

# MEDFORD DAILY TRIBUNE

FOURTH YEAR.

MEDFORD, OREGON, WEDNESDAY, MAY 26, 1909.

No. 58.

## M'MAHAN STARTS SUIT TO TIE UP CRATER MONEY

J. K. Sears, a Taxpayer of Polk County, Made Plaintiff in Suit—Starts in Marion County Court.

## ATTORNEY GENERAL WILL CONDUCT THE DEFENSE

Prominent Attorneys From All Sections of State Volunteer Services on Behalf of Bill.

SALEM, Or., May 26.—J. K. Sears of McCoy, a taxpayer of Polk county, was made the plaintiff in the L. H. McMahan proceedings to enjoin the state treasurer from paying the sum appropriated to construct the Crater Lake road.

Suit was started in the circuit court in Marion county yesterday.

The attorney general will probably take charge of the defense. Several prominent attorneys in the state have volunteered their services free of charge to the state in the case.

## SALVATION ARMY CONGRESS CONVENES IN NEW YORK

NEW YORK, May 26.—Distinguished officers and high privates of the Salvation Army forces of the United States gathered at the rendezvous at army headquarters in West Fourteenth street this morning to begin the annual national congress. A welcome meeting was held last night, and this morning was occupied with private councils of the officers. Another session was held this afternoon, when the affairs and plans of the army were discussed. The councils will continue through tomorrow and Friday. On Saturday an open meeting will be held. On Saturday an open meeting will be held. On Saturday an open meeting will be held.

Commander Miss Booth is leading the congress meetings, and Commissioner and Mrs. Estill of Chicago are also taking a prominent part in the conference. Nearly a thousand officers and as many soldiers are here for the congress.

## TILLAMOOK DEDICATES NEW FISH HATCHERY

TILLAMOOK, Or., May 26.—The new Trask fish hatchery was formally dedicated yesterday in the presence of a large crowd. Speeches were made by a number of prominent Tillamookers and the United States flag was raised for the first time over the hatchery building by Miss Mattie Himes, the 12-year-old daughter of E. W. Himes, the oldest employe of the hatchery and a pioneer of Tillamook county.

A letter from Master Fish Warden McAllister regarding his inability to attend was read. Superintendent A. Chester Keel conducted the ceremonies. The new location and buildings are a great improvement over the old hatchery. The hatchery will be able to ship eggs to the central hatcheries. About 8,000,000 eggs have been saved so far.

Hello, Tribune! Just received a wireless check from Admiral Patnaya of the Japanese navy saying he would leave San Francisco today for the Seattle fair and would steam up Bear creek to the Seventh street bridge and has his four war vessels pointed throughout, as the peace congress at their last session decided to have me do the work for all nations on war vessels. Bob Taylor.

## UNION SERVICE AT HIGH SCHOOL SUNDAY EVENING

Rev. W. F. Shields Will Address the Students—Closing Exercises to Me Held Friday Evening, June 4.

## EXAMINATIONS NEARLY COMPLETED IN SCHOOLS

Superintendent Smith Has Done Good Work During the Past Year and Has Improved Schools.

On Sunday evening a union service is to be held in the auditorium of the high school, at which time Rev. W. F. Shields will deliver an address to the graduating class of the school. This address will be the first of the closing exercises of the year. On Friday evening, June 4, the exercises by the high school pupils will be held, the program for which is being arranged.

The examinations in the various schools of the city have been held this week and have been very nearly completed. Satisfactory proof is said to have been furnished by the majority of the students as to their proficiency.

The schools during the past year have progressed very much under the superintendency of U. G. Smith, who took up his work at the beginning of the year in this city. The courses taught have been thoroughly revised and the standard of work under way is on a higher plane than ever before.

All of the churches have signified their willingness to meet with the high school authorities on Sunday evening. The Presbyterian choir will furnish the music. All friends of the school are heartily invited to attend.

