

FIRST SECTION

MEDFORD MAIL TRIBUNE

WEATHER
Local showers—Max. 29.08,
Max. 98, Min. 40, Mean 72.

Forty-First Year,
Daily—Sixth Year.

SIXTEEN PAGES.

MEDFORD, OREGON, SUNDAY, JUNE 11, 1911.

No. 69.

BARRED FROM SOUTH THROUGH HIGHER TARIFF

Published Advance in Rates by Southern Pacific Applicable Only on Traffic Moving From Transcontinental Territory via Sunset Routes and Southern Gate Ways.

ADVANCE IN RATES DOES NOT APPLY TO PORTLAND GATEWAY

Rate Expert McCune Discusses Effect of Changed Schedule Says Rule of Reason Seldom Invoked by Railroads.

(By Frank H. McCune, Rate Expert and Attorney for the Medford Traffic Bureau.)

The published advance in rates by the Southern Pacific, effective July 1, does not apply via the Portland gateway, but is applicable only on traffic moving from transcontinental territory via the Sunset route.

The reduction made in the Oregon rates automatically reduced rates into California south of the Oregon state line for a considerable distance until the reduction finally pinched out at a point where the state line combination from Portland equalized the northbound rates from San Francisco.

On business moving to California points via the Sunset route the Southern Pacific proposed to maintain the old basis of rates before the Oregon reduction and made application to the interstate commerce commission to allow the publication of higher rates to California points than to Oregon points on shipments moving via the Sunset route. Presumably this application was denied, and to avoid the publication of rates to California points from transcontinental territory based on the Portland combination, the Southern Pacific has published the old basis of rates to Oregon points, but these rates apply only on business moving over the Southern route.

Shipper Names Route.

The selection of route rests with the shipper, who may at the time of delivery of the shipment designate the route via which it is desired the shipment shall move and it is the duty of the carrier to so move the shipment. Furthermore, under the administrative rulings of the common carrier agents are prohibited from routing shipments "via a route that will be more expensive," as the case of southern Oregon under the higher charge for movement via the Sunset route than via the Portland gateway.

All shipments moving after July first to Medford and other southern Oregon points from transcontinental territory, including Texas, where routing is provided under terminal rates to Portland will be entitled to the present basis of rates, and under the law and the administrative rulings of the commission it will be the duty of the carriers to route the shipments via Portland, the less expensive route.

Would Suspend Rates.

The commission would in all probability upon application suspend the advanced rates pending investigation and the burden of the advance would devolve on the Southern Pacific in justification thereof.

As there is considerable movement of transcontinental freight into southern Oregon via the Sunset route, the advance in rates will undoubtedly lead to irritating overcharges and the necessity of appealing to the interstate commerce commission for relief which annoyance the public would be saved.

As a matter of equity, justice and common sense, the Southern Pacific should have published the Oregon reduction to all points where such reduction reached and via all routes, but the rule of reason is seldom invoked by the railroads and never voluntarily applied by the Southern Pacific company.

Affects Southern Shipments. Southern Pacific proportional freight tariff No. 692, which cancels existing rates named in tariff No. 235B and restores the former higher

Takes Passengers



C. F. WILLARD

Charles Foster Willard, the daring aviator, plans a series of flights at Mineola, L. I., within two weeks which will be watched with interest. Willard wants to find out how many passengers an aeroplane will carry, and to test his experiment he has constructed a special type of aeroplane "bus. He holds the world's record for passenger carrying, having taken up three passengers besides himself to an altitude of 20 feet and to a distance of one-quarter mile. Next time he expects to do better.

EIGHT HOUR LAW KNOCKED OUT

Superior Court Judge in California Declares New Law is Discriminatory and Therefore Unconstitutional—Will be Appealed.

RIVERSIDE, Cal., June 10.—Superior Court Judge Densmore today ruled that the eight hour law for women is discriminatory and therefore unconstitutional. The decision was rendered in the case of Frank A. Miller, proprietor of the Mission Inn of Riverside, charged with working his head waitress nine hours on the day that the law went into effect.

Judge Densmore held that the law is discriminatory in that it permits women employed in lodging houses to work more than eight hours while women employed in hotels may not. The case was made a test by the Hotelmen's Association which backed Miller.

Following his arrest Miller pleaded not guilty to the charge and was found guilty in the justice's court and fined \$50. He appealed to the superior court in which today's decision was handed down.

