

\$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, SEPTEMBER 8, 1909.

No. 147.

HANLEY DECISION FIRST NEXT WEEK

HANNA DELAYS HIS DECISION

Informing Attorneys That as Yet He Has Not Fully Covered Points of Law.

Judge H. K. Hanna of the circuit court announced on Tuesday that he would be unable to render a decision in the case of the city vs. M. F. Hanley before the first of next week, as he had not as yet been able to go fully into all of the points of law offered by the attorneys in the case. Great interest is manifested regarding this matter, as the decision of Judge Hanna will mean whether the gravity system can be constructed at once or whether the supreme court will be appealed to.

ESTES TELLS OF P. & E. HISTORY

Tells How Oregon Trust & Savings Company Handled the Deal.

The history of the Pacific & Eastern's formation and the purchase of the Medford & Crater Lake by George Estes for the Oregon Trust and Savings bank has been given by Mr. Estes in reply to questions based upon examination of records now in the possession of Receiver T. C. Devlin in the inquiry into the defunct bank's affairs now being conducted at Portland.

Mr. Estes states that the purchase price was \$81,500, and the funds came from the sale of bonds of the P. & E. as the purchasing company through Estes as agent. Mr. Estes states:

Estes' Statement.
"The bank purchased \$100,000 worth of the bonds of the Pacific & Eastern railway, to be delivered under an agreement at a later date, the delay in delivery being occasioned by legal formalities in connection with the organization of the corporation, with the bond issue and in lithographing the bonds. The bank placed that sum, less \$5000 in commissions, which went to the bank, to the credit of the Pacific & Eastern railway. Out of this sum the certificates of deposit were issued.

"An agreement was made by the bank with the incorporators of the Pacific & Eastern railway to deliver it \$100,000 in bonds as soon as they could be issued, which agreement was afterward secured by a trust deed of the railway, including all of its terminal grounds in Medford, 11 miles of deeded right of way, roadbed, equipment, surveys, franchises, and all tangible and intangible assets."

Under Morris' Orders.
"I was neither stockholder nor director in the Oregon Trust & Savings bank, and was never admitted to any meeting of its directors. I have no knowledge of who authorized the bond purchases. While the ostensible manager of the bond department, my sole

WALSWORTH CASE ON NEXT WEEK

Famous Murder Case to Be Heard Again Beginning Monday.

The rehearing of the Walsworth murder case will be commenced at the first of next week in the circuit court. The date for trial was fixed by Judge H. K. Hanna Tuesday, the first day of the September session of the circuit court.

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 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 become 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 Carrol 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.

duties in connection with the bonds owned or held by the bank were to sell those bonds to such customers as desired them at prices fixed for me by the management. My orders came directly from Cashier W. Cooper Morris in all things pertaining to the bank's affairs."

ALLEN TO BUILD ROAD FROM IDAHO TO SEA?

Indications Are That Owner of Pacific and Eastern Is Back of Central Oregon and Pacific Company.

LEAVES TO MEET THE BIDDERS FOR CONTRACT

Known That Allen Represents Great Amount of Eastern Money Seeking Oregon Investment.

Is John R. Allen, having successfully financed the Pacific & Eastern, going to build another railroad? Is he to construct a line from Coos Bay to Idaho?

Is he the power back of the recently incorporated Central Oregon & Pacific Railway company?

Franklin T. Griffiths, one of the incorporators of the new company, is Allen's chief attorney. C. H. Warner, promoter of the Central Oregon & Pacific, is a cousin of Allen by marriage.

Before his departure for Portland and Spokane Tuesday evening, where he will meet the contractors who are bidding on the construction of the Pacific & Eastern, Mr. Allen refused to affirm or deny his connection with the Central Oregon & Pacific.

May Be a Hill Line.
It is known that Mr. Allen represents a great deal of eastern money that is seeking investment in Oregon and that he has great faith in the future of the state. Whether he has connections with Hill or not is known only to himself, but it is not at all improbable that the Central Oregon & Pacific as well as the Pacific & Eastern would be a desirable feeder for the Hill lines in central Oregon. A Brownsville dispatch states that C. H. Warner has started the survey

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NELSON IS AFTER 1910 SHOOT OF PACIFIC INDIANS

British Columbia Town Wants 1910 Shoot of Indian Band—Will Probably Get It.

MISSING INDIANS WIRE REGRETS AT THEIR ABSENCE

Second Day's Shoot Passes Off in Great Shape—Good Scores Are Made.

Nelson, B. C., is after the 910 shoot of the Pacific Indians hot and heavy and will in all likelihood secure it, as a consensus of opinion on the part of the members of the organization is any criterion. The city is a "five one" and is favored by a "five bunch."

The organization Wednesday received a wire regret from two of its members, the only ones unable to attend this year's tournament. From Spokane they wired:

"While unable to attend, our hearts are with you. Go to it. Take a few scalps for us." Signed "E. J. Chudren and Tom B. Ware."

The second day of the shoot passed off in fine shape. Several good scores were made. The scores today were as follows:

Out of 180 birds, King broke 144, Friedman 166, Hafer 134, Dillon 176, Heard 147, Gilbert 177, Willett 163, Barkley 177, Gottlieb 148, Marshall 166, Cullison 166, Forbes 162, Abraham 166, Enyart 162, Seeley 152, Naquim 171, Thorpe 161, Wells 135, Holohan 165, Haight 157, Riehl 171, Converse 149, Miller 163, Adelman 163, Ellis 168, Poston 170, L. Reid 167, Hauxhurst 164, Bordeaux 144, J. Reid 165, Hellman 169, Daniels 135, Bigham 83, Minard 153.

Out of 140: Biden 121, Whitney 122.

