

Lake County Examiner

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NO. 14

GAME LAWS OF OREGON.

**Season for Killing Ducks
And Geese Closed
April One.**

SALE OF ALL GAME PROHIBITED.

**Severe Penalties Prescribed For
Non-observance of Any
Game Laws.**

Section 2021:—

It shall be unlawful at any time in that portion of Oregon lying East of the Cascade mountains, to hunt, pursue, take, kill, injure, destroy or have in possession, except for scientific or breeding purposes, or to sell or offer for sale, barter or exchange, any pheasant, except native pheasants (sometimes called ruffed grouse); or any sage hen, sage cock, grouse or native pheasant, at any time between the first day of December of each year and the 15th day of August of the following year; or any quail, at any time except between the second Saturday in September of each year and the third Tuesday of the same month in the same year; and it shall be unlawful for any person during such open season to kill more than six quail in one day, or more than twelve quail in one week; or to hunt, pursue, take, kill, injure, destroy, or have in possession except for scientific or breeding purposes, or to sell or offer for sale, barter or exchange, any ring-neck or Mongolian pheasant or China (Torquatus) pheasant at any time within five years after the passage of this act, or at any time after five years after the passage of the 15th day of September of each year and the first day of December following in the same year.

Sec. 2014:— It shall be unlawful at any time between the first day of February and the first day of September of any year to take, kill, injure, destroy or have in possession, sell or offer for sale, barter or exchange, any wild goose, wild swan, mallard duck, wood duck, widgeon, teal, spoonbill, gray, black, sprigtail or canvas-back, or any duck. And it shall be unlawful for any person at any time to kill or destroy any greater number than fifty of the hereinbefore enumerated ducks in one week. It shall be unlawful at any time to shoot at or take, or kill, or attempt to take, or kill, injure or destroy by any means, any wild goose within the state east of the Cascade mountains: Provided, however, that in Lake county, the season during which it shall be lawful to take or kill the fowl mentioned in this section, shall be from the fifteenth day of August in each year to the first day of April in the following year, and it shall be unlawful in Lake county to take, kill, injure, destroy or have in possession, sell or offer for sale, barter or exchange, any of the said fowl between the first day of April and the fifteenth day of August in each year, and all the provisions of this section shall apply to Lake county, except as to the time of the open season.

Sec. 2022:— It shall be unlawful in the state of Oregon, except in the counties of Wasco and Umatilla, to hunt, pursue, take, kill, injure or destroy, or have in possession, except for scientific or breeding purposes, or to sell, or offer for sale, barter or exchange, any prairie chicken at any time between the date of the passage of this act and the fifteenth day of September, 1909; and from and after the above date, except in the above named counties, at any time except between the fifteenth day of November of each year and the fifteenth day of September of the following year.

An act to prevent the sale of game within the state or shipment from the state.

Sec. 1:—It shall be unlawful for anyone to sell or offer for sale, barter or exchange, or have in possession for the purpose, or to ship, or cause to be carried or transported beyond the boundaries of the state for sale, barter or exchange, except for scientific or breeding purposes, any deer, moose, mountain sheep, elk, silver gray squirrel, wild swan, or any duck, water rail, upland plover, prairie chicken,

grouse, pheasant of any kind, quail, or partridge, wild turkey, woodcock.

Sec. 2010:—It shall be unlawful at any time between the first day of November of each year and the 15th day of August of the following year to hunt, pursue, take, kill, injure, destroy, or have in possession, any buck deer. It shall be unlawful at any time between the first day of November of each year and the first day of September of the following year to take or kill or injure or have in possession, any female deer; except in the counties of Grant, Harney, Malheur and Baker.

It shall be unlawful at any time within the state of Oregon, between one hour after sunset and one hour before sunrise, of any day of the year, to hunt, pursue, take, kill, injure or destroy, any deer; and it shall be unlawful at any time to hunt or pursue any deer with dog, or dogs, with intent to kill or injure such deer; and it shall be unlawful for any person to take, kill capture or destroy, in any open season, more than five deer. It shall be unlawful within the state of Oregon at any time to sell, or offer for sale, barter or exchange, any deer whatsoever.