## CHICAGO PAYS \$1.25 EACH FOR FIRST FRESH PEACHES

CHICAGO, May 26.—Chicago is eating peaches at \$1.25 apiece.

Rather steep, but they cannot be had for less at this time of the year, because they come from Belgium, neatly done up in cotton and packed in a refrigerator, lest they be injured in transit. They are declared to be excellent, and, as one man remarked, "They ought to be at the price."

Besides this, some two dozen cantaloupes have descended upon Chicago, for which the same identical price is demanded as for peaches, despite the difference in size; for the cantaloupes come from London, where they have been carefully raised during the cold weather, mostly in hothouses. They are better taken care of in crossing the ocean than a child.

## EVILDOERS AT ROSEBURG GO TO PENITENTIARY

ROSEBURG, Or., May 26.—R. Wilson and R. L. Merritt, convicted in the circuit court last week for cracking the safe of the Roseburg Laundry company in February, were given maximum sentences this morning at five years each. Ed Tracey, who robbed Wilder & Ague's clothing store at Roseburg in April, was given three years. His partner, James Johnson, aged 47, was given one year. Wilson and Merritt are known to the police of western Canada and Washington. Judge Hamlin told them if the maximum was greater he would give it to them. Tracey has served five years in San Quentin.

Don McGlashan, who has been enjoying an outing on the Rogue river, returned Wednesday. He reports fishing good.

## HANLEY TRIAL WELL UNDER WAY IN PORTLAND

Witnesses Testify That He Controlled Forty-Acre Lots Completely, Circumscribing 85,000-Acre Tract.

## ALLEGED THAT ENTRANCE BY SETTLERS WAS BARRED

Sheepmen on Stand for Government—Contention of Uncle Sam Sustained by Today's Evidence.

PORTLAND, Or., May 26.—Evidence was given today in the government's suit against William Hanley, who is accused of illegally fencing 85,000 acres of public lands in Harney county, Oregon, which helped sustain the contention that the lands were barred against entrance by private individuals.

R. A. Smith and Charles Wells, sheepmen of eastern Oregon, testified for the government that the lands were enclosed by Hanley with a fence and that they were not easy of access. Under present conditions they had grazed their sheep outside.

Frank C. Davey, receiver of the land office at Burns, Or., showed how an original purchaser, Peter French, bought parcels of 40-acre tracts so connected that they completely circumscribed the 85,000 acres. It is further alleged that Hanley is keeping others from settling upon the lands.

## NEW CHRISTIAN CHURCH WIL COST ABOUT \$50,000

EUGENE, Or., May 26.—At a business meeting of the members of the First Christian church of this city yesterday it was decided to erect a splendid stone or brick church on the site of the building they now occupy, at the corner of Eleventh and Willamette streets. The old building, which was erected at a cost of about \$8000 12 years ago, will be moved to the rear of the lot, and then to another part of the city, for a mission when the new structure is completed. It is proposed to make the new church the finest in the city, and it is probable it will cost in the neighborhood of \$50,000. The Christian church is the largest church in point of membership in the city, there being over 1000 names on the active membership roll. Rev. J. S. McCallum has been the pastor for the past six years.

## ELLSWORTH BUYS TRACT OF LAND NEAR CENTRAL POINT

R. H. Ellsworth last Saturday, May 22, closed a deal for a five-acre tract lying due west of Central Point, some of the O. B. Robinson tract. Mr. Ellsworth is from Michigan and after looking over the entire northwest he decided that there was no place like southern Oregon. This sale was made by W. E. Whiteside of Central Point.

## ANOTHER BRICK BUILDING GOING UP IN CENTRAL POINT

There are now men on the ground making ready for the building of a two-story brick block 55 feet frontage by 60 feet deep, to have two big store rooms below and 14 office rooms on the second floor. The lower floor is already rented, and more could be rented with little trouble. Elmer Childers has secured the contract. This building is to be built on the corner of Third and Pine streets and belongs to C. B. Roedel. This enterprise was started through the efforts of W. E. Whiteside.

