

\$1,000 REWARD!

ONE THOUSAND DOLLARS REWARD WILL BE PAID BY THE UNDERSIGNED TO ANY PERSON WHO CAN SHOW BY AUTHENTIC TESTIMONY THAT ANY CITY OR TOWN IN THE UNITED STATES, OUTSIDE OF THE ROGUE RIVER VALLEY, HAS TRIBUTARY TO IT, WITHIN A 10-MILE RADIUS, A 20-MILE RADIUS, A 30-MILE RADIUS OR A 40-MILE RADIUS, AS MANY DIVERSIFIED RESOURCES AS MEDFORD, OREGON, HAS WITHIN A CORRESPONDING RADIUS. MEDFORD COMMERCIAL CLUB.

MEDFORD DAILY TRIBUNE

FOURTH YEAR.

MEDFORD, OREGON, FRIDAY, AUGUST 6, 1909.

No. 119.

MEDFORD IS ENJOINED BY HANLEY

JUDGE HANNA ISSUES ORDER KEEPING CITY OFF PREMISES

CASE WILL NOW BE TRIED DURING SEPTEMBER TERM OF COURT; TIME IS LOST

Judge Hanna's order based upon alleged improper service upon Hanley of order convening special term of court. Reames files long complaint regarding recent term of court.

Circuit Judge H. K. Hanna this morning issued a temporary injunction restraining the City of Medford from entering upon the Hanley premises on Little Butte Creek. The order was made upon the complaint and petition of M. F. Hanley, through his attorney, A. E. Reames, who alleged that the recent term of court held by Judge John S. Coke of the Second Judicial District, in which damages to the amount of \$600 were awarded to Mr. Hanley, was unconstitutional and that the order of Judge Coke calling the special term was not properly served upon Mr. Hanley. Judge Hanna required Mr. Hanley to file a bond of \$10,000 and then issued the injunction.

That Mr. Reames would apply for an injunction was indicated in The Tribune some days ago. Throughout the special term of court he did not appear as counsel for Mr. Hanley, in order that he might allege that at no time during the proceedings did the defendant acknowledge the legality of the special term of court. The issuing of the injunction this morning means that the case must now wait until the September term of court for trial and as it has been a custom in the circuit court not to hear cases in equity until after the jury has been discharged, it is probable that the matter will not be reached until October. Then after a hearing in the circuit court the matter will be carried to the supreme court, no matter which way it is decided. It looks very much as if the case, if fought through, will not reach a conclusion until a year has passed.

The notice that the injunction had been issued came with considerable surprise to City Attorney Neff, as Circuit Judge Hanna had promised him, in the presence of County Clerk W. R. Coleman, that he would at grant such an injunction, without first notifying him. The City Attorney has not as yet determined what his future course of action will be.

Reames Cries "Fraud."
In the complaint filed by Mr. Reames he attacks the methods employed to get a special term of court ordered in this district by the order of the Governor, naming the matters set forth in the petition as "fraudulent representations" which "deceived" the Governor and caused him to order the calling of the term of court. The complaint says in this regard:

"That the representations made in said certificate were false and untrue in this: that the judge of the above entitled court (Jackson County) had not declined to call said special term because of any press of business * * * and further, that the said city at the time the certificate was made, had the same water supply which it has had for years past. That, in addition thereto, it is

bringing through its pipe lines the same water which it seeks to take across plaintiff's meadows * * * that said certificate was further untrue in alleging that any typhoid or other epidemic was prevalent."

Legality Ignored
In the complaint the question of the constitutionality of the special term of court is raised, but Judge Hanna did not go into that portion of the complaint at this time. He based the temporary injunction upon the matter of alleged in the complaint in the serving of the order of Judge Coke in convening the special term of court. In this regard the complaint says:

"That no copy of said pretended order (that of Judge Coke in calling the special term of court) was ever served upon the defendant in said suit; that no return of any pretended service of said pretended order was ever filed in said action excepting the pretended return which purports to certify that a certified copy was left at the residence of the defendant nine days prior to the date of the special term * * * whereas the statute provides for the serving of the same upon the defendant at least 10

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UNDERTAKES TO OUTWALK TRAIN

Demented Passenger Wearies of the Speed of S. P. Train Through the Siskiyou.

