

SUNNY
SOUTHERN OREGON

ASHLAND TIDINGS

ASHLAND
THE BEAUTIFUL

VOL. XXXVII

ASHLAND, OREGON, THURSDAY, JUNE 13, 1912

NUMBER 5

FINISH DEAD
INDIAN ROADNEW SURVEY FROM KLAMATH
COUNTY LINE.

WILL ELIMINATE ALL GRADES

Clayton Burton Appointed Super-
visor Over Work and Will Put
Gang of Men to Work on Road at
Once.

After long years of waiting, connection is at last to be made between Ashland and Klamath Falls over the Dead Indian route. Klamath county has taken the important step and has appointed Clayton Burton as supervisor over the extension in Klamath county and the actual construction of a new road from the Klamath county line to Clover Creek will be made. Klamath county has long been clamoring for a good wagon and auto road from its county seat to Ashland. Time and again she has come forward with a proposition to Jackson county to meet her at the county line with a first-class auto road. Jackson county, however, has failed to do her part, in spite of repeated petitions to the county court from this end of the county, until last fall, when a crew was sent into the Dead Indian country and the road was put in shape from the summit east of Ashland to the county line. This performance on the part of Jackson county gave Klamath county the opportunity to consummate her desire and the recent order of the county court is the result.

The route from Ashland to Klamath Falls by this road is about the same length as that by way of the Green Spring Mountain road, 63 miles. From the summit, 13 miles east of Ashland, all grades of any consequence have been eliminated up to Klamath Falls. The new survey, work upon which will be begun as soon as weather permits, will head almost straight for Clover Creek, from which point the road had previously been put in shape and shortened materially. All rocks and trees will be removed so that nothing will be left to interfere in the least with auto travel. A distance of 15 miles will be covered thus under this contract.

This improvement will give Ashland a splendid road to Crater Lake by way of Klamath Falls. From a scenic standpoint it will be one of the best across the mountains. It will be used extensively for hauling fruit and produce between this city and Klamath Falls, as well as a regular route for auto travel between the two places. With the road completed, an increased amount of travel is expected as well as an increased amount of produce exchange.

Human Hen Hawk.

A well-dressed man, clad in brownish gray suit, snowy linen, white sailor straw hat, with hair, which was well kept, as white as the snow on sun-kissed Wagner Butte was seen recently to walk along one of the important streets, step off the sidewalk into a lawn and with the skill of any other hen hawk, grab up a half-grown Plymouth Rock chicken, place it in his right hand coat pocket and walk on. The lady who saw him do it was less than eight feet away in her vine-covered porch. With that respect due to gray hairs, she allowed him to escape with his prey.

Social Postponed.

The strawberry social under the auspices of the Trinity Girls' Club, advertised for this evening, has been postponed until Thursday, June 20.

Take Notice.

J. H. Will, the shoe repairer, has returned and is again ready to do your work. Corner Fourth and Main streets.

CELEBRATE FLAG DAY

Elks Will Give Program in Honor of the Day at Spacious Temple Friday Evening.

The full program for Flag Day exercises in the Elks temple tomorrow evening is given below. The celebration of the birth of the American flag by the Elks is one of the obligations of the order. The public in general is invited and should join in the festival occasion. The elegant Elks hall has ample seating capacity and will be comfortable.

The Program.

- Music, "The Star Spangled Banner," orchestra.
- Introductory exercises, Exalted Ruler and officers.
- Prayer, chaplain.
- Solo, "My Own United States," by Stange, Mrs. C. B. Wolf.
- Flag record, Brother R. A. Minkler.
- Altar service, Esquire and officers.
- Song, "Auld Lang Syne," Elks quartet.
- Elks' tribute to the flag, Brother W. E. Newcombe.
- Solo, "Recessional," DeKoven, Mrs. F. D. McQuillin.
- Music, "Dixie," orchestra.
- Solo, selected, Mr. J. K. McWilliams.
- Patriotic address, Brother R. H. Burns.
- Song, "America."

WANTS PARCELS POST.

Postmaster General Hitchcock Believes in New Scheme.

Washington, D. C.—Legislation providing for a general parcels post throughout the United States and its possessions, except the Philippine Islands, virtually is certain to be enacted by the present congress, perhaps before the conclusion of this session, in the opinion of Postmaster General Hitchcock.

He has urged upon congress the desirability of domestic parcels post because he believes it will aid substantially in the solution of the problem of the high cost of living.

In a statement he expressed the hope that the measure recently introduced in the senate might become law.

In the judgment of the officers of the postal service, the new bill represents the most scientific plan yet devised for a parcels post. It provides for a parcels service throughout the country both on rural routes and city carrier routes. It consolidates the third and fourth classes of mail matter and raises the weight limit of parcels to 11 pounds, which is the limit of the international parcels post.

The rate to be charged for articles carried in the rural route service and city carrier service is 5 cents for the first pound or fraction of a pound and 1 cent for each additional pound or fraction of a pound. For the general parcels post service, which covers all mail transportation other than local delivery by rural or city carriers, graduated rates would be fixed based on distance.

