

# JURY AWARD IN THE HANLEY SUIT

In the Circuit court of the state of Oregon, in and for the county of Jackson.

The City of Medford, a municipal corporation, plaintiff, vs. M. F. Hanley, defendant.

Verdict of the jury:

"We, the jury, duly empaneled and sworn to try the above entitled action, find for our verdict herein that the defendant, M. F. Hanley, will be damaged to the extent of \$600."

The above was the verdict brought in by the jury at the courthouse at Jacksonville in the trial of the case between the city of Medford and M. F. Hanley, which was tried at a special session of the Circuit court before Judge John S. Coke of Marshfield, who had been named by Governor Benson for that purpose on account of Judge Hanna not deeming it advisable to call a special session for that purpose.

As was reported in the Morning Mail, the jury went out over the ground the day before and returned that night. This gave them a good idea of what was involved in the case. The jury, consisting of the consulting engineer, and Irving Worthington, a civil engineer, who lately came to Medford from Spokane, Wash., gave evidence pertaining to the case.

**Went to Jury.**

The court was opened in due form at 10 o'clock yesterday morning and the case was placed in the hands of the jury by Judge Coke at 11:30. About 1 o'clock the members of the jury informed a bailiff that they were hungry and that they thought they could agree on a verdict in better shape and in quicker time if they had something to eat. Judge Coke was notified and the jurymen were taken out to dinner. Shortly after 3 o'clock they returned with their verdict.

Immediately after the result of the trial was announced a special meeting of the Medford city council was called by Mayor Canon and every member responded. A motion was made, seconded and carried that a warrant be drawn for the amount awarded by the jury, and City Attorney Porter J. Neff hastened to Jacksonville with the check and deposited it with County Clerk Coleman.

**Attorney Reames Absent.**

Attorney E. A. Reames, who has had charge of the case for Hanley, did not appear in the case yesterday. It is understood that he claims that the special session of the court just held was illegal and that the proceedings will not be recognized by the higher courts. It is not improbable that an injunction will be asked for to stop the work proceeding across the Hanley ranch in the matter of the laying of the water mains.

## ISSUES INJUNCTION

**Judge Hanna Enjoins City From Entering on Property**

As was foreshadowed in the Morning Mail, M. F. Hanley, through his attorney, E. A. Reames of Jacksonville, has secured an injunction from Judge Hanna, in the circuit court, preventing the city or any of its agents from entering upon the Hanley ranch or from attempting to do any work whatsoever in connection with the laying of the water mains through his property.

Attorney Reames had the papers prepared in connection with the injunction Thursday night and as soon after as possible had Judge Hanna affix his signature, which made it legal and binding as soon as the papers had been served on the representatives of the city. This was done yesterday morning, the papers being handed to Recorder Telfer. Shortly after that they were given to City Attorney Neff, who has not as yet decided just what course will be pursued, but some action will be taken soon.

The city and its attorneys are allowed by Judge Hanna ten days in which to file an answer to the injunction showing the reason why the same should not be made permanent against the city of Medford. In the meantime, of course, the present injunction is in effect.

The principal reason given for the issuance of the injunction by Judge Hanna is that the special term of the circuit court recently held before Judge John S. Coke was illegal and that no notice whatever should be taken of the proceedings. The following is the wording of the injunction:

**Wording of Injunction.**

In the Circuit court of the State of Oregon, for Jackson county.

M. F. Hanley, plaintiff, vs. City of Medford, a municipal corporation of Oregon, W. R. Coleman, as county clerk for Jackson county, Oregon, and Wilbur A. Jones, as sheriff for Jackson county, Oregon, defendants.

Suit for injunction and other re-

**Hef. Restraining order.**

It appearing to the undersigned judge of the above entitled court, from the verified complaint on file herein, that heretofore, to-wit: On the 4th day of August, 1909, there was entered for record in the Circuit court of the State of Oregon, for Jackson county, in a cause there pending, wherein the defendant herein, City of Medford, was the plaintiff herein, M. F. Hanley was defendant, a void and pretended judgment in favor of the defendant herein, the City of Medford, and against the plaintiff herein, M. F. Hanley, pretending to appropriate to the use and benefit of said city a strip of land belonging to the plaintiff herein, and particularly describe the pretended judgment, which is or record in Volume 15 at page 291 of the Circuit Court Journal for the said county.

**Claims City Threatens.**

And it appearing further, that under and by virtue of said pretended and void judgment, the defendant herein, the said city of Medford, is threatening to appropriate to its own use the lands herein described, and to make excavations thereon, to the great and irreparable injury of the plaintiff herein, and the said defendant will, unless restrained, commit said trespass and make such excavations, and that the same would result in conflict and serious trouble, and that such acts ought to be for the peace and protection of plaintiff's rights, restrained.

