

MEDFORD MAIL TRIBUNE

FIFTH YEAR.

MEDFORD, OREGON, MONDAY, APRIL 11, 1910.

No. 18.

THE WEATHER.

Tonight and Tuesday—Cloudy, occasional showers. No danger of frost unless sky clears.

STANDARD OIL CASE WILL BE REHEARD

Supreme Court Announces That Renowned Case Is to Be Reheard—Reason Given Is That Only Seven of the Justices Now Sitting Heard the Argument on the Appeal.

TOBACCO CASE ALSO TO COME UP AGAIN

Wall Street Has More Fussy Uneasy Mondays Ahead for a While—May Be That Court Is Hopelessly Divided Over Cases.

WASHINGTON, D. C., April 11.—The appeal of the Standard Oil case from the decision of the United States circuit court in St. Louis declaring the organization a combination in restraint of trade and ordering the company's dissolution will be reheard by the supreme court of the United States. The decision was announced when the court convened today.

The reason for the re-hearing is that only seven justices now sitting heard the argument in the appeal. It requires a majority of the full court to render a decision. With only seven members sitting in the case, should more than two justices dissent, no decision could be reached. Justice Moody did not hear the argument because of illness and Justice Brewer, who heard the evidence, died recently.

Nor Tobacco Case, Either. The supreme court for the same reason has decided to rehear the tobacco trust case.

The decision was announced by Chief Justice Fuller shortly after the court assembled. It was generally predicted that the court might decide that a rehearing of these important cases would be necessary after the death of Justice Brewer.

Cases Important. The cases are considered among the most important that the supreme court has handled in recent years. They will give the department of justice precedent in future trust prosecutions and will decide the most important question in the present form of big combinations, the legality of the holding company.

Some of the attorneys here discussing the action of the court in deciding that a rehearing is necessary declare that the action shows that the court is divided on the cases and that a decision could not be handed down because five justices do not agree. They declare that the justices have doubtless each reached a conclusion in the cases and it has been found that the court is hopelessly divided and a rehearing is necessary. This they think portends the over-ruling of the lower court in both cases.

Wall Street Fussed. NEW YORK, April 11.—The decision of the supreme court today to rehear the Standard Oil appeal and the tobacco trust case was received with deep interest in Wall street. Although the first effect seemed reassuring, gossip later in the morning indicated that the financial circles regarded the action as one tending to lengthen a period of suspense that has been felt ever since the cases first found their way to the court.

Ever since Monday morning the court has heard the argument in the slight uneasiness, waiting to hear the decision. This decision in cases before the supreme court are handed down on Mondays. Always when important matters reflecting on financial affairs are before the court, Monday is an uneasy day in the street. The Standard Oil case and the tobacco trust case have proved no exception.

More Bad Mondays. Instead of having a final quieting effect, financial circles therefore expect the period of uneasy Mondays to be extended still further.

Uncle Joe May Yet Lose Auto

Insurgents and Democrats Vote Not to Accept Conference Report on Legislative and Judicial Bill.

WASHINGTON, D. C., April 11.—It looks like Speaker Cannon will not get "that automobile" after all. Today the house on aye and nay vote declined to approve of the conference report on the legislative and judicial bill.

In the bill was an item for \$2500 for the maintenance of an automobile for the speaker of the house. It was a noticeable fact that 23 insurgents voted with the democrats against the acceptance of the report. Cannon has been having a hard time keeping that "automobile" for his use in the government expense account.

When the matter came before the conference no trouble was experienced in persuading the members to vote a \$2500 appropriation for the automobile for the vice-president. The conference declined to foist the same expenses on the government for the expense for the maintenance of a machine for the speaker. The appropriation was stricken from the bill. Later it was placed in another paragraph and it appeared that the speaker would be allowed in the machine unkept by the government after all.

The action of the house has dashed these expectations to the ground and prospects are that Uncle Joe will be compelled to pay street car fare.

Given \$5 A Day Boys Will Work

Census Supervisor Hendricks Here and Makes Arrangements for Local Men to Start on Census Work.

R. J. Hendricks, who has charge of the work of taking the census for this district was in Medford Sunday making arrangements for the taking of the census in this city. It will be remembered that the enumerators who took the examination and were appointed refused to take up their work when they found that only three cents a name would be paid for the work, stating that they had understood that they were to receive \$6 a day.