## MAY FORM LOCAL EXCHANGE FOR FRUIT GROWERS

Owners of Large and Small Tracts Are to Be United in Effort Better Fruit Marketing Conditions.

## WOULD INSURE LARGEST RETURNS TO ORCHARDISTS

Uniform Packing and Community Marketing of Fruits Are Objects Sought by the Promoters.

A movement is under way to unite all fruit raisers of Rogue River valley in a fruit growers' exchange that will include all the orchards, big and little. One meeting has been held and preliminary steps are being taken to perfect organization.

Among the orchardists interested in making a success of the movement are R. H. Parsons of the Hillcrest, F. H. Hopkins of the Snowy Butte, Charles, H. T. Finley, Captain Jack Astbury of Gold Hill, Tronson & Guthrie of Eagle Point, R. C. Washburn of Table Rock, W. H. Stewart and Ed Hanley, the Barrell orchard, A. C. Allen, A. C. Randall and other fruit growers.

Uniform packing and community marketing of fruit are the objects sought, so that fruit growers may realize fullest returns on fruit through excellence of pack and efficient representation in marketing centers. It is probable that at least a portion of the growing crop will be marketed by the new association.

## OIL WELL DRILLS REACH OAKLAND

OAKLAND, May 26.—A carload of oil drilling machinery has arrived here, constituting the first lot of drilling apparatus that will soon be at work in this locality, under the direction of the Standard Oil company, which will sink several wells immediately near Oakland and in the Sutherland valley. Representatives of the company have been busy the past month in arranging details and getting the leases signed, and now have about 30,000 acres leased for from one to five years.

For years this locality has shown promising prospects of oil, but not until now has it been possible to take up the development of them, owing to the opposition which the representatives have met with in gaining the concessions asked for. The first well will be sunk on the ranch of James Hoot, one mile east of this city.

## IDAHO MURDERER WANTS IT OVER WITH

BOISE, Idaho, May 26.—"If they are going to bump me off, I would like to see them get busy," was the cool and unconcerned statement made by John Fleming, awaiting execution at the Idaho penitentiary, when informed that no action had been taken on his appeal in the supreme court of the state. Penitentiary officials state that Fleming seems impatient at the law's delay. The date for his execution was fixed for December 4, 1908, but an appeal was taken. Fleming was convicted of the murder of a neighbor rancher on the Minidoka tract, a result of a dispute over a line fence. Insanity was the plea of the defense.

NAIROBI, British East Africa, May 26.—Colonel Roosevelt and Kermit were out Monday on a buffalo hunt. They trailed a herd of seven buffalo but rode for hours without getting a trace of the game.

## TALLY-HO FOR MEDFORD FOLKS ROSE CARNIVAL

Commercial Club Will Entertain Suggestions From Portland Man to Representation in Parade.

## MATTER WILL BE DISCUSSED BY COMMERCIAL CLUB TONIGHT

Medford Boosters Will Be Asked to Ride in Tallyho—It Will Be Decorated With Signs.

"Pike" Davis, a well known Portland attorney, chairman of the rose carnival horse and vehicle, writes to the Commercial club requesting that Medford be represented in the horse and carriage parade June 10. Mr. Davis says:

"We are going to make this the principal day parade and will have a procession five miles long. We would like to have Medford boosters come to Portland on that date, and if they will do so I will see to getting a tallyho, or some other vehicle and have it decorated for you, and some kind of a sign put on advertising the Medford Commercial club or any suggestion that you may offer.

"Please let me know at earliest convenience if you can get a few of your enterprising citizens to come up on this occasion."

The matter will be brought before the Commercial club tonight.

## ASHLAND REAL ESTATE MAN WATCHING OIL WELL EAGERLY

F. G. McWilliams, the wide-awake realty broker of Ashland, spent Tuesday in Medford. He states that the people of Ashland are eagerly watching the progress of the oil well and expect a great oil boom in the valley if Colonel Mundy succeeds in striking oil.