Now, therefore, being fully advised in the premises, and having examined the records and proceedings of said pretended term of court, it is ordered by me, the judge of the above entitled court, that until the further order herein, the defendant, the city of Medford, its officers and agents, their successors and employees of defendant city, and all other of its aids be, and they are each of them hereby restrained from and ordered not to appropriate plaintiff's land or otherwise trespass thereon, nor to issue any execution or other process under said pretended judgment.

**Restraints Clerk and Sheriff.**

And the defendant, W. R. Coleman, as county clerk for said county, is restrained from issuing any order or process under said pretended judgment, or from issuing any execution thereon.

And the defendant, W. A. Jones, as sheriff for said county, is restrained from issuing any process of execution or other order or command made under or by virtue of said pretended judgment, and from in any way assisting in the enforcement of the same.

That this order be and remain in full force and effect until modified or set aside by the judge or the court herein.

It is further ordered that the bond heretofore and herewith filed by the plaintiff, be and the same is hereby approved.

Done at chambers at Jacksonville, Jackson county, Oregon, this 5th day of August, 1909.

(Signed.) H. K. HANNA, Judge.

## METHODIST CONFERENCE

**Efforts Being Made to Get Next One Held in Medford**

The Oregon conference of the Methodist Episcopal church includes all that part of the state that lies west of the Cascades, a strip of country in Southern Oregon extending as far east as Lakeview and the northeastern corner of California. There are 116 effective preachers in the conference. These, with the bishop, the president of Willamette university, editor of the Pacific Christian Advocate and secretaries of the great church boards, with representatives of the Woman's Foreign Missionary society, and Women's Home Missionary society, would be in attendance. Adding to those the visiting friends, it would bring between 200 and 400 people to Medford.

The business session of the conference, with all the anniversary exercises, continuing through a whole week, would give Medford a great moral and religious uplift. But the only way for Medford to secure this great benefit for Medford is for the citizens to assist the local church in this great undertaking. The conference has never been at Medford, and since it has not been held in the southern part of the state since 1902, Rev. Renner feels very confident he can influence the conference to hold its next session here in September, 1910, if the local church will authorize him to extend the invitation.

## FRUIT PACKING SCHOOL.

The fruit packing school is progressing finely, there being about 20 students in attendance every day. Several have already graduated and new ones are constantly taking their places. This school is costing the fruit union about \$25 a day, but there is satisfaction in expending this money in knowing that when the busy packing season begins the packers will not then be students—and the fruit will be packed right.

At least the people are glad to get the tariff down far enough to have a look at it.

**Children Cry FOR FLETCHER'S CASTORIA**

# VISITORS GOING TO CRATER LAKE

Will G. Steel returned yesterday from Seattle, where he has been on important business for the past few days. "All of our plans and future development hangs on the decision of the Supreme court in regard to the Crater Lake appropriation," he said. "And I am awaiting the decision, though I look for it to be favorable. It is the policy of the government to aid in all development work in any state, but the state must take the lead."

"A. L. Parkhurst of Portland, who is the principal stockholder of the Crater Lake company, will drive down from Seattle in his Stoddard-Dayton and at Portland get his wife and family and then bring them to the lake for the summer."

"While in Seattle I saw Secretary of the Interior R. A. Ballinger, and I persuaded him to look over the proposed road while he was at Klamath Falls. He will arrive in Medford about the first of September, and while here will be the Commercial club's guest. Mr. Parkhurst will drive down and take him in his auto to Crater Lake, where he will stay a few days. Secretary Ballinger is favorable now to the road, but he will have to look over the plans and await the state's action."

"After his visit at the lake he will go to Klamath Falls to look over the irrigation project, and while there will be entertained in the Chamber of Commerce. Secretary Ballinger intended to go in and out by rail, but I convinced him that he ought to see the route to the lake on this side and the city of Medford."

"About August 15 I expect Charles Fee, passenger traffic manager of the Southern Pacific, to visit me at Crater Lake. He will bring a party of Southern Pacific officials with him. Mr. Fee plans to go in and out by rail, but I think he could be induced by Medford to come by auto to this city and pay it a visit."

## FOR CRATER LAKE.

**Doctor, Druggist and Lumberman of Illinois Make Trip to Lake.**

Dr. C. C. Reed, Dr. F. M. Ewing and J. W. Spellman, all of Lincoln, Illinois, left yesterday for a 500-mile drive to Klamath and Lake counties, going by way of the Rogue river and Crater Lake. Dr. Reed is one of the prominent men and leading druggists of Lincoln. Dr. Ewing is one of the foremost physicians in this country and is a recognized authority on medicine. Mr. Spellman is one of the biggest lumbermen of Illinois, and so it is more than probable that this trip through our timber section may have greater significance than pleasure. They are going to invest in property here, but first wish to look over the country at large. They will go from here to Crater Lake, then to Silver Lake, Lake Wagner, then to Lakeview, back to Klamath Lake and return to Medford.