Mr. Hendricks made arrangements with the enumerators whereby he will pay them \$5 a day. With this understanding they have all agreed to return to work. The taking of the census starts next Friday, April 15. The enumerators for the city are M. F. McCowan, J. T. Summerville, W. Eisenhart and George H. Miller.

Mail To Eagle Point By P. & E.

Contract Awarded for Carrying Mail—Will Knock Out Star Route—Will Petition for Rural Delivery.

Word has been received at the local postoffice that the Pacific & Eastern have been awarded a contract for carrying the mail between this city and Eagle Point. The service will go into effect next Monday, April 18. The mail has been carried for some months on the Eagle Point stage.

This will give Eagle Point a better mail service as they will receive two mails a day. The only inconvenience it will work will be to about 25 residents along the star route between here and Eagle Point, which is to be discontinued. Over two years ago these people applied for a rural route, but so far none has been established. It is now probable however that a new petition will be circulated and such a route established, otherwise these people will have to get their mail either in Medford or Eagle Point.

A part of "the day's work" for you should be to advertise that property—whether you're looking for a tenant or a buyer.

MRS. TERRILL WINS HER CASE

Judge Calkins Decides Famous Bradshaw Case by Awarding to Effie May Terrill 80 Acre Tract Claimed by Her—Has Been Fought for Two Years.

LEE BRADSHAW AND STONE LOSE ORCHARD

Oral Contract With Father Held to Be Good Although She Left Place After It Had Been Allotted to Her and She Was to Live Upon It.

Mrs. Effie May Terrill has been awarded by Judge Calkins the 80-acre field awarded to her by her father, the late W. H. Bradshaw, and over which a legal battle has been waged for the past two years.

The case is one of the most noted legal battles fought in the local circuit court for some time. It grew out of an oral contract entered into by the elder Bradshaw and his children some years before his death in which he allotted them different portions of his place—known then as the Upham place, but now as the Bradshaw—with the understanding that if they lived upon the place they would each be given deeds. Later Mrs. Terrill left the place and the elder Bradshaw sold the place to Lee Bradshaw and George W. Stone, a brother-in-law, for \$10,000. This was paid, and in cash.

In his decision Judge Calkins states that he is satisfied as to the original contract and that Mrs. Terrill is entitled to her 80 acres. He says further:

"I do not think the principle of estoppel will apply in this case, for that principle is applied to cases where the silence has misled innocent persons. I do not think that the defendants in this case stand in the position of innocent persons, for they knew as well as the plaintiff all of the transactions in the matter; they evidently went ahead and purchased the premises from the older Bradshaw believing that Effie would not be able to enforce the original contract made with her father."

The case will be appealed to the supreme court.

MINNESOTA LAND LOOKERS SEE VALLEY

A party of Minnesota people who are looking over the northwest, traveling in a special car and chaperoned by the Union Pacific and Southern Pacific officials were in Medford Sunday morning and were taken out in several automobiles for a tour of Medford and its environs. There were twenty people in the party and every one of them were enthusiastic boosters of the Rogue river valley when they returned.

"Some of us will be back to Medford soon," said one. "We haven't seen anything in our tour that compares with this valley or the city. You are certainly doing things here, and a place where things are being done is where the progressive man wants to locate. If I had been told before I left the east that I would find a community like this, with paved streets, automobiles and as live a bunch of people as you have in a section we have considered as being on the 'outermost edge', I would have laughed in his face. Although, not from Missouri, I have been shown."

The party will go to Klamath Falls and then return east over the southern route.

CONSIDINE IS AFTER STRING OF THEATERS

SEATTLE, Wash., April 11.—John Considine of Sullivan & Considine, is on his way to California today to add a string of theaters to his vaudeville circuit.

Among the deals will be the formal transfer of the new Spreckles theater in San Francisco to his circuit. He has another such deal under way in Los Angeles and more in other California cities.

FINE VIEWS OF VALLEY TAKEN

H. Reimers Leaves After Using \$2000 Worth of Films in Securing Views of Local Orchards in Blossoms and Other Industries—Will Return to Medford in the Fall.

SECURES MANY VIEWS OF FAMOUS STERLING MINE

Ray Dam is Taken and Many Fish Are Caught at Play by Camera—Crater Lake and Mill Creek Falls Later.

