

MEDFORD DAILY TRIBUNE

FOURTH YEAR.

MEDFORD, OREGON, TUESDAY, JUNE 8, 1909.

NO. 69.

COMPLAINT TO BLOCK ROAD IS AMENDED

Mossback McMahan Files New Charges in Effort to Restrain Construction of Crater Lake Highway.

ATTORNEYS WORK TO SUSTAIN APPROPRIATION

Fenton, Webster, Colvig and Reames Preparing Answer—Speedy Action Assured.

PORTLAND, June 8.—(Special.)—Attorney General Crawford, Judge W. D. Fenton, Judge Lionel Webster of Portland and Colvig and Reames of Medford are representing the Crater lake road commission in the suit brought by Attorney McMahan for J. K. Sears to declare the Crater lake road state appropriation unconstitutional.

An amended complaint has been filed by McMahan which makes the secretary of state a co-defendant. In addition to this, the plaintiff alleges that the legislature passed the bill setting it out in detail. The same charges are made as in the original complaint, and in addition thereto the plaintiff alleges the appointment of the Crater lake road commission, and that the bill is void because it contravenes article 11 of the state constitution, which, it is alleged, prohibits the legislature from passing any law that shall loan the credit of the state, or create any liabilities which shall make the state debt exceed the sum of \$50,000 except in case of war or to repel invasion.

The case was set for tomorrow morning upon demurrer before Judge Galloway, but in consultation here today with Judge Fenton, the Medford attorneys are of the opinion that the matter should be met by an answer. This method will permit them to bring before the court the natural wonders of Crater lake, and the advisability and necessity of connecting eastern and western Oregon. If the defense should stand on demurrer, it would have to ask the court to take judicial knowledge of all those things, and as they are all capable of proof, the attorneys are proceeding along the lines of safety, although it will probably delay matters slightly.

Defendants will file an answer tomorrow and will get case up for trial some day this week.

One of the features in the amended complaint, necessitating an answer, that was not in the first complaint, is the allegation that there is a good road already, and that the new road will benefit only those persons living along its routes.

GREAT REVIVAL AT THE TABERNACLE

The great meeting at the Christian tabernacle continues with unabated interest. Last night the services were well attended, the singing was grand and the interest great. Prof. Shaffer sang a beautiful solo entitled "Where Is My Wandering Girl Tonight?" This song was written by an Oregon girl. The "Saddle Chorus" was organized. Boys and girls from 8 to 13 years of age are to be admitted in a few days they will be ready for some special songs. Success in the large chorus Sunday night; want 100 by next Sunday.

Subject tonight, "The Heavenly Vision." A great theme. Come, you are wanted.

SCENES OF COUNTRY LIFE IN THE ROGUE RIVER VALLEY



Homes of Orchardists in the Vicinity of Medford.—Courtesy of the Southern Pacific Company.

NEW PARK FOR CITY PLANNED

Ladies of Greater Medford Club to Begin Work at Once Beautifying Grounds Where Old Tank Stands.

Immediate improvement of the vacant square, just west of the present city park, on which the old water tower stands as a reminder of village days, was undertaken by the ladies of the Greater Medford club at their monthly meeting Monday. The grounds will be beautified and made a part of the present park.

The ladies of the club met at the Commercial club rooms and transacted much business. They expected it to be their last meeting for the summer, but owing to the press of business, will hold another meeting the last Monday of this month.

Committee Is Named.

A "ways and means" committee was appointed to raise funds in order to beautify the new park just west of the present one. Mrs. H. C. Keeser was appointed chairman, with Mrs. Vester, Mrs. Pichel and Mrs. Albert assistants. The club moved to assist the Firemen in their preparations for the Fourth of July celebration, appointing the following committee to assist with suggestions for appropriate decorations, and, in short, to aid in any way that they can. Chairman, Mrs. Cannon; as-

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LIFE ON A ROGUE RIVER ORCHARD --MOST ALLURING AND ATTRACTIVE

Stately Mansions Occupied by Cultured People Adorn the Slightly Hills Surrounded by Endless Rows of Record Crop Producing Fruit Trees—An Out-of-Door and Ideal Life, "Far From the Maddening Crowd's Ignoble Strife."

No more delightful or fascinating life can be imagined than that of the Rogue river orchardist. A tour through the great fruit region tributary to Medford will convince any one of the truth of this assertion. Beautiful homes, commanding fine views of the valley, set about by endless rows of luscious fruit trees, can be seen on every hand, and the occupants come from every section of the country—a cultured, intelligent class that would grace any region.

The ideal home and ideal life is that of the orchardist—the man who makes a good living and a little more in his own boss, free and independent, with opportunity for fullest development, living his life in God's own sunshine.

Life Most Alluring.

Life on an orchard is most attractive and alluring. As Henry E. Bush, once secretary of the state horticultural commission, has written: "There is perhaps no more fascinating or profitable pursuit in life than horticulture, and possibly none more profitable than the growing of apples and pears. The poet who watched and raved over the development of a beautiful baby girl into

maiden and ultimate womanhood will find its counterpart in an Oregon orchard. To stand and watch in early spring the quickening of leaf and bud, and the gentle, timid opening of its bewitching blossoms, filling the air with intoxicating fragrances, and finally the fruition of the magnificent apples and pears for which Oregon has become famous, is a poem in itself.

