

# GARDEN

continued from page 1C

herbicides, we use no insecticides."

He said most of the roses have three "flushes of bloom" during the warm months, but some of the older varieties bloom only once. He added that if temperatures do not fall too quickly in the upcoming months, the garden should still have a lot of color until Thanksgiving.

Some of the roses show clear differences, while in others the distinctions are very subtle, perhaps only noticeable to keen gardeners or florists, or an experienced Romeo. They have names like Sunflare, Heatwave, Charisma and Roman Holiday. There are even some called Jiminy Cricket and Impatient.

Grissell said one of his favorites is the Pilar Landecho, a salmon-colored rose. The garden has only one shrub of its kind.

"People come from all over the world to see different gardens," Grissell said. "Locals come for the tranquility, the scents and smells."

He added that in a year, the garden can have more than 150,000 visitors, and the flow of people is constant.

"Yesterday I had people from Eng-

land, from Miami, Fla., and from Washington, D.C.," he said.

George Blonde, who is visiting from California, came to the garden with his family.

"I like flowers," he said as he wandered, taking pictures of the roses. "And it's kind of peaceful."

The garden also features a new gazebo, which was completed last June with the help of the Eugene Delta Rotary. The Rotarians adopted the garden as a community service project in 1999, and raised more than more than \$25,000 for the gazebo's creation, according to landscape architect John Weber. Weber, who updated the garden's master plan in 1997, said these funds were matched by the city of Eugene's general funds; local businesses also made donations. He said more pathways, waterways and sculptures are planned to spruce up the park. The gazebo is becoming a popular site for weddings.

The garden also includes landmarks that are part of Eugene's history. Standing like a sentinel in one corner of the garden is a gnarled black cherry tree with moss-covered branches spread out like a spider's legs. The Black Tartarian cherry tree,



Jessica Waters Photo Editor

Eugene bike riders enjoy the many paths that wind along the Willamette River, passing near the Owen Rose Garden on Jefferson Street.

which is 156 years old, is the oldest in Oregon and probably the oldest in the country, Grissell said.

The rose garden stands out nationally too — it has received the American Rose Society Maintenance award for the past seven years, Grissell said.

Most people always have wonderful things to say, he added, and that makes the toil of maintaining the garden worthwhile.

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# East Coast colleges rebut RIAA subpoenas

Boston College and MIT have rejected the RIAA's efforts to collect data about students' online activities

Ali Shaughnessy  
Senior News Reporter

The battle between the Recording Industry Association of America and file-sharers across the country intensified this summer, as the RIAA works hard to unmask people who share music and movies online. Some universities, however, have made the RIAA's work a bit harder.

The RIAA has filed nearly 1,000 subpoenas asking for information from various universities and Internet service providers on people using Kazaa, a peer-to-peer file-sharing service.

But Boston College and the Massachusetts Institute of Technology both balked at the RIAA's attempt to get information. Both schools said the Family Education Rights and Privacy Act — which requires institutions to notify students before releasing any personal data — prevents them from immediately handing over student information.

"MIT, of course, has a policy of complying with lawfully issued subpoenas," professor James Bruce, vice president for information systems at MIT, said in a statement. "In this case we have been advised by counsel that the subpoena was not in compliance with the court rules that apply to these subpoenas, and did not allow MIT time to send any notice as the law requires."

Boston College spokesman Jack Dunn said in a statement that the school did not oppose the subpoenas to protect the students, but rather to establish proper procedures to be followed in the future.

In early August, a Massachusetts court agreed with both colleges and blocked several subpoenas. The court ruled that the universities involved were not immediately required to divulge the names of alleged file traders.

However, an RIAA spokesman said that, ultimately, the RIAA will file the subpoenas wherever the courts require them to.

"This is a minor procedural issue and does not change the undeniable fact: When individuals distribute music illegally online, they are not anonymous, and service providers must reveal who they are," he said.

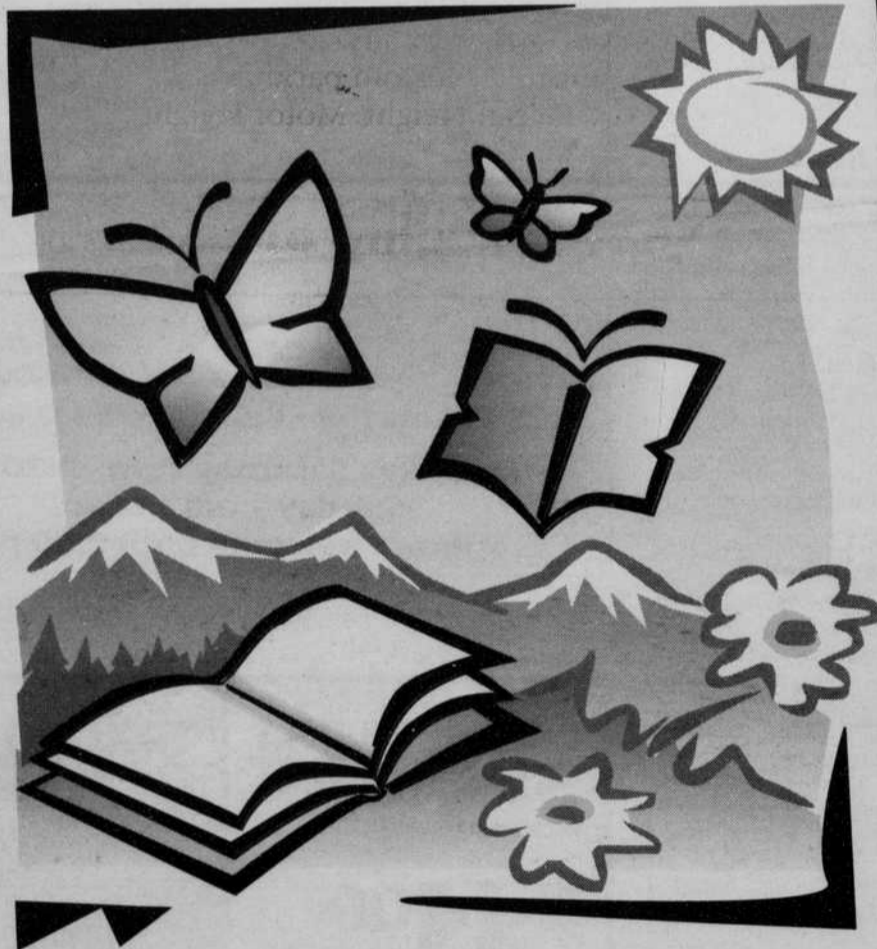
According to Resident Hall Computing Services Coordinator Norm Myers, the University of Oregon started monitoring file sharing within resident halls three to four years ago.

The University tracks file-sharing through a network program called Packeteer, a utility that monitors Internet traffic and restricts peer-to-peer file sharing. Myers said the University allows students to download, but uploading music is strictly forbidden.

Myers added that when the University finds a student who is uploading music, the student will be notified and asked to turn off file sharing on their computer. If the recording or movie industry files a complain with the University, however, the University will sever the student's Internet connection until they can prove they are no longer sharing music. The student will also be referred to student conduct, part of the Judicial Affairs program at the University.

Turn to RIAA, page 9C

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