Judge Densmore ordered the case against Miller dismissed and his fine cancelled.

With the exception of that portion of the law dealing with employment of women in hotels Judge Densmore held that the eight hour law is valid. He ruled that the provision of the act directed toward the hotels was class legislation and unconstitutional because it permits the employment of waitresses in boarding houses to work for more than eight hours while this right is denied hotel waitresses.

rates, will only affect shipments to Oregon made via the southern gateways, according to Southern Pacific Agent A. S. Rosenbaum, although a contrary statement was given out by employees of the Southern Pacific freight depot Friday to the Medford Traffic Bureau officials, during Mr. Rosenbaum's absence through illness.

Merchandise, like rice and cotton, originating in southern territory, or eastern goods, like clothing, routed via steamer to New Orleans via the Sunset or Santa Fe routes, will cost more to Oregon than at present. Goods must be routed through the Portland gateway to secure existing rates.

According to Agent Rosenbaum but a limited amount of merchandise is received here through these southern gateways. The Medford Grocery company occasionally has a car of rice. A number of cars of iron pipe from Birmingham have been received, but the bulk of the shipments are less than car lots.

"We have forwarded the new tariff for consideration to our rate expert and attorney," stated President H. C. Garnett of the Medford Traffic Bureau, "with instructions to investigate and if Medford is injured we will take steps to secure a remedy. There may be a 'nigger in the woodpile.'"

380 ACRES SOLD WHITE LABOR REPORT FILED

Old Parton Ranch Owned by Portland Men Disposed of to Seattle Capitalist—Is Partially Planted to Young Trees.

NEW OWNERS WILL AT ONCE IMPROVE PLACE

Adjourns Burrell Orchard on the West—John D. Olwell Made the Sale.

The Parton tract, owned by Edgar B. Piper, managing editor of the Portland Oregonian, Dan J. Malarky, Oscar Huber and I. N. Flerschner of Portland, consisting of 380 acres has been sold to a Seattle capitalist. The consideration was \$95,000. John D. Olwell made the sale.

The tract lies just west of the Burrell orchards and is an exceptionally fine parcel of land. It is partially planted to young trees.

The new owner has announced that he will at once commence work of improving the tract and will plant it all to orchard. He will make his home in the valley.

Councilman George H. Millar Warns City Fathers Regarding its Adoption But They Take Action Despite His Words Urging Caution.

"YOU WILL ANSWER TO THE WORKING MEN," HE SAYS

Charges That Judge William M. Colvig Wrote Report for the Building Committee.

"You gentlemen no doubt believe that you have disposed of this matter but I want to tell you, right here, that you will have to answer to the workmen of Medford in the near future."

With these words George H. Millar, socialist member of the city council protested against the adoption of a report to the council offered by the building committee regarding the employment of foreign labor on public works in the city. In addition to this Millar charged that Judge William M. Colvig had written the report to the council and that the committee had sanctioned and endorsed it. Despite his protest, however the report was adopted.

A "Herculean" Task.

"I thoroughly appreciate," stated Millar, "the 'Herculean' effort of Judge Colvig when he prepared this report but the matter cannot be side-stepped in this manner. It must be settled one way or the other in the very near future."

Millar then explained to the council that he was not appearing for the socialist party in particular, but for the workmen in the city and for the business men, inasmuch as the adoption of white labor would prove of benefit to them inasmuch as the

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OFFICERS FAIL TO FIND FIEND

No Clues as to Identity of Portland Murderer are Found by Authorities and Brute is Still at Large—Officers Working.

PORTLAND, Ore., June 10.—Following an all night and day search of the woods surrounding Ardenwald, and the running down of rumors the authorities tonight admit that they have no clues as to the identity of the man who brained William Hill, his wife, and her son and daughter Dorothy and Philip Hingual in their home early yesterday.

Several suspects have been taken into custody, but all have been able to prove alibis.

One negro, who appeared at an Ardenwald home last night and with all evidences of fear asked when the next train left, was sought for a while. The authorities concluded however, that the fellow was frightened and left for fear that citizens might suspect him and wreak vengeance without waiting for proof.

CENTRAL POINT AND ELECTRICS HERE TODAY

The "Electrics" and Central Point will clash on the Medford diamond at 3 o'clock Sunday afternoon and the game promises to be a good one. The Electrics have been strengthening the weak points since the last game and should play snappy ball. As the big team will be away a good attendance is expected.