## WENT TO CRATER LAKE.

**Party of Medford People Made Trip and Returned Last Evening.**

A party consisting of F. E. Merrick and wife, Miss Ruth Merrick, Miss Lotta Luke, J. E. Watt and wife, Miss Hellen Watt, W. H. Watt, Rev. W. F. Shields and wife, C. A. Weaver and Miss Edna Cummings returned last evening from Crater Lake.

All were highly pleased with the time they had and are extravagant in their description of the wonders of nature which are to be seen in such a trip.

## SCHOOL BOARD PLEASED

**Two Additional Departments for the School Next Year**

The Medford school board is feeling very much elated because of the manner in which two added, and quite essential, departments of the school are shaping up for the commencement of the school year.

One of these is manual training. Part of the basement of the high school building has been fitted for this work, and an instructor, Mr. Arthur F. Wetther, has been secured. One of the manual training rooms is 35x59 feet in size, and in it there are provided work benches for 20 individual students, and there is also a full set of woodworking tools for each of these benches. Another room, which is 28x30 feet in size, will be used for mechanical drawing. Pupils will be received for this manual training course from and including the sixth grade through all higher grades to and including the first year in the high school.

The domestic science room is 28x50 feet in size and is equipped with everything needful in the instruction of young ideas in proper cooking and sewing methods. A range for this department has been donated the district by Garnet & Corey, and a sewing machine by D. T. Lawton. In the cooking department pupils will be admitted from the eighth grade and first year in the high school.

In the sewing department pupils from seventh, sixth and perhaps fifth grades will be taught. Miss McDermott of Pittsburgh, Pennsylvania, has been chosen instructor for these departments. The lady has had several years' experience in this work and is highly recommended.

Mr. Arthur F. Wetther, the gentleman elected to the manual training department, will come to Medford with the very best of recommendations. Of him, Carl N. Wertz, president of the Chicago Academy of Fine Arts, of Chicago, says:

"He is, I believe, resourceful in a way that would meet your approval and he has had enough experience to adapt himself to conditions and people in a way that would be necessary under the conditions you name, and I think he would command respect of boys and keep them interested. He is a quiet, unassuming young man of excellent character and morals and he is healthy, physically and mentally."

"I am certain that you and your students will find Wetther to be one of the most dependable, convincing and conscientious instructors that could be found, and I believe in his own quiet way that he will organize and systematize the subjects you give him, even in his first year with you, in a way that will bring credit to your course of instruction."

## Teachers Assigned

List of teachers for the Medford schools for the school year 1909-1910:

High school—U. S. Collins, principal, mathematics; George W. Taylor, commercial work; S. B. Hall, science; Miss Edna Cummings, Latin and German; Miss Marion Foster, history and English.

Industrial work—Miss E. M. McDermott, domestic science and art; Arthur F. Wetther, manual training.

Washington (West) school—H. S. Stine, principal, teacher in eighth grade; Miss Marian White, eighth; Miss Yora Storey, seventh; Miss Stella Schuler, sixth; Miss Alice Elder, fifth; Miss Ethel Hewes, fifth and fourth; Miss Poore, fourth; Miss Jessie Wilson, third; Mrs. Kate Weaver, third; Miss Julia Fielder, second; Miss H. L. Norton, second and first; Miss Fannie Haskins, first.

North school—Miss Lillian Ulrich, principal, seventh grade; Miss Lillian Lockett, sixth; Miss Millicent Potter, fifth; Miss Mary Kittredge, fifth and fourth; Miss Lotta Luke, fourth; Miss May Phipps, third; Miss Evangeline Polcy, second; Miss Kate Stine, second and first; Mrs. Maude Philbrook, first.

## PRAISES MRS. CONRAD

**Tribute to Lady's Contribution in the "Progress Magazine"**

(By Mrs. H. L. Huillier.)

A noteworthy feature of August's Progress Magazine is an article entitled, "Opportunities and Possibilities of Medford, Oregon, and its Vicinity," by Mrs. Lucile Rood Conrad.

Regardless of her numerous and exacting duties in her capacity of assistant secretary of the Commercial club, this lady found the time to give a remarkable outline of the matchless Rogue River valley and its boostingogue—Medford.

