

# Rogue River Courier

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## COURT KILLS ROAD BOND ISSUE

JUDGE CALKINS' JACKSON COUNTY DECISION REVERSED.

## DELAYS GOOD ROAD WORK

Supreme Court Holds That Under Existing Laws Counties Cannot Bond.

SALEM, Ore., Jan. 23.—The lower court of Jackson county was reversed today in the \$1,500,000 good road bond issue by the state supreme court. The bond issue was knocked out.

The opinion was handed down by Judge Burnett, and in reversing the Jackson county circuit court the supreme court held that as a negative, restraining power against incurring indebtedness the amended section of the constitution is self-executing; that the powers of the county court are the same as they were before the amendment, only the form of the restriction upon indebtedness being changed, and that although the legislative power of the state had provided the method of voting on the election of officers and upon direct legislative measures, it had never established any plan for voting on county indebtedness in the absence of which there was no authority for holding the election in question, and it would not validate the proposed indebtedness, the amendment being in that respect not self-executing.

The court further held that the county orders or warrants are the only form in which county indebtedness may be evidenced under the present state of legislation and that counties have as yet, no power to borrow money or issue bonds.

### In Grants Pass.

The foregoing news will cause profound regret over the state, in Josephine and Jackson counties particularly. Jackson county had already authorized by a vote of its people a bond issue for \$1,500,000, and Josephine was only waiting a favorable decision of the supreme court when its people would have taken steps towards a generous issue of bonds for road building.

Had the recent legislature created an enabling act for the bonding law passed by the people at the last state election all of this disappointment would have been avoided, and a law on the statute books which would have allowed road bonds.

The good roads commission created several months ago by Gov. West has drawn 8 proposed initiative road bills. Among these is a bill which is an enabling act for the present headless law. All of these bills, except two not yet given to the press, The Courier printed last November. The bill to create the enabling act reads as follows:

"An act entitled 'An act to enable the several counties of this state to avail of the provisions of section 10 of article 11, of the constitution of the state of Oregon, as amended by initiative petition effective on proclamation of the governor, December 3, 1910.'

"Section 1. That any county in this state desiring to incur a debt for permanent roads within said county may, by an election called by the county court upon the petition of ten per cent of the legal voters computed upon the last registration lists compiled in said county by a majority of those voting on the question create and issue bonds, warrants or other evidences of indebtedness or debts for permanent roads or for the construction, maintenance, improvement, or repair of the same within said county."

### "Must Get Busy."

When the first news of the court decision was flashed into The Courier office this evening a representative of the paper telephoned the fact to a representative citizen of Grants

## GRANTS PASS MUSIC CLUB PRESENTS FINE PROGRAM

Tuesday evening was "Schubert night" at the Commercial club rooms where the Grants Pass Music club gathered for the regular meeting. The attendance was most gratifying, considering persistent rain, an evidence that interