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Medford Daily Tribune.

The Weather Fair weather promised for tonight and tomorrow; northwest winds.

THIRD YEAR.

MEDFORD, OREGON, FRIDAY, JANUARY 15, 1909.

NO. 256

HAINS ACQUITTED BY JURY OF CRIME

BALMY AIR O'ER VALLEY IN JANUARY

Thermometer at Seventy Degrees—Chinook Brings Increase in Temperature—Floods Expected

Mild and balmy air, with a temperature of 70 degrees in the middle of January. That's what the Rogue River valley offers in the way of climate.

A chinook started to blow Friday morning and the temperature rose at once 25 degrees, from 45 to 70. Some showers accompanied the warm breeze, but not much rain fell.

TO DEVELOP BLUE LEDGE

Town Will Probably Build Railroad From Jacksonville to Mine Soon

That a big force of men will be put to work again at the Blue Ledge copper mine this spring appears to be certain, says the Rogue River Fruit Grower.

The Blue Ledge mine is owned by Robert S. Towne of New York, a multi-millionaire copper mine owner, who has extensive copper properties both in the United States and Mexico.

At one of his Mexican mines he is preparing to put in a smelter and to afford transportation to it he is now building nearly 100 miles of railroad.

Much Development Work Over \$1,000,000 has been expended by Mr. Towne in doing development work on the Blue Ledge mine.

JURY LIST FOR 1909 IS DRAWN

Citizens and Taxpayers Who Are Liable to Be Called in For Trials During Coming Year

The following are on the jury list for 1909 for Medford:

- F. A. Peil, laundryman; F. K. Deuel, merchant; J. E. Day, carpenter; J. A. Perry, merchant; John W. Cox, farmer; L. B. Brown, farmer; Lewis Kuips, farmer; Thomas Collins, capitalist; W. A. Atkins, merchant; T. P. Kahler, capitalist; John S. Orth, clerk; John Arnold, farmer; John Barnburg, farmer; W. W. Bates, barber; F. A. Bliss, farmer; J. B. Bonar, farmer; C. A. Boardman, painter; F. M. Stewart, retired; W. R. Bullock, farmer; J. H. Butler, merchant; Fort Hubbard, merchant; J. W. Lawton, merchant; C. R. Ray, capitalist; William Garrett, farmer; Charles King, merchant; C. W. Lofland, farmer; E. E. Gore, Jr., merchant; F. L. Lozier, farmer; R. H. Halley, hotelkeeper; H. H. Harvey, mechanic; H. M. Butler, merchant; Chas. Hukill, farmer; J. P. Jones, laborer; Edward Jolly, farmer; G. E. Morrison, farmer; D. G. Karnes, merchant; N. D. Kime, farmer; B. E. Hemstreet, farmer.

Central Point. Tyson Bell, farmer; T. J. O'Hara, farmer; George E. Fox, farmer; P. M. Amy, farmer; Wm. Kahler, farmer; Isaac Merriman, farmer; L. Thompson, farmer; J. W. Jacobs, mechanic; M. P. Welch, farmer; James Shields, farmer; Henry H. Head, farmer.

Blue Point. A. H. Peachey, farmer; John Ashpole, farmer; J. M. Rader, farmer; J. W. Grover, farmer; Carl Bebersladt, farmer; William Von der Heiden, farmer; Leo Bradshaw, farmer; Frank Brown, merchant; Frank Lewis, farmer.

Jacksville. W. C. Kito, farmer; Peter Applegate, retired; H. A. Hawkins, miner; C. L. Carr, miner; J. M. Henley, farmer; R. A. Clark, farmer.

Phoenix. Otto Caster, farmer; S. S. Stevens, farmer; F. E. Furry, farmer; Marion Hartley, farmer; W. E. Anderson, farmer; Andrew Hearn, merchant; W. S. Standiford, farmer; T. J. Fish, farmer; S. P. Hunter, farmer; E. F. Jacobs, farmer; John A. Wright, farmer.