Look for the ad that describes the place you would like to own.

BANK DEPOSITS GAIN 14 PER CENT

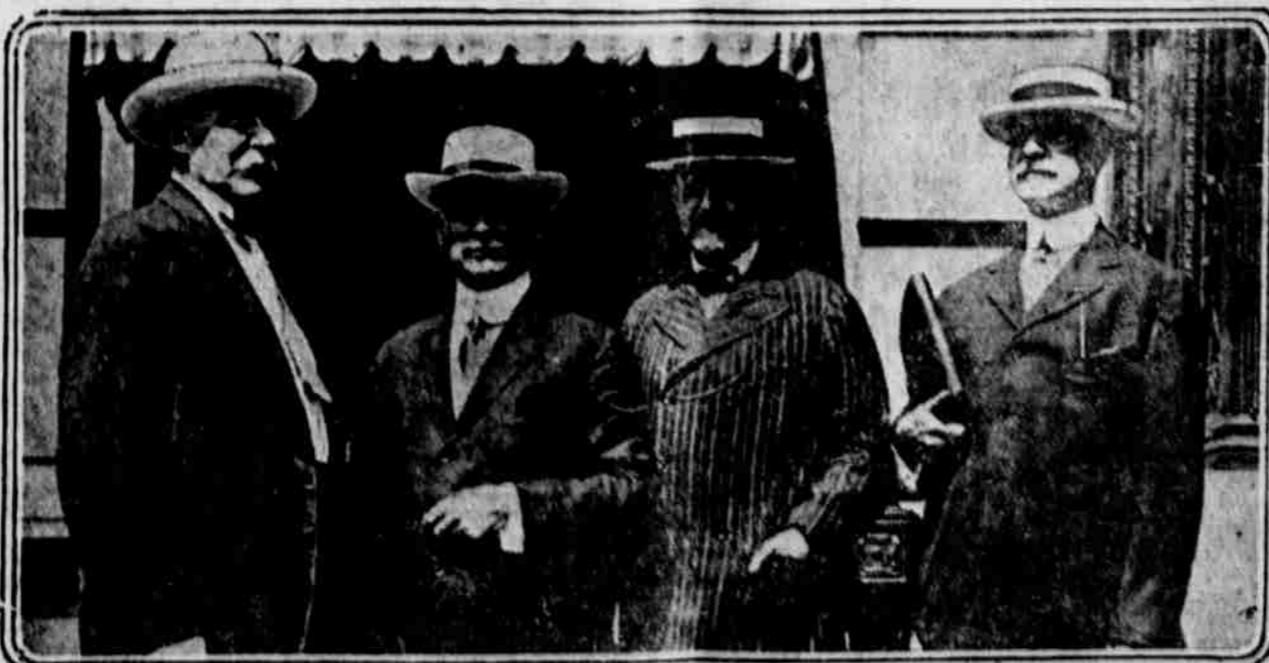
Quarter of Million Increase During Past Year in Spite of Fact That Railroad is Not Being Extended and Carrying Large Balance.

Two million, one hundred and twenty-four thousand, five hundred and fifty-five dollars and ninety-three cents is on deposit in local banks, according to the statements just issued in response to a call for statements issued June 7 by the controller of the currency. This is a gain of \$260,998 over one year ago, or 14 per cent.

This gain of a quarter million was made despite the fact that the Pacific & Eastern railroad is not carrying on extensive work at present, and therefore is not carrying a balance of \$50,000 needed for development work.