ASHLAND, Or., Aug. 6.—Otto Born, a young man who became afflicted with a mild attack of dementia while on a trip to the Pacific Coast, his actions finally leading to his detention here by the police authorities last week, left for his home at St. Paul, Minn., yesterday, with Chief of Police A. L. Irwin, of Ashland, as his traveling companion, Born's relatives having telegraphed transportation and money, not only for the return of the young man, but to cover the expenses of the escort also.

Born, after visiting a brother in Idaho, came on into Oregon, and at Roseburg attracted notice by his queer actions. He purchased a ticket for Shasta Springs, and while traveling across the Siskiyou left the train at one of the small stations, saying it was going too slow for him and that he could make better time afoot. He started to walk down through the valley and awakened people at farm houses enroute in the middle of the night by knocking at doors and seeking admittance. In one or two instances women alone in houses were frightened by the intruder, who also labored under a hallucination that some one was seeking to take his life. In many respects the young man seemed rational and he had money in plenty.

M'MURRAY SAYS MANY ARE COMING

PORTLAND, Or., Aug. 6.—After an absence of nearly two months in Chicago and Washington, William McMurray, general passenger agent of the O. R. & N. and Southern Pacific lines in Oregon, returned to Portland last night. Mr. McMurray was in attendance upon a business meeting of the general passenger agents of the Harriman lines.

"It is the belief of the passenger traffic men that during the 31 days the rates will be in force the colonist travel will exceed every previous colonist rate period of 60 days. We expect to carry more passengers holding colonist tickets this fall than ever before. The advertising given the west by the Seattle exposition and the prominence given Oregon by community literature will reap their reward in an influx of homeseekers the like of which has never been seen in the Northwest."

Little boys' khaki summer suits below cost at the Wardrobe 119

IOWA EDITOR PLEASSED WITH ROGUE VALLEY

Managing Editor of Daily Capital of Des Moines, Ia., Visiting in Medford—Charmed With What He Found.

WILL DRAW PEN PICTURES FOR HIS EASTERN READERS

Says Commercial Club Has Right Spirit—is Delighted With the Climate.

W. T. Buchanan, managing editor of the Daily Capital of Des Moines, Iowa, accompanied by his wife and his son Robert dropped in Medford last night, with a view of getting a glimpse of the valley so that he could tell his friends in Iowa of the conditions existing in the Rogue River country.

Mr. Buchanan is at the head of one of the greatest dailies in the middle west and has held a responsible connection with the Associated Press for many years. He is in a position to give the Rogue River country the widest kind of publicity and his opinion was sought by the reporter with a view of finding out just what he thought of this portion of the Coast. In talking with him he remarked:

"No man could make up his opinion of the resources of this valley in a single day. I have traveled during the last eight weeks five or six thousand miles, largely in the mountain section of our common country, and my present impressions are that this is one of the choicest spots of the Pacific Coast. The valley here itself reminds one a good deal of the surrounding country of Pasadena and Riverside. Of course, in these two places it is the orange grove which gives the beautiful vista of the eye. Here it is your pear and apple trees, but to the uninitiated in fruit culture, there is that same general impression, the same contour of scenic beauty, and to the eastward it creates a very delightful impression.

Climate an Asset.

I have just come out of the Klamath Falls Country, where I spent a week looking over the prospects of that country, and I was impressed with this fact on arriving here, that there was just as much chance for the Klamath County man to come over in Medford to live during the winter as it is for the Iowa man to go to Pasadena. Your climate here is undoubtedly a great asset, and will always continue to be so.

"One of the best impressions that I have received here is the unadmitted enterprise of your citizens. Your Commercial Club has got the right spirit. The construction of your exhibit building is a splendid idea. There is nothing like advertising. It is the greatest force today in modern times."

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CONCERT TONIGHT.

The program for the weekly concert at the park tonight, is as follows:

- March—The Imperial Life Guard.
- Overture—The Enchantress.
- Intermezzo—Fairy Queen.
- Waltz—Serenata.
- Novellette—Senora (Spanish).
- Selection—The Time, the Place, the Girl.
- March—El Capitan.