HEAVY RAINS FALLING IN PUGET SOUND REGION TACOMA, Jan. 15.—Tevny rains are falling today, melting the snow drifts, causing grave apprehension on the part of the railroad officials. Serious washouts and snowslides are feared.

SHIP GOES ASHORE LOADED WITH CEMENT PORTLAND, Jan. 15.—A report has reached this city that the three-masted bark Alice, loaded with cement for a Portland firm from London, is ashore off Ocean Park, Wash. The crew reached shore in their own boats.

CIVIL WAR VETERAN BURIED AT EUGENE EUGENE, Or., Jan. 15.—Lyman Seyvester, a well-known veteran of the civil war, was buried in the L. O. O. F. cemetery here today, having died at his home in this city Tuesday at the age of 80 years. He was born in New York state and served in the Twelfth Michigan infantry during the war, being taken as a prisoner by the Confederates and was incarcerated in both the Libby and Andersonville prisons. He was a member of the M. E. church and of the local G. A. R. post. He left a wife and two children.

public as to the extent and value of the ore on the Blue Ledge claims, of which there are 21 (for it is not a stock-selling scheme, the mine being owned solely by Mr. Towne), every thing goes to show that it is very rich and that in time it will be a second Butte district as a big copper producer and have a payroll running up into the thousands of men. There are some 200 other claims in the Blue Ledge district, and while only developed to a limited extent, yet all show indications of heavy deposits of copper ore.

CHEERS FOR PRISONER FOLLOW HAINS ACQUITTAL

PURDIN WOULD CURB TRUSTS Medford Legislator Introduces Stringent Anti-combination Measure

Representative Purdin of Jackson Co. introduced in the house of representatives at Salem a most drastic anti-trust, anti-combination bill, the provisions of which extend to transportation companies as well as trade organizations operating within the state.

Under the provisions of the bill a trust is defined as a "combination of capital, skill or acts by two or more persons, firms, partnerships, corporations or associations of persons, or of any two or more of them for either, any or all of the following purposes: "To create or carry out restrictions in trade or commerce.

"To limit or reduce the production or increase or reduce the price of merchandise or of any commodity. "To prevent competition in manufacturing, making, transportation, sale or purchase of merchandise or of any commodity.

"To fix the prices. "To fix at any standard or figure, whereby its price to the consumer shall be in any manner controlled or established, any article or commodity of merchandise, produce or commerce intended for sale, barter, use or consumption in this state.

"To make or enter into or execute or carry out any contracts, obligations or agreements of any kind or description, by which they shall bind or have bound themselves not to sell, dispose of or transport any article or any commodity or any article of trade, use, merchandise, commerce or consumption below a certain standard figure, or fixed value, or by which they agree in any manner to keep the price of such article, commodity or transportation at a fixed or graduated figure, or by which they shall in any manner establish or settle the price of any article, commodity or transportation between them, or themselves and others, so as to directly or indirectly preclude a free and unrestricted competition among themselves, or any purchasers or consumers in the sale or transportation of any such article or commodity, or by which they shall agree to pool, combine or directly or indirectly unite any interests that they may have connected with the sale or transportation of any such article or commodity, that its price might in any manner be affected. Every such trust as is defined herein is hereby declared to be unlawful, against public policy and void."

Regulating Foreign Concerns. One of the sections of the bill provides that all foreign companies, convicted of a violation of the proposed law, shall be denied the right further to do business in the state. All violations of the law are to be prosecuted either by the attorney-general of the state or the proper prosecuting officer of the county in which the violation is committed. Penalties provided in the bill for any and all violations of the law range from \$50 to \$5000 in fines.

In all prosecutions under the law it is provided that the character of the trust or combination alleged to exist may be established by proof of its general reputation as such, without the necessity of producing any article of agreement or any written instrument on which the alleged trust is based.

It is further provided in the Purdin bill that any contract or agreement in violation of its provisions shall be void and not enforceable either in law or in equity.

Persons claiming an injury by reason of the operation of an illegal trust or other unlawful combination under the provisions of the act have the right to recover two-fold the amount of damages actually sustained.