After spending some \$2000 for films and using them all on scenes in the Rogue River valley, H. Reimers of the Selig Polyscope company of Chicago left last evening for San Francisco, where the films will be developed and moving picture reels made up ready to be placed on their rounds of 25,000 picture houses in the United States where over 20,000,000 people will view them. Before leaving Mr. Reimers stated that the weather conditions had been splendid and that he was certain he had secured exceptionally fine pictures.

Mr. Reimers will return in the fall and secure additional pictures, among which will be the picking and packing of fruit, Mill Creek falls and Crater Lake, which he was not able to secure at this season of the year.

Among the pictures taken was one of the Gold Ray dam and of the Sterling mine. The former view was exceptionally good, showing the fish at play about the foot of the dam. From this place, also, a panoramic view was taken of Table Rock and Mt. Pitt. The view of Sterling mine shows all phases of placer mining from start to finish and will probably be a very interesting picture. It is probable that the picture of the dam and of the mine will be placed in one film and sent out soon, whereas the orchard views are to be retained until fall, when the picking and packing fruit can be added to one long film under the caption, "Fruit Industry in the Rogue River valley."

Among the views of the orchards taken was one of the Gore orchard at close range, showing the multitude of blossoms, a panorama of Bear creek, Hillcrest and Snowy Butte. Probably these views will advertise the valley more than any one single stunt that has been pulled off to date. E. C. Hubbard of the Savoy theater has made arrangements to show them all here as soon as they are developed and sent out. It was due to his efforts that they were taken.

PRETTY GIRL BATTLES FOR LIFE WITH BURGLAR

SAN FRANCISCO, Cal., April 11. Miss Hellen Bordon, a pretty young nurse at the Lane hospital, is in a state bordering on nervous collapse today as a result of a desperate conflict with a burglar who entered her room and attempted to choke her to death when she screamed for help, she was sleeping near an open window in the nurses' quarters when the intruder entered. She was awakened by his footsteps.

She screamed and he grabbed her by the throat. "Don't do that again," he commanded. The young woman struggled with him and finally wrenched his hands loose. Then while she grappled with the thug she screamed for assistance.

Unable to control her, the man suddenly dived through the open window just as two house physicians entered the doorway to her aid.

An excellent description of the man is in possession of the police.

Grants Pass Gets Brick Depot. GRANTS PASS, Ore., April 11.—The new depot for this city has been changed from concrete to pressed brick. The railroad company had in mind a concrete structure and plans were drawn to that effect, but a number of citizens appealed to the company for a change in the exterior appearance.

Sensational Case Is Opened Dr. Hyde Battling For Life



KANSAS CITY, Mo., April 11.—The trial of Dr. B. C. Hyde, one of the leading physicians of this city, charged with having murdered Colonel Thomas H. Swope, a millionaire philanthropist, by administering strychnine to him under guise of medicine, began here today. The trial is expected to prove one of the most sensational in the history of the country.

UNREST IS FELT IN WASHINGTON

With Pinchot and Roosevelt Confering and Beveridge Insurging in Indiana Uneasy Sleeps the Head That Rules the Gang.

WASHINGTON, D. C., April 11.—These be the days of political unrest in Washington. Two things are disturbing the political calm. One is the meeting of Gifford Pinchot and Theodore Roosevelt in Italy. The other is the cancellation of the president's engagement to speak in Indianapolis following the action of the republican state convention there which, while endorsing Taft, virtually criticized the Payne-Aldrich tariff measure.

There is a feeling that the administration has "overlooked a bet" in not sending someone to Europe to confer with Roosevelt and give him some facts "on the other side" when Pinchot has completed his recital. The administration's friends seem to regret that Senator Root declined Roosevelt's invitation to go to Europe. Root is close to the administration and is also close to Roosevelt. He is held in high esteem by the former president, and as a member of Roosevelt's cabinet was given more delicate missions to perform than anyone except Taft.

Root, therefore, the party leaders feel, would have been just the man to put the disputes that have arisen since Taft has been president before Roosevelt fairly, and to have given him the administration's attitude. Such a presentation of facts, they believe, would have been of vast importance in shaping Roosevelt's action.

