

JURY GIVES PHIPPS \$1500; ASKED \$38700

RIGHT OF WAY CASE AT LAST IS SETTLED

Pacific & Eastern Will Now Be Built Into City—Very Little Likelihood of an Appeal—Jury Was Out Only a Short Time—Verdict Was No Surprise to People of Medford.

The jury which heard the condemnation proceedings brought by the Pacific & Eastern Railway company against I. J. Phipps et al. for a right of way across the Phipps property on the west side of Bear creek Saturday brought in a verdict of \$1500 for the defendant. Mr. Phipps asked \$38,700.

The suit was started on Monday, but after proceeding a day it was postponed until Thursday, the court adjourning owing to the death of Judge H. K. Hanna. On Thursday morning it was resumed and the concluding argument was heard Saturday morning.

The right of way sought by the railroad comprised 1.76 acres of land. For this Mr. Phipps asked \$8000, and for alleged damage to nearby lots he asked \$30,700. The verdict of \$1500 was the amount tendered Mr. Phipps by Chief Engineer Gerig of the railway company.

The defense put nine witnesses on the stand. The highest amount any of the witnesses stated was due the defendants was \$13,500. The witnesses were Messrs. Oatman, Cox, Cortes, Campbell, Andrews, Wells, Andrus, Toff and Medley.

The Pacific & Eastern introduced ten witnesses with the exception of Chief Engineer Gerig, the witnesses' testimony is summarized as follows:

Dr. J. F. Reddy stated that he considers the coming of the railroad will benefit the property rather than otherwise. He would not give Phipps over \$200 to \$300 an acre for the upland, and would not allow him anything for the creek bottom land. He considers that the property between the railroad and Bear creek would not under any circumstances be available for residences. Believes that as store and warehouse property its value will be decidedly enhanced by the railroad.

L. G. Porter, who owns the Porter addition on East Main street, partially adjoining the Phipps property, and has bought and sold property in this vicinity for years, stated that he has resided in Medford for years and knows the Phipps property. He considered the highest possible valuation (Continued on Page 8.)

DYNASTY'S DOWNFALL PREDICTED

Pope Severs Relations With Spain and Recalls Papal Nuncio—Pretender Waiting to Invade With an Army of Exiles—Anti-Clericals Mad With Joy.

ROME, July 30.—Monsignor Vico, the papal nuncio to the Spanish court, was recalled this afternoon by Pope Pius X. The action of the holy see followed the recall of Ambassador Emilio de Ojeda by King Alfonso.

With the mutual recall came the severance of all diplomatic relations between the vatican and the Spanish court.

The open rupture is believed here to foreshadow the downfall of the Spanish dynasty.

MADRID, July 30.—The abrupt severance of friendly relations of Spain with the vatican brings King Alfonso into the foreground of European politics today. Opponents of the young monarch have doubted the sincerity of the king's anti-religious actions from the time the church and state locked horns in Spain. Today they praise the king's stand and give him credit, rather than Premier Canalejas, who still is held in popular suspicion.

Marquis Emilio de Ojeda, Spanish ambassador to the vatican, probably will today return his credentials to his holiness and start for Madrid. The ambassador was recalled following a conference between King Alfonso and the premier last night.

The action of the cabinet is expected to throw the kingdom into turmoil. While a great number of the industrial population favor the supremacy of state over the church, there are thousands of Spaniards who believe the church should have equal rights with the civil government. Should a further split occur it is probable that these will throw in their lot with Don Jaime, the Carlist pretender to the throne, who already has announced his willingness to accept the title of defender of the church.

ALFONSO FIRM IN CRISIS.
King Issues Proclamation to People to Rally About Him.

CERBERE, France (Spanish frontier), July 30.—The recall of the (Continued on Page Four.)

Principals In the Famous Mrs. Hawley Harvey Crippen Murder Case of London.



Dr. Crippen, the American Dentist, and his wife, Belle Elmore Crippen, the actress, whom he is accused of murdering in London.

CRIPPEN BECOMING WORRIED AS VESSEL NEARS PORT TO TEAR DOWN OLD LAND MARK

Within the next few days the directors of the Masonic Building association will have the shafts standing on their lot on the corner of Main and Riverside torn down, preparatory to the erection of a large modern building on that corner.

The buildings to be torn down form one of the old landmarks of Medford. It was occupied for many years by George Merriman as a blacksmith shop and is one of the oldest frame buildings in Medford.

Kills Two, Then Himself.
NEWPORT, Or., July 30.—Accusing Bob Felix of getting Mary Metcalf intoxicated, John Spencer shot and killed them both and then shot himself early this afternoon on the Siletz reservation. All three were Indians from well-known families.