TWO MURDERERS ARE RELEASED BY GOVERNOR JEFFERSON CITY, Mo., Jan. 15.—Charles and Vester Collins of McDonnell county, serving ten years from August, 1905, for murder in the second degree, were released from state prison today under a commutation of sentence granted by Governor Folk.

JURY OUT 22 HOURS BEFORE THEY CAN AGREE ON VERDICT

FLUSHING, N. Y., Jan. 15.—The jury in the case of Thornton Hains this afternoon brought in a verdict of not guilty.

One of the most remarkable demonstrations ever following a murder verdict was participated in by the spectators, when the decision was announced. Spectators threw up their hats and cheered.

"My God!" exclaimed Hains, and then he sank into a chair, exhausted. The jury deliberated 22 hours before reaching an agreement.

FLUSHING, N. Y., Jan. 15.—It was reported this morning that the jury in the trial of Thornton Hains, which retired yesterday afternoon, stands nine for acquittal and three for conviction.

The impression is that the jury is hopelessly deadlocked. I came into court this morning requesting the reading of the testimony of John Tierney, a witness for the defense, and Witness Captain Clark and Dr. McBride, the state's witnesses. Attorney Melnyre declares that he knows on good authority that the jury stands ten to two for acquittal.

FLUSHING, N. Y., Jan. 15.—Within a few hours Thornton J. Hains probably will know whether he has been adjudged innocent or guilty of the charge of aiding his brother, Captain Peter C. Hains, Jr., in the killing of William E. Annis.

Juror Walsh, who was injured in a streetcar accident, spent the night in Flushing, where his wounds were dressed by a physician. His physician said that Mr. Walsh's condition would not prevent him from going on with the trial today.

Thornton Hains expressed himself as confident of his acquittal, though his face plainly showed that he was struggling with torturing fear.

Prosecutor Barrin, following the closing address of Melnyre for the defense, bitterly scolded the defense's witnesses called to testify to the insanity of Captain Hains. Only once did the prosecutor rise to an emotional climax and that was in talking of the killing of Annis. He declared in this connection that his wife's counter charges to his divorce suit, they planned to kill Annis and, using meetings with real estate men as the framework, they hung a cloak of falsehood to conceal the crime. There had to be, the prosecutor declared, defense for both the defendant and the captain, and it was agreed that the captain should plead insanity and the defendant only went to buy real estate and tried to prevent his brother from killing the publisher. The prosecutor sarcastically said that men carried checkbooks and cut revolvers when they went to buy real estate.

HATTERS STRIKE FOR LABEL USE Seventy-Five Hat Factories Cut Out Insignia and Men go Out

NEW YORK, Jan. 15.—Seventy-five hat factories, employing 20,000 to 25,000 men, will be affected by the decision of the Associated Hat Manufacturers, promulgated today, discontinuing the union label in all factories represented in the association. The strike of 4000 men in the factories at Orange, N. J., and 500 at Brooklyn followed the announcement.

SOUTH NORWALK, Conn., Jan. 15.—Seven hundred hatters are out here as a result of the decision of manufacturers. Four hundred at New Milford are out.

LOS ANGELES, Jan. 15.—A 12 1/2 per cent reduction in Pullman rates between Los Angeles and certain southwestern points went into effect today. The reduction is believed to have resulted from investigations recently made by the interstate commerce commission.

CORBETT MAKES FANS LAUGH

Talk of His Meeting Johnson Is Considered Foolishness by New Yorkers

NEW YORK, Jan. 15.—If this be poetry, gents, make the most of it: Now "Gentleman Jim" Corbett, he is just as cheery as he can be— "Thinks he's able to come back Strong enough to whip "Big Jack." He is hoping that he can Prove he's not an "also ran"'. But "Gentleman Jim" Corbett, he will, by hullo, have to show me.

Them, poetically expressed, be the sentiments of many disciples of the mainly art in this here metropolis. All this guff about the old, shell-worn champions "coming back" to take up the white man's burden gives me a pain in the diaphragm.

A list of the ex-champs and near-champs and would-be champs and has-beens and never-wases who have shielded their castor into Jack Johnson's ring and dared the big black to deadly battle would read like a copy of "Who's Who in Pugdom," edition of 71144 B. P. (before the flood).

