

# MEDFORD MAIL TRIBUNE

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Official Paper of the City of Medford.

GEORGE PUTNAM, Editor and Manager.

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## THE CRATER LAKE DECISION.

God threw a pearl before swine when he placed Crater Lake in Oregon. The greatest natural wonder in the world, the greatest scenic asset any land possesses, and a people too ignorant, too provincial, too dense to appreciate it, a people actually hostile towards making it accessible and a supreme court, as narrow as its constituency, catering for votes in its mossback environment.

The court has chosen to take the narrow construction of the law, although less than a month ago it gave the law a violent wrench to sustain its own unconstitutional membership—swallowed a camel to strain at a gnat. But the Salem hog and the Willamette valley pinhead, and their reactionary guide in the tall tower have been appeased and assisted in their effort to hurl a stumbling block in the path of progress.

The obsolete constitution of Oregon is a joke, and the supreme court's construction of the same is a sadder joke. Every case involving the supreme court is decided upon broad general lines against the constitution, but the narrow view prevails in matters involving the development of the state. Its membership, its salary, its place of meeting are all fixed by the constitution, and all flagrantly violated and the violation pronounced legal.

The supreme court bases its decision against the Crater Lake road appropriation upon section 23, article 4 of the constitution, which reads as follows: "The legislative assembly shall not pass special or local laws for laying, opening and working on highways."

The supreme court holds the Crater Lake road to be local and special. In an eastern Oregon case (the case of Allen vs. Hirsch, 8 Ore. 412) the supreme court, after reviewing many decisions as to what are local and special laws, held as follows: "The general principle to be deduced from all the authorities seems to be this, that whenever an act of the legislature authorizes any public road or other internal improvements to be made or other acts to be done, which in its nature is more beneficial to the community at large than to the inhabitants in the immediate locality of the road or other internal improvement, such act is to be considered a public, and not a special or local law."

Should not the same construction have been applied to the Crater Lake road case? But consistency is a jewel the supreme court reserves for cases concerning itself, in which the constitution is always safely overridden.

The Oregon constitution provides in article 7, section 10: "When the white population of the state shall amount to 200,000 the legislative assembly may provide for the election of supreme and circuit judges in distinct classes, one of which classes shall consist of three justices of the supreme court, who shall not perform circuit duty, and the other class shall consist of a necessary number of circuit judges, who shall hold full terms without allotment."

Here the supreme court membership is limited to three justices. But the same legislature that passed the Crater Lake bill also passed a bill adding two more supreme court justices in defiance of the constitutional limitation, and the supreme court, in the case of the State vs. Cochran, decided, December 21, 1909, held: "The object and purpose of the law whether fundamental or otherwise must be considered and the constitution must not be interpreted on narrow or technical principles, but liberally and on broad general lines, in order that it may accomplish the objects intended by it and carry out the principles of government. In this connection it must also be kept in mind that the constitution of a state, unlike that of our natural organic law, is one of limitation, not a grant of powers, and that any act adopted by the legislative department of the state not prohibited by its fundamental laws must be held valid, and this inhibition must expressly or impliedly be made to appear beyond reasonable doubt."

Broad construction in their own case, narrow contraction in other cases. And here is another instance, in the matter of salaries: Article 13 of the state constitution reads: "The governor shall receive an annual salary of \$1500, the secretary of state shall receive a salary of \$1500, the treasurer of the state shall receive an annual salary of \$800, the justices of the supreme court shall each receive an annual salary of \$2000. They shall receive no fees or perquisites whatever for the performance of any duty connected with their respective offices."

The supreme court justices draw \$3000 a year salary, in spite of the absurd constitution, and have decided it legal. And the governor and other officials also draw salaries unconstitutionally large.

Article 4, section 3, of the constitution provides: "All public institutions of the state hereafter provided for by the legislative assembly shall be located at the seat of gov-

ernment."

Here the Salem hog early got in his work. Yet the state institutions are scattered all over, and the supreme court has sustained the unconstitutional scattering, including its own sittings.