Don't move except to better yourself. If you're an ad reader you'll know.

GUILTY COUPLE TO BE ARRESTED UPON ARRIVAL AT NOON

FATHER POINT, Que., July 30.—The air tonight is brining the news of one of the world's most dramatic criminal hunts. The wireless pursuit of Dr. Hawley Crippen and his typist, Mile. Leneve. In the tower of a lighthouse here tonight four police officers are gathered about the operator's desk. They can almost see the great bulk of the steamer Montrose as she churns toward Father Point, where the climax of the great drama is expected to materialize tomorrow.

A wireless operator here tonight got into communication with the Montrose. Captain Kendall and Inspector Dew, Scotland Yard, who made a rapid trip to London to arrest Crippen, have been talking incessantly, although separated by 200 miles of water. If the couple aboard are Crippen and the woman, they are in a trap of their own making and cannot escape.

Although nearly all the world knows, or believe they know, that Crippen and Mile. Leneve are aboard the Montrose, only seven persons aboard the steamer have this knowledge. The ship's band is playing tonight and the passengers are dancing. Crippen and Mile. Leneve are not joining in the festivities, but are standing on the dark side holding hands. "They pay no attention to music, but the fog horn blasts seem to increase their nervousness," the messages say.

The couple is constantly guarded, ready at any time to prevent the couple suiciding. They don't know they are even suspected.

FATHER POINT, Que., July 30.—With the wireless of the Canadian Pacific steamship Montrose working better every hour, additional details were received here today of the conditions aboard ship that led Captain Kendall to suspect that "Robinson and son" were really Dr. H. H. Crippen, suspected of killing Belle Elmore Crippen, his wife, in North London, and Mile. Ethel Claire Leneve, his stenographer.

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WELLS-FARGO TO BUILD NEW HOME

The Wells-Fargo Express company will start work in the very near future on the construction of a new local office. The building will be a handsome one and will stand 100 feet north of the new Southern Pacific depot.

The plans for the new structure call for a fireproof building, modern in all respects.

It is probable that the Western Union Telegraph company will occupy the present building of the company.

Gold Hill to Crater Lake.
GOLD HILL, July 30.—The first party from Gold Hill to visit Crater Lake will leave Monday or Tuesday. It will be composed of J. H. Beeman and family and their friends, Mr. and Mrs. J. G. Gould of Portland. They will go prepared to camp at the lake and will spend some time enjoying the wonderful scenery and fine fishing.

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WENDLING ARRESTED AT FRISCO

Man Accused of Murder of Little Alma Kellner at Louisville Caught Hiding Under Lodging-House Sink—Admits Identity, But Denies Guilt—Refuses to Discuss Crime.

SAN FRANCISCO, Cal., July 30.—A man admitting he is Joseph Wendling, former janitor of St. John's church and parochial school in Louisville, Ky., suspected of the murder of Alma Kellner, 8, who disappeared last December, was arrested by the police here today. He is now being questioned in the hope that he will confess the crime.

Wendling was taken into custody by two city detectives who had learned that he had abandoned his first effort to return to San Francisco. The police also discovered that he had reserved accommodations at a lodging house here. They went to the lodging house and waited. The man appeared today and was captured and taken to police headquarters.

Admits His Identity.
He is being held in detinue and is closetted with detectives and representatives of the district attorney's office. The man admitted to Captain of Detectives Wall that he is Wendling, but refuses to discuss the death of Alma Kellner.

The police are said to have secured a clue to his whereabouts through his former visit here. They went to the rooming house today and the woman in charge told them no one answering Wendling's description was there. The detectives forced their way into the house and searched every room. Their search was a failure for a time. At last they came to a small closet beneath a sink. They found a door and forced it open and found the man they were seeking crouched in the narrow space beneath the sink.

Finds Old Scars.
At the police station the suspect was examined for marks that might serve to identify him. On the back of his hand was an old bullet wound and tattoo marks said to have been mentioned in the description of Wendling sent out from Louisville. It was after these marks were discovered that the prisoner admitted to Captain Wall that he was the man for whom the officers were hunting.

"I left Louisville because of trouble with my brother-in-law, Louis Arnold," Wendling told the police.

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DEATH IN RACE RIOTS IN TEXAS

Twenty Negroes and Five Whites Reported Killed—Armed Negroes Terrifying Country—Troops Ordered Out to Quell Disturbance—Entire Countryside Aroused.

PALESTINE, Tex., July 30.—Four white men and 23 negroes have been killed, scores injured and 500 armed blacks are tonight defying white and state authority, while five companies of militia are en route here to put down the worst race riot Texas has ever experienced.