And the funniest thing about these hot-air champions and conversational belt-holders is that they don't consider it at all necessary to consult Jack Johnson. The big dingo doesn't figure in their calculations at all. And yet the stubborn fact remains that Jack is the champion and that he may have something to say about whom and when and where and for how much he will fight.

Just Press Agent Dope. So far as Corbett is concerned—well, "Gentleman Jim" is now an actor, and his press agent is apparently on the job. The Corbett of today, 43 years old, and many years out of the ring, would have about as good a chance to lick Johnson as the proverbial snowball in Hades. At that, Corbett could probably come nearer to holding his own with the make than could Fitzsimmons, Rubin, Marvin Hart or any of the other walking delegates from the pugilistic cemetery who have challenged Johnson. One thing—and about the only thing—that is in Corbett's favor is that he has kept his shape and hasn't acquired a case of embonpoint.

Corbett never had much of a punch. Cleverness was his "big suit," and five years' absence from the ring has probably lost him that. Johnson has the cleverness and he also has a punch that is better than Corbett ever possessed. On the basis of this dope, it is easy to figure out what would happen to the pondpounder one if he ever crawls into a ring with Johnson—But he won't. Corbett is foolish—foolish like a fox—but not to an extent that will cause him to risk his good looks and "stage presence" in an encounter with the negro.

PRESIDENT PREPARE SUE FOR HEAVY DAMAGES WASHINGTON, Jan. 15.—It is learned today upon reliable authority that the department of justice has turned over to United States District Attorney Stimson of the southern district of New York, all the papers connected with the Panama canal purchase that has been the target for criticism for the last six months. It is believed this transfer is made with the view of bringing criminal action in New York against publishers of newspapers who have been held responsible for the reflections on men connected with the transaction. Attorney Stimson, it is expected, will turn the papers over to District Attorney Jerome for presentation to the grand jury that a suit may be brought under the laws of New York.

Rising at Colusa. COLUSA, Jan. 15.—The Sacramento river is rising rapidly here and it again is up to 31 1/2. Rain fell during the night, the precipitation being .27 of an inch. It is still raining today. Rain here, however, has little effect on the stage of the water at the river.

Purchase of Site Authorized. WASHINGTON, Jan. 15.—The secretary of the treasury today authorized the purchase of a public building site at Albany, Or., located on the south side of Broadbain street, and owned by George W. Wright, at a price of \$10,000.

TO CONSERVE ANOTHER ELECTRICITY COAL MINE IS BONDED

President Vetoes Bill Authorizing Construction of a Missouri Dam—Predicts Loss of Resources

WASHINGTON, Jan. 15.—President Roosevelt today sent a special message to the house vetoing the bill authorizing William H. Studdies to construct a dam across the James river, Stone county, Missouri, to divert a portion of the waters through a tunnel, to create an electric power, and calls attention to the fact that corporations already control too much water power. He says that a single generation will see the exhaustion of our natural resources, such as oil and gas, and will see such a rise in the price of coal that electrically transmitted water power will be the controlling factor in transportation, manufacturing, household heating and lighting.

SLEIGHING AND COASTING ACCIDENTS AT ASHLAND (Ashland Tidings.) Coasting such as is rarely enjoyed in Ashland furnished royal sport for a brief period the first of the week, but is now a thing of memory only. Several young people will remember it longer than others and more vividly perhaps, for there was a whole chapter of accidents on Monday night, the height of the season.

Elmer Ashcraft, a high school student, was quite severely injured while coasting on Wimer street, Monday evening, being thrown from a big bobbed sled on which were a party of boys and girls. The sled was derailed by some action of the steering gear and struck an obstruction with great force. The occupants were all badly jolted up. Ashcraft was seriously injured and Miss Aimee Wing also suffered a bruised head. The injuries of young Ashcraft were internal and developed quite an alarming condition on Tuesday. Yesterday, however, he rallied, and his speedy recovery is now hoped for.

