

MEDFORD SPENT \$2,500,000 FOR BUILDINGS DURING 1909 - AND 1910 PROMISES TO SURPASS THIS AMAZING RECORD

United Press Association.
Full Licensed Wire Report
The only paper in the
world published in a city the
size of Medford having a
licensed wire.

MEDFORD MAIL TRIBUNE

THE WEATHER.
Tonight and Wednesday—
Cloudy. Monday—Cloudy;
high, 46; low, 28; range, 39.

FOURTH YEAR.

MEDFORD, OREGON, WEDNESDAY, JANUARY 12, 1910.

No. 254.

PEOPLE ENDORSE CITY ADMINISTRATION AT THE POLLS

COUNCIL IS REELECTED TO OFFICE

Wortman Wins in Second Ward by Seventeen Majority Out of Three Hundred Votes—Balance Walk in Easily.

FIRST THREE CHARTER AMENDMENTS CARRY

Fourth Amendment Lost by Narrow Margin of Four—Telfer's Big Lead for Recorder.

The people of Medford yesterday demonstrated their confidence in the administration of 1909 by re-electing Messrs Eifert, Merrick and Wortman as city councilmen, and their appreciation of the work of R. W. Telfer as recorder by making it a runaway race for him.

The only real fight was in the second ward between H. G. Wortman and H. G. Nicholson, and Wortman won by a margin of 17 votes.

The first three of the four charter amendments proposed, were carried, but the fourth met defeat.

The amendment providing that the council have power to designate the bank in which city funds should be deposited seemed most in favor and the majority in favor was 147.

The fourth amendment providing for assessments for improvements was lost by four votes.

The total vote was 713, considerably short of what it was in 1909, when the contest extended all along the line.

The first ward cast 213 votes, the second 309, and the third 200.

The following is the vote by wards:

First Ward.

For recorder—Telfer, 130; Taylor, 77.

Treasurer—Jacobs, 194.

Councilman—Merrick, 135; Sweet, 75; Merrick's majority, 60.

Second Ward.

Recorder—Telfer, 231; Taylor, 63.

Treasurer—Jacobs, 276.

Councilmen—158; Nicholson, 141; Wortman's majority, 17.

Third Ward.

Recorder—Telfer, 150; Taylor, 42.

Treasurer—Jacobs, 172.

Councilman—Eifert, 147.

The Amendments.

Amendment No. 1.—(Creating a police court)—First ward, yes, 127; no, 72. Second ward—yes, 169; no, 114. Third ward—yes, 99; no, 79. Total, yes, 395; no, 265.

Amendment No. 2.—(Providing salaries for mayor and council)—First ward, yes, 132; no, 78. Second ward—yes, 151; no, 123. Third ward, yes, 92; no, 92. Total, yes, 375; no, 278.

Amendment No. 3.—(Prescribing the treasurer's duties)—First ward, yes, 124; no, 67. Second ward—yes, 169; no, 103. Third ward—yes, 102; no, 69; total, yes, 386; no, 239.

Amendment No. 4.—(Amending sections 50 and 84)—First ward, yes, 99; no, 85. Second ward—yes, 124; no, 117. Third ward—yes, 69; no, 94; total, yes, 292; no, 296.

DALZELL NAMED TO INVESTIGATE BALLINGER

WASHINGTON, Jan. 12.—By unanimous consent the house today adopted a motion to concur in the senate amendments to the Ballinger resolution.

Speaker Cannon then appointed the following members to represent the house in the conference: Dalzell of Pennsylvania, Fitzgerald and Smith of Iowa.

HOT TIME IN ASHLAND'S COUNCIL

City Dads Reject Franchise Application of Home Company and Appeal Will Be Made to People.

WILL EXPERT BOOKS OF RECORDER EGGLESTON

Allen Trolley Franchise Postponed—Councilmen Exchange Compliments and Feeling Is High.

ASHLAND, Jan. 12.—Tuesday night's council meeting was full of interest. If the bill had been announced the city hall would not have held the crowds that would have gathered to see the show. Of course, it was largely vaudeville, but high-class, up-to-date vaudeville at that, and franchises, committee appointments and veiled charges of graft simply filled the air, giving a decided metropolitan aspect to the meeting.