The value of the above article is greatly enhanced by its businesslike tone. No mistaken efforts at a flowery style are attempted, nor any overdrawn statements made. Strictly conservative facts only, combined with tasteful and alluring photos, are skillfully presented to the reader. The powerful and beneficial impression thus produced can therefore hardly be overestimated.

Medfordites are certainly to be highly congratulated in having their Commercial club represented by such enterprising and capable secretaries as Hal L. Conrad and his wife, Mrs. Lucile R. Conrad.

Although but recently arrived in this town, I was not long to realize the excellent standard of its American population. Some people wrongly believe that strangers find it difficult to become acquainted in Medford. I personally cannot remember any town where a more friendly and cordial welcome was ever extended to me.

Medford certainly has a good right to be proud of its citizens, and the latter fortunately know enough to reciprocate this in full.

"Best" is a much-abused word—often used but seldom proven. The wideawake ones will nevertheless agree that Medford is the cream of the best.

The above appreciation of Mrs. Conrad's work by Mrs. H. L. Huillier will better impress the reader when he learns that Mrs. Huillier is a noted European musical and art critic. So pleased was this lady with Mrs. Conrad's article that she has decided to translate the same in French and have it reproduced in some leading French publication. Thus Mrs. Conrad's advertising shall even reach across the sea, and Medford's reputation steadily grow in fame.

## HERE FROM KANSAS.

Messrs. C. L. and Robert C. Drath of Herndon, Kansas, arrived in Medford yesterday and today will take a drive over the valley. These gentlemen are engaged in the banking business in Herndon, Robert C. Drath being president of the bank. They are also old-time acquaintances of Councilman J. L. Demmer of this city.

# CHAMPIONSHIP BASEBALL GAME

What will positively be the last baseball game and what promises to be the best and most exciting one of the season will be played on the local diamond next Sunday. The game will not only be a championship one, but it will be played for the sum of \$500 a side.

The contestants will both be outside clubs. The one from Grants Pass, Or., and the other from Hill, Cal. The idea is to have the contest not between two local clubs exactly, but each one will represent the part of the state in which the city is which they come from. In other words, it will be between Northern California and Southern Oregon.

**Won Game Each.**

During the present season each of the above-named teams have won one game each, and both of them were by the closest kind of scores. The feeling aroused in each place is such that neither team would consent to play in the town where their opponents lived on account of the "rooters," and the feeling which they would encounter during the progress of the game, and also what they might expect if one team won in the other place.

After the matter was thoroughly discussed it was finally decided that the best plan was to have the game played on neutral grounds. The next question was where those grounds could be procured in a place where both teams could expect to get "a square deal." It did not take long for the representatives of both teams to decide on Medford as the battle ground. The principal reason being that the people here can be depended upon to turn out to see a cracking good game, and then the grounds are the best in this part of the state and the club house is fitted up with all kinds of baths.

## Will Arrive Saturday.

The "Native Sons" will arrive in Medford next Saturday so as to be in good shape for the game after their long journey. One thing which should be borne in mind by those who figure on seeing the game is the fact that on account of the California boys having to catch a train the game will have to be called at 1 o'clock in the afternoon. This will allow of plenty of time to play the game out, even should there be a tie in the ninth, tenth or twelfth inning.

Yesterday Court Hall had men working getting the grounds in condition, and this work will be kept up every day between now and next Sunday. The local management of the park are determined to do everything in their power in order to help to give the local lovers of the national game a first-class baseball treat and one which they will likely remember from then until next season opens.

## Plenty of Rooters.

As for the members of each team, they are reported to be working hard every day and all appear to be nerving themselves to play as if their lives depended on the result. Both teams will be accompanied by a large crowd of their townspeople, armed with tin horns, cowbells and other implements of baseball warfare. Taking it all in all, next Sunday promises to go down in Medford baseball history, to be remembered for a long time to come.

## MAY MEAN HERE.

**Representatives of a Colonization Company Like This Valley.**

A. C. Frost, J. R. O'Neil and S. M. Alsbrook of Denia, Florida, left yesterday for the fair. These gentlemen are a land commission, with Mr. Frost as chairman, of the Florida East Coast railroad. This commission is to select some place in the West or Southwest to locate a colony. They have looked over towns and valleys in Texas, Mexico, California, Oregon and parts of other Southern states, and they like this place best of all as yet. It is the intention of the commission to buy up a thousand or more acres.

## PAVING WORK DELAYED.

**New Main Will Have to Be Put in Before West Main Street Is Paved.**

Work of grading West Main street has been temporarily held up because of the fact that when the work was to have commenced yesterday it was discovered that the old water mains were laid too close to the surface to permit the necessary grading for the paving which is to be put in. A contract has already been let for a new main on this street, but it will probably be two weeks before the pipe for this will reach Medford.

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