An act establishing hunter's license: Sec. 1:—It is hereby prohibited, and hereafter it shall be unlawful for any person within the state of Oregon to hunt for, pursue, take, catch or kill any of the game animals, fowls, or birds protected by the laws of the state of Oregon, during the open season, without such person having in his personal possession and carrying with him at the time of such hunting, a license therefor, duly issued to him by the county clerk of one of the counties: provided, however, that no license shall be required of a man or members of his own family for permission to hunt upon his own lands of this state.

The county clerk of each and every county of the state of Oregon is authorized to issue such license to residents for \$1, and for non-residents \$10. But one license will be issued in one year to any one person, and each license will expire on the 31st day of December in each year, and shall not be transferable.

Any license issued to any person shall be subject to the inspection of any officer of the state charged with the protection of game, any sheriff or deputy, or constable, or the owner or his agent of real property upon which the holder of such license may be hunting.

Each license shall be dated and numbered and contain the name and a brief description of the person to whom issued.

The various penalties prescribed for non-observance of the above laws range from a fine of \$10 to \$5000 and from 10 days imprisonment in the county jail to 2 years in the penitentiary.

Lakeview-Plush Mail Line.

A few weeks ago W. K. Barry handed The Examiner an article roundly scolding the mail contractor who has been pretending to carry the mail from Lakeview to Plush, it was a warm roast, indeed, and Mr. Barry's grievance was at that time under estimated by the publisher of The Examiner, who at all times seeks to do justice to all, and we feared that Mr. Barry was a little too rough on the mail contractor, as the weather was bad and the roads worse, so we did not publish the article. But yesterday our own ire was a little worked up when we received a telephone message from Adel informing us that but one Lake County Examiner had been received at the Adel office for a month, and we went to the postoffice here in Lakeview where we learned that the mail carrier had refused to take the papers, and that he had made but about six trips during the month of March. Now we expect Mr. Barry will give us the horse laugh and accuse us of being selfish to our own interests, and the accusation might seem well founded, but really, we had no idea that the conditions were half so bad. We supposed the mail was going part of the time at least, and thought best to bear with the contractor for a reasonable amount of failure, but when it comes to absolute failure, most any one is justifiable in making a kick. If we had known this state of affairs had existed some effort would have been made before this to get, The Examiner to our readers, at least. We pay the postage and are entitled to service, and from this day on until the papers go to our subscribers, or until we find out that we are simply helpless in the matter, we intend to keep working at it.

VOTERS MAY QUALIFY ON DAY OF ELECTION

**Blank "A" Prescribed as Remedy for Failure
To Register by the Attorney-General.**

Attorney-General Crawford has rendered a decision which settles a question that has given rise to much discussion, regarding the right of electors whose only disqualification is non-compliance with the registration law as it applies to primary elections. Opinions have widely differed upon this subject, and there has been much discussion of it, for the reason that there will be many voters who will fail to register and who will demand the right to vote on primary day. The prevailing opinion has been that an unregistered person could not register at the polls and vote, for section 15 of the direct primary law says that "no person who is not a qualified elector and a registered member of his party making its nominations under the provisions of this law shall be qualified to join in signing any petition for nomination or to vote at said primary nominating election."

Attorney-General Crawford says if this were all the law contained upon this subject, the intention would be plain that unless registered the party

could not vote. He looks further, however, and finds that in sections 1 and 8 of the primary law there are provisions which make the Australian ballot law applicable, and section 2875 of the code is expressly made applicable to primary nominating elections. This last mentioned section provides for any elector who is not registered in the precinct in which he applies to vote to use blank "A," and vote if otherwise qualified. Section 38 of the direct primary law says that "nothing contained in this law shall be construed to deprive any elector of his right to register and vote at any primary nominating election required by this law on his complying with the special provisions of the law in the same manner that he is permitted by the general laws to register and vote at a general election."