That Telephone Franchise. Convinced that his prospects for getting a franchise from the council were very slim, E. C. Sharpe, representing an independent telephone company, last night informed the city dads that he would make the request direct to the people by initiative petition.

Mr. Sharpe represents the people who have secured franchises in Grants Pass and Medford and who propose to give the entire valley a first-class telephone service which will connect with long distance lines to the north and south within a very short time.

The attitude of the council, which is wholly the result of lack of foresight, if imitated by the people, would be equivalent to granting an exclusive franchise to the Pacific States Telephone company.

Trolley Franchise Postponed. John R. Allen's petition for a street railway franchise was again presented last night and action was again postponed. Attorney Robert Glenn Smith of Grants Pass made the plea in behalf of Allen, but the council, being an exceedingly large body, moves slowly, and had not yet arrived at a point where a final decision could be made.

Action was postponed until next meeting. In the meantime, the citizens are wondering just how much more monkey-business there

(Continued on page 8.)

MOORE ANNEX IS SOLD, \$24,000

T. E. Pottenger and F. M. Amy Purchase Block West of Moore Hotel, on the West Side.

T. H. Moore has sold the brick building on Main street, West, known as the Moore Hotel annex, to T. E. Pottenger and F. M. Amy for a consideration of \$24,000.

The building is two stories high and fronts fifty feet on Main street. The lower floor is occupied by stores and the upper is used by the Moore Hotel as lodging rooms.

Messrs. Pottenger and Amy are not forming any plans for the future in regard to the property, having purchased it as an investment and being pretty well satisfied with it as it is.

AIR SHIPS SMASHING RECORDS

Glenn Curtiss, American Aviator, Travels at the Rate of Fifty-Five Miles an Hour at Los Angeles Exhibition.

PAULHAN IS AFTER HIGHEST ALTITUDE

Two New Triplanes Put in Air Late This Afternoon—Biplanes and Monoplanes Are Tried.

LOS ANGELES, Cal., Jan. 12.—Following his wonderful exhibitions late yesterday afternoon when he smashed three world's records, Glenn Curtiss, the American aviator, is being idolized by the people who until yesterday worshipped at the pedestal occupied by Paulhan, the Frenchman bird.

Curtiss stated today that he intended to "cut loose and put a kink into every record going," if it is within his power to do so. After smashing the starting record by rising after the remarkably short run of 98 feet, Curtiss immediately created a new world's record for quick starting by rising from the ground in 6 2-5 seconds.

Then, before the cheers of the crowd had ceased echoing, the American was in the air, with Jerome Fanciulli as a passenger, speeding his biplane around the course at the rate of 55 miles an hour. He traveled three quarters of a mile. This was the third world's record made in one day by the aviator.

An Altitude Record. Not to be outdone, "for the sake of his dear France," Paulhan stated today that he would go after the world's record of altitude this afternoon. He passed the forenoon at the grounds getting his Farman biplane in readiness for the high flight.

Charles K. Hamilton, who came near being hurt when his Curtiss biplane suddenly dropped from a height of 25 feet, has worked from early morning in an effort to get his machine in working order again. When the aeroplane plumed downward the ground gear was wrecked.

It was learned today that the real reason why Paulhan only remained 13 seconds in the air in a Bleriot monoplane was because he had promised his wife not to fly in the sky terror and not on account of the stiff wind, as was explained. It is understood that Mme. Paulhan has made her edaring man-bird give his word that he never will essay a flight in a monoplane.

The weather conditions remain ideal and the indications are that more records will be smashed.

(Continued on page 8.)

PROGRESSIVES STAND PAT. SAYS MR. POINDEXTER

WASHINGTON, D. C., Jan. 12.—Representative Poindexter of Washington, in an interview today, said: "It is childish to suppose that threats of withdrawal of patronage or other opposition will cause the progressives to abandon their principles."

"I do not recognize the few beneficiaries of the Torrey organization in congress as the dictators of the Republican party."