But the constitution of Oregon is a sacred instrument and must be literally interpreted except when it interferes with the salaries, numbers and jobs of office-holders, including the members of the court, when a broad view of the constitution is essential to make the jobs worth while.

## THE FOURTH ESTATE.

"The Fourth Estate," novelized by Frederick R. Toombs from the much talked of newspaper play by Joseph Medill Patterson and Harriet Ford, a story of life in the newspaper world, and illustrating how the power of the press may be exerted to expose and prevent corruption in public affairs, the story of a managing editor's sacrifice for the sake of principle, begins in the Mail Tribune Wednesday. It is the strongest and best of the many high-class stories yet offered our readers.

In "The Fourth Estate" the effectiveness of newspapers in fearlessly exposing political and judicial corruption and the safeguard they are to the public are interestingly and convincingly set forth. A young, earnest newspaper writer and editor is the central figure, and his battles with a dishonest United States judge against big odds is one of the most entertaining pieces of fiction of the day. That the false judge's daughter, the reigning beauty in the fashionable life of a leading city, should play a sensational part in this gripping story of strong honest men and of strong dishonest men, fighting each other in a war of dollars, evidences the romantic possibilities of the narrative.

This is a story of today's America, a fact story torn out of life's book, dealing with the most vital issues that confront every one of us. Romance and humor vie with stirring action for supremacy in this instructive and fascinating novel, which teaches that the path of duty is the path to love and happiness and that in success, nobly won, lie rewards of greater and most lasting value than in a triumph ignobly and more easily gained.

## THE "BUYING POWER" OF YOUR MONEY.

If you could get four per cent for your money in one bank, and only three and one-half per cent in another—both banks of equal dependability—you'd deposit in the one which offered you the four per cent—wouldn't you? Even if your balance were small, you'd feel that the principle involved was the same.

Well, that is the way "bargain hunters" feel about the money they spend. They proceed on the theory that if store competition means anything at all it means that the ad reader can save money—far more than the difference between rates of interest paid on investments.

And this theory of the ad reading bargain hunters is perfectly sound!

## AMERICANS CLASH WITH MOROS ON MINDANAO

MANILA, Feb. 15.—News of a fight between an American scouting party and a band of Moros, in which two American soldiers were seriously wounded, reached here today in the province of Lanao, on the Island of Mindanao.

The report stated that a party was dispatched into the mountainous country near Lake Lanao, where a band of Moros were committing a series of depredations.

The natives fled further into the mountains, where they were followed

by the troops. The fight occurred when the Moros made a night attack upon the American outposts.

Several of the Moros were reported to have been killed. The rest of the party was driven back into the hills.

## Lenten Services at St. Marks.

The services this week are as follows: Wednesday, 9:30 a. m., holy communion; Wednesday, 7:30 p. m., evening prayer and address; Thursday, ladies' guild at 2:45, followed by evening prayer and address; Friday at 2:30, woman's auxiliary; at 4:30, Litany without address.

# LITTLE BABY'S NARROW ESCAPE



One of the most grateful and happy mothers in this section of the country is Mrs. H. H. Johnson, living at 2721 Wabash avenue, Oak Park. For almost two years her baby daughter had been sick. Various physicians were called in and everything possible was done for the little sufferer, but no material benefit was noticed until it was taken to the offices of Fer-Don's Medical Expert Specialists at 1010 Eighth street, Sacramento. After that recovery was rapid, and today it is as sound and well as any baby. The facts in the case are best told by Mrs. Johnson herself, who says:

"Our baby is now twenty-six months old, and ever since it was three months old it has been ill. Its legs were swollen and its bowels were hard and bloated. Baby was as heavy as lead, and I could hardly lift her. My husband and I decided to take her to Fer-Don's Expert Specialists as a last resort. They treated her for only a short time and now she is entirely cured. It is no trouble to carry her now, and my husband and I feel like we cannot say too much in praise of the good work done by them, as we firmly believe they saved our darling baby's life."

