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NEWBERG



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NO. 25

CIRCUIT COURT DOINGS

Harvest for Attorneys Though No Cases of Note.

The following is a general report of the doings of the Circuit Court held for Yamhill county: Albrecht Fischer, a McMinnville baker, was admitted to citizenship. He is a German and was represented by Attorney B. A. Kliks. Joseph Henrich, a farmer of McMinnville, also a German was admitted to citizenship on motion of Attorney F. W. Fenton. The first case tried was that of Carl Fuchs, a McMinnville near bear joint keeper. It was alleged that his near bear was the real article and he was convicted in the justice court and fined \$100, costs and also sentenced to jail for ten days. An appeal was taken and the case tried before a jury at this court. The jury failed to agree, there being nine for conviction and three for acquittal. Fuchs was defended by McCain & Vinton and D. C. Murphy, of Portland. R. L. Conner and John H. McNary appeared for the state. This case will be quite expensive, owing to the large number of witnesses called. It was continued for the term.

The next case was that of Barks & Cockerham, real estate dealers against F. A. Simonson for a commission alleged to be due on finding a purchaser for his farm. This case was before the court several times, and attorney B. A. Kliks who appeared for Simonson took occasion to point out the many inconsistent allegations in the various complaints in his address to the jury. It took the jury about five minutes to find for the defendant. McCain & Vinton appeared for the real estate men.

William Merchant brought suit against Lars Gregerson for a strip of land consisting of about two acres between Yamhill and Carlton. Gregerson claimed the land by adverse possession. It was shown that the fence had been there for more than twenty years, but certain other elements seemed to be wanting, and the jury found for the plaintiff. McCain & Vinton appeared for the plaintiff and R. L. Conner for defendant.

The case of Mrs. M. E. Markell for damages received in a runaway accident against E. N. Whitlaw took up most of Wednesday. It appeared that Whitlaw had tied up his horses in the usual manner at a hitching post in Newberg when some young fellow shot off a bomb, frightening the horses and causing them to run away. They ran into the buggy of Mrs. Markell doing her considerable damage, and breaking several bones. But it clearly appeared that no fault could be attached to Mr. Whitlaw and the jury promptly brought in a verdict in favor of the defendant.

John H. McNary, and Grant Corby, of Salem, handled the case of the plaintiff and McCain & Vinton, of McMinnville and Clarence Butt, of Newberg, appeared for the defendant.

The case of Thos. F. Fairbanks vs. W. S. Stull was next. Both parties reside in Newberg. A jury was quickly obtained and the case was over before any of the spectators knew what happened. It appeared that Fairbanks in some manner gave Stull \$100. Judge Burnett ordered one of the jurors to sign a verdict for the plaintiff which was done. Clarence Butt, of Newberg, appeared for the plaintiff, while Mr. Corby of the same

place appeared for Mr. Stull.

The last case was that of S. F. Yocom against A. L. Holdridge which occupied part of Thursday and all of Friday. Yocom bought a mare of the defendant which he claimed was guaranteed to be sound and if not satisfactory that he might return the same and receive his money back. Yocom claimed that the horse was string-halted in both hind legs which he did not see when he bought her and so returned, the mare. It was claimed by defendant that the horse was sound and that an offer to trade for another animal was all that had been offered. Many witnesses testified as to the condition of the animal and they were directly of opposite opinions. So were the experts in the veterinary line. After being out about two hours and coming back with the second verdict, the first not being satisfactory to the judge, the jury found for the defendant. The costs of the case are said to exceed \$200, the original price of the animal. Holdridge now has the money and the mare, together with a bill for keeping the animal. Mr. B. A. Kliks represented Mr. Holdridge and R. L. Conner, represented Mr. Yocom.

In the case of city of McMinnville which was sued by William Poolé for damages for personal injuries received while working for the city, it seems that a settlement for \$200 was made. R. L. Conner represented the city and McCain & Vinton represented Mr. Poolé.

In the case of Barks & Cockerham vs. A. Monson for real estate commissions, there was also a settlement out of court. This time Barks & Cockerham were represented by B. A. Kliks while R. L. Conner represented Mr. Monson. A settlement was made on Wednesday.

The case of Myer Bros. vs. A. J. Bewley on a bond never came to trial. Bewley gave a bond for an appeal to the upper court which seems to have been dismissed. Suit was then brought on the bond. It was held that the bond did not cover the judgment which Myer Bros. obtained. The case was dismissed. W. O. Sims appeared for Myer Bros. and J. T. Simpson appeared for Bewley. All the parties reside in Sheridan.

The grand jury found no true bills. Leonard Palm who shot Matthias Zettel was not indicted, the grand jury holding that there was so much matter mixed up in the shooting scrape that the county should not be subjected to any costs.

Several other actions appeared on the docket, some of which are continued but they were mostly for money. Court adjourned on Friday afternoon.

