

WETS VS. DRYS BEFORE BENSON

Klamath Falls Judge Hears Final Argument--Technicalities Not Complied With

The final argument on the petition of A. Castel and Kent Ballard against Klamath county, the county judge and commissioners, for writ of review, involving the proceedings of the county election on local option, took place before Judge Benson today, says the Klamath Falls Herald.

His honor announced at the close of the arguments that he would look through the authorities as speedily as possible and decide as soon as he could do so, consistent with the importance of the case.

Mr. Mills for the petitioners took the ground that in the matter of the petition of the voters to order an election, the record did not show by certificate of the clerk that the persons signing were legal voters; that the sheriff's certificate of the posting of notices of the election was insufficient, in that his return did not say where the notices were posted, but only that they were posted in five public places in the vicinity of the polling places; also that the abstract of the votes should have appeared in the record of the county court to give jurisdiction to make the final order declaring the result of the vote.

On the part of the defendants, Mr. Stone contended that the law did not require a certificate of the clerk that the voters who signed the petition were qualified voters, but that such petition was for the county court, and when the court had satisfied itself that the petition complied with the law it was its duty to make the order for the election; that the return made by the sheriff and clerk with reference to their compliance with the law, being prima facie evidence that all the provisions of the law had been complied with, made the writ of review.

Also that it was not necessary that the abstract made of the vote should be included in the order declaring the result of the election; that such abstract was made for the information of the county court, and was not a jurisdictional matter. And that the order declaring the result of the election being prima facie evidence that all the provisions of the law had been complied with in giving notice of and holding said election, and in counting and returning the votes and declaring the result thereof, the proceeding could not be attacked by writ of review.

Both parties submitted voluminous briefs and it will probably be several days before Judge Benson files a decision.

ROUTE FALLS ITEMS

Postmaster Briggs expects that this month Route Falls money order department will be established as such in the news from Washington.

Frank Netherlands is gradually improving under the care of Dr. Holt. He has congestion of the lungs with pneumonia tendencies, but timely medical aid has stayed the course of the disease.

A unique feature of Fourth of July here was the mailing of the American flag to the top of a tall fir from which it floated and will be seen for a great distance.

The parade of the "horribles" was the conception of Bronson, Leadlow & Baker and was a fine success.

Camp Nick had a celebration of its own on the Fourth and sports say that it was a fine one; that the ladies all had fine bathing suits, which scared all the fish for miles away.

Butte Falls did itself proud on the Fourth. The exercises were many and varied and general satisfaction was expressed by the public. The ladies gave splendid music. The Declaration was forcibly, intelligently read by Miss Miller and the other features were to the liking of the large concourse present. The game of baseball between Eagle Point and Butte Falls was hotly contested, splendidly played and only after a strenuous effort resulted in victory for Butte Falls by a score of 9 to 8. It has not been our pleasure to attend a celebration where there appeared to be a more sociable and happy crowd. The spreads were all that could be wished for and every eating place was liberally patronized. Butte Falls is forging ahead and amid the sneers, scoffs and criticisms will be found rising to its justly merited place among the growing, prosperous towns of the county.

Bronson's malady on the Fourth was a pronounced success. He will show his skin in the erection of our schoolhouse building, which has begun on Monday.

LOW PRICES OFFERED FOR CALIFORNIA PEARS

YUBA CITY, Cal., July 8.—The fruit buyers of the respective canneries and packing concerns are not offering better than \$20 per ton for pears.

This price is considered too low by the growers and consequently not much of the fruit has been sold at that figure.

The above offer was made for the crops grown along the Sacramento river, where, it is claimed, that the finest pears in the state are produced.

A number of the growers gave out the statement that the pears are falling in great numbers from the trees. This is unaccounted for other than possibly it is due to the spell of warm weather. The crop is very heavy in some sections, but not so in this immediate vicinity.

YOUTH KILLS HIMSELF FOR THREE WOMEN

CHICAGO, July 7.—A dispatch from Hazelhurst, Miss., says: Unable to decide which of three women he really wanted to marry, El Hood 17 years old, a boarder at the farm house of Eli Graves, yesterday decided that the best way out of the difficulty was to commit suicide in such a manner that each of the women would know that he had killed himself for her.

For Miss Carrie Nelson, 18 years old, he swallowed 60 grains of morphine; for Mrs. Eva Spellman, aged 25, he drank four ounces of laudanum, and for Miss Henrietta McDonald, aged 16, he put the muzzle of a shotgun in his mouth and pulled the trigger with his toe. Beside his body was found on a table a paper wrapper that contained the morphine. On it was scrawled "For Carrie." The empty laudanum bottle stood on a slip of paper on which was written "For Eva." An empty envelope on which a picture of a shotgun had been drawn was inscribed "Henrietta."

Except that he had been acting queerly and that he had become despondent, Graves said that he saw nothing in Hood's behavior that would indicate that he contemplated suicide.

RUN OF SALMON IN COLUMBIA IMPROVES

ASTORIA, Or., July 8.—During the past few days the run of salmon has improved considerably and there is now every indication that this season will be a better one than last, for the canners at least. The majority of the fish running now are small, which always gives evidence of a new run of fish that have just left the sea. They are firm and hard and of the best quality in every way.