RUNAWAY IS RETURNED

Boy Picked Up Here a Week Ago
Goes South With Officer—Was
Guessed by Chief Olen.

Eddie Consigliere of Sacramento was taken back to his home in Sacramento yesterday, an officer having arrived in Ashland from that city and taken the youth back with him. Eddie is an Italian boy of about 15 years of age. About a week ago, Chief Olen overtook him in company with a hobo painter, while making his regular rounds along the railroad right of way. The two spent a night in the shelter of some railroad ties near the Billings place and the following morning Chief Olen, acting on the inward suggestion that the boy was a runaway, retraced his steps to the improvised bunkhouse and took the young man into camp. A series of questions soon brought out the fact that the boy had recently left the home of his uncle at Sacramento, proceeding thus far north in company with hobos. It was also learned that he had previously spent eight years in an orphans' home in St. Vincent, Cal., from which place he was taken into his uncle's home.

For the past week the boy has been entertained in the home of Chief Olen, where he has shown his disposition to be helpful about the house, so much so, in fact, that Mrs. Olen states she is sorry to see him go. He has shown himself to be a model boy, quiet, faithful and willing to work. The officer arrived Tuesday in response to a wire from the police here and proceeded south with his ward yesterday.

NO ROAD FUND.

Special Levy Placed With the County General Fund.

More than one-half of the money derived from the four-mill tax levy for road and bridge purposes by the county of Jackson has been collected and turned over to the county treasurer. Instead of being placed in a road and bridge fund as specified by the state law, it has been placed in the general county fund and has been paid out for the redemption of county warrants. To be exact, \$48,075.84 out of approximately \$76,000 which should be placed in a bridge and road fund has been collected and nearly all of it expended.

More than this, the county has never kept a road fund. Present county officials state that they never saw a "road" warrant, the so-called "road" warrants being paid out of the county general fund. The only record on the county books, searched back as far as 1901, show the only "road" fund was kept in 1903 when between \$2,000 and \$3,000 was received from the sale of state lands, the law stating that this money must be expended for road purposes only.

AUTO CAUSES RUNAWAY.

Team Becomes Frightened and Hurts Driver to Ground.

An accident that might have been fatal occurred last Tuesday evening, when Billy Briggs and load of young people came up behind a team of colts in the vicinity of Jackson Springs. The driver, whose name has not been learned, is deaf and did not hear the approaching auto until it was upon him. The team gave a sudden jump, pulling the reins out of his hands and running away. The driver was hurtled out, striking his head upon a post and sustaining some cuts and bruises about the face. He was taken into the Arnold house at the Eagle mills, where an examination revealed no serious injury, and was then placed in the auto and hurried into town. He was able to be out yesterday and is apparently suffering no serious results from the accident. His home is in Eagle Point.

INJUNCTION FILED AGAINST THE CITY

PROPERTY OWNERS START SUIT IN EQUITY FOR SPECIFIC PERFORMANCE OF CONTRACT—COVERING OF PIPE LINE DEMANDED

As a sequel to the event of last Friday, when the chief of police interfered with the filling in of Anderson ditch by three property owners along the ditch, the parties in question have secured from County Judge Neil a temporary restraining order, restraining the city of Ashland from using the ditch for any other purpose than that for which the easement was granted. Attorneys are now at work on the proposition and further developments are expected within a few days. In the meantime, outside orchardists will be deprived of the use of water for irrigation, pending a settlement of the question.

As intimated in Monday's issue of the Tidings, the matter of title to Anderson ditch is involved, although the plaintiffs, in their complaint, do not allege anything as to the title. They take the position, however, that an easement was given for a pipe line across their property, that the pipe line was constructed, and that the only use to which the right-of-way may be used is for a covered pipe line. When asked as to the position of the plaintiffs in the matter, Mr. Davis, their attorney, stated: "The easement is the city's, but they can't do with it as they please."

An interesting feature of the case is the fact that the deeds conveyed by the property holders are for a right of way, easement and privilege to it, its officers, agents and employees, for the construction of a pipe line in, on or near the present ditch line of the Anderson ditch. Providing, however, and this grant is upon the express understanding and agreement between the grantors and the grantee, that any such pipe line, as aforesaid, shall be laid at such a depth in the ground as to in no way interfere with the free use of said premises by the grantors, etc." At the same time, a verbal agreement was entered into by the effect that the city would cover the pipe, members of the council having in mind the crossing of plaintiffs' property outside of the ditch. The

question arising involves the acceptance by the city of a deed to property which the city already owns.