That the Pinchot-Ballinger controversy is the matter that is causing gravest concern is pretty evident to the politicians here. They are still gossiping about an incident that occurred at the banquet of the District of Columbia league of Republican Clubs. Representative Longworth at the banquet in a brief address mentioned the name of Gifford Pinchot and the name brought cheers. President Taft, who was at the banquet, was plainly displeased.

IS RAILROAD TO COAST PLAN SOUTHERN PACIFIC

Indications Are That Such Plan Is Being Considered—Line Up Coast From San Francisco to Eureka Is to Be Completed—Officials Travel From Rogue to Coast.

NORTHERN CONNECTION MUST BE GAINED SOON

Important Conference is Held in San Francisco Between Lovett and Ripley Who Decide to Complete Northwestern Pacific to Cal. Line.

Here are the facts that indicate that the Southern Pacific company is planning to build through the Applegate to Crescent City and on to Trinidad where it will connect with the railroads between that place and Eureka, Cal., and from there on down to San Francisco:

It has been announced the Southern Pacific has definitely decided upon the expenditure of \$11,000,000 to close the gap in the main line of the Northwestern Pacific from Willits to Shiveley which will give them a direct connection from Eureka and Trinidad to San Francisco.

Oregon officials of the Southern Pacific last week made a trip from Grants Pass to Crescent City and took great interest in all matters appertaining to the resources of that section.

It would seem hardly feasible for the Southern Pacific to build a coast line to Eureka without continuing it to a northern connection, the most feasible of which is out through the Applegate.

Is the Southern Pacific company planning to build a line from the Rogue river valley through the Applegate to the coast through Crescent City and from there to connect with a line at Trinidad which passes through Eureka and on to San Francisco?

Viewing this question in the light of recent developments it seems most feasible. That it is being considered, is shown by two facts: First, that several officials of the Southern Pacific lines in Oregon, last week made a trip from Grants Pass to Crescent City by automobile and team and made detailed inquiry regarding mining, timber and agricultural resources of that section; second, that after a prolonged conference between President Lovett of the Southern Pacific and President Ripley of the Santa Fe in San Francisco last week it has been announced that it has been definitely decided to expend \$11,000,000 to close the gap in the main line of the Northwestern Pacific from Willits to Shiveley, a distance of 116 miles, to connect with the line from Shiveley to Eureka which extends on to near the California line, not a great distance from Crescent City.

The Southern Pacific and Santa Fe own jointly the Northwestern Pacific road, and the two presidents who met in conference last week announced that the time is here to round out the system.

Lovett and Ripley agreed to build 110 miles of road on the Northwestern Pacific, which will cost \$100,000 a mile. Some work was recently started on the gap at both ends. It was decided at the conference to continue the work until the gap is

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PINCHOT MEETS WITH ROOSEVELT

Neither Will Tell of Interview—Two Men Go for Walk and Teddy Delights Him Evidently From His Spirits.

PORTO MAURIZIO, Italy, April 11.—"Hello, Gifford. This is fine!" was Roosevelt's exclamation today on meeting Gifford Pinchot, former chief forester of the United States and one of the closest men to Roosevelt in private and public life.

The meeting of the former president and his chief adviser of the "tennis cabinet" took place here at the villa of Miss Carew, sister to Mrs. Roosevelt.

The meeting, which had been planned several months ago before Roosevelt will make up his mind as to his course of action politically upon conclusions formed after conference with Pinchot.

The meeting was early this morning, Pinchot having arrived here unexpectedly at midnight. After a few hours rest at the Palace Hotel he appeared at the villa and was greeted enthusiastically by Roosevelt.

The greeting of Pinchot by Roosevelt was made heartier because the colonel had not expected to see Pinchot so soon. They clasped hands like long lost brothers. It was almost a case of falling into each others arms.

Roosevelt drew Pinchot into the house holding him affectionately by their reappeared and started for the mountains for a stroll which lasted two hours. "Nothing to give out," was the simultaneous ejaculation of both Roosevelt and Pinchot on their return. Pinchot let fall one remark that may be taken to indicate that Roosevelt had not repudiated Taft even though rumor says that he may be contemplating such action. Pinchot said that Roosevelt expressed surprise at not receiving any personal messages from President Taft or from any members of Taft's official family. Pinchot said that he will remain here for several days. He appeared to be in excellent spirits after his walk with Roosevelt.