That last season's pack will be exceeded now practically conceded by those most interested, unless the unexpected should happen.

MOVES MERRILL SALOON AND RUNS FREE BUSES

A. P. Chubine, one of the Merrill saloon men, does not propose that the prohibition wave shall drive him farther than across the line into California. It is not more than a mile and a half to the state line from Merrill, and Mr. Chubine has a resort already started in the golden state and is advertising that free buses will run from Merrill to his resort in California, and it is said that the buss line is pretty well patronized even though Merrill did go dry quite strong.

LOCAL MARKET

The following quotations are an impartial report of the prices paid by Medford dealers:

- Wheat—\$1 per bushel. Flour—\$2.70 per cwt. Whole barley—\$24 per ton. Hay—\$12 per ton. Alfalfa—\$10 per ton. New potatoes—\$1.25 per cwt. Butter—40c per roll. Lard—10c per pound. Beans—5c per pound. Eggs—22 1/2c per dozen. Sugar—\$0.80 per cwt. Turkeys—13c per pound. Poultry—Spring, \$2 to \$3; hens, \$3.50 to \$4 per dozen. Hams—12c per pound. Shoulders—10c per pound. Hogs—4 1/2c to 6c per pound. Cattle—25c to 35c per pound.

Summer Outing Book

The O. R. & N. and S. P. Co. has issued a very handsome "Summer Outing Book." This book covers the summer resorts of Oregon fully, is beautifully illustrated and contains very valuable information.

One of these handsome books will be given to all asking for same while supplies last.

Call at the local office and ask for one.

"Look out for point" (July 10).

Medford Tribune, 50c per month.

ORDINANCE NO. 161

An ordinance authorizing a contract with the Warren Construction company regarding the use by said company of the city's stone quarry and steam road tunnel and providing the form thereof.

The city of Medford doth ordain as follows:

That the mayor and city recorder be and they are hereby authorized and directed to make and execute a contract on behalf of the city of Medford with the Warren Construction company, a corporation, which contract shall be in words and figures, as follows, to wit: This Agreement, Made and entered into this ... day of ... by and between the city of Medford, party of the first part, hereinafter called the city, and the Warren Construction company, the party of the second part, hereinafter called the paving company.

Witnesseth: That, whereas, the city is the owner of a steam road roller located in the city of Medford, and

Whereas, The city is installing a stone crushing plant and is opening up a quarry at Jacksonville, Oregon, to be used for the installation of a rail road siding to the quarry and a siding and trestle for unloading purposes with in the limits of the city of Medford, and owns some land that would be suitable for a plant site near said trestle, and

Whereas, The paving company will require in the construction of the trestle to be constructed on Seventh street, Medford, the use of a quarry, crusher, roller, trestle and strip of land adjoining the trestle.

Now, therefore, in consideration of one dollar cash in hand paid, the receipt for which is hereby acknowledged, the city agrees:

First—That the city will complete their equipment at Jacksonville so that the plant is completed and in shape to turn out and deliver crushed rock to the trestle within the city limits with as much dispatch as possible consistent with the requirements and upon completion will turn the same over to the paving company to operate and use for

a period not to exceed two months from the date the crusher is turned over to the paving company ready to operate.

Second—That the city will allow the paving company the use of the steam roller in connection with the paving of Seventh street.

Third—That the city will allow the paving company the use of a strip of land not to exceed 75x150 feet on the public land near the trestle to be erected by the city. The exact location to be selected by the city engineer.

In consideration of all of the above, the paving company agrees:

First—That the paving company will use the city steam roller and will pay for the same the sum of five dollars (\$5.00) per day for each and every day the roller is in use, and to maintain the roller in good condition and return same to the city upon the completion of the Seventh street paving contract in as good condition, ordinary wear and tear excepted, as when delivered to them by the city.

Second—That the paving company will use the city quarry, taking rock where directed by the city engineer, and pay for same the sum of five cents (.05) per cubic yard for each and every yard of rock excavated from the quarry, and to clean up the quarry and turn same over to the city upon completion of the Seventh street paving contract in good condition and satisfactory to the city engineer—measurements to be made on a basis satisfactory to the city engineer and said price per cubic yard does not include the 20 cents per ton cost of transportation, Jacksonville to Medford, nor the cost of electric power, which sums are to be paid to the railroad and the power company by the paving company.

Third—That the paving company will use the city crusher and other equipment necessary in connection therewith, together with the trestle and a space 75x150 feet adjoining same as required by the Seventh street paving contract, and will pay for the use of same the sum of five cents (.05) per cubic yard of rock crushed, and will clean up the trestle and land adjoining upon completion of the contract and leave it in the same condition as when the paving company assumed charge, and will return the crusher and all other equipment used in connection therewith in as good condition, ordinary wear and tear and the gets of God excepted, as when turned over to them.

Fourth—The paving company further agrees to hold themselves responsible for all accidents that may occur in the use and operation of any of the above city property and to hold the city harmless from all liability in connection therewith.