The suit is designated as a "suit in equity for the specific performance of a contract and does not touch upon title to the ditch. The complaint cites: First, that on or about April 1, deeds were asked and given, upon the strength of a verbal agreement to cover the pipes, for right of way for a pipe line across plaintiffs' property; second, that the city laid the pipes, and that on May 7 demand was made by plaintiffs that the ditch be filled, which was refused; third, that plaintiffs own land on either side of the ditch and the pipes will interfere with cultivation and the free passage across the ditch unless they are covered; fourth, that it is the intention of the city to use the ditch as an open ditch to convey running water for irrigation and, unless prevented from so doing, will inconvenience and injure the plaintiffs if the ditch is used for any other purpose than that contemplated in the right of way deeds, viz., a covered pipe line; fifth, that the plaintiffs are constructing a roadway along the easement and unless the agreement of the defendant is complied with, the cost of construction of the road will be \$200 more, water being allowed to flow in the ditch. Wherefore, plaintiffs pray judgment that said defendant be required to specifically perform said agreement and fill up said ditch and cover said pipe laid by said defendant across said lands and easements."

What stand the city's attorneys will take in the matter it is impossible to state at this time. The effect of the order is to stop the city from using Anderson ditch as an open ditch to convey water for irrigation purposes. The intent of the plaintiffs is to restrict the city from using the ditch, designated as the right of way for a pipe line, for any purpose except as a covered pipe line. Chas. Pope and wife, Isaac Bailey and wife, G. W. Pellet and wife are named as plaintiffs in the case.

ATTEMPT TO WRECK TRAIN.

Dynamite Placed Under Wheels of No. 16 Saturday.

A dastardly attempt was made to wreck northbound passenger train No. 16 last Saturday evening, when some miscreant placed dynamite on the Southern Pacific track at Merlin, and only the fact that the powder failed to explode when the wheels of the engine struck it saves the recording of an accident that might have been horrifying in its results.

Following the passage of the first section of No. 16, due to Merlin at about 7 o'clock, a brakeman on a freight train discovered dynamite on the track at the upper end of the yard and near the upper switch. The wheels of No. 16 had ground the explosive into bits, showing that it had been placed directly upon the rails, but from the fragments left it is evident that from six to seven sticks of No. 2 Hercules giant powder had been used in the effort to ditch the train. The powder, which bears the date of manufacture, 1909, was evidently too old to explode from the grinding of the wheels. No cap or fuse was found with it, and it seems likely that the persons who placed it on the track expected it to be fired when the train ran over it.

Powder men say that good fresh powder will readily explode under such conditions if the weather be warm or if the powder be heated.

Powder as old as that used at Merlin, however, is never sold, and miners and others who use tons of it in this district every year will buy only freshly made stock. The powder placed upon the track was evidently from some old mining prospect where it had been stored, possibly in a damp place, till its strength had been largely lost, to which fact can be credited the saving of No. 16 and its dozen or more coach-loads of passengers.

The amount of powder used would have been sufficient, say those versed in the action of dynamite, to have hurled the engine from the track and thus have ditched the entire train.

There is no suspicion pointing in any direction, and no clue was left to aid in the apprehension of the party who endangered scores of lives by a deed that merits capital punishment if any deed does.

Fourth of July Celebration.

You know that Ashland is going to pull off on July 4 the largest and most exciting celebration in its history? And in order to enjoy it to its limit you should leave your measure now for that new suit so it will be here by that time. L. J. Orres, 203 East Main street, Ashland's leading custom tailor, can show you thousands of fine woolsens at \$1 and up, fully guaranteed. He also dry cleans men's and ladies' garments at very reasonable prices. Phone 141 and he will call for and deliver your garments.

Mimic warfare and carnival ball will be features of the celebration in Ashland.

The barbecue will be the biggest event of the season.

Ashland is the place to spend the Fourth of July.

CEOLO BOUND OVER.

Grand Jury Holds Italian in \$3,000 Bonds.

Frank Ceol, Italian farmer who assaulted and almost killed W. C. Daley of Lake Creek, pioneer and democratic candidate for county commissioner, was held over to the grand jury in \$3,000 bond Saturday afternoon. His wife and daughter, charged with aiding in the assault, were dismissed only because there is a sick child at the Ceol farm and the prosecution knows that whenever it is necessary they can be taken again. Mr. Daley's condition is critical.

Evidence before Justice Taylor shows the attack upon the aged man to have been particularly malignant and unprovoked. Mr. Daley was patrolling a water ditch through the Ceol farm for the specific purpose of seeing that no damage was being done by the water to the Italian's land. He was clearly within his legal rights and in fact was following the instructions of the water permit. Ceol rushed at Daley as a man would tackle in a game of football and threw him to the ground, landing blow after blow on the older man's face.

One beating was not enough to satisfy the rage of Ceol, and as Daley was making off with his face bleeding, the angered man again overtook him, this time thrusting a handkerchief in Daley's mouth so that cries for aid could not be heard by a nearby road crew. Plinned to the ground by the Italian, Daley was subjected to one of the most brutal beatings imaginable, for Mrs. Ceol, armed with a shovel, and the 16-year-old daughter, wielding a hoe, beat the defenseless man almost to insensibility.

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Available by fair estimate.

Due city October 18, account sidewalk assessment.

Due city November 12, account paving assessment.

Total.

Paid city during May account paving assessment.

Balance on hand.

Due during 1912 on last year's tax levy.

Probably delinquent on same.

Unpaid.

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