 profit with in one year. Gold Hay Bealty Co., 208 who live near Phoenix, were in Med West 7th street.

# **MORE FACTS** CONDEMN MARTIN

Murdered Man's Family Identify Overcoat Worn By Suspected Man as the Property of Wolff.

That Edward H. Martin is guilty of he murder of Nathan Wolff, the pawn broker, now seems established. The missing link in the chain of evidence was supplied last night when Deter tives Tichenoy and Howell, after tw jured. The police believe the prisoner days' work, traced the overcost war was the man who murderously assaulted by Martin on the day of his arrest a days' work, traced the overcost work belonging to Nathau Wolff.

Martin has contended all along that ie purchased this coat from a peddler in front of the Portland hotel about four months ago. Yesterday's develop ments destroy one of the strongest props in Martin's story, Detretives Tichenor and Howell visited every clothing store in Portland yesterday with the cont, and were finally reward ed at Ben Selling's place, where Ed C. Eubanks, a clerk, positively identified rested last night for vagrancy and was released today with a lot of dranks and it is ahe coat sold to Nathan Wolff Feb runty 11.

The detectives then took the cost to Nathan Wolff's home at 666 Kearner street, where the murdered pawabrok or's widow and little girl identified it No sooner had 11 year-old Allive Wolff seen the cont than she said:

"! Why, there's papa's overcont.

### SENATES GIVES \$1,000,000

FOR TEMPORARY FORESTS

Hon, C. R. Anderson, regell of the State University of Nebraska and a prominent banker, accompanied by his wife, will arrive in Medford tonight for a short visit as the guest of J. A. WASHINGTON, May 13.-The se ate passed the agricultural bill carry ing an appropriation aggregating \$12, 146,146. For building roads and making other permanent improvements in the entional forest \$1,000,000, instead of \$500,000, as provided by the house of representatives, was appropriated, give The Advance Courier of Summerland, one-half the amount asked by th Cal., announces the marriage of Mrs. Anna Loder, fermerly of Medfard, to James Maxwell, on May 7. Mrs. Loing one-half t

#### der is the mother of Frank Loder of JAPAN READY TO LAY LASH UPON KOREA

TOKIO, May 13. Baron Sone, vice esident general in Korea, in an in terview in the "Ji-Ji Shimpo," is quit conditions in Korea, and recommends drastic measures to suppress the agi tation against Japan.

Baron Sone's return home is gener ally believed to be connected with in portant changes in Korea.

#### MICHIGAN STUDENTS PAY FOR DAMAGE IN RECENT RIOTS

ANN ARBOR, Mich., May 13.-Th charges of rioting proferred against 15 University of Michigan students as dence and will be gone several weeks. S. S. Aiken and Irwin McCall were down from Prospect the first of the a result of the student outbreak on March 16, when 2000 students attracked and wreeked the Star theater, were dismissed today after the students had reimbursed the county to the amount of Hartic Creek ranch Monany,

T. P. Boyd, the printer, who is now
publishing the Keise (Wash.) Journal,
spent Sunday in Cottage Grove, a guest
of old friends. He was looking for a division among persons whose property was destroyed in the outbreak.

#### Nash Hotel Arrivals.

G. D. Whitmer, Portland, E. V. Hon Scattler J. Gallusade, Milwaukee i. J. Senk, San Empeison; M. Stufel bleago: F. A. Watrons, Porest Grove H. Dick, Chicago; G. King, W. W. Cox Portland; W. P. Sargent, San Fran-cisco; R. L. Wall, Rochester, N. Y.; R. Motris, San Francisco; P. E. R. Morris, San. Francisco, F. E. Vaughae, Vancouver; P. D. Gilbert, Portland; J. A. Kiser and wife, Lox Angeles; S. Sinsheimer, Chicago; J. W. Holmes, V. Stover, W. M. Stover, Portland; T. R. Imbre and wife, Hillshore; J. W. Hobbs, Eugene; W. A. Little, Napa; C. C. Bobb, San Francisco; J. C. Pitzhenry, Wercester, Mass.: Harry Stengé, New York; C. Burggraf, Al-buny; W. A. Woodward, Portland; L. S. Levy, A. fioldstein, New ayrk; C. Massey Harry Cowles, St. Paul; E. H. Black, Se-

#### DEMOCRATIC NOMINEE AT OPERA HOUSE TOMORROW

# THE GREAT GAME TOMORROW

Business and Professional Men Will Meet in Pine Sporting Event-The Lineup Promises Excitement—Big Parade-Proceeds Ge to Band.

