

# MEDFORD DAILY TRIBUNE

FOURTH YEAR.

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No. 182.

## CITY CAN ENTER ON HANLEY LAND

### HANLEY SAYS HE WILL ALLOW CITY TO CONNECT WITH WATER

#### CITY CAN USE WATER WHILE SUIT IMPENDS

Imposes Condition That Pipe Must Be Laid on the Top of Ground and He Be Absolved From Any Damage.

#### HANLEY SAYS HE DOES NOT WANT TO HOLD CITY UP

Contents He Is Only Standing On His Rights—Will Furnish Free Use of Water to the City.

As soon as the gravity water pipe line is completed to the Hanley premises on Little Butte creek, M. F. Hanley will allow the city to enter upon his premises and construct a pipeline to connect with his irrigation ditch from Little Butte creek or Wasson canyon, so that the city can be supplied with water from the upper end of its line. The only condition that is imposed is that the city absolve him from any damages which might be imposed by reason of the present litigation to cover which he has up a \$10,000 bond. This condition is not yet as vital as it would be later, as the pipeline has not as yet reached his line and hence there has been no damage to the pipe through lack of water. The water with which the city will be supplied is practically the same that will be obtained at the permanent intake, it being taken from Mr. Hanley's ditch less than a half mile below where the city proposes to construct its permanent intake.

Mr. Hanley has long contended that he has not wanted to hold the city up, but that he was standing upon his rights and did not care to waive any of his points. In order to show that he is sincere in his statements he makes the present offer.

An additional condition is imposed by Mr. Hanley, and that is that the line across his land be laid on top of the ground in order to prevent damage to him through the blocking, as he says, of sub-irrigation, which has been one of his main contentions for damages.

This offer of Mr. Hanley's will allow the city to be furnished with a better quality of water than is obtained at present from the open ditch of the Fish Lake company at the Bradshaw drop, and will not make so great a difference as to the rush of settling the litigation, which at present seems tied up indefinitely. As soon as Judge Hanna renders his decision so that the case can be carried to the supreme court the case will be fought out in the higher tribunal. However, Mr. Hanley intends to make a legal fight as to the water right, which the Fish Lake company sold to the city. This fight will in all probability necessitate carrying

**ROSS MUST DO FIVE YEARS IN JAIL**  
SALEM, Or., Oct. 19.—The supreme court this morning affirmed the decision of the lower court, which convicted J. Thorburn Ross, the Portland banker, who was president of the Title Guarantee Trust company, which failed two years ago. The supreme court reversed the jail sentence of 500 years as unconstitutional. The court's decision, however, means that Ross must serve five years in the penitentiary.

#### COMPANY SELLS 15,840 FLIES

Success of Medford Hardware Company in Disposing of Fishing Tackle Is Phenomenal.

During the fishing season on the Rogue river, which is rapidly growing to a close, the Medford Hardware company has disposed of over \$4000 worth of fishing tackle. The company sold a 110 gross or 15,840 flies to local anglers.

The heavy sales show the predominance of the sport in the Rogue River valley. Each year sees a large number of ardent anglers coming from all sections of the United States to fish in the Rogue. The Medford Hardware company made a specialty of its fishing tackle this season, offering as a prize an \$80 fishing outfit to the angler who secured the largest steelhead on one of its flies. That advertising in The Tribune pays is shown by the enormous sales made by this company. Advertising the contest exclusively in The Tribune it soon grew in popularity and kept the boys in the hardware company on the jump handing out tackle.

#### GREAT-GRANDMOTHER GETS MARRIAGE LICENSE

NORTH YAKIMA, Wash., Oct. 19.—Accompanied by her granddaughter as witness and her great-granddaughter as companion, Mrs. Sarah Wheelock of North Yakima appeared at the county auditor's office with Herman Sanftenberg, of Kiona, to require a marriage license. Mrs. Wheelock is 62 and Mr. Sanftenberg 58.

