

MEDFORD DAILY TRIBUNE

FOURTH YEAR.

MEDFORD, OREGON, WEDNESDAY, JUNE 23, 1909.

NO. 82.

WILL STEWART PLACE IS SOLD FOR \$85,000

One of the Finest Orchard Tracts in the Valley Becomes the Property of George Daggett of Minneapolis.

MORSE TRACT IS SOLD TO EASTERN MEN FOR 180,000

John M. Root Sells Tract of Forty Acres Near Central Point to Fred Puhl.

For the consideration of \$85,000 George Daggett, a prominent grain dealer of Minneapolis, has secured the Will Stewart orchard, three miles northwest of this city. Mr. Daggett, by this deal, which was consummated Tuesday evening, thus secures one of the finest orchard tracts of the valley as well as one of the most handsome. It consists of 170 acres, 100 of which are planted fruit, the remaining being in alfalfa and grain. John D. Olwell of this city handled the deal.

The place has long been noted as being one of the very best in the valley. There are 40 acres of apples in the tract and 60 acres of pears. The trees are six and seven years old. This fall Mr. Daggett plans to move to Medford and make this valley his home.

Mr. and Mrs. Daggett have a number of friends already in the valley, as a large number of Minneapolis people have located here, and they were most prominent in Minneapolis, where Mr. Daggett has large interests, being engaged in the grain business.

There is no doubt but that Mr. Daggett is most fortunate in his purchase. Every modern convenience has been placed upon the orchard. It has been noted for an exceptionally high number by Mr. Stewart, who is a member of the Stewart family who were the pioneer fruit men of the Rogue River valley. Mr. and Mrs. Daggett will prove a great addition to the valley.

Second Large Sale.

Another large sale was made Tuesday, the G. A. Morse orchard, next to the J. A. Kiser property, becoming the property of C. H. Rowell, a wholesale furniture manufacturer of Cedar Rapids, Ia., and C. M. Soboda, a coal dealer of the same city. The consideration was \$80,000. Joe Brown, the man "who sells dirt," handled the deal.

The property consists of 145 acres of land. It is planted to fruit trees ranging in age from those of two to 15 or 16 years. There is a splendid residence on the property. The land is all sub-irrigated and is a valuable tract of land.

In this deal Mr. Rowell traded in as a part of the \$80,000 his property, consisting of about 212 acres of land about a mile west of the Morse tract, the price being put on the place of \$40,000. This place has about 40 acres planted to fruit one year old.

Mr. Brown also closed up a deal disposing of 40 acres of land near Central Point owned by John M. Root to Fred Puhl, the consideration being \$6100.

ED ANDREWS FAILED TO APPEAR; NO SHOW

Because Ed Andrews did not put in an appearance to be punished, on Tuesday, there was no rendition at the Medford open house "Martha," as advertised. Manager Walters says the opera will be given on

CLUB MEMBERS SIGN BOND FOR SUIT EXPENSES

Fight Over the Crater Lake Road Case Will be Carried Into the Highest Court—Money Is Pledged.

REAMES REVIEWS CASE FOR COMMERCIAL CLUB

Attorneys Throughout the State Volunteer Their Services to Fight for the Road.

At an enthusiastic meeting of the Medford Commercial club Tuesday night 30 members signed the bond for costs of the appeal to the supreme court from Judge Galloway's decision in the Crater Lake road case and \$100 was appropriated for preliminary expenses. It was the unanimous sentiment of those present to fight the case through to the highest court.

Clarence L. Reames who, with W. P. Lord Jr., appeared before Judge Galloway in behalf of the road, gave a detailed account of the case and the possibility of a reversal in the supreme court. He stated that Judge W. D. Fenton and other prominent Portland attorneys had agreed to appear before the supreme court and aid in the compilation of a brief. The unpaid expenses would approximate \$300, the lawyers donating their services.

Attorneys Volunteer.

Many of the most prominent attorneys in the state have volunteered their services, and it is the opinion of a majority that the act is constitutional.

V. K. Wells of the Southern Pacific publicity bureau made a brief talk to the club, stating that the Southern Pacific was introducing great improvements in its community publicity plan and that Medford, the originator of the pamphlet idea for towns, would have the first chance at the new offer, which he would be in shape to make within a few weeks. He advised curtailment in the distribution of pamphlets, as more than half of those issued have been already distributed. He presented the club with the compliments of Wm. McMurray, a bonus copy of this year's booklet. Similar ones will be placed on observation cars of the Harriman system.

OREGON GETS NO MONEY UNDER RIVER RESOLUTION

WASHINGTON, June 23.—Under a river and harbor resolution that recently passed the house, Oregon will derive no benefits in view of the ruling of the controller in regard to the Coos Bay appropriation secured through Representative Hawley, the unexpended balance of the old Coos Bay appropriation remains available for use without further congressional action.