Tomorrow is the great sporting event of the season, the baseball game between the lawyers and doctors on one side and the merchants on the other. The excitement is rapidly reaching a ever pitch as the opposing teams are egacted as evenly matched and are jealous rivals for the championship. Both teams are hoping for victory and

have hosts of partisan supporters.

The game is scheduled for 2:30 p.m. Prior to this there will be a parade consisting of the players and substitutes and the Medford Military band. which will furnish the music. Assem-bling at the opera house, the line of march will proceed to the ball grounds. march will proceed to the ball grounds. All of Medford's 70 automobiles will be asked to join in the parade. The admission fee to the grame is 50 cents, and there is exery expectation that it will be well worth the price. Ladies will be admitted free as guests of the anagement.

Commercial club and the gate receipts will be applied to the fund which is series of concerts during the summer. Judge Prim will umpire the game ab-

olately impartially.
The complete lineup follows:
Professional Men-William Colvig. Scely, Dr. Ray, Judge Crowell and Dr.

Page Ambulance corps: Dr. Piekel, health, Dr. Hargraves and Dr. Gessner, Business Men-Fred William, eatch power of Business Men—Fred William, eatch er; D. T. Lawton, pitcher; H. C. Kent-ner, first base; H. T. Platt, second-base; William Hawly, third base; Shorty Garnett, shortstop, William Isanes, C. I. Hutchinson, J. P. Mo-lony, fielders. Substitutes; F. W. Hol-lis, S. Richardson, C. E. Baker, T. E-Daniels, Ed. Van Dyke, W. Ewbank, Umnire—Judge Prim.

Umpire-Judge Prim. - A. H. Miller, H. Withington.

Arrangements will be made to close

## LOCAL OPTION DOES NOT APPLY TO MEDFORD

Opinion of Attorney Smith, Who States That the Local Option Law Cannot Charter.

Question: Does the local option law

law of the State of Oregon, enacted by the people or the legislative assembly. In the case of Ponts vs. Hood River,

state, by Chief Justice Wolverton, said in constraing the constitutional provis-ion in regard to special and local laws: There is notling to prevent the adoptng of a local or special law prohibiting the sale of intoxicating liquor within be settled beyond a doubt in this state any precinct, county, ward or city in that a prohibition law may be made a the state. The question that nature local law, or that a locality may be ex-ally follows is, does the provision in vepted from it, from the operation of the amended charter have the effect of repealing the local option law within the limits of the City of Medford. The there is no doubt but such was the log-

# PERKINS IS SOLD?

## It is Reported that this Famous Orchard has been Finally Sold to Seattle Capitalists for \$78,000.

It is reported that the negotiation between J. W.Perkins and a Seatth syndicate for the sale of the famou ing for several months, have been fin The game is nuder the auspices of the valuable property changed hands for consideration of \$78,000. E. J. Martin now in Medford for an indefinite per being raised to enable the band to give ind, is the representative of the Scat a series of concerts during the summer. the capital. Neither principal could be seen this afternoon to affirm or deny the report, but it is generally accepted as authentie.

Professional Men-William Colvig, pitcher; E. E. Kelly, catcher and ceptain; Dr. Keene, first base; Dr. Reddy, second base; City Engineer Osgood, lasherstop; Dr. Butler, third base; Chas. D. Huzelrige, left field; George Putann, center field; Dr. Phipps, right field. Substitutes: W. I. Vawter, Dr. creat acts of incorporation eities are Bondy, M. Pardin, H. Withington, Dr. armed with the amplest authority over matters pertaining to police and public health. By special legislative canci-ment the municipality is vested with power to impose taxes for the general purposes of local community government, and they are permitted to exact license tures for the prosecution of various pursuits within their limits. State vs. Burebard, 2 Or. 78, State vs. Bird, S. C. 1872. In these cases power was conferred upon the City of Portiand and the City of Corvallis to exact a license tax from all persons with in the city limits who desired to sell liquor in less quantities than one quart and by acts of the legislature such per ions were exempted from the operation of the general license law of the