In making this offer Mr. Hanley wishes it understood that it was not made through any fear of losing his case, but rather that he did not care to shut the city off from a better water supply.

#### 40 ACRES SOLD EASTERN MAN FOR \$35,000

Hunt Lewis Place Near Central Point Is Sold to a Boston Man at \$825 an Acre.

#### IS SPLENDID BUY: ONE OF BEST IN THE VALLEY

Thirty-Two Acres Set to Six and Seven-Year-Old Commercial Apples.

The Hunt Lewis orchard, a mile and a half east of Central Point, consisting of 40 acres, has been sold to Edward L. Lane of Boston, Mass., for \$35,000, or \$825 an acre. The property was purchased by Mr. Lewis last fall soon after he had disposed of the Bear Creek orchard, and is one of the most desirable pieces of property in the valley.

On the place are 32 acres of Spitzenberg and Newtown 6 and 7-year-old apple trees. This orchard is one of the most profitable of the young orchards in the valley and Mr. Lane was fortunate in obtaining it at that figure. John D. Olwell made the deal.

Mr. Lewis will probably be in the field for another orchard in the near future.

#### SAN FRANCISCO IS HAVING GREAT TIME AT PORTOLA

SAN FRANCISCO, Oct. 19.—The city by the Golden Gate came into its own today when a million banners and more than half a million people greeted the arrival of Don Gaspar de Portola on his discovery of the "new" San Francisco. With his arrival was the signal for five days of merriment and carnival. The warships of many nations are present. Congratulations from all quarters of the globe are being received. A great military parade, including armed soldiers of England, Japan, Germany, Italy and the Netherlands, will take place, which will be the first force of armed foreign power to march in California since the Spanish evacuation.

#### EVERY STATE HELPS FEED NEW YORK'S POOR

NEW YORK, Oct. 19.—The financial statement of the New York association for improving the condition of the poor during the last year shows that every state and territory gave liberally for the relief of the destitute in this city. More than \$266,000 was contributed, but the demands were so great that the association spent \$2,000 more than it received.

#### \$280,000 PAID FOR TIMBER LAND NEAR TRAIL

D. E. Green Completes Deal Whereby Eastern Men Acquire 6000 Acres of Jackson County Timber.

#### LARGEST TIMBER SALE EVER MADE IN COUNTY

New Owners Will Develop Tract and Add to Their Holdings in Near Future.

D. E. Green, the veteran timber cruiser of Jackson county, has just closed a deal whereby 6000 acres of timber land on Trail creek becomes the property of eastern capitalists at a consideration of \$280,000. Mr. Green withholds the names of the purchasers at the present time, but states that they plan to develop their holdings as well as add to them in the near future.

This is probably the largest single timber deal ever made in Jackson county and is one which Mr. Green has long been at work upon. Setting himself the task of interesting eastern capital in local timber, he kept it until the deal was finally closed. The deal means much to Jackson county, for the development of such a large tract means a large payroll. Mr. Green is to be congratulated on his success.

#### KLAMATH COMPANY ASKS DAMAGES AND INJUNCTION

PORTLAND, Or., Oct. 19.—Asking the court to award \$50,000 damages ultimately and an injunction restraining a branch Harriman railway line from obstructing navigation on Klamath lake, the steamboat line operating on those waters this morning filed a complaint in the federal circuit court. In the complaint it is set forth by the injured concern, known as the Klamath Lake Navigation company, that it has been operating the steamboats on Klamath river, strait and lower lake for some time. When the California-Northeastern Railway company began building its track to Klamath Falls, a line of piling was driven across the waters known as the strait, 12 miles from the state boundary line, wholly obstructing the channel of the steamboats that had been wont to ply along that course. C. W. Fulton appears as attorney for the steamboat company, while W. D. Fenton has accepted service on behalf of the railway line. As the obstruction was placed April 4 of this year, it is not a very recent piece of work. The court will act upon the request for injunction when it convenes again, and after deciding whether or not immediate relief is necessary, will proceed to determine the general case upon its merits.