The engineers have recently reported that the balance of the appropriation for the Columbia river below Tongue Point, amounting to \$24,257, is not needed, so that amount will go back into the treasury on July 1.

Two balances in Washington, however, will remain available until used, \$1,320 for Tacoma harbor, and \$200 for Olympia.

Splendid Tabernacle Meeting.

Evangelist Kellomäki preached a strong gospel sermon last night at the tabernacle meeting. The subject was "Meditation on the Cross."

SENATE VOTES DOWN TARIFF OF \$1 LUMBER

Fourteen Republicans Voted for Amendment Fixing the Rate and Eleven Democrats Voted to Increase.

INDICATIONS ARE THAT TARIFF WILL BE \$1.50

Senator McCumber Presents Amendment Reducing Differential to Cover Cost of Products.

WASHINGTON, June 23.—Senator McCumber's amendment to the tariff bill fixing the rate at \$1 a thousand feet on rough lumber was defeated today in the senate by a vote of 24 to 44.

Fourteen Republicans voted for the amendment and 11 Democrats supported a higher rate.

McCumber then presented an amendment reducing the differential designed to cover the cost of finished lumber, declaring that the differential in the Aldrich bill was far in excess of the difference in the cost in the states and Canada.

Indications are that the senate will fix a duty of \$1.50 a thousand on rough lumber.

DALLAS PAVES 15 ADDITIONAL BLOCKS

DALLAS, Tex., June 23.—Street improvement is being carried on in Dallas this summer more extensively than ever before. Last year a total of nine blocks in the business section were paved with crushed rock and the improvement work this year will include 15 blocks additional.

Three blocks in the newly improved district are completed and the preliminary excavation on the others is well under way. At the close of the summer, if nothing delays the work, every street of entrance into the city will have been rebuilt with crushed rock, affording an excellent avenue for an interchange of traffic with the rural communities.

ASSESSED VALUATION OF CITY ON THE CLIMB

J. W. Lawton, deputy county assessor, is busy with the 1909 assessment roll for the city of Medford. He states that the assessed valuation of Medford will make considerable showing over last year, owing to the many improvements that have been made in Medford in the way of building during the year.

FAMILY QUARREL AIRED IN COURT; \$20 FINE

When his wife went into a saloon Tuesday evening to take him home with her, and in consequence abused her on the street in vile language, Recorder Collins Wednesday morning imposed a fine of \$20. Family troubles to some extent were aired in court.

HANLEY CONDEMNATION CASE AGAIN IN COURT

The case of the city against M. F. Hanley to condemn a right of way across the Hanley property on Little Butte creek for the pipe line of the gravity water system came up in the circuit court Tuesday afternoon and was argued. The city con-

SHIPMENT OF FRY EXPECTED HERE FRIDAY

Government Furnishes About One-Third of Fish Requested by the Rogue River Protective Association.

WILL PLANT THEM IN ROGUE AND IN BIG BUTTE CREEK

Shipment of Skaget River Steelheads Is Yet to Arrive—20,000 Fish in Shipment.

On Friday a shipment of 17,000 rainbow trout fry and 3000 brook fry will arrive in Medford, consigned to the Rogue River Fish Protective association. These fish are to be planted in upper Rogue river and Big Butte creek. The planting in upper Rogue will be done above the natural dam.

This shipment of fish represents about one-third of the number requested by the association. Other shipments will probably be sent later, and among these yet to arrive is a shipment of Skaget river steelheads.

This is the first fish sent to Medford by the federal government consigned to the association. The eggs came from Colorado and were hatched in the fishery at Oregon City.

SUFFRAGETTES TO MEET SOON IN SEATTLE

The Washington Suffrage Association will hold its twentieth annual convention in the lecture room of the Plymouth church, in Seattle, beginning at two o'clock, June 30, 1909. This convention will be of unusual importance, according to an announcement just made by Mrs. Enoch Smith Dwyer, president, not only because of the pending woman-suffrage amendment in November, 1910, but also because the State Association will have the distinction of entertaining the forty-first Annual Convention of the National American Woman Suffrage Association during its deliberations from July 1 to 7, inclusive. Special parties are being given here from New York and Chicago and will be met by an escort at Spokane to accompany the easterners to Puget Sound. The Alaska-Yukon-Pacific Exposition has set aside Wednesday, July 7, as Woman-Suffrage day, at which time the national officers will have full charge of the program in the auditorium. It is expected that every club in the state will be represented by accredited delegates, and that as many others as can come to Seattle will attend this notable gathering.

BALLINGER WILL MAKE HEADQUARTERS IN SEATTLE

Secretary Ballinger left for Williamstown, Mass., on Monday to receive the degree of LL.D. from Williams college. In 1888 Judge Ballinger graduated from Williams college, but did not take up the study of law until later. He will return to Washington later next week, a travel leave almost immediately for the west planning to reach Seattle July 12. On the way he will stop at Yellowstone park.