"The Ballinger-Pinchot controversy is merely an incident. There is a much deeper issue in which Pinchot stands for certain policies for the benefit of all the people. These policies are closely related to the fight in the house against the rules, which will go on until it meets with success."

C. W. MORSE, EX-ICE KING, FOR WHOM PRISON YAWNS.



Judge Howe's recent decision denying a new trial to Charles W. Morse was a severe blow to the little financier and when its full effect was realized by Morse's lawyers, the doors of the federal prison at Atlanta seemed nearer to Morse than ever before. Fourteen months ago Morse was convicted of serious infractions of the banking laws and was sentenced to serve 15 years in the federal prison. He claims to have been made a seagoat for the sins of Wall street.

CUT UP LAND FOR SMALL ORCHARDS

The Broadbent Tract of 1180 Acres, a Few Miles East of Medford, to Be Surveyed and Subdivided.

Wednesday morning the firm of Osgood & Cummings sent out five men in charge of Engineer Spencer to make a topographical survey of the Broadbent tract east of Medford, with the purpose of sub-dividing the 1180 acres contained in the tract into such sized parcels as would best agree with the topography of the section involved.

The sub-division of this tract is rather more difficult than the usual run of sub-divisions in the valley, as it lies in rather a hilly section and has a variety of soils. However, a topographical map will be the object of the present survey and the tract will be divided afterward.

QUARREL OVER LAND RESULTS IN SHOOTING

BUTTE, Mont., Jan. 12.—In a quarrel over the homesteading of a few acres of ground in the field of Cyrus Spangler, a well-known stockman, Lawrence Boland, a ranch hand, was shot to death by Spangler early today.

Boland, who was employed by Spangler on his ranch near Butte, had gone to the field to help Spangler set up his stakes. A dispute arose during which Spangler declared his employe drew a weapon.

The stockman said he fired at Boland with his revolver in self-defense. Boland was killed instantly.

Spangler telephoned to the authorities here and gave himself up when officers went for him.

Ladies of the Greater Medford club want more orders for shade trees.

KING MENELIK OF ABYSSINIA DEAD

Confirmation of Report of Demise on December 23 Received at Paris—Uprising Is Probable.

PARIS, Jan. 12.—News was received here today tending to confirm the report that King Menelik of Abyssinia died on December 23 and there is considerable concern for the soldiers at Adizaba, the capital of Abyssinia.

The old king had laid a plan to make his youthful grandson, Lijjassu, his successor, in opposition to the wishes of many of the tribes.

It is supposed that the death of the king was kept secret as long as possible in order that every means of preventing an uprising could be taken.

Messages received last week said that it was generally known that the king was near death and a general uprising was then imminent.

A telegram received January 4 from Quaram stated the residents of the foreign colony at the capital were prepared to seek refuge in the legations.

BOHEMIAN CLUBMEN ARRESTED FOR SWINDLING

SAN FRANCISCO, Cal., Jan. 12.—A warrant charging Walter J. Wayne and Charles P. Grimwood, members of the executive committee of the Bohemian club, with obtaining money by false pretenses, was issued today upon the complaint of W. H. Ford, a contractor.

Ford alleges that Wayne and Grimwood induced him to invest \$9000 in a whitening plant in Alameda, which he alleges the clubmen told him was paying a monthly profit averaging \$1942.50.

CRATER LAKE ROAD CASE IS ARGUED

Reames and Fenton Make Addresses Before Supreme Court, Upholding Constitutionality of Bill Making Appropriation.

M'MAHON APPEARS AGAINST THE MEASURE

Probably Be Several Weeks Before Decision Is Rendered, Which Will Settle Controversy.

SALEM, Or., Jan. 12.—The famous Crater Lake case is being argued this morning before the supreme court of the state, but a decision will probably not be rendered by the court for several weeks.

This case was instituted before Judge Galloway in the circuit court here by James K. Sears for the purpose of enjoining the secretary of state and the state treasurer from the payment of \$100,000 appropriated by the last legislature for the construction of a macadamized road from Medford to Crater Lake via Klamath Falls on condition that the counties in which these towns are located should make an appropriation of \$50,000 each for the same purpose.