#### SURVEYING CREW BEYOND BUTTE FALLS

The party of surveyors who are locating the line of the Pacific & Eastern have established new headquarters at Doubleday's place, two miles above Butte Falls, and are continuing the survey toward the Crater Lake country and Klamath valley. The party is in the charge of E. B. Sawyer.

#### EARLY HEARING IN THE CRATER LAKE ROAD CASE

Was Set for October 20, but Was Postponed Owing to Inability of Fenton to Be Present.

#### DECISION SHOULD BE GIVEN IN NEAR FUTURE

If Favorable, It Will Allow the Entire Season Next Year to Be Used in Construction.

Clarence Reames has been advised that the Crater Lake road injunction case has been set for argument in the supreme court on October 20, but that W. D. Fenton could not possibly be present at that time to make an argument, and so Mr. Reames has requested that it be postponed for ten days or two weeks. However, the case will soon come up in that court for argument and during the winter a decision will probably be rendered which, if favorable, will allow construction work to start in the spring. The news that the supreme court is willing to take this case up thus early in the present term was hailed with delight by the local people who are making the fight. The matter will be settled one way or the other before many weeks have elapsed, and in time for all preparations to be made so that a full season's work can be accomplished next year.

Benjamin F. Heidel, the government engineer who was sent here to take charge of the work, will arrive soon to locate a road for the forestry service through the Fish Lake pass, and from all indications he will be here when the case is decided, so that he can start work immediately upon the specifications for the road, so that contracts can be let early in the season.

#### FRANCE IS WARNED AGAINST CLERICALS

PARIS, Oct. 19.—Joseph Caillaux, former minister of finance, in a speech at Bonnetable today, warned the country of the danger of a re-erudescence of clerical activity against the government schools. He declared that textbooks of unquestioned history had been interdicted solely because they failed to eulogize such incidents as the St. Bartholomew massacre and the revocation of the edict of Nantes.

#### WILL FIGHT FOR CLOSED RIVER TIDEWATER TO HEAD

Rogue River Fish Protective Association to Be Incorporated and Determined Fight Made to Close River.

#### WILL PROVE REMUNERATIVE AS SPORTSMEN'S PARADISE

Petitions Will Be Put in the Field at Once and Press Bureau Established to Educate.

The Rogue River Fish Protective association is to be incorporated and a determined fight to be made to close Rogue river to all other fishing except with rod and line. Men are to be put in the field at once petitions asking that the matter be submitted to the people of the state at the next general election, at which time it will be voted on by the people at large. A press bureau is to be established and a systematic campaign waged for the carrying of the measure.

The meeting of the association will be called in the near future and the work got under way. The Rogue has long been known as one of the finest trout streams in America and by shutting out commercial fishing which enriches a few individuals it is hoped to perpetuate the stream as a sportsman's Mecca. At the present time from all sections of the United States anglers come to enjoy a few weeks' sport in the Rogue. These anglers are for the most part wealthy men who can afford to go to the far quarters of the globe in search of this superb sport, leaving behind a trail of dollars.

It is a plan of the association to have the stream closed to all commercial purposes from its source to tidewater. The government hatchery at Trail will then be used exclusively for the propagation of trout, and the fame of the Rogue as an angler's paradise will be spread far and near. The river will then be of a far greater benefit to the people at large than at the present time, when it is used to enrich a few at the expense of the many.

#### COUNTY CLERK IS BUSY ISSUING HUNTING LICENSES

The county clerk's office is doing little these days but issuing hunting licenses. From all parts of the county on Saturday came demands for licenses, so that local nimrods could take the field after feathered beauties on Sunday. The county treasury is richer by \$2700 due to fishing and hunting licenses. Sixteen hundred licenses have been issued, 1100 for fishing, and more continue to come in. The receipts last year a little over \$2000.