

\$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, WEDNESDAY, AUGUST 18, 1909.

No. 129.

SUPREME COURT GIVES NEW TRIAL TO WALSWORTH

Judge Hanna Reversed for Refusal to Instruct Jury in Behalf of Defendants' Right to Resist Attack Mother in Danger.

SLAYERS OF MANKIN SERVING LIFE SENTENCE

History of Case That Resulted in Pitched Battle Between Two Families Near Jacksonville.

SALEM, Or., Aug. 18.—The supreme court yesterday reversed another case from Jackson county because of the error of Judge Hanna, and the notorious Walsworth case has been remanded back for another trial. About a year ago Charles H. Walsworth and Norval Walsworth, father and son, were sent up for life sentence on a verdict of murder in the second degree, and upon the appeal of the Walsworths the case was yesterday reversed and ordered back for a new trial.

History of Case.
The shooting affray which resulted in the killing of James Mankin a year ago last Christmas was one of the bloodiest affairs in the annals of Jackson county.

The Walsworths were at that time residing in a cabin upon a piece of land owned by the Mankins, and the trouble grew out of an attempt to eject the Walsworths from the land.

Origin of Quarrel.
Henry Mankin went to the Walsworth place in company with a witness to serve a notice to vacate on the elder Walsworth, and became involved in a quarrel with the latter. The quarrel took place at the stable of the Walsworth place. During the altercation James Mankin came over and, it is charged, took up the quarrel of his brother Henry.

In the meantime Carol Mankin, another brother, being attracted by the loud noise, came hurrying to the scene, armed with a large stick. Walsworth, noticing the latter's approach, and mistaking the stick for a gun, ran to the house crying, "it's guns you want, is it?"

Up to this point Norval Walsworth who had taken no part in the affray, called to his father that it was not a gun, but a stick.

Brought a Rifle.
The elder Walsworth, upon reaching the house, came to the door with a rifle, and as he claims, fired a shot in the air for the purpose of frightening away the Mankins.

Belle Mankin, a sister of the belligerents, upon hearing the report of Walsworth's rifle, hurriedly brought a shotgun and later a rifle, and then followed a duel in which a number of shots were exchanged, James Mankin being fatally wounded and the elder Walsworth receiving a serious wound in the head from a rifle ball and a number of gunshot wounds about the head and arms.

Youth Fired Fatal Shot.
It appears that the shot which killed Mankin was fired by Norval Walsworth from the rear of the house, it being his claim that he thought his mother was in the house at the time and that her life was endangered by the Mankins firing through the house.

Because Judge Hanna refused to instruct the jury to the effect that where one had reasonable ground for the belief that his mother's life was

THE BEST BARTLETT PEAR ORCHARD ON EARTH



THIS SEVEN AND ONE-HALF ACRES OF BARTLETT PEARS, OWNED BY JOHN G. GORE, LOCATED TWO MILES SOUTH OF MEDFORD, WILL NET \$1500 PER ACRE A YEAR, MAKING AN AVERAGE YIELD OF \$1000 NET PER ACRE FOR THE PAST FIVE YEARS.

HARRIMAN TOO WEAK TO WALK

Railroad Magnate Carried Aboard Liner on Homeward Trip—Search for Health Proves a Failure.

CHERBOURG, France, Aug. 18.—All doubt of the serious condition of Edward H. Harriman was removed today when the railroad king was carried aboard the liner Kaiser Wilhelm the Second, apparently too weak to walk. It is apparent from his condition that his trip in search of health has been a failure. He attempted to veil the evidence of his weakness, so that it wouldn't affect the stock market. He said: "I am not in a serious condition at all. The baths at Badgastein have weakened me and the German food disagreed with me. I was also annoyed by the crowds at the hotels."

REDS DRIVE DEFENDERS FROM BOSTON SUBURBS

BOSTON, Aug. 18.—The "Red" army attacking Boston, commanded by Brigadier General Tasko Bliss, drove back the defending "blues" near Middleboro this morning. The blues retreated in good order through muddy fields and roads. The "Reds" landed 800 men tonight. The entire "red" advance was opposed by only three regiments of "blues." The defenders are rushing reinforcements to the threatened point.

endangered by a felonious assault, he had a right to resist the assault, even to the taking of human life. Reames & Reames appeared for the state in the trial and the defendants were represented by R. G. Smith and E. E. Kelly.

GORE BARTLETT ORCHARD WILL NET ABOUT \$1500 AN ACRE

Few Trees Will Yield Less Than Twenty Boxes—Orchard Has Never Missed a Crop Since It Began to Bear and Has Averaged \$1000 an Acre Net to Grower for the Past Five Years.

Pear picking and shipping is in full blast on the model Gore orchard two miles south of Medford, and again this year this remarkable grove is justifying the claim of being the best Bartlett pear orchard in the world. The trees are heavily laden with perfect fruit, few trees containing less than 20 boxes to the tree.

