

MEDFORD DAILY TRIBUNE

A LIVE PAPER IN A LIVE TOWN.

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JUDGE HANNA'S DECISION.

The decision of Judge Hanna in the suit brought to test the result of the prohibition election has been what The Tribune has believed it would be. No other construction could be placed upon the two laws—the local option law and the Medford charter.

It is a principle of law, so plain that a layman would not deny, that where two acts are repugnant, the later act will repeal the former where there is an intent to legislate upon the same subject.

The Medford charter was prepared for the special purpose of excepting Medford from the local option law, and by reason of the charter the local option vote in Medford of the election for 1904 has been considered as set aside by all the county and city officials since the charter was become a law in 1905.

It matters not whether the charter was "conceived in iniquity and sin" or was "railroaded" through the assembly. These are matters the judge could not consider. All he is allowed to do is to interpret the law as he finds it printed in the authorized form, if the legislative journal shows its regular passage.

The hysterical shouting about the will of the people being set aside is the veriest, slimmest rot. The local option law provides for an election, which the supreme court says is a special election, and every step prescribed by the statute must be strictly followed or the election will be void.

If the authorities do not, in calling the election, follow the laws of the state the result is the same as though no election had been held. The law requires a petition. If the county court should call an election without a petition being filed, the election would be a nullity even though nine-tenths of the votes were cast for prohibition.

In Jackson county the county court called the election for the whole of Jackson county, when Medford was specially excepted from the operation of the local option act. The county court was as much without authority to order an election for prohibition in the city of Medford as it was to order one without a petition or for some part of Klamath county.

The decision of Judge Hanna followed the decisions of our own supreme court, and to have decided otherwise would have been to ignore the opinions of that court in the cases that have been before it involving the same questions.

It should be a source of satisfaction to those who are in favor of prohibition that the decision is so unequivocal and plain that it may be taken before the supreme court for a decision on the merits shown of any technical questions.

We should all feel some satisfaction in the belief that in our judiciary we have a class of men who are not swayed by popular clamor of the good or bad, but who adhere to what they believe to be the law, and the law is the embodiment of what we have declared to be right, for the protection of society. The conscientious men who sit in our courts are the men who preserve society and maintain order. The spineless creatures who bend from the law to please prejudiced and favorites are a menace to good government.

The Tribune has perhaps as little reason as anyone could have for praising Judge Hanna, did it allow personalities to enter into its consideration of public questions. But it does not and tries to discuss such topics upon their merits.

THE MENTAL BOOST.

'Tis well to have philosophy. It helps you on your way. To smooth the glasses round. And make the world less gray. 'Tis well to have a philosopher. No matter what the day. By means of it you'll know. A good big double zero.

Defiance to the bogies. Quite plausibly it tells. And shows the danger of. Of terror party rule. It helps a man downhearted. His hatch of blows to snare. And makes him smile the cheeriest. Although his corns may ache.

Love Affairs of Royalty.

King Maud doesn't see why he should marry some girl that he doesn't love just because he is sitting on a tottering and wobbly legged throne.

One dark eyed little lady who has nothing to recommend her but her good looks and her winning ways strikes him as the proper material out of which to make a queen.

He considers the blood in her veins much superior to a good deal of the royal blood that has come under his notice.

He doesn't particularly like her to tie up with some hatched faced daimled old enough to be his aunt. Since just to keep tradition from throwing a fit.

However, the king is young, and youth always feels like telling experience to chase itself. In a few years he will probably be so satisfied and chastened that he will marry any one they tell him to and pretend that he likes it.

Some Elevation. "He has a great high jumping record." "How high?" "A seventy-three dollar board bill."

A Fierce Proposition. Count Bond de Castellane, who divides his time between raising wildcats and trouble and not very much of either in comparison to the blowing he does, is going to challenge the former husband of his past wife to a fierce and bloody duel, weapons not stated, presumably toothpicks.

Every time Bond walks past a restaurant because he cannot afford to go in he feels like being real saucy to some one, presumably the author of his woes.

It never occurs to the funny little Frenchman that he was the architect of his own misfortunes and that he did a job of it of which from an artistic standpoint he has reason to be proud.

The only thing he can see is the meal ticket before his eyes that isn't there, and he gets so furious that he almost feels like hitting some one to take a kicking from him.

PERT PARAGRAPHS. The man who comes a self confessed bearer of good news gets mad if you presume to use your own judgment as to whether his news is good.

Industry is the vice of energetic people. Women try to conceal their ages, but men don't. They know it is hopeless.

When a man forgets his own name sometimes he isn't as absentminded as he would appear.

If self conscious, bashful or conceited people knew how little people really trouble about them it would probably make them so mad that they would be effectually cured.

It is extremely hard for a singer engaged under contract to be at all interested in golden silence.

There are a lot of ordinary people in the world. In fact, there is where most of them make the hit of their lives.

If leap year doesn't turn out to be a match factory, there will be many a cold heart next year.

Some women don't care who pays the bills as long as they wear the clothes.

Anybody who is fond of us must of necessity possess a certain amount of taste and good judgment.

Bargains for Sale. See us for bargains. We have farms for sale well improved; good orchards; rich soil; \$20 to \$50 per acre. Peas & Potatoes, Brownsville Land & Investment Co., Brownsville, Oregon.

The Most for the Money. The Auburn automobile is the most roomy and best machine ever offered for the money. See it before buying. L. B. Brown, agent.

Coal for Sale. We are now prepared to furnish hard picked coal at the mine, five mile east of town, in any amount desired.

SHORT STORIES.

Next to attar of roses the most valuable perfume is oil of jasmine, which is quoted at \$350 per pound. The oldest house in the United States, the one at St. Augustine, Fla., built in 1565, has been turned into a garage for automobiles.

According to the figures of the last census, there were in the United States 39,059,242 males and 37,244,145 females, the males outnumbering the females by 1,815,097.

A mill in Foster, R. I., owned and operated since 1861 by William and George Spears, still retains the vertical saw which was in universal use before the circular saw was invented.

A cow swam thirty miles in the Mississippi river recently, following the steamer Spread Eagle, which carried the animal's calf. After the long swim the cow was rescued by fishermen.

Half the six masted in the world were at anchor in Portland (Me.) harbor recently. There are but eight of these vessels afloat, and Bath has furnished more of them than any other shipbuilding locality in the world.

Church Work. In fourteen years the Christian Scientists of St. Louis have grown from 50 to 10,000.

In the general synod of the Lutheran church 124 congregations have increased the salaries of their pastors in the past year.

Modeled after the great Taj Mahal temple at Benares, a Hindoo church has been built and consecrated at San Francisco.

The Woman's Baptist Home Mission Society of Rhode Island has undertaken special work in Alaska, particularly the support of an orphanage.

In a gale of wind and at a height of 250 feet the archbishop of Canterbury and his wife recently performed a remarkable ceremony. On the top of the Bell Harry tower of Canterbury cathedral the primate laid the final stone of the planicle, and Mrs. Davidson fixed the vane.

Base Hits. Hostetter of the St. Louis Nationals can pitch, catch and play any position in the infield and outfield and do all well.

Manager Chance says the Pittsburgh team always plays better against the Cubs than against any other club in the league.

Tim Murnane and Jake Morse, two Boston veteran baseball writers, think that the New York Americans will surely win the American league pennant.

Heyniger, the Princeton pitcher, is said to have made up his mind to accept a big league engagement this year. Pittsburgh will most likely land him.

Don Brothers, who knows something of the game, says that next to Kling and Brownhan, Ted Jones of Yale is the greatest catcher in the world.

Home Notes. Never let a child or infant sleep in the room with a sick person.

If there is but one electric light in the room, place a mirror near it and get the double benefit of light.

Don't dampen silk unless you want it to look stiff. Place over it a smooth piece of thin muslin, then iron.

If many of the books look shabby in the bookcase, cover them with tan moire paper. They can be marked on the back with India ink.

A thin coating made of three parts part mixed with one part resin and applied to stoves and grates will prevent their rusting when not in use.