Charles Brady, Jr., son of the Southern Pacific passenger train conductor, had one of the bones of the forearm broken as a result of his coasting experience. Thornton Rouse suffered a broken finger.

Miss Bessie Looney, of Klamath, a student of the State Normal, was among the wounded Monday evening, but her injuries did not prove as serious as was at first feared.

Miss Parks, a student of the State Normal from Estacada, Oregon, is in the hospital, suffering from severe injuries received in a coasting accident near the Normal campus. She was thrown from a flying sled and struck against a tree, with her shoulder, which was crushed in. She was taken to the hospital for treatment of the injuries and an early recovery is hoped for.

A number of less severe injuries also resulted during the brief but strenuous coasting season in this city.

To Dredge Coast Harbors. Representative Hawley has introduced a bill appropriating \$150,000 for operating the new dredge Oregon, recently constructed for use in the harbors along the Oregon and Washington coast. The bill provides that the dredge shall first operate at Coos Bay, then go to Coquille, Tillamook harbor, Grays harbor, Willapa bay and such other points as may be designated by the secretary of war. He also introduced a bill providing that the unexpended balance of the appropriation for the petty at Coos bay, amounting to about \$25,000, be expended in operating the dredge Oregon, now at Coos bay, in widening and deepening the channel at that point.

TILLAMOOK RAISES BIG SUM FOR RENEW ROADS TILLAMOOK, Or., Jan. 15.—When the county court levied the county and state tax, making it 15 mills, out of that amount 5 mills was for roads, which will raise \$80,000. This is considered a large amount for so small a county, with so sparse a population.

ANOTHER COAL MINE IS BONDED

Large Area Now Under Option—Plans Not to Be Made Public Until They Are Completed

"Our plans are not yet complete. When we have definitely decided upon our course, we will make them public. Premature publication might prevent consummation of deals still pending. We would hate to announce a program that we could not carry out, and have to retract. As soon as there is anything definite, the public will be taken into our confidence, but until we are sure of 'making good,' silence is our policy."

States Colonel J. P. Mundy in discussing the progress of the coal deal. Thursday evening the Medford Coal company directors passed a resolution necessary for the transfer of the Medford coal mine to the Pacific Coal company of Los Angeles, who some two weeks ago closed a deal with Colonel Mundy, whereby their interests passed into the hands of the Sunset Coal company, one of the companies he has organized.

This is the third coal prospect Colonel Mundy and his partner, D. P. Murphy, of Springfield, Ill., have acquired options upon, the others being the Broadbent mine and the Herrin property. The Western Coal company and the Cascade Coal company are incorporated to develop the respective properties if the plans of the promoters are carried out.

The coal is bituminous and of excellent quality, and there are prospects of speedy development.

FIRST REPORT STATE BANK

Six Oregon Institutions Failed in Two Years Involving \$50,000,000

SALEM, Or., Jan. 15.—One of the most valuable biennial reports to the legislature is that of the state bank examiner, issued today. The report is the first tangible evidence of what has been accomplished by the banking act passed last session. It gives the condition of 132 banks in Oregon. Six banks failed in the period covered by the report, involving \$5,000,000.

SEVEN INCHES OF RAIN FELL DURING THE NIGHT BLUE CANYON, Cal., Jan. 15.—Seven inches of rain fell here last night, the heaviest precipitation ever recorded for a similar period. Reports coming in here are to the effect that it is raining hard all over the mountains, with snow in the higher altitudes. The headwaters of the American river must be booming and the lower country should begin to feel the effect by this afternoon, if not sooner. What snow was on the ground is rapidly melting under the downpour.

In Sacramento Canyon. KENNETT, Cal., Jan. 15.—The Sacramento here at 7 this morning registered 6 feet 5 inches, and rising. This place is in the Sacramento canyon. A portion of the town is low along the river, but the rest is well up, much of it being among the hills.

CLOUDBURST REPORTED NEAR ENGELS' CAMP STOCKTON, Cal., Jan. 15.—A cloudburst from Angels camp today reports a cloudburst there, 17 inches of rain falling in three hours. It extended over a hundred square miles. Rivers and streams are booming.