UNITED PRESS DISPATCHES

of any paper in scuthern Oregon.

Medford Daily Cribune.

The Weather

The weather man says: Indications promise fair weather for tonight and temorroy, with northerly winds. Warmer.

THIRD YEAR.

MAKING GALLANT FIGHT FOR NORMAL

PORTLAND OVERRUN WITH FULL TEXT OF SOUTHERN OREGON LOBBYISTS PUTNAM

TOMORROW IS Y.M.C.A. DAY

Representatives of the Association Will Speak in the Various Churches

Tomorrow will be Y. M. C. A. day in Medford. Representatives of the Young Men's Christian association will speak in the various churches of the city in the morning and will discuss the advantages of such an institution in Modford. The history of the association shows its work to be a great pow

for good in any community.

At 3 o'clock in he afternoon a great At 3 o clock in he afternoon a great class meeting for men will be held in the Medford opera house. A. J. Polson of Porest Grove will speak on the sub-ject, "The Three Greats," In the evening, P. E. A. Smith of

In the evening, F. E. A. Smith of Portland, the state secretary of the Y. M. C. A., will give an illustrated lecture on "The Y. M. C. A. in Home and Foreign Lands." Stereoptican views will be shown of the various Y. M. C. A. buildings in all parts of the

All the young men of Medford should All the young men a Meeters should be interested in this movement and sit-tend these fectures. The V. M. C. A. furnishes a splendid place in which to spend one's leisure moments.

ASHLAND CITY COUNCIL PAVES WAY FOR PAVING

The city conneil met in adjourned wission Tuesday afternoon and direct of the rity recorder to advertise ten-tatively for proposals for paying Main fatherly for proposals for paving Main street from Holman to Third street and from Fourth to A with hard surface pavement, says the Tidings, This will leave it open to the bitulithis, the asphalt or the Hassam companies to subril proposition, the council argues, and efter the propositions have been re-reived the council will select some sutisfactory proposition if it shall be sub-mitted and then proceed by formal re-

clution to legally autoritake the work, and let a contract.

The date up to which these propo-sitions will be received was fixed at April 6, which is the date of the first regular meeting of the council next

The paying committee of the conneil will not dissilge to the public, the counmotion it glemnal on its recent north crn trip of investigation until the prop-ections called for new by the couneil have been presented in due form, it

GENERAL SLOCUM VICTIM RECEIVES A MEDAL

WASHINGTON, March 13,-The speaker's room of the house of representatives held a pleasant party to day, called to witness a presentation to a victim of the great General Slorum disaster, Miss Helen J. McGann of New York, a youthful heroine of that terrible event of June 15, 1904. The honor conferred was a medal, of honor which was voted to her by the house of representatives on the third of March on resolution of Representative Gold on of New York, who hended the com-mittee from the house, which today handed her the medal, with warm words of commendation.

STRONG AGGREGATION OF BALLTOSSERS IN SIGHT

Dorsey Jones, a new recruit to the local baseball aggregation, was out practicing with the boys Priday. Consequently Shorty Miles is wearing a smile that won't come off, "There's nothing to it; that Portland banch is going to get the surprise of their lives when they run up against the local bunch We had a alt of new ones out Friday and, with the old timers, we will have team that will make 'em go some.' It looks like Medford is going to have full from the control of the control o

NORFOLK SALOON KEEPERS MUST DEFEND THEIR LICENSES

NORFOLK, Va., March 53.—Three Wastern Branch salcouleepers and a Tonner's Creek liquor dealer are up in the Norfolk county court today to de-fend their licenses, they being charged with having violated the Sunday prolequor laws is in progress.

OTHER NORMALS REPRESENTED IN THE THIRD HOUSE

HOTELS ARE HEARING BUT LIT-TLE OUTSIDE OF THE NORMAL SCHOOLS-WILL FIGHT FOR AP PROPRIATION OF \$100,000.