Construing the law as a whole, the attorney-general finds that the elector may qualify by using blank "A" on primary election day, and hence that county clerks should send out such blanks with the ballot boxes and poll books.

William Lindsay Mills.

"Mr. Mills is dead!" those were the words that went from lip to lip Tuesday about noon, and wherever uttered the same sad expression helped to convey the startling news which was received with deep feeling and sadness. No one expected it. Everybody regarded Mr. Mills with reverence; he was a friend to all; he had not an enemy in the community. He had a kindly disposition and even the shadows of old age did not rob him of his genial spirit; he smiled with those who smiled and cheered those who wept.

Mr. Mills died Tuesday, April 3rd, 1906, at 10:30 A. M. He had been sick but a few days, having contracted pneumonia, which disease complicated itself with heart trouble.

William Lindsay Mills was born in Gilford county, North Carolina, July 20, 1828, being at the time of death 77 years, 8 months and 23 days old. He was married to Miss Louisa Nole at Pikes Peak, Colorado, in May, 1861. Five children were born of the union, Mrs. Gordon Garrett and a twin sister, Anna, who died at the age of 6 years, Mrs. F. M. Miller and Mrs. J. S. Dewey, also twins, and Mrs. Thos. Garrett, who died two years ago at Bly.

The family lived in San Joaquin County, California, for many years where the mother died January 4th, 1883.

Eleven years ago Mr. Mills came to live with his daughter, Mrs. Garrett, with whom he has made his home ever since.

One brother, 2 years younger, Robt. Mills, of Ft. Leavenworth, Kansas, and one sister, Mrs. Nancy Weatherly, of Springfield, Ark., survive William.

Mr. Mills was raised in the Quaker faith. He joined the Masonic and Odd Fellows Lodges when a young man. He led an active life up to about 12 years ago when misfortune overtook him and robbed him of a leg.

The funeral will be held today, Thursday, at 2 o'clock, P. M. from the Garrett residence to the M. E. Church, thence to the final resting place, conducted by the Masonic Lodge.

Council Meeting.

The City council passed a "dog ordinance" at the regular meeting Tuesday evening, making it unlawful to keep dogs within the city limits without first having obtained a license.

City warrants were paid off to the amount of \$1885.06. There still remains \$148.18 in the treasury.

The matter of taxing peddlers was brought up and discussed. A brief was submitted by District Attorney Moore setting forth facts relating to taxing peddlers for the protection of home merchants, which, in effect, showed that such tax would be a breach of the interstate commerce law. The matter was laid on the table and an effort will be made to in some way, devise a means of protection to the home merchants, which is just and right.

Ashland Normal School Notes.

Mrs. Diedricks and Mrs. Dix of Grants Pass enrolled with us last Wednesday morning. Mrs. Diedricks' little daughter entered the training department.

H. H. Armond, a former Normal student was a visitor Sunday.

The Seniors are busily preparing for their play to be given at commencement time.

The Y. M. C. A. met as usual last Wednesday in the music room. The subject was "Manliness of Christ." The meeting was ably led by James Martin.

Owing to adverse circumstances, the debate between the Normal boys and Ashland High School boys has been postponed till April 6th. This debate which promises to be the greatest forensic event of the school year will be held in Memorial Hall.

In the Congressional Literary Society Friday evening the debate on the question "Resolved that the whipping post law is wrong and should be repealed," was hotly contested, and for a time, it was doubtful which side would win. The judges stood, however, two for the negative and one for affirmative. The affirmative was upheld by R. Jones, Smith and W. Herndon, the negative being supported by Inlow, Anderson and John Herndon. Besides the debate the society was favored with an oration by Mr. Stanciliff, a vocal solo by Mr. Hartley, recitations by Mr. Peebler and Mr. Peterson and last but not least a quartette "My last Cigar" by Messrs Anderson, Martin, Burke and Newton.