In consideration of the above, the parties hereto have set their hands and seals this ... day of ...

CITY OF MEDFORD, By: ...

WARREN CONSTRUCTION COMPANY, By: ...

The foregoing ordinance was passed by the city council on June 29th, 1908, Townbridge voting aye, Elfert aye, Merrick aye, Wortman aye, Otwell aye, Hafer aye.

Approved June 29, 1908.

J. F. REDDY, Mayor.

Attest: BENJ. M. COLLINS, Recorder, 95

LOW RATES EAST

Will be made this season by SOUTHERN PACIFIC Lines in Oregon

FROM MEDFORD, ORE.

as follows:

Both Ways One Way Through Via Portland, California.

Chicago \$82.40 \$87.50

St. Louis 77.40 82.50

St. Paul 69.90 81.75

Omaha 69.90 75.00

Kansas City... 69.90 75.00

Tickets will be on sale June 19, 20.

July 6, 7, 22, 23.

August 6, 7, 21, 22.

Good for return in 90 days with stopover privileges at pleasure within limits.

REMEMBER THE DATES

For any further information call on

A. S. ROSENBAUM, Local Agent, or write to

WM. M. MURRAY, General Passenger Agent, Portland, Oregon.

HIGH-GRADE CEMENT

IN ANY QUANTITY

Let us tell you of its merits

CRATER LAKE LUMBER CO.

Just Received- A Carload of Extra Heavy Green Lath HEADQUARTERS FOR SASH AND DOORS ANYTHING MADE FROM TREES

Quotations promptly and cheerfully furnished

Woods Lumber Co.

KILNS AND MILLS AT GLENDALE OREGON YARD AND OFFICE AT MEDFORD, OREGON.

AUTOMOBILES—1908 MOTOR CARS

EXPERT REPAIRING. ALL WORK GUARANTEED. SUNDRIES FOR SALE. PUBLIC GARAGE. CARS STORED AND CARED FOR.

REOS 10 H. P. single-cylinder Runabout, with folding seat \$ 650 20 H. P. double-cylinder Roadster with jump seat \$1000 20 H. P. double-cylinder Touring Car, detachable tonneau \$1250

PREMIERS 24-28 H. P. four-cylinder Roadster or Touring Car \$2250 30-35 H. P. four-cylinder Roadster or Touring Car \$2500 30-35 H. P. four-cylinder Roadster or Touring Car, double ignition \$2600 40-45 H. P. six-cylinder Touring Car, 7-passenger \$3750

FORDS 15 H. P. four-cylinder Runabout \$ 500 Same with mechanical oiler, running-board and lamps, etc. \$ 700 40 H. P. six-cylinder Touring Car \$3000

KISSEL KAR 35-40 H. P. Touring Car or Roadster \$2000

CAN YOU BEAT THEM? Prices F. O. B. Factory.

MEDFORD AUTO CO.,

A. W. WALKER, Manager, Garage Eighth and D Streets, Phone Main 213.

Clean Cotton Rags Wanted 4c per lb. Paid

Medford Daily Tribune



The ELECTRIC TEA KETTLE Furnishes hot water for tea on very short notice. It can be used on the tea table or in the kitchen. Attaches to any electric plug. Simple, safe, convenient, durable.

ROQUE RIVER ELECTRIC CO., Successor to Condor Water Power Co. Office 206 W. 7th st., opp. big electric sign. Phone 855.

Small Orchards On Easy Terms. City Property and Fruit Groves for Sale

Five and Ten-Acre Orchards on the installment plan. The right kind of soil, the right kind of trees and the right prices.

Twenty years' experience in fruit-raising backs our judgment. We have sold half the orchards in the valley and have yet to see a purchaser dissatisfied with his bargain. Before buying see

Roque River Land Co. Exhibit Building

ABOUT August 15 we will be ready to sell tiered and seasoned

OAK WOOD in any quantity at \$3.00 per tier, delivered, or \$2.00 per tier at the ranch.

Good Rail Wood Some cedar, sawed into tier wood, at \$1.50 per tier at the ranch or \$2.50 per tier delivered.

For all necessary information apply to

WESTERN OREGON ORCHARD CO. Medford, Oregon.



We make the claim that our Laundry is the best. We would like to be favored with your work, and shall do our best to earn your continued patronage.

We are a Home Industry and Employ Only White Help.

Medford Domestic Laundry

GLEN FARRICK, Prop. Medford, Oregon.

CLEAN COTTON RAGS WANTED FOUR CENTS PER POUND PAID

Medford Time Table

Table with columns for Railway, Direction, and Time. Includes Southern Pacific Railway and Pacific & Eastern Railway.

ROQUE RIVER VALLEY RAILWAY

Table with columns for No., Direction, and Time. Includes routes to Jacksonville.

MAIL CLOSERS

Table with columns for Location and Time. Includes Eagle Point, Northbound, Southbound, and Jacksonville.



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THE IDEAL SCHOOL FOR YOUNG LADIES. A thorough education in all standard branches, including literature, languages, mathematics, science, history, music, needlework, etc., also careful attention to methods of deportment and those accomplishments which mark the cultured, refined woman.

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