PORTLAND, Ot., March 13.-(Spe ial. . One hundred thousand for the ormals" is the slogan adopted by the coathern Oregon normal school boosters. It is the one topic of discussion in noted tablics, where the festive pollicians are went to congregate. Portand is bearing more of normal school than ever before in her history.

The Ashiand boosters have been joinol by a large number of lobbyists from with Jack. other sections. Weston is well repreented as is Monmonth.

The boosters plan to leave this city Monday morning and spend the re-mainder of the time in Salem.

Indications today are that the nor all school matter will be narrowed to the question of whether the normal san porters can agree upon what they want; that is, whether they will agree to ask for one thing and nothing more. It is Mady that a caucus will be held to personale the special season to agre-tor pass the bill appropriating money for the continuing of the normal schools intil June.

Priends of the normal schools do not want that question classed as new, lat rather as corrective gelsilation. They are going to insist that the schools he provided for when the legislature meets in special session next Morelay. They are intending to put it up squarely to the legislature with a demand for \$100,000 for the maintenance of Ashand Manmouth and Weston, They are the intending to demand that the ques-tion be submitted to the voters of the state at the next election, in November, 1919, when it can be settled once for all whether there shall be one, two

three schools, or none.
Unless the legislature ("comes

and are: Senator L. L. Mulit, R. I.

Neil, Thomas H. Simpson, J. P. Dodge,
R. A. Minkler, D. Perozzi, N. J. Ren should not be suld.

Sener, J. S. McNair, J. E. Young, E. D.

Briggs, A. J. Blend G. P. Dive. soner, J. S. McNair, J. E. Young, E. D.

Briggs, A. J. Biegel, G. F. Billings, Emil

Peil and ex-Senator E. V. Curteer, They

Gautlan Jennie Magnifert order ve been sent to Portland by the perde of Ashland and they are here to ing ; tay until the finish. From Medford, word or, J. R. Keene, J. D. Heard and George 'atuum ure present.

LA SALLE THROWS WEST

Mr. West arrived in the city Samuelay merging after an extended trip motth in the Pager sound country.

Wrestling Contest.

Con: Albright of Rochester, N Y and Louis Walters of Medford will meet at the Medford Theater on Wedness day evening, March 17, at \$100 pcm in a catch ascatch can best three in five falls, pin falls only to sound, stringly held barred, wrealing match. Mr. Albright is the shampion well-resight of America, and Mr. Welters, a saiding champion, needs a recommendates. Then the match, we is promised to be the best match of the simple champion, needs a recommendates. Then the match, we is promised to be the best match of the simple. Both the state of the simple champion, needs a recommendates. Then the match we is promised to be the best match of the simple. more some cleary teral here.

Talk with Dr. Page should you dealer erchard tracts or manners, property. . ings.

TEXAS PUTS ONE OVER ON JACK

Colored Scrapper Has White Wife and Cannot Take Her to Galveston

GALVESTON, Tex., March 13.—The thite population of this city is up in tens today over the report in Jack-loinson, the heavyweight pugilist, is oming here with his white wife. The Texas laws forbid the intermarriage of whites and blacks.

The courte have hold that no matter

where such marriages are solumnized, the contracting parties cannot live in Texas. This will bar Mrs. Johnson uniking the wait to Galvestor

OF HER MANY MILLIONS

WASHINGTON, Murch 13 .- China is dont to take a census of the uncount-d millions within her borders. The state department has just received a copy of an imperial edict issued in acerdance with the program for consti-ctional reform, directing an enumer-tion of individuals and families with in the coupling. The returns for the com-sus for families must be completed by 1910 and for individuals by 1912. All Chinese living in foreign lands must

'I'M OUT OF POLITICS," DECLARES J. B. FORAKER

COLUMBUS, O., March 15,-Ex Sen other J. B. Pernker arrived today from Westington and will be tendered a din-ner tonight.

ner tonight.

"I am out of polities," he said.