"Six years ago," said Mr. McWilliams, "we organized a company to drill for oil and sank a well a mile and a half east of Ashland. The stock was mostly subscribed by railroad employes. We had had luck from the start, though we succeeded in drilling to a depth of 1838 feet, or 125 feet above sea level. We did not strike oil, but we did gas, and just as we had signed a contract to go down 2000 feet further, the gas caught fire and burned the derrick and drilling apparatus, and the project was abandoned.

"There was not a great quantity of gas, though the flames shot fifty feet into the air and burned all day. The well cost \$9000. It is now filled with water."

## COMMANDER SCOTTISH RITE TOURS COAST

SAN FRANCISCO, May 26.—Members of the Scottish Rite organization of this city will tender a reception Saturday evening to James Daniel Richardson of Washington, D. C., sovereign grand commander of the Ancient and Accepted Scottish Rite of Free Masonry. Richardson is touring the west in the interest of the lodge, and before returning to Washington will visit Portland and the Scottish Rite bodies of Washington, Idaho and Montana.

## Rope Breaks, but Mob Hangs Negro.

PINE BLUFF, Ark., May 26.—Lovett Davis, a negro charged with a criminal assault on a 15-year-old girl here, Friday night, was taken from the jail at midnight by an unmasked mob of 300 men and hanged to a telephone pole on one of the principal streets.

## PRELIMINARY SESSION HELD BY COMMISSION

By-Laws Adopted by Crater Lake Road Commission—McMahan's Suit Raises Slight Interest.

## PLANS FOR FUTURE WORK THOROUGHLY GONE OVER

County Courts Will Be Asked to Consider Road From Idaho Boundary to Pacific Ocean.

In order to dispose of preliminary matters that they might get started on the work which is before them, the Crater Lake road commission appointed last Saturday by Governor Benson met in this city today and disposed of much work in connection with the organization of such a commission. Bylaws were submitted, read and adopted and many matters discussed in connection with the road.

The commission does not seem very much alarmed at the report that Attorney McMahan of Salem has started suit to tie up the state appropriation. The consensus of opinion is that the bill will not be declared unconstitutional. No one was employed by the commission to take up the defense, this matter being in the hands of the attorney general.

One of the matters discussed by the commission was the matter of raising additional funds with which to construct the road. A contribution is expected from E. H. Harrison and from other persons and associations, but this matter will not be gone into until such time as the money is needed.

The commission plans to follow out the intent of the bill by communicating with various county courts along the line of a proposed road from the Idaho boundary to the Pacific ocean. The courts will be asked to appoint committees to consider routes and the like.

Those present at today's session were: Colonel C. S. Johnson of Portland, H. D. Norton of Grants Pass, George T. Baldwin and J. T. Willets of Klamath Falls, E. V. Carter of Ashland, Dr. J. M. Keene, J. E. Enyart and Will G. Steel.

## CONGRESS PLANS TO ADJOURN BY JUNE 25

WASHINGTON, May 26.—Believing that the session could have completed its work on the tariff bill by June 10, the members of the committee on Finance will agree to the taking of a vote on the income tax bill on that day if Senator Bailey renews his motion that a time for voting be fixed. When this is done Senator Aldrich will try to obtain an agreement for a vote upon the bill itself. If a vote is taken on this amendment, Senator Aldrich believes congress will be able to adjourn before June 30 and certainly not later than June 25.

## WOULD INCREASE PAY OF RURAL CARRIERS

WASHINGTON, May 26.—An increase in the rates of pay for rural free delivery mail carriers is provided for in a bill introduced by Representative Steiensen, of Minnesota. It provides that after July 1, 1911, letter carriers of the rural free delivery upon routes exceeding 24 miles in length shall be paid at the rate of \$37.50 per mile per annum for the 24 miles, and \$18.75 per mile per annum for each additional mile of route over 24 miles.