This year's crop, estimated at the prevailing prices, will net \$1500 an acre, bringing the average yield for the past five years up to \$1000 an acre net to the owner. In 1907, the crop netted \$10,000. In 1908, the yield was heavier, but the price of pears lower. Still there was a handsome revenue.

The orchard is the property of John G. Gore and consists of seven and one-half acres of 19-year-old trees. It has never known a crop failure since it first began to bear, and last year Mr. Gore refused an offer of \$2500 an acre, spot cash.

Mr. Gore has followed original lines in the care of the orchard, and its perfect condition bespeaks the result. There is not a blighted limb in the grove.

PELICAN BAY STILL EXPECTS HARRIMAN

KLAMATH FALLS, Or., Aug. 17.—It is impossible to confirm the reports that Mr. Harriman is coming direct from Europe to Pelican Lodge, but nevertheless the general opinion seems to be that the Southern Pacific chief will be in this section about the middle of September. It is now said that he is coming here for the dual purpose of enjoying the beautiful fall weather and getting in close touch with the Oregon railroad situation. It seems that most of the reports concerning the coming of Harriman emanate from Pelican Lodge, and are caused by the fact that there has been no cessation in the making of improvements since work was begun last spring.

BEGIN SMELTING ORE AT TAKILMA

Copper Smelter Reopened by San Francisco Capitalists, Owners of Waldo Mine.

The Takilma smelter at Takilma has been leased and will be operated from now on by J. O'B. Gunn, the San Francisco capitalist, and Colonel T. Wals-Morgan Draper, of San Francisco, owner of the Crescent City railroad survey, who are owners of the Waldo copper mine, which they are developing upon a large scale. The reopening of the smelter means an increase in the working force to 125 men.

The smelter will be blown in Monday, having been leased from the estate of Charles E. Tuttle of Colorado Springs, and it will probably be eventually purchased and enlarged or a new smelter built.

The Takilma smelter was built five years ago and has a capacity of 200 tons a day. It is located about 40 miles from Medford in a good copper district.

FORGER TRIAL AT YREKA IN AUTUMN

YREKA, Cal., Aug. 18.—The trial of James R. Stanley, who was bound over by Judge Clarke of Dunsuir last week to answer to the superior court on a charge of forgery, will probably not come up before the middle of September or later. Judge Lodge is away on his vacation, and there will be no more court until September 4. Stanley will probably be arraigned at that time on his trial set. Stanley's bail was fixed at \$5000, but as yet he has been unable to give the bail and is confined in the county jail. He is a lawyer and may plead his own case in court.

SKULL SOLVES MYSTERY OF WILL KING

Bleached Bones Believed to Be Those of Medford Man Who Strangely Disappeared Four Years Ago Near Mountain Homestead.

BULLET HOLE HINTS AT TALE OF MURDER

Brother Identifies Remains as Those of Missing Homesteader—Foul Play Is Suspected.

The bleached bones of a man, believed to be those of Will King, who mysteriously disappeared four years ago, were discovered Tuesday along Trail creek. A bullet hole in the skull between the eyes indicates foul play and such is the belief of the family of the missing man.

The remains were discovered on Trail creek near the cabin of Charles King, a brother, at whose place the missing man was stopping at the time he disappeared, some four years ago.

The last seen of him was at a neighboring ranch some four miles from the King homestead, and it is presumed that in making the return trip he in some unaccountable manner met his death, either through accident or design, as the skull shows evidence of having been pierced by a bullet.

As soon as the news of the discovery reached the city Ed King, a brother of the missing man, accompanied by Coroner Kellogg, hastened to the scene and brought the remains to this city, where they will be held pending further developments.

No suspicion is attached to anyone, and as the bones were rather broken up, it is hardly probable that they will ever be properly identified unless something develops from the coroner's investigation.

START WORK BUILDING YREKA COURTHOUSE

YREKA, Cal., Aug. 18.—The Roberts Brothers' Construction company, which has the contract for building the new \$38,500 hall of records, is getting its apparatus on the grounds, preparatory to starting in actual work at an early date. Excavation for the basement which will contain a heating plant, will be commenced within a few days, and the work will then be pushed as rapidly as possible. The building will have an east exposure and will rest on the south side of the courthouse square. The contract calls for a first-class, fire proof building in every particular. When completed, it will be one of the finest buildings in the northern part of the state. The contractors expect to have the building ready for occupancy in about five months.

MCDONALD REMAINS AS COLONEL OF O. N. G.

PORTLAND, Or., Aug. 18.—With the definite announcement that because of the notoriety incident to his verbal resignation as colonel of the Third regiment, Oregon National Guard, and the ugly but unjust rumors which have been circulated as to shortages in his accounts, Colonel C. E. McDonald has reconsidered his decision and will remain as the commanding officer of the regiment.