"That is, I shall not enter polities again of my own action. I have no political ambition. I shall practice law a little bit of Cincinenti, but I don't sare to take up too much work."

HOTEL ARRIVALS.

Unless the legislature "comes through!" on these requests there will be something doing at Salem and the members from the long distances had better bring their grips with them and prepare to enjoy Salem's hospitality for proceedings. The Nash-F. G. Kellar, Portland; C. we veril days.

Point: G. R. Tillinghor: Portland: Go, M. Wychcoff. Central Point: G. R. Tillinghor: Portland: Go, H. Firziblem. Portland: Go, Miller. Roschurg: J. A. Robertson, Elbern of Ashland are laying siege to the Malinomals delegation. They want fair play, they say, and they want a hearing at Salem. In short, they want \$100,000 and a settlement of the normal fight.

ing at Salem. In short, they want \$100, 1000 and a settlement of the normal flight.

The Ashland men who are compalgoning for the normal question in Poiss land are: Senator L. L. Mulit, R. I. Edste Marfie A Chanowith; order

Easte Larney Elcher; inventory and

Symposiument Clind-Datate James W. Van Canta order LA SALLE THROWS WEST
IN THEIR SECOND CONTEST

Joe La Salle of Engene and W. H.
West of this city went on the mat Friday night in Engene. West secured the first fall in one minute and a buff Lg Salle took the other two and the pointing No. 1 King and Edward July match.

A man in Grants Pure hought a gost

Archdencer (Chambers of the Epis of Carried at Chambers of the Epis of Carried in Episton and Mater power open shareh will hold services at it will be a state of property of the material and time a material power of the carried at the control of the carried of the state of the country—Tid.

Opinion as Manded Down By Supreme Court Deals Only With Matter of Evidence

Pollowing is the text of the supreme ourt opinion in the case of State vs. Futnam, criminal libel:

The defendant is the owner and procrictor of a daily newspaper published t Medford, in Jackson county. In the issue of his paper of December 19, 1907, there appeared the following article written and published by him:

written and published by him:

"A proceeding calculated not only to bring into popular contempt local reluministration of justice and punishment of crime, but to force every man to take into his own bands the protection denied under legal process, has just been enacted in Jacksonville by the grand jury and Deputy Dstrict Attorney C. L. Renmes. These officers sworn to enforce the law have practically justified one man in attempting to kill another with an axe. Last week W. S. Barnum tried to kill Mayor J. P. Reidly. There were only two witnesses to the assault, and the events leading up to it, besides the principals. One of these witnesses was out of town and these witnesses was out of town and did not appear before the grand jury. The other one, the editor of this paper, Jid. The defendant in the case was did. The defendant in the case was summoned before the grand jury, and at his request a number of his friends were also called before it. In brief the proceeded to try the case which should have been left to a trial jury, and in spite of the fact, voiced not to bring a true bill. There is no doubt in the world that W. S. Burnum in a fit of world that W. S. Barnum in a fit of insane rage tried to kill J. F. Reddy with an axe, struck at him, chased him, and threw the axe n' his head. That he did not split Dr. Reddy's head open case not Barnum's fault. He did his hest. And the attack was not in self defease, but was unprovoked and wanton. freeze, hat was unprovoked and wanton. The grand jury is composed of the following men: Wallace Woods, Joel Hartley, J. R. Robinson, C. H. Vauper, Adam Schmidt, T. E. Pottenger, J. L. Clarvin. It took them just 15 minutes to indict a friendless horse thief, a smoot old woman and a penniless forger. They spent three days on the Barnum case and then justified the murderous as an Deputy District Attorney Reames in a most releatless presented, when a most releatless presented, when a most releatless presented, when a most freezelless presented when the participants. is a most recently on an elect in a slot machine pants.

or takes a drink on Surday, or a poor take a take takes a drink or takes a drink order with an are and secure amounts from with an are and secure with an are and secure amounts from he bimilfolded representatives of justing so ardonously to advance the caus

The defendant, charging him with crim-ual libelby publishing the following

und libel, by publishing the following part of such criticly:

(The grand jury is composed of the following men: Wallace Woods, Jord Hartley, J. R. Robinson, C. H. Vaupel, Adam Schmedt, T. E. Pottenger, J. L. Garvin, it took them just 15 minutes to indict a friendless horse thief, a poor told woman and a pennices forger. They are three days on the Barnum case and then justified the marderous assult.