## PEOPLE OF MEDFORD AND SURROUNDING TOWNS

who were suffering from torpid liver, constipation, gallstones, kidney trouble, tumors, rheumatism, indigestion, and shattered nerves have been cured since Fer-Don's Medical Experts opened their offices in this city. The results are simply astounding, but the testimonials published in the newspapers from time to time, hundreds of which are on file in their offices here, will convince the most skeptical that these doctors do all and even more than they claim. Men and women who for years have been unable to eat a full meal without great suffering; who have been tortured by rheumatism, racked with fear of the asylum through shattered

# PLEASANT RECEPTION BY LOCAL W.C.T.U.

Many Attend Reception Given to Ministers of the City—Many Instructive Addresses Given.

The reception held Monday night by the ladies of the W. C. T. U. at Smith's hall for the ministers of the city and their wives was well attended. The guests were received by President Dr. Myrtle Lockwood, assisted by Mrs. Guy Leonard, Mrs. Frank Lozier, Mizer and T. A. Howel. A good program was rendered. A vocal and violin solo by Miss Vernetta Hamilton and Rene Olin, a reading by Mrs. Achore was well given, and also Miss Mary Orr gave one of her splendid readings. Both painted a verbal picture of the crying need of prohibition in Oregon. Mrs. Holmes gave two vocal solos and her feeling way told a story in song of sin and pardon freely given unto all who will believe. Mrs. Unruh gave an address. She said we have been on dress parade, but now we were on fighting ground and had no time for dress. We are fighting for prohibition in the coming election in November and we are going to win. She laid out plans for her forces to follow and when the command comes every one will be at his place ready to charge. Light refreshments were served and a good social time was enjoyed by all.

## SIX WILL RECOVER EFFECT OF EXPLOSION

SAN DIEGO, Cal., Feb. 15.—It was announced today at the hospital where the men sealed on the torpedo-bog destroyer Hopkins were taken yesterday, that the six survivors were expected to live.

Some doubt was expressed, however, in the case of L. R. Carlettillo, the second-class fireman, who was so badly burned about the head and chest.

R. E. Taylor, first-class fireman, succumbed to his injuries last evening.

A coroner's inquiry was to be held at San Diego to determine the cause of the accident. The torpedo is scheduled to arrive here Friday after target practice at sea.



# 'Taint No Use Lookin' for Fiah, Honeys

under a 'lectrical cooker. I turns on de switch—and de 'lectricity cooks de oatmeal! Cooked evenly all over—without no bother and no fuss. De cutest lil cooker you ebah see."

Why should any housewife drudge over a kitchen fire when General Electric cooking utensils as simple and inexpensive as this cereal cooker can do the work for them. We will be glad to show visitors how to cook with electricity.

THE ROGUE RIVER ELECTRIC CO.

# No Auction Here

It is not necessary to hold auctions to dispose of first-class stock, but we can sell you an Elgin or Waltham Watch

7-jewel, 20-year gold plated case	\$10.00
17-jewel, with 20-year case	\$14.50
15-jewel, with 20-year case	\$12.00
Solid gold cases	\$25.00

in either movement.

Special bargains in Diamonds, Cut Glass, Gold and Silverware. IN ADDITION TO TH'S, REMEMBER we are permanently located in Medford. The money we make is sephere to help upbuild the town. Beside we keep your watch in good repair free of charge and if at any time your watch or jewelry does not prove to be as represented we are here to hold the manufacturer to their guarantee and see that you receive satisfaction.

## AGAIN

Reliable movements are sold the world over at stated prices, and you gain no advantage in buying one for a cut price, as they are not sold by reliable dealers for less than the established price, and what is more, if you stand by your local dealers they will stand by you. In this way you keep your money at home and thereby receive a double benefit.

# Van DeCar & Jasmann

MANUFACTURING JEWELERS, PHIPPS BUILDING

MEDFORD, OREGON