Apply to Medford Because of the City operate as a repeal of the earlier by and is plainly intended as a substitute criminal laws of the state. firmly established claewhore: Dexter criminal law. It does not earry it Bond Co. vs. Allen, 16 Barb. 15, Roche any territory where it is not all dock vs. City of Memphis, 87 U. Wall.) 500; Swann vs. Buck, 40 Miss. 268; City of Sacramento vs. Bird. 15 'at. 294, and Endlich's Interpretation any other crime

of Statutes, 200, 205. From the cases cited it appears to NO CUP TROPHY FOR w, or that a locality may be ex

it. The decisions also show that the amendment to the Medford charter relating to the regulation of prohibition language of that part of the Medford of liquor traffic amounted to a repeal charter is plain and anambiguous and of the local option is was far as the of the local option is was far as the City of Medford is concerned. The only remaining question is whether the In the case of City of East Portland adoption of the constitutional amends by to the first three machines arriving was held that a clause in the city char make their charter and take this power car calded his driver at Tokio to with was held that a clause in the city charter reading. That the territory withway from the legislative assembly, in
the limits of the City of East Port,
land should be thereby excepted from
the jurisdiction court of the County of
Multinomal for the purpose of dividing
the same into road districts and collecting in the iting as poil ins, operated as a repeal
of the general state law on this subject,
The same question was discussed in
Multinomal formaty vs. Silker, 10 Gr.
State of Oregoni all that it does re
Multinomic Country vs. Silker, 10 Gr.
State of Oregoni all that it does re
fals, and the same conclusion was
passed the pokin route last year.

COUNCIL VOTES TO PURCHASE
STEAM ROAD ROLLER

At a regular meeting of the city
connect it was voted to purchase a Butfals. Put steam readvailer. At the
Multinomic Country vs. Silker, 10 Gr.
State of Oregoni all that it does re
fals, and the same conclusion was
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STEAM ROAD ROLLER

At a regular meeting of the city
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the timerary, in having
the same the collect meeting the model of the solvers
of Medford. There is
substituted in the timerary, in having
the account of the condition to district account.

At a regular newti Judge Whitney of Albany. Demo65, and the same conclusion was peal is the constitutional provision recratte nomines for Congress, will speak reached. In the first case efted the
at the Opera House tomorrow evening, court said: "The question that meets porations. The constitutional amendfor street and road building.

# NOTABLE CONFERENCE ORCHARD OF HEADS OF STATES OPENS AT WASHINGTON

Governors and Prominent Leaders From Every State in Union Meet at the Gall of the President to Consider Preservation of National Resources-Impressive Gathering Opened With Speech by President.

WASHINGTON, May 13. - The John Mitchell, the labor leader, and White House today was the scene of Dr. I. C. White, state geologist of West a notable gathering of representative men who came together at the call of Specially invited guests included the president to discuss the question of the preservation of the natural resources of the country. Representing the government was the president of the United States, vice-president, the cabinet, justices of the United States supreme court and members of both houses of congress. The states were ident with an address on "Conservation of the United States were leaves of congress. The states were ident with an address on "Conservation or National Date." The

represented by the governors and the conferees appointed by them. The industries were represented by Andrew Carnegie, the ironmaster; James J. Minerals," and by I. C. White on Hill, the genius of railroad expansion; "Mineral Puels,"

ment for a new constitution operates EXCITING CHASE MONDAY; OLD prospectively owned and of pre-exist ing laws remain constitutional unles an attempt to repeal all such is exaccordingly been held in many intowns and cities to loan their credit to corpoprations except upon a two thirds

tional amondment adopted after the local option law dol not in any way af

state. Legislation of this character has always been thought necessary to call option law or the local option has or the local governments without embarrassment, which would certainly averwhelm them if necessary funds could not be raised by general tax or special license tax."