The court also refused to allow defendant to inquire into the scope and then justified the marderous assult.

AS THE CAMERA CAUGHT MISS GEAR'S CHARACTERISTIC SMILE



MISS Florence Gear, who as "Marrying Mary" will be merrily married at The Medford on Tuesday evening, March 16. From this characteristic pose it can easily be seen that Miss Gear looks to be a reasonable excuse for

WILL PRESENT A DRAMA AT ST. MARY'S ACADEMY

INTERESTING AND PLEASANT EVENING ANTICIPATED BY LO CAL PEOPLE-CAST LARGE AND SPLENDIDLY DRILLED.

On the evening of March 17, the pugipls of St. Mary's academy will preout to the public a musical and dra matic entertainment, an event which the long been looked forward to by many friends of the institution. A

of education, while at the same On the flat of the same mouth the dents, who on this secusion will proportion, returned an indictment against entertaining their parints and friends monraging by their presence the stu

Deputs District Attorney Resistes is character of the investigation mad-popular District Attorney Resistes is character of the investigation mad-most releation, prosecutor when by the grand jury of the alleged dif-most drops a sickel in ficulty, either by cross examination of Depute District Attorney Remnes is a most releatless, prosecutor when a most releatless, prosecutor when a most releatless, prosecutor when a most deeps a sicked in a slot machines, or takes a strict of the individual grand jurors, or by strict is caught soming. Such belones the is caught soming. Such belones the is caught soming. Such belones the individual grand jurors, or by other evidence, but confined the test through the providence of the individual grand jurors, or by other evidence, but confined the test through the providence of the providence, but only of the individual grand jurors, the defendant folded representatives of justice.

A decurrer to the Indictment was a place of not gollty. He was tried and several and appealed, assigning errors in the principal and appealed, assigning errors in the principal decision of creates in detail, in a stricture of the matter that the defendant sought to prove that the matter charged as labeled as witnesses Germal West and Lew's Uries the time of the difficulty present of the time of the difficulty elegand of the time of the diffi

NEW COAL VEIN IS UNCOVERED ON SIDE OF ROXY ANN

TWELVE-FOOT VEIN UNCOVERED ON WINES AND MURPHY PROP-ERTY-OWNERS ARE VERY OF TIMISTIC.

A new 12 foot vein of fine bitumin us coal has been uncovered on the est side of Roxy Ann four miles from Medford on the property of Wines and Murphy: Besides this new vein, there ire two more, one of 12 feet and another f 25 feet, both uncovered.

of 25 feet, both uncovered.

Mr. Wines is an experienced coal man, having spent most of his life in the husiness, and is very optimistic over the coal prospects. He says:

Roxy Ann is one colid hed of bitaminous coal. There are over 20 veins to my knowledge blanketed in the mountain enough to supply southern Oregon for years to come. We are going to peak the development work with recat carging. We have already tunnel. creat energy. We have already tunnel-d in one vein 75 feet and are now en-aged in timbering the tunnel."