In Chapel last Thursday we listened to a paper by Miss Kaiser on "Professional training of teachers, which was very interesting and up-to-date; On Friday, Prof. Mellinger gave a talk on "Conscience, what it is and what it does."

On Monday, Prof. Mulkey spoke on "The development of Oregon and the Inland Empire."

On Tuesday, Prof. Van Scoy's subject was "Influence in politics," while on Wednesday morning we were listeners to "Psychology of criminals," by Mrs. Newman.

Lower Court Decision Affirmed.

The Supreme Court of the State of Oregon on March 27, rendered a decision affirming the decision of the Circuit Court for Lake County in the matter of the State vs. B. F. Lane.

It will be remembered that B. F. Lane was charged with and convicted of the crime of assault with intent to kill, alleged to have been committed in the vicinity of Silver Lake on January 22, 1905, by shooting at and wounding one Bert McKune. The case was appealed from the judgment of the court, on the ground of error by the court.

The alleged error in the bill of exceptions complained of relates to a statement made by the court in cor-

recting a misstatement of the evidence, apparent, of witness Reeder regarding some whiskey that had been stolen. The Court said: "The witness said he 'was in it,' but he meant clearly that he was not in the stealing, but was with them afterward and helped them drink it."

Defendant's counsel, J. M. Batchelder, excepted to such expression contending that an error was made and the jury influenced thereby.

After citing numerous cases the Supreme court holds that the court's remark was in effect a correct statement of the evidence as produced by the witness, and this being so, no error was committed, as alleged, and further holds that another alleged error was assigned by defendant's counsel, but deeming it unimportant, the judgment is affirmed.

In Search Of Iron.

George Lynch started for Mendocino county, Calif., last week, to look after some mining interests he has there. Several years ago Mr. Lynch discovered a very rich iron deposit in the mountains near Willits. At that time iron mines were not valuable, especially when they were located any considerable distance from railroads. Recently a rich strike was made in iron in the vicinity of Mr. Lynch's find, and a mill is to be erected and a railroad built to the mines by the company into whose hands the mine has fallen, and George thinks this a profitable time to open up his mine. He is staked by one or two of the business men of Lakeview, and if he strikes it rich Lakeview will be a beneficiary of his good fortune, which we hope is within easy reach.

Retires From Sheep Business.

Last week Mr. Wm. Harvey, the Summer Lake sheepman, sold all his sheep and will retire from the sheep raising industry, from which he has accumulated a competency. Mr. Harvey came to Summer Lake valley 32 years ago, landing there with only a few dollars. He secured employment from some of the few settlers of that valley, and through diligence he soon had money to go into the sheep business for himself, and has been engaged in that industry ever since and has been one of the large producers of wool and mutton of Eastern Oregon for many years. Mr. Harvey owns one of the best ranches in Oregon, located in Summer Lake valley. He is also interested in Lakeview where he will probably make his home.

E. B. Ramsby Leg Broken.

While E. B. Ramsby of Merrill was engaged in dehorning cattle at his home Tuesday morning, he sustained a fracture of the right leg. He had disposed of all the unmanageable cattle and was putting the finishing touches to the family cow, a gentle well-behaved animal, when she entered a vigorous protest, pinning Mr. Ramsby against the wall and inflicting an injury that will keep his leg in splints for many weeks. Dr. Merryman was summoned from this city and reduced the fracture. Latest report is that Mr. Ramsby is resting easily.—Klamath Falls Republican.

Oregon Horses To California.

W. M. Harvey, the horse buyer, started from Adel last Saturday with about 90 head of horses. This band will be driven to Reno where part of them will be sold and the rest put on feed there till they are fat enough to put on the market.—Since the the above was set up we learn that Roy Shirk and Mr. Harvey have formed a co-partnership, and bought the horses together. Mr. Shirk has gone to overtake and help with the drive.