SELLS LAND AT LARGE PROFIT

Central Point Man Disposes of Half of His Place for More Than the Whole Cost Him.

C. E. Percival, of Urbana, Ill., on Thursday purchased 20 acres of orchard land from A. J. Dunlap, who resides near Central Point, the consideration being \$9,650.

Mr. Dunlap's experience in the valley has been that of many others. Last year he purchased 100 acres of the old Leever estate, two miles from Central Point, paying \$16,000 for the tract. Last May he sold 30 acres of the tract to Forest Miller, of Des Moines, Ia., for \$8,000. With the sale Thursday he disposed of exactly half of his holdings for \$17,650 or \$1,650 more than he paid for the tract last year. It is but another example of the increase in values throughout the valley. Three years ago J. A. Larrabee, who sold to Mr. Dunlap, purchased the place for \$6,000.

CONSERVATION MEET AT SEATTLE FAIR

The First National Conservation Congress of the United States, which will be held in the Auditorium of the Alaska-Yukon-Pacific Exposition, at Seattle, Wash., August 26, 27 and 28, under the auspices of the Washington Conservation Association, promises to be an educational meeting of more than ordinary importance. It will bring together several thousand representative men and women interested in the material development of the country, and the proper utilization of all the natural resources producing individual wealth and national prosperity.

The Congress will mark the opening of a campaign for international conservation of all that assists in making the world a desirable place for present and future generations to build homes and establish commercial enterprises.

President William H. Taft, Hon. R. A. Ballinger, Secretary of the Interior; Gilford Pinchet, chairman of the Joint Committee on Conservation Between States and Nation; F. F. Newell, Chief of the Reclamation Service; Senator Reed Smoot of Utah; Senator Patie Gibson, of Montana, and several members of the United States Senate and House of Representatives. Hon. W. T. Proer, Governor of Hawaii and Prof. Ralph

LONG STRIDE IN MUNICIPAL IMPROVEMENT

Contract Let for Paving Half a Mile of West Main Street with Bituminous Pavement to Warren Construction Company.

ORDER SEWER EXTENSIONS AND SIDEWALKS LAID

Two and a Quarter Miles of Paved Streets for Medford by End of Year.

Another long step towards metropolitan Medford was taken Thursday evening by the City Council, when the contract for paving West Main Street with bituminous pavement from the school house west to the city limits, a little over half a mile in distance, was let to the Warren construction Company, making a total for Medford exceeding two and a quarter miles of paved streets. In addition a couple of miles of additional sewer, was ordered, as well as numerous cement and plank sidewalks.

West Main will be paved 36 feet in width, between curbs. The cost of paving and curbing will be \$6.30 per lineal foot of frontage, exclusive of street intersections.

Cement sidewalks were ordered constructed along both sides of Oakdale Avenue from Fourth Street to the south city limits, and the engineers' estimates for paving Oakdale allowed and warrants ordered drawn. Plank walks were ordered along the east and west sides of Genesee Street from East Main to city limits.

A sewer was ordered constructed along the alley between DeAnjou Street and Central Avenue, from Eighth to Ninth street; along the entire length of Hamilton Street; along Orange Street from Eighth to Tenth; along the alley through block 25, from Second to Third Streets.

Ordinances were passed declaring the cost of improvement of paving on Oakdale Avenue, Central Avenue and DeAnjou Street, and declaring such assessment and directing the entry thereon in the docket of city liens. The total assessment for Oakdale at \$5.25 per lineal foot is \$50,150, for Central Avenue \$7311.43, for DeAnjou \$6,472.89.

Other routine business was transacted.

S. Hosmer, of the Hawaiian Conservation Commission, will be on the list, and many commercial and civic organizations have agreed to supply speakers. In addition, some of the most prominent churchmen of the day will participate.

Mrs. Kate Van Winkle Collins, who recently shot and killed her husband, Dr. R. M. Collins, at Portland, has been declared sane.

The fiftieth anniversary of the discovery of oil in Pennsylvania was celebrated yesterday.