Another great industry is assured, making the prosperity of Medford and la Rogne River valley an absolute cer-

estify the conclusion that it was made good motive and for justifiable (Sec. 2170 B, and C. Comp.; Town and, Libel and Stander, Sec. Right of the Defendant

The defendant, therefore, had a clea-The defendant, therefore, had a stear right muler the statue to show if his could that the charges made by him against the grand jury and deputy liatries attorney were true, and it seems in an that evidence of the nature and olenge of the assemble if any, made he y dence of the assualt, if any, made by Barnam upon Beddy, and the character of the investigation thereof, by the grand jury, were both partinent to such defense and proper matter for the consideration of the trial jury under the instructions of the court. It is that proceedings before the grand are conversily regarded as secrewhen the claims of public justice out go assatisfied, unless disclosure made, the court is authorized to re move the servey and require the pro-ceedings to be disclosed. (State vs Morgan, 15 Or. 262; United States vs fareington, 5 Feb. 343; Jones vs. Tenn. 181; Burdick ye. Hun-

The court in making the fuling com-distinct of probably proceeded on the heary is the state's coursel does the indictment is an amputation that the jury. In this ciew it is clearly the grand jury and the deputy district competent for the defendant to show stronger acted dishonestly and from that the statements made by him and transluted motives in their investigal set out to the indictment ward. or that the only libelous matter Crandulent motives in their investigates out to the indictment were, in fact, time of the alleged ascult. But the in-true, and because he was denied this determent does not as charge nor did right the judgement must be reversed the court confine the inquiry of the and a new trial ordered.

RIGHTS FOR MUNDY

Business Men Take Up Matter of Road to the Coal Mine Starting From Medford

Local business men have taken up he matter of securing for Colonel J. F. Mundy, who controls the local coal and oil field, a right of into the city for his railroad to the coal mines. All negotiations for the Pacific & Eastern milrond, as reported exclusively in Mon day's issue of The Tribune, having been called off.

In all the time that Colonel Mundy has been at work in this city in getting ready to go ahead with coal mine de velopment, he has not asked even avor of local business men. Over \$100, ing lease, options and titles to proper ty. Not one penny of local capital was

The time has come, however, when Colonel Mundy wishes to build a rail road to the three mines which he con templates working on a large scale. To build this road to Medford a right of way must be secured into the city. If this be not done, then the road will go to Central Point. Local business men realize that must not take chances on he railroad running from any other dace than Medford.

The matter will be thoroughly dis-russed at the next meeting of the Com-mercial club and steps taken to secure the right of way needed.

FRENCH AGENT FOR NEW SEAPORT CITY

W. H. French has been appointed local sgent for Warrenton, a fresh water becauside port, the new scaport city at the mouth of the Columbia, said to best the west as a safe harbor. The following advantages are claimed for War centon: "No other city has tributary to it so enormous a body of timber. The rials, the industries arready established and the vast amount of money already invested are ample assurance of the great future."

LEAVES \$5 AND FUNERAL EXPENSES TO CHILDREN

SALEM, Or., March 13.—In his last will and testament, filed in probate with the county clerk youteday afternoon. Theobold Kirsch, who died at Mount Angel recentl, made provision for his six children and grandchildren by be-quenthing \$5 to each. In another clause to set aside \$500 to be expended for benefit of the Catholic church at Mount Angel. Further on he stipulated that all funeral expenses should be barne 'by the said children.''

OVER 10,000 NOISELESS CARWHEELS ARE ORDERED

CHICAGO, March 13.—The Chicago Railway company has let a contract for approximately 10,000 noincless steel car wheels with the Carnegie Steel company. The life of the new solid steel forged and rolled wheels is placed at 140,000 niles, while the duration of a cast steel wheel, the kind now in use, has been considerably less than 40,000 miles, Another important advantage in the new wheels in found in their reduced weight. They scale in at approximate by 800 pounds the car less than the old 0 pounds the car less than the old wheels.

DIED.

RENEDICT-At her home on Apple cate, Or., Friday, March 12, 1909, Mrs. R. Benedict, aged 56 years. Interment in Jacksonville constern Surday after-

sary to that point. The indictment sets out a certain part of the publica-tion in full and then alloges that it is false and scandidors, and therefore libelous, and the court in its instruc-tions submitted the entire question to