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PUTNAM CASE IS DISMISSED

MULKEY OFFERS MOTION DISMISS

Famous Libel Case at Last Passes Into History—Was Noted Over the Entire Coast.

Upon motion of District Attorney B. F. Mulkey, Judge H. K. Hanna Wednesday morning dismissed the case of the state vs. George Putnam for libel. The supreme court ordered a new trial on appeal, but owing to the lapse of time between the return of the indictment and the improbability of securing a conviction, the district attorney offered a motion to dismiss, which was granted.

Much Interest in Case.
Putnam's case aroused much interest throughout the state two years ago on account of his sensational arrest on the indictment for libel returned by a Jackson county jury Christmas eve a year ago. He was pulled from his berth in a Pullman at Roseburg while on his way to Portland to spend the holidays, denied the privilege of communicating with his friends either by telephone or telegraph, refused all courtesies and thrown into a cell in the Douglas county jail, and confined until the afternoon of the next day, when he was released upon his friends hearing of his condition.

Fined \$150.
Putnam was tried and convicted of the crime of libel a week later and fined \$150. From the judgment and sentence he appealed, claiming that the court erred at the trial in receiving and refusing evidence and in giving and refusing certain instructions. The supreme court reversed Judge Hanna and ordered a new trial.

The offense charged in the indictment grew out of an article published in the Medford Daily Tribune, of which Putnam is editor and manager, commenting upon the work of the jury in investigating a charge of assault with a deadly weapon made by W. S. Barnum, a resident of the Rogue River valley, upon Dr. J. F. Reddy, mayor of Medford. Barnum had been held to answer to the grand jury by a justice of the peace, and that grand jury returned not a true bill. During the trial the defendant offered to prove the truthfulness of the article, show that Barnum had committed a murderous assault upon Reddy, and that the grand jury did not make a proper investigation of the offense committed. Judge H. K. Hanna, before whom the case was tried, held that the defendant had no right under the law to go into the question of the manner of the investigation by the grand jury to offer any evidence concerning the nature of the assault made upon Reddy by Barnum.

The alleged libelous section of Putnam's editorial was as follows:

The Article in Question.
"It took them (the grand jury) just 15 minutes to indict a friendless horse thief, a poor old woman and a penniless forger. They spent three days on the Barnum case and then justified the murderous assault. Deputy District Attorney Reames is a most relentless prosecutor when a man drops a nickel in a slot machine or takes a drink on Sunday, or a poor fallen creature is caught sinning. Such heinous crimes must be pun-

COSS CASE UP MARCH TERM

Continuance Asked for and Granted—No Witnesses on Hand.

District Attorney B. F. Mulkey has asked for a continuance in the case of the state vs. H. M. Coss, on a statutory charge, until the next or March term of court. The continuance will probably be granted.

The continuance was asked for by the district attorney upon the ground that he could not get hold of the complaining witness, Carrie Stagg, at the present time.

Coss was tried last year, found guilty and sentenced to serve a term of seven years. Upon appeal his case was reversed and a new trial ordered. Coss is at present out under bond.

PEARY DOUBTS COOK'S STORY

Begin to Look as if Controversy Would Result Over Discovery of North Pole.

NEW YORK, Sept. 8.—The United Press today received the following message from Commander Peary, dated Indian Harbor via Cape Ray: "Dr. Cook's story shouldn't be taken too seriously. The two Eskimos who accompanied him say he went no distance north and was not out of sight of land. Other men of the tribe corroborate this statement. (Signed) "PEARY."

Cook Keeps Still.
COPENHAGEN, Sept. 8.—When Cook was shown the statement of Peary this morning questioning Cook's veracity, Cook said: "I'll not demean myself by answering Peary's charges until the accusation is made on scientific data."

Cook refused to say anything more, but plainly showed that he was angry. The Peary message created a sensation here. Already the lines are sharply drawn and ill feeling is apparent between the Cook and Peary supporters.

+ CALL ISSUED FOR BANK STATEMENTS +
+ WASHINGTON, Sept. 8. +
+ The comptroller of the currency today issued a call for a statement of the condition of national banks at the close of business Wednesday, September 1. +

ished; they are dangerous at once to life and limb. But anyone can try to brain a man with an ax and secure immunity from a blindfolded representative of justice."

MEDFORD'S TAG DAY PROVES A GREAT SUCCESS

Ladies of Greater Medford Club Realizing a Tidy Sum for Park Improvement—Davis, Ray and Palm Are the Champion Tag Purchasers.

Tag day has been a great success in Medford. Already thousands of tags have been sold, although the ladies expect to make the biggest killing this evening, when the crowds turn out to view the Indian parade. As a result, a goodly sum for park improvement will be realized.

The champion tag purchasers up to noon were A. A. Davis, Dr. C. R. Ray and Charles Palm. Each of these gentlemen were covered with tags. They hung in bunches all over them and their hats fairly bristled with them. It is estimated that each probably purchased from \$40 to \$50 worth to aid the cause of Medford's park.

All the ladies of the Greater Medford club spent a very busy day. They were up with the dawn and but few men escaped. One tag did not purchase immunity—it took half a dozen or more and even then a man was

not safe. Early in the day the stores and shops were visited and the dimes came forth by the score. It was easy to tell a mossback—he wouldn't buy a tag. He thought more of his dime than of the city park, but the scarcity of mossbacks in Medford was never so apparent. Almost everyone wore at least one tag—and those who sneaked through alleys to escape were few and far between—although there were some such.

Interesting stories are told by the ladies of their efforts to sell the tags. In most cases the men approached were willing victims and readily shelled out the coin, especially when surrounded by a score of ladies, as was frequently the case. Once in a while, however, the united efforts resulted in failure, and then the ladies knew they were working on a hard shelled mossback, and abandoned him as hopeless.