"We have reached the era of scientific management of the orchard and of remunerative prices for the product."

Intelligence and brains are needed on the orchard. It is not a yodel's occupation.

A Brainy Occupation.

The best thought of the brainiest man in Southern Oregon has been given to horticulture since the possibilities of the business have been apparent. In the light of acquired experience, there need not be a single failure among those who now embark in this business. It is not an occupation especially adapted to the wants of a lazy man, for it requires the closest attention at all times; but

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SIMON WINS MAYORALTY OF PORTLAND

Machine Candidate Swept Into Office By Majority of All Ballots Cast—Small Vote Shown and Little Interest.

REPUBLICANS ELECTED TO CITY COUNCIL

New Charter, Excise Board Amendment and Gothenburg System Are Defeated.

PORTLAND, June 8.—With half a dozen precincts still winning, the count at 2 o'clock this afternoon shows that Joseph Simon has been elected mayor by a majority of all votes cast. The count is approximately: Simon, 8000; Mundy, 4000; Albee, 2300. All the Republican nominees for the council are elected.

The new charter was defeated, the excise board amendment was defeated, as was the proposed Gothenburg plan. The Broadway street bridge carried, and the Madison street bridge will remain at its present site, the proposal to remove it to Market street being defeated. The Sherman street bridge was also defeated.

EUGENE PAVING PLANT DESTROYED BY BLAZE

Part of the mixing plant of the Warren Construction company, situated back of Skinner's Butte, near the river, at Eugene, was destroyed by fire Sunday, the fire starting about 10:30. It is not known just how the fire originated, but there was fire underneath the vats which contained the bitulithic preparation used to bind the crushed rock, and it is thought the liquid spilled over in some manner. The entire plant was ablaze before the alarm could be turned in.

The fire department reached the place in time to save the engine and a part of the mixer, but the vats and the machinery and part of the plant used to hoist the crushed rock is a total loss. The plant would have been taken to Roseburg within a few days.

CENTRAL POINT WILL FLOAT WATER BONDS

CENTRAL POINT, June 8.—The city council at its regular meeting last night decided to float the water works bonds in an amount of \$25,000 as soon as possible, and ordered the necessary publication. It is the intention to issue the bonds for a period of 30 years with interest at 5 per cent. It is expected that they will be taken by local investors. Attorney Withington of Medford advised the council in connection with the issuance of the bonds.

It was decided to suspend operations in the tunnel now being driven in the well, which is to be the city's source of water supply, as the present flow of 200 gallons a minute is deemed sufficient. One of the tunnels is 7x7x12 1/2 feet in dimensions and the other is 7x7x11 1/2.

J. E. Goodpasture, who has tramped all over California and Southern Oregon, seeking trace of his missing uncle, W. L. Fausher, the Medford nursery man who mysteriously disappeared last autumn, returned Monday from San Francisco. His search was a failure, as he was unable to find a clue that would solve the mystery.

PUPILS MAKE SENSATIONAL ACCUSATIONS

High School Graduating Class Sign Round Robin Against Instructor Alleging Favoritism and Incompetency.

RESIGNATIONS OF SEVERAL INSTRUCTORS ARE ASKED

Scholars Claim Member Was Flunked Despite Excellent Record by Unfriendly Teacher.

As a result of a clash between school authorities and the graduating class of the Medford high school, some of the graduates refused to appear at the commencement exercises, and have preferred charges against George Merritt, one of the instructors in the high school. The pupil referred to is Carl Glasgow, son of W. W. Glasgow, a well known orchardist. The charges are as follows:

The Round Robin.

"We, the members of the senior class of Medford high school, including those who declined to appear at the commencement exercises Friday evening and those who appeared in accordance with their parents' desires, respectfully desire to explain to the public the reasons for our attitude in this matter.

"All the year the members of the high school who are in his classes feel that they have suffered injustice at the hands of a teacher whom we consider incompetent, and whom we believe not only failed in his teaching, but graded his pupils according to his own personal prejudices; and who now, in our opinion, has perpetuated his last and greatest injustice by refusing to pass, by a very narrow margin, one of the best and hardest working members of our class; and that with no previous warning and after he had been authorized to send out his commencement cards and to leave his duties. The said member, entering from another school only last year, has been able by hard efforts to make eight of the required sixteen credits within the past year, and only failing by ten points in one-half credit of making the passing grade, and we are convinced that his failure was due entirely to the teacher's prejudice.

"Also, we are entirely dissatisfied with the treatment of the class as received, by being allowed no voice whatever in any of the arrangements for commencement.

"CLARENCE GORE,
"BERNICE CORDER,
"STAR MARSHALL,
"GUY LEONARD,
"GUY BISHOP."

Resignation Asked.

The school board has not yet announced appointments for the coming year, but it is understood that several high school instructors have been dropped, among them George Merritt and Miss Walton. Miss Paulah Warner, the principal of the high school, it is reported, has also been asked to resign.

DINGLEY TARIFF ON HOSIERY IS RE-ENACTED

WASHINGTON, June 8.—The session schedule was completed at the night session. The Dingley rates were restored on hosiery, making the reduction of about 20 cents a dozen pair from the rates of the house bill. Tomorrow the woolen schedule will be taken up.