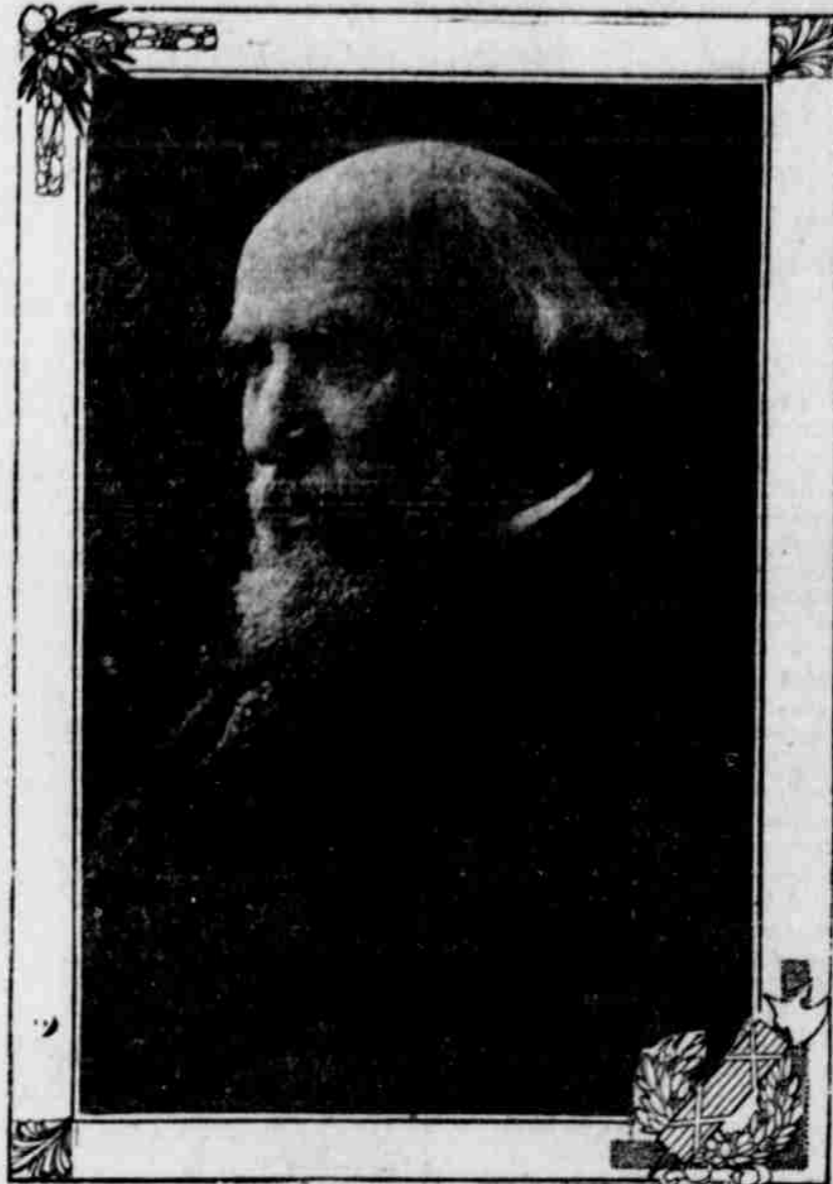
All of the bank statements show local institutions to be in excellent condition.

Steel Trust Officials Who Have Been Talking Secrets



LEFT TO RIGHT, NORMAN B. REAM, JUDGE E. H. GARY, PERCIVAL C. ROBERTS AND RICHARD LINDABURY

Owner of Pacific & Eastern



JAMES J. HILL
Pres. of the P. & E. R.R. Co. 1901-1902

WAPPENSTEIN JURY DISAGREES

After Deliberating for Twenty Hours and Taking Unnumbered Ballots Jury in Seattle Graft Case Reports Itself Hopelessly at Outs.

SEATTLE, Wash., June 10.—After arguing, deliberating and taking unnumbered ballots for 22 hours, the Wappenstein jury were utterly unable to agree and so reported at 2:13 o'clock this afternoon.

George Grey, acting foreman of the jury told Judge Main the ballot stood 7 to 5 and that no change was made in this standing since the first ballot.

Each jurymen stood up in court and was asked by the judge if there was any possibility of arriving at a verdict.

Each jurymen emphatically answered that there was absolutely none.

Whether the majority favored acquittal or conviction was not divulged.

W. H. Shorey, was elected foreman of the jury, but was taken very sick late yesterday afternoon and asked that George E. Gray be appointed in his stead.

Mr. Shorey was still sick when the jury made its report and Mr. Grey acted as foreman and answered the questions of Judge Main.

Wappenstein did not seem greatly affected by the verdict, although he smiled broadly as his counsel and friends crowded around to press congratulations upon him.

TIMBERMEN TO GUARD FORESTS

Local Forest Fire Protective Association is Formed Which Will Take Steps to Prevent Fires Destroying Local Timber.