During the summer he will make his headquarters at Seattle, but plans to make a number of trips of inspection into districts where governmental irrigation projects are being built. He will also visit some Indian reservations. He expects to return to Wash-

SPECIAL OFFERS WILL CLOSE ON NEXT SATURDAY

Girls Should Remember and Take Advantage of Special Offer of Votes in The Tribune's Subscription Contest.

ONLY 30 SUBSCRIPTIONS THEN TRIP TO THE FAIR

Get Out Among Your Friends and They Will Help You Win One of These Prizes.

Contestants and their friends should not forget that the big offers close Saturday night, and fail to take advantage of them. Contestants taking advantage of any one of these offers, are the ones that will at the close stand the best chances of securing prize trips.

There is the opportunity for more candidates to enter the field, as many new subscriptions are possible as well as renewals, in a territory having as many people.

With the assurance of a free trip to the fair, for securing thirty yearly subscriptions, or its equivalent, there isn't a young lady in this territory if she is desirous of seeing the A-Y-P exposition but what could give as one of the guests if she will devote some of her time to securing subscriptions.

Get out among your friends and tell them of your plan, and with their help you can easily secure the fair trip in from two to three weeks' time. This makes a good compensation of your spare time that one could put to the securing of subscriptions.

Big Week Ahead.

To the contestant securing the best results this coming week is the one that will automatically to her, vote list and stand the best opportunity of securing the chaperon trip to Yellowstone Park.

Yearly Subscriptions.

A big opportunity is being given the young ladies competing for the prize trip offered by The Tribune to secure the benefit and credit of five yearly subscriptions. To the young lady securing the most business between now and next Saturday night will be given credit for five yearly subscriptions. This is a good chance for some one to lessen their stipulated 30 yearlies by five, thus having to only secure 25 subscriptions in order to secure the A-Y-P fair trip.

15,000 Free Votes.

To the one securing the most business between now and next Saturday night, besides securing the credit for five yearly subscriptions, will be given a bonus ballot good for 15,000 votes. This makes it possible for any contestant to get out among her friends, and by united efforts secure these 15,000 free votes, also credit for five yearly subscriptions, thus putting herself at the head of the list and having a lead for her chaperon honors.

5000 FREE VOTES.

To each contestant securing within the next week five six-months' subscriptions will be given 5000 free votes. Contestants will not be limited to one set of this clubbing offer, but will be given the 5000 free votes for every club of five they secure. Yearly subscriptions will count the same as two six-months', and a five-year will count as two clubs, thus giving 10,000 extra votes to contest-

LORD WROTE MASTERLY BRIEF IN CRATER LAKE

Reviewed Benefits of Road While Appearing as a Friend of the Court—Brief Is a Splendid Work.

WAS ALSO AUTHOR OF TILLAMOOK ROAD OPINION

Tells of Great Benefit to State at Large Which Would Result From Building Road.

Ex-Governor W. P. Lord, former chief justice of Oregon and the leading authority on constitutional law in the state, took such an interest in the Crater Lake road case that he voluntarily filed the following able brief on the constitutionality of the bill in the Marion county circuit court as "a friend of the court." The brief has the more weight, as the author was also the author of the Tillamook county road opinion, which forms the basis of Attorney McMahon's opposition. The brief reads as follows:

This case comes within the two principles laid down in *Allen vs. Blish*, namely: (1), an international improvement that will contribute to the national benefit of the state, and (2), that it will connect two large territories separated by high mountains and difficult access, and its benefits are not distinctly national or the inhabitants along its line, but are distinctly beneficial to all the people.

Two Large Districts.

On one side the proposed road is connected to the railroad at Medford and numerous highways from that place leading to various land cities, towns and districts that lead to the Pacific Ocean, and on the other side the road is connected at Klamath, which is accessible to the railroad, and from this point numerous highways diverge to Lake county and other counties in Eastern Oregon, leading to the Idaho border, and thus giving to all this vast area increased facilities for travel and business. Its influence therefore for the accommodation of the people, and their business reaches from the Pacific ocean to the Idaho border. And all this is accomplished by building the proposed road from Medford by Crater Lake to Klamath.

This road is not intended nor will its construction have the effect, simply to connect Klamath and Jackson counties. Its benefits are only incidental, and not the chief object of the road which is to make an internal highway road that will connect two large sections of the state and greatly contribute to their development.

Not of Local Benefit Only.

In principle, therefore, this road comes more directly within the *Allen vs. Blish* case than the case decided by it. Unlike the Tillamook case, which benefited only that county, and created an invidious distinction between other counties, this road is a link to connect two large areas which are the principal beneficiaries. There is no word in the constitution that prohibits the state from constructing a road of this character which is regarded as an internal improvement, and intended to serve two large sections.

The clause of the constitution to which reference is made as to the passing of bond laws for the