In the case of Covington vs. High land bist, 6s. S. W. 669, the supremental powers of the legislature ifeorporating tax and governments without superate and provides for the repagnant, one infinited to the other, so that both cannot stand, the latter will operate as a repeal of the earlier by implication, without any express words

There they had taken the evening train for Portland. The Resolutg police were immediately notified, but did not nab their mediately notified, and they were found on an In a previous notable instance they were successful because possing when the governmental powers on towns and entire, so that instrument prohibits the superate is not meanifely and their and provides for the repagnant, one infinitely in the other, so that both cannot stand, the latter will operate as a repeal of the earlier by implication, without any express words

There they had taken the evening train for Portland.

The Resolutg police were immediately not not hat did not nab their man. In a previous notable instance they were successful because possing when a special because possing when the government prohibits the superate of the logislature ifeerporating tax in the name of the governments of their man. In a previous notable instance they were successful because possing when the governments and provides the control of the expression of the internation.

The resolutg control of the expression of the possibility of the control of the expression of the superate of the logislature ifeerporating tax and they not required.

The resolutg control of the expression of the provision o implication, without any express words between the amendments of the coninglication, without any express words between the amendments of the coning walk.

The purty left the train at Salem,
even when they are not repugnant in
of Mesiford. The constitutional amend
all their provisions, if the new statute ment provides that rities shall make
this getting out of the state and avoid
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Deputy Sheriff Tull, who held a potion law has been held to be a criminal law by not at the legislative assembly of the state. The local option law has been held to be a criminal law by not at the second to the state of the state. The local option law has been held to be a criminal law by not at the second of the state. The local option law has been held to be a criminal law by not at the logislative assembly of the state. The local option law has been held to be a criminal law by not at the logislative assembly of the state. The local option law has been held to be a criminal law by not at the logislative assembly of the state. The local option law has been held to be a criminal law by not at the logislative assembly of the state. The local option law has been held to be a criminal law by not at the logislative assembly of the state. The local option law has been held to be a criminal law by not at the logislative assembly of the state. The local option law has been held to be a criminal law by not at the logislative assembly of the state of the state of the constitution and the control option law has been held to be a criminal law by not at the logislative assembly of the state of the logislative assembly of the state of the logisla should have the right to tax, regulate statutes upon the same salice, when and prohibit the sact of liquor within the city of Medford irrespective of any firmly established classwhere: Dexter criminal law. It does not extend the aperation of any old man was entired away through the city of Medford irrespective of any firmly established classwhere: Dexter criminal law. It does not extend the operation of a son living in Tacoma—1. vs. Mayor, etc., 40 N. J. Law 257; Da operative. It does not affect the crim-viess vs. Pairbaira, where 636; Mar-dock vs. City of Memples. by amending or repealing them any by having hi mwith him to get control more than it does the criminal law re- of the old man's property.

## NEW YORK-TO-PARIS RACERS

PARIS, May 13,-The committee has ing in charge the New York to Paris is extremely critical. antomobile race has decided, as a consequence of the modification in the problem of keeping him sufficiently toute by the abmodonment of the run modified to austain life. through Alaska and the recossing of Behring strait, not to present a cup for the feat, but instead to give three quantity of milk and eggs, administered prices, \$1000, \$600 and \$200, respective-

Oregon has as much modern equipment loaves at the post bakery for issue to

## MAN IS TAKEN TO PORTLAND

pressly or necessarily implied. It has jug bunt, followed by a chase on Mon accordingly been held in many instances that a constitutional inhibition against legislature authorizing return to his home as usual; his sour's family became greatly alarmed and in a short time over 50 persons were envote, was held prespective and not gaged in looking for the old man, fear-controlling as to laws in force when gaged in looking for the old man, fear-ir was adopted; State vs. Macom Co., itsy that he had lost his way and might 11 Mo. 455; State vs. Pickett, 46 La. die of exposure. He is over 86 years Amm. 7; Winston vs. State. 22 S. W. old and very feeble. After a number of criminal appeals of Texas, the ques-tion arose over the local option law, and the court held that the constitute company with a strange and a woman. There they had taken the evening train

father has not many months to live.

#### GROVER CLEVELAND A VERY SICK MAN

NEW YORK, N. Y., May 12 .- Li was learned this evening from a trustworthy source that Mr. Cleveland's condition

The doctors are congrouted with the

His diet for the last seven weeks has presisted of birtle more than a small twice a day.

## SOLDIERS MAY HAVE HOT