Men representing the ownership of 130,000 acres of privately owned timber in Jackson county met Saturday afternoon and organized the Jackson County Forest Fire Protective association. They adopted plans and took action under the direction of C. S. Chapman, secretary of the Oregon Forest Fire association and F. A. Elliott, state forester, John Kimble manager of the Klamath and Lake Forest Fire Protection association, R. L. Crumey supervisor of the Siskiyou National forest and M. L. Erickson supervisor of the Crater National Forest.

The association will take active steps to guard against fires in privately owned timber where huge damage was done last year. The business of the association will be transacted by a board of directors composed of five members. These members were elected yesterday and are Edgar Hafer, H. D. Mills, W. T. Grieve, W. D. Mersereau and M. H. Grover.

It is believed that the timber privately owned by in Jackson county can be safeguarded at a cost of not more than two cents an acre.

The board of directors will meet Saturday afternoon at the office of M. L. Erickson in this city for the discussion of further plans. They will provide for the proper patrolling of their timber. State Forester Elliott stated at the meeting that these patrols would be appointed state deputy foresters with power to enforce the state forest fire law.

Every member of the association will have an equal voice in the affairs of the association regardless of the amount of timber owned. This will encourage the small holders to come into the association. It is believed that the association will do much to prevent a repetition of last year's disastrous fires in this section.

THINNEST MAN WEDS.

CHICAGO, Ill., June 10. Blanche Burley, aged 19, who weighs 150 pounds, is today the bride of Arthur Atherton, aged 24, the thinnest man in the world. Although Atherton is over five feet high, he weighs only 38 pounds. "I had to look three times before I could see him," said Judge Newcomer, who performed the ceremony.

SCORES FALL IN MIDDLE WEST; HEAT INTENSE

Hot Wave Literally Burns the Lives Out of Many, Sending Hundreds to the Hospitals—Chicago Tries to Gain Relief in Parks.

RELIEF IS EXPECTED TO COME WITH RAIN TODAY

County Board Commandeering Ice for Poor—All Records are Smashed.

Saturday was the hottest day as yet experienced in the Rogue River Valley this year, the mercury soaring to 95. One year ago today the mercury touched 94. On May 30 the thermometer registered 90 degrees. Local showers are predicted for today and tonight which will cool things off materially. Yesterday was the hottest June day during the past five years recorded previous to the 15th of the month.

CHICAGO, June 10.—The middle west is sweltering tonight under a spell of unseasonable heat that literally burned the lives out of scores and sent hundreds to the hospitals. Six deaths and seventy-five prostrations are reported in this city alone. From all sections of the middle west come reports of deaths and prostrations.

Never in the history of the United States weather bureau has a district suffered such hot weather this early in June. All records have been smashed.

Minor relief is expected Sunday when light rains are predicted. Infant mortality has risen to an alarming extent. Every park is crowded tonight with people who are endeavoring to sleep. Yesterday's maximum was 98 1-2 degrees and nearly 100 was reached today, breaking June heat records. Promised showers for Sunday are expected to bring relief.

The county board is commandeering ice for the poor. If the board finds that it cannot legally pay, President Peter Barthez has promised to settle the bill personally.

DES MOINES, Iowa, June 10.—It was 94 in the shade here today.

PEORIA, Ill., June 10.—At 10 a. m. the thermometer here registered 95. At 2 p. m. it had reached 99.

LINCOLN, Neb., June 10.—A cool breeze moderated the heat here somewhat although it was close to 100 degrees.

SPRINGFIELD, Ill., June 10.—Four deaths on account of heat were reported here today. The thermometer registered 100 at noon.

CLEVELAND, Ohio, June 10.—June heat records were broken today when the thermometer touched 100. Scores were prostrated.

DETROIT, Mich., June 10.—The thermometer touched 91 today. One prostration is reported.

LA CROSSE, Wis., June 10.—One person is dead, two are dying as a result of the intense heat here. Many are prostrated. Thermometers in the shade touched 92. At Racine it was 99 degrees.

MILWAUKEE, Wis., June 10.—Street thermometers before noon today registered 110. There have been a number of prostrations.

SAN DIEGO, Cal., June 10.—The rebels at Tia Juana declared today that they would march on Ensenada within ten days. Tomorrow will be the last day of the rebel stay at Tia Juana. A big celebration whose program will run from violin solos to bronco busting, has been planned. Moving pictures will be taken of the camp.