Don't allow the oil to stand in the lamp very long. If it is not burned it should be thrown away. It gathers impurities and increases the risk of an explosion. For the same reason always keep the oil can well worked.

German Gleanings. There is more gas used in lighting the Essen shops than is used by the entire city of Bremen.

The third official exposition of the shoe and leather industries in Berlin was visited by 45,000 persons in five days.

In the kingdom of Prussia servant girls are much sought after as wives. Of the 209,922 splinters who found husbands in Prussia during the previous year no fewer than 98,468, or 22 per cent, were domestic servants.

Emperor William was the instigator of a law enacted four years ago compelling manufacturers of patent medicines to show up the outside of the package what ingredients the medicine contained. By a new statute for which he is responsible it is now illegal to publicly advertise any patent medicine.

Plays and Players. Louis Mann is to have a play called "The New Generation."

Eern Kendaal is doing well in George Ade's play "The Land of Dollars."

Tillan Blauvelt has recently concluded a most successful concert engagement.

Fiske O'Hara, the young Irish star, has married Marie Quinn, a member of his company.

John Mason continues his success in Augustus Thomas' striking play "The Wrecking Hour," of which telepathy is the theme.

It is said that Bruce McRay, who has been leading man with Mrs. Fiske, will take the leading role of "The Thief" until Kyrie Bellew returns from Europe.

THE OLD HOWARD RANCH. Three miles south of Medford and 2 1/2 miles west of Phoenix, is now cut up in small tracts to suit the purchaser. One fourth cash, balance in three payments. This is a rare opportunity for men of small means. Loaded with all the agents.

Harry Culbertson, general contractor and builder, cement work a specialty, Medford, Or.

Time Tables

SOUTHERN PACIFIC RAILWAY. Northbound. No. 10 Oregon Express... 5:24 p.m. No. 14 Portland Express... 9:49 a.m. Southbound. No. 15 California Express... 10:25 a.m. No. 13 San Francisco Exp... 1:50 p.m. No. 225 From Grants Pass... 9:15 p.m. No. 225 For Ashland... 10:15 p.m. PACIFIC & EASTERN RAILWAY. No. 1 Leaves Medford... 7:50 a.m. No. 2 Leaves Medford... 3:20 p.m. No. 3 Arrives Medford... 10:50 a.m. No. 4 Arrives Medford... 5:30 p.m.

ROGUE RIVER VALLEY RAILWAY. No. 2 Leaves Medford... 10:40 a.m. No. 4 Leaves Medford... 5:55 p.m. Motor Leaves Medford... 2:00 p.m. Motor Leaves Medford... 9:00 p.m. No. 1 Leaves Jacksonville... 9:00 a.m. No. 3 Leaves Jacksonville... 3:30 p.m. Motor Leaves Jacksonville... 1:00 p.m.

The ELECTRIC TEA KETTLE

Furnishes hot water for ten or very short notice. Can be used on the tea table or in the kitchen. Attaches to any electric. Simple, safe, convenient, durable. ROGUE RIVER ELECTRIC CO., Successor to Candor Water Power Co. Office 296 W. 7th st., opp. big electric sign. Phone 855.



Coffee placed inside our Electric Pulverizer is reduced almost to a powder. Place this powder in a cloth sack and boil in the usual way and make your coffee clear and free from sediment. It will in this way make more coffee and better coffee. Allen & Reagan (ahead as usual)



Golden Grain Granules

100 PER CENT PURE CEREAL COFFEE. It tastes like coffee. It looks like coffee and it smells like coffee, but is pure roasted grains, blended so as to procure the best flavor, the greatest strength and an article which young and old may drink morning, noon and night.

Golden Grain Granules is especially recommended to those suffering from heart trouble, nervousness, constipation, indigestion, dyspepsia and stomach troubles. Nearly 2-pound package for 25c, all retail grocers.

Wholesale by P. B. Theiss & Co. Medford, Or.

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.

Jackson County Bank. MEDFORD, OREGON. State Depository. Established 1888. CAPITAL AND SURPLUS \$115,000.00. A COMPLETE RECORD. Put your money on deposit with the Jackson County Bank and pay your bills by check. In this way you have a complete record of money paid out, and in the cancelled check you have the best legal form of receipt.