Kingsley Was Fined.

The Major Kingsley case came up for trial Thursday before Justice of the Peace W. Bayley. As predicted by The Examiner last week, defendant pled guilty and was fined and released. The fine imposed by Justice of the Peace Bayley was \$30 and costs, amounting in all to \$39. Young Kingsley went into District Attorney Moore's office, where he listened to a good lecture, and went away promising to be a better boy in the future.

Many Dears Here.

Tuesday evening about dusk a young deer came through town, which is a very rare occurrence, the probability is that it had been chased by dogs and came to town for protection.—Silver Lake Oregonian. (That's nothing; young deer can be seen on the streets of Lakeview most any time. But if dogs chase them the dogs are arrested.)

STAGE DRIVER'S PERILOUS RIDE.

**Runs a Two Mile Race
With His Life as
the Stakes.**

RESERVOIR CAUSES BIG FLOOD.

**Driver Frank Reid Says Holdup
Is a Pleasure Compared With
A Flood.**

Last Friday evening Frank Reid, the Paisley stage driver, had a somewhat peculiar as well as exciting experience. It was a race for life with the mad, gushing waters from the Moss reservoir at the head of Moss creek between Clover Flat and the Moss ranch. For two miles the stage road runs along the narrow canyon with steep hills on either side, following the banks of the creek the entire distance and crossing the stream once. The heavy rains during the day had caused the reservoir to break, and just as Mr. Reid was going down the grade into the canyon he noticed that the water was very muddy and the banks of the creek full to overflowing. The situation suddenly dawned upon him and he realized at once that he must get ahead of the rush of water

or remain there several hours, possibly, way in the night, for the flood to subside. His first impulse was to make a bold dash to get ahead of the flood and trust to fortune to keep ahead, as once into the narrow canyon there would be no alternative; he must keep going or be drowned, as he could see a little further up the canyon a wall of heaving, foaming water, carrying with it trees and boulders which meant instant destruction to anything in its path. A thorough realization of the perilous drive came too late, as he was then in the canyon and ahead of the wall of destruction. He plied the whip freely to the horses which were becoming frightened by this time at the roaring, gushing waters and the tumbling trees and boulders. Faster and faster the wall leaped and covered the already short distance between pursuer and pursued, and faster and faster Frank poured the bud to the horses backs. He had no passengers aboard and the load was light, which fact, Mr. Reid owes to a degree, his miraculous escape from a terrible fate.

If only the crossing could be reached and successfully passed Frank thought his race would be won, as the curves in the road at this point gave the rushing waters a decided advantage in distance and already the banks of the creek were full for some distance ahead of him. He was moving fast but thinking faster. One more curve and then the ford. Only a few more rods and the crisis in his race for life would be reached. A moment of suspense that few people ever experience. The waters were now gaining upon him; he was going toward the ford at right angles with the course of the waters. The ford was reached, the dash into the swollen stream seemed a mad rush to destruction. The horses faltered, then plunged into the water. Would he ever get across; the roar of the water and the crash of trees and boulders was almost deafening; he scarcely dared look up stream; he could almost feel himself in the cold grasp of the flood; a misstep of one of the horses would end it all; it seemed ages; he held his breath and strained every nerve in an unconscious effort to help the horses make time. The horses seemed to realize their predicament and their spirits strung up to the highest pitch, lunged through the stream and up the bank and out on dry land. The climax was reached and the crisis passed, all was saved. While the race was not yet ended, the chances were even now for a neck-and-neck race for another half mile to high ground and safety and the hold on life grew firmer and firmer. The roar of the waters died away and time for reflection brought a full realization of the perilous ride just ended. Frank believes he could smile at a hold up by the most dangerous bandits that ever roamed the Wild West; look down the muzzle of the stage robbers' gun and read the advertisements on the bullet patch'n with all candor and coolness. But no more floods.