The county in which Medford is located made the appropriation, but before steps could be taken for the construction of the road, Sears through his attorney, L. H. McMahon, brought proceedings to enjoin the two state officers from paying out the state appropriation on the ground that the act was unconstitutional in that it was special legislation which is prohibited by the constitution.

Judge Galloway in his decision sustained the contention of McMahon and declared the act unconstitutional and the case is now before the supreme court for final adjudication.

The state is represented by C. L. Reames of Medford and W. D. Fenton, attorney for the Southern Pacific railroad.

MINE DESPUTE ENDS IN CRIME

James McGuire Shoots and Kills Angus Knappa Over Copper Claim in Josephine County and Surrenders Himself.

GRANTS PASS, Or., Jan. 12.—Another shooting affray has been added to Josephine county's long list. Yesterday afternoon James McGuire shot and killed Angus Knappa over a dispute over a copper prospect on the Illinois river, about 40 miles from this city. The first news came from McGuire, who telephoned in to the sheriff as to what he had done and then came in this morning and gave himself up. His story is that Knappa was attempting to jump his claim and was making threats against his life, and that while he was going down to his mine yesterday he noticed Knappa skulking off in the brush near the trail. Thinking his life in danger, he immediately shot with his 25-30 and fired three times, and then came off and left the body.

Both parties were old men, being over 60 years of age.

Join the Commercial club and be a booster.

HERMANN'S TRIAL BEGINS IN EARNEST

Opening Statements in Famous Land Fraud Case Made by Francis J. Heney and A. S. Worthington to Crowded Court.

FORTY WITNESSES FROM BACK COUNTRY ARRIVE

Selection of Jury Completed Late Yesterday—Prosecutor's Argument Is Brief.

PORTLAND, Or., Jan. 12.—Binger Hermann faced the first witness of the government today in the case now on trial in the United States court when John W. Rowland, a draughtsman in the surveyor-general's office, was called to the stand to show that Hermann, Mains and Meldrum, then state attorney-general, met in the office of the latter in Portland to lay plans for the Blue Mountain conspiracy. When court was adjourned at noon, Rowland had testified that he had made maps for Mays and later for W. N. Jones of the Blue mountain reserve, as it was asked to be withdrawn by Hermann, then commissioner of the general land office.

Familiar Faces Seen. It is evident from the opening statement of Heney this morning that Henry Meldrum, former surveyor-general, convicted of fraudulent surveys; S. B. Ormsby, indicted for making fraudulent reports as a special agent; Dan Tarpley, who dabbled in the Blue Mountain reserve deal; E. Sorenson, under several indictments; F. Pierce Mays, already convicted of conspiracy in connection with the Blue Mountain reserve, and others of the well-known land case defendants, will be called as witnesses for the government.

On the other hand, it is evident from the opening statement of A. S. Worthington, attorney for Hermann, that the defense will rely largely on the official records of the general land office to show that Hermann himself did not have anything to do with the Blue Mountain conspiracy, it being Worthington's contention that "Mr. Hermann's record is as clear as the sunshine."

Henry Reviews Case. Prosecutor Heney in his statement said that Hermann was a candidate for the United States senate in 1901 at the time of the alleged formation of the Blue Mountain conspiracy, and that he desired the political friendship of Mays, a state senator, H. A. Smith and Willard N. Jones, members of the house of representatives. Hermann secured no land or profits from the Blue Mountain deal, nor was to do so, Heney said to the jury, but he wanted political honor and was willing to join in the creation of the reserve to win the friendship of the three members of the legislature.

It is the intention of the government to show that Mays, Smith, Jones and others formed the idea of the Blue Mountain reserve, and that Mays secured the co-operation of Hermann while Hermann was in Portland in the summer of 1901.

Ignorance Is Claimed. In opposition to this, the defense will contend that Hermann knew nothing of any conspiracy, that he did not recommend the creation of the Blue Mountain reserve, but simply in answer to a petition, resolutions of the Oregon Sheep-Growers' association and letters from Mays, recommended the withdrawal of the lands temporarily and that when the secretary of state approved the recommendation, recommended that the geological survey make an investigation of the proposed reserve and report

(Continued on page 8.)