The trouble started at Slocum last night, where ten blacks and one white were killed. Today the war spread throughout the country until nearly all of Anderson county is involved.

Captain Reese Foller, late of the Nicaraguan army, arrived tonight, gathered together a posse of able-bodied men and started for the small settlements on which it is believed the negroes will make concerted attacks.

Excitement is intense. Forty-five automobiles were impressed into service tonight to carry a small army to the scene of action and that section is threatened to be practically placed under martial law.

The trouble started between a negro and a white named Alford over money. A fight resulted. Others joined and fought all night.

E. E. Rays is the only known white killed at Slocum, but ten negroes were killed.

At Elkhart another white was slain by the negroes, who clubbed him to death. A white posse started things then. They shot up the negroes and chased them to the woods.

The situation is desperate at Elkhart tonight, as the whites have no ammunition to fight, should the negroes carry out their threat to attack the town. All the saloons in Palestine are closed. No guns are being sold.

AUSTIN, Tex., July 30.—A despatch (Continued on Page 3.)

WILSON MAY VISIT LAKE

In all probability two members of President Taft's cabinet will pay a visit to Crater Lake during the early part of August. Secretary Wilson and Secretary Ballinger are both in the west and both have evinced a desire to visit the lake if they can make the necessary arrangements. Will G. Steel of the Crater Lake company has invited both of the officials to make the trip and, according to a report received in this city last evening, both have tentatively accepted. If they do come they will be heartily welcomed in Medford.

New Outing Spot Opened.
MARSHFIELD, Or., July 30.—A new bridge over South Inlet has just been completed by the county at a cost of \$11,000. The bridge is of particular importance for the reason that it connects the road leading from the Coos Bay cities with the coast as far as Bandon. This road leads to the lighthouse and to some of the most beautiful resorts on the Southern Oregon coast, and it is believed that the connection will bring to prominence some of the coast places which have heretofore been isolated.

TWO ARRAIGNED IN CIRCUIT COURT

Frank McDonald and August Hartwick were arraigned Saturday morning in the circuit court. McDonald is an alleged knife-wielder, but his attorney asked time in which to investigate the legality of the action of the grand jury in returning "not a true bill" and afterward reconsidering their action.

Hartwick was indicted for larceny, to-wit, of a pair of pants. He strenuously denied the allegation. When asked if he wished an attorney appointed for him by the court, he said: "No, I don't want none of dem smart fellers foolin' mit my case. I takes care of him mine self. I nefer steals dem bants and I am nod guilty."

"Very well," said the judge, "you will be remanded to the custody of the sheriff until the convening of the court on August 29."

PARSONS HEADS NEW ASSOCIATION

Local Man Chosen President of Northwestern Fruit Exchange, the Purpose of Which Is to Put an End to the "Holdups" Fruit-growers Have Suffered in the Past.

Believing that the organization of the Northwestern Fruit Exchange in Seattle Friday marks the beginning of the end of "holdups" fruit-growers have suffered at the hands of certain buyers and middlemen for years, and stating that the purpose of the organization is the co-ordination of the fruitgrowing interests of Oregon, Washington, Idaho and Montana and the centralizing of the handling and marketing of fruit grown in the northwest through one channel, Reginald H. Parsons of this city, who was elected president of the new organization, returned to Medford Saturday. Accompanying him was A. C. Randall, who was elected a director of the new organization.

Mr. Parson states that the headquarters of the new organization will be in Portland. The exchange will undertake the marketing of the fruits controlled by a number of co-operative growers' associations in the northwest. It is expected that this scheme will eliminate the "wasteful and costly" and at the same time make for a more comprehensive market. It is proposed to operate a number of branch sales offices at every market center of the United States. Promoters of the association likewise have formulated plans for the establishment of trade relations with European markets.

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O'BRIEN TO TENDER DEPOT TO CITY

When New Structure Is Completed General Manager of Oregon Lines Will Formally Turn Building Over to Mayor Canon, Who Will Receive It on Behalf of Medford.

When the new passenger depot in this city, now being finished by the Southern Pacific company, is completed, General Manager P. J. O'Brien of the company's lines in Oregon will visit this city and will formally present the depot to the city. Mayor Canon will be the recipient on behalf of the city.

The depot is the largest and finest in the state, outside of Portland, the company, by its erection showing its faith in this city.

GOOD FISH MAY STOP BATHING IN ATLANTIC

NEW YORK, July 30.—Thousands of dead fish floating in from the scene of the practice shoot of the North Atlantic battleship fleet off Staten Island are threatening to put a temporary stop to bathing at the beaches along the shore. One of the beaches has been temporarily closed and the others may have to follow. Big gun practice is blamed for the death of the fish.