Nash Cafe. LUNCH, DINNER OR SUPPER served at all hours of the day. The good liver always comes here when he wants his chops, steaks, oysters or any of the appetizing dishes that we make a specialty of cooking to please the fastidious. If you wish to enjoy a well cooked meal, that can be prepared only by an artist, visit.

MEDFORD SASH & DOOR CO. Window and Door Screens, Block Wood. Office fixtures and all kinds of planing mill work, including turned work and fancy grills. 7, BETWEEN 6TH AND 7TH STS. PHONE 53.

RESIDENCE LOTS. Fifteen choice lots for sale, located five minutes from depot, near school; these sold in block or separately; easy terms; the best buys in the city. FRED'K C. PAGE

For Sale: Seventh Street Business Property. One two story brick, 50 x 140. Also 230 feet on Seventh by 50 on Riverside Avenue. See owner. Terms. FRED'K C. PAGE

R. W. GRAY, Builder. COLONIAL PORCH WORK, GRILL AND LATH WORK, PATTERNS, ETC. TELEPHONE 471. MEDFORD, OR.

MEDFORD TEA and COFFEE HOUSE. 216 WEST SEVENTH STREET. McGLASHAN & JUNKEN, Props. PHONE 1051.

It Pleases us to Please You. THAT IS THE REASON WE AIM TO HAVE THE BEST MEATS AND THE LOWEST PRICES IN TOWN. ASK THOSE WHO TRADE HERE WHY, AND SEE IF THEIR REASON ISN'T A PRETTY GOOD ONE FOR YOU, TOO. The Medford Meat Co. Successor to Pottenger--next Hotel Nash

ITS AGAINST OUR RULE. To let an individual leave our tailoring establishment with the belief that he hasn't gotten his money's worth. Once you entrust us with an order for tailoring work, you will call again. Why not leave an order with us for a summer suit? We doubt very much if you will be able to beat the quality of our fabrics and workmanship elsewhere in the city. French Dry Cleaning and Pressing Neatly Done. A Perfect Fit Guaranteed. W. W. EIFERT, The City Tailor, Medford

DIED. Sarah Elizabeth Garrett was born in Caldwell county, Missouri, February 12, 1862, and died in Ashland, Oregon, June 17, 1908, aged 46 years, 4 months, and 5 days. Mrs. Garrett had been a sufferer for several years, but she bore her affliction with calmness and patience. She was a kind mother, a loving wife and a good neighbor. A fine hand, two sons and two daughters, and a host of friends mourn her loss. Funeral services were conducted at the home by Rev. W. F. Horn of the Christian Church, followed by interment in the Odd Fellows' Cemetery. "Where is the friend who only sees today? Spoke words of love to me? Today I call in piteous tones for answer; No sound comes back to me, "Where is the darling mother I loved so fondly, Who, hours and hours ago, Shut soulful eyes and left our hearts so broken? Oh! shall I ever know? "Ah, yes, for every day makes one the nearer To that bright land so fair, Where all our loved ones greet us as we enter-- The lost ones all are there, "Oh, happy thought! comes every day the nearer, When I those friends shall see! I then shall know why I was left to sorrow, Why they were called to Thee."

COURT DISAGREES UPON CHIEF OF SCHOOL BOARD. The supreme court of the state has agreed upon whether, in the absence of the legally designated chairman of a board of school directors the senior member of the board can preside as chairman pro tem for the purpose of levying a school tax. This disagreement arose in the case of Seth Riggs, appellant, vs. Polk county, in which, as an opinion written by Commissioner Slater, the majority of the court concerns in holding that the chairman is the only legally authorized party to call and preside at such meeting and that due written notice must be given as prescribed and must bear the signatures of the chairman and clerks of the board. Justice E. A. Moore dissented from this opinion on the grounds that the permanent office of the chairman of a school board is not created by express legislation; that the statute does not provide that the school director who has served the longest time as such under an election is the chairman, but only shall act as such at the board meeting, and that in his absence the member of the board next to him in point of service under an election is authorized so to act.



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