The equity side of the court presided over by Judge Galloway will be open on the 18th day of April. No cases of importance are on the docket which are of any interest to the public except two Newberg cases which are city of Newberg vs. Edward Kienle on the matter of a road and which has already been partially heard, and the Newberg School case which also has been heard and is now under advisement. Several divorce cases are on docket and also partition suits and suits to remove clouds upon title, all of which are uncontested.

Births.

Born to Dr. and Mrs. George Larkin on Sunday, April 3, a son.
Born to Mr. and Mrs. Wiley McDonald on Friday, April 1, a son.
Born to Mr. and Mrs. Harry Patterson on Saturday, April 2, a daughter.

CALIFORNIA LETTER

A. J. Palmer Writes The Graphic From Whittier.

Our friend, A. J. Palmer writes from Whittier, California, on the date of March 28 in which he speaks of that point as being noted for its schools and churches and the moral atmosphere which permeates the city. He says: "It has been very dry weather here since January until recently they have had some three or four nice showers, and it has taken the long faces from the farmers and replaced them with a smile since it insures them with good crops of grain and hay. Without it crops would have been very short, possibly not large enough to cut. The fruit belt is under the irrigation system and it is all right without the rainfall. This is the champion belt for raising citrus fruits as it was free from frost the past winter, while the fruit in most of the sections was more or less injured. This is a rich country and valuations are high. Orange and lemon groves run from \$1,000 to \$2,500 per acre and some do not want to sell at any price as they could not better their situation here with the money. Land not set to trees is held at six or eight hundred dollars per acre with water piped ready for use, but the main thing they bank on here is climate. They take pleasure in chinning one of the rainy seasons of Oregon and the cold and disagreeable weather of the Middle West but all the same they are glad some of the rain came their way here of late."

C. F. Moore has been here for the last three weeks having the time of his life, sight-seeing and taking in scenic views of Mount Lowe. He left Thursday for San Francisco. On the home trip by way of Modesto and Chico where he will visit his brother and sister and if he overruns his time there as much as he did here he will reach home some time in April when he can tell you about the country better than I can write.

Obituary.

The deceased, Charles J. Larson, was a native of Norway. He was born August 24, 1841, at Christiania, where he passed his boyhood and early manhood and thereafter moved to Gottenberg, Sweden. Here he became acquainted with Miss Christina Nelson, and they were married June 8th, 1866. Four years thereafter they came to America and located at Alcona, Michigan, where they lived till 1884, when they moved to Harrisville, Michigan, where they resided till 1887. In the year last mentioned he moved with his family to Skamokawa, Washington, and afterward to Newberg, Oregon, where he has made his home since, except a few years while he was employed by the Bridal Veil Lumbering Company at Palmer, Oregon.

Two weeks ago Mr. and Mrs. Larson having sold their home near Newberg, came to The Dalles, where they intended to make their future home.

At the time of his death, which occurred March 22, 1910, he and Mrs. Larson were with their daughter, Mrs. C. J. Bright of this city.

Mr. Larson leaves a wife and two daughters—the daughters being Mrs. Mildred Bright of this city and Mrs. Minnie Aldrich, of Bridal Veil, Oregon.

Mr. Larson was a man of remarkable strength and energy and in his lines of work had few

equals. He was at different times and places blacksmith, machinist and engineer. In 1902 he gave up his position and work with the Bridal Veil Lumbering Company and retired to a small farm near Newberg aforesaid where he has lived during his declining years until two weeks ago.

While deceased was quiet and unobtrusive in demeanor, he was a man of broad vision and a large heart and always had the interest of those near and dear to him and of the community at large at heart, and leaves a large circle of friends and loved ones to mourn his loss.

Big Sturgeon, Pet of 30 Years, Released.

After thirty years in captivity at Paradise Farm, the sturgeon was given his freedom by the owner Mrs. Sue M. Adams Armstrong. He was captured at the Cascade Locks in a fish wheel and was purchased by Dr. H. R. Littlefield and brought to Hood River in a row boat with a very little water in the bottom of the boat. From the boat landing on the beach he was hauled by a wagon to Dr. W. L. Adams' place and presented to him.

At that time, in the early spring of 1880, Dr. Adams had two small lakes or ponds on the place. The sturgeon had his home in them, being exchanged from time to time from one to the other. After years passed away the pond became filled with grass and weeds and sand and he was removed to the fountain, which, proved too small a space for him, and his owner, believing it was cruelty to keep him thus confined, gave him his liberty.

He was hauled down to the Columbia by Matt Hucker and Charlie Lusier and turned into the river, where for a few seconds he seemed bewildered and then joyfully swam away, never to be seen again. He has been viewed by thousands of people during his captivity and was a wonder to many who saw a fish of that size for the first time.

At the time of his capture he was about three feet long, but grew to at least six feet in length. He was fed on birds and meat and squirrels and when regularly fed soon grew sleek and fat, but he, as an attraction on Paradise farm is gone, forever gone.—Glacier.

Arbor Day Program by Public School.

On Friday afternoon beginning at 1:30 the public school will give an arbor day program. If the weather is fair it will be given in the Edwards grove, but if otherwise in Duncan's hall.

PROGRAM.

Music.....High School Orchestra.
Recitation. "Arbor Day Workers.".....Deane Wright.
Exercise.....First Grade.
Song. "Sports of childhood.".....Fifth Grade.
Lily Drill.....Second Grade.
Recitation. "Why they plant trees.".....Alberta Langton.
Arbor Day Exercise. Third Grade.
Music.....High School Orchestra.
Recitation. "Planting Trees.".....Mac Whitten.
"Thoughts about Trees".....Eighth Grade.
Song.....Male Quartet.
Recitation. "Springtime in the Woods.".....Anabel Launer.
Mother Goose Drill.....Sixth Grade.
Recitation. "Memorial Trees.".....Mabel Slater.
Violin Solo.....Lois Wilson.
Recitation. "Three Trees.".....Beatrice Hamnett.
Address.....Rev. F. C. Stannard.
Song.....High School Glee Club.

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Musical Comedy Friday Night

The Peake Sisters, a musical comedy will be given in Craters hall Friday night, assisted by a mixed quartette and string music.

The cast of characters will be as follows:

Sister Dorothy of the Paris
Preservatory.....Katherine Romig
Sister Bertha of Boston.....Nellie Reuter
Sister Maria, a country girl.....Beulah Spaulding
Sister Betsey (deaf and dumb).....Mabel Miller
Sister Sophia, the mirthful.....Rhea Hunt
Sister Letitia.....Maude Gregory
Sister Belinda.....Anna Rogers
Sister Pamela, school ma'am.....Beulah Blum
Admission, 25c and 15c.

Council Meeting.

The regular session of the city council was held Monday night with Mayor Christenson presiding. Present Ferguson, James, Hodson, Kelty, Otis and Parrish.

A petition of W. B. Sims and others for improvement of Blaine street was read. H. D. Crumly was authorized to make the necessary surveys for same.

The street commissioner was ordered to notify Mrs. Scofield to remove the building which she is erecting on the back of her lot. It was decided to improve First street from Center to River by making the necessary grading and the recorder was ordered to give proper notice for said improvement.

The committee on health and police was directed to supply the place of Marshal Woods who is off duty on account of sickness. In the discussion of the sewer problem a proposition for changing the charter to allow a bonded indebtedness of \$200,000 to cover electric lights, water works, sewers, parks and city hall was considered.

A committee composed of Hodson, Parrish and Kelty was appointed to investigate and recommend changes in the city limits.

It was agreed by the council to furnish water free for sprinkling

streets, provided a sprinkler is operated

On motion of James the following contract bills allowed:

J J Woods marshal.....\$ 50 00
Wm Clemmens st com..... 50 00
Orange Elliott water supt 60 00
Yamhill Electric Co lights \$152.25 less \$12 water 140 25
On motion of Hodson the following claims allowed:

WATER FUND

C C Ferguson hauling...\$ 2 25
W W Nelson fight on pipe... 5 39
Newberg Transfer Co light and cartage..... 1 35
H S Maloney rec-deed..... 85
Crane Co pipe.....349 14
E L Evans plumb supplies 8 05
E G Gardner 3 da work... 6 00
E D Harvey 2 " " " 4 00
Horace Nelson 2 da " " 4 00
E F Grisez livery hire..... 4 50
W W Nelson recorder..... 40 00

GENERAL FUND

Frank Vestal wit City vs Kienle..... 5 00
W R Smith wit City vs Kienle..... 2 00
J B Mount shovel and dog chain..... 1 60
E L Evans waste paper receptacles..... 15 80
A G Long fire hydrant..... 27 00
C C Ferguson 16 da work 2 teams @ \$9.....144 00
C C Ferguson 1 da 1 team 4 50
C C Ferguson 2 da hauling garbage 2 teams..... 18 00
C C Ferguson 1/2 da hauling garbage 1 team..... 2 25
C C Ferguson 1 da surveying street..... 2 00
C C Ferguson hauling gravel..... 50
D L Oliphant 8 da on st... 16 00
A Wilson 4 1/2 da on st..... 9 00
Frank Farley 9 1/2 da on st 19 00
Roy Johnson 1/2 da on st... 1 00
E Snaars 1/2 da on st..... 1 00
Turnbow 1 da on st..... 2 00
Moore 1 da on st..... 2 00
R B Jacks hall rent caucus C N Mackie 2 road scrapers and shovel..... 39 25
H C Crumly grade stakes on Main st..... 6 00
Newberg Mfg & Con Co 6 tile 8 in..... 3 00
E W Hodson fumigating material..... 6 90

Marriage Licences.

Myrtle Anna Hannon, age 21, to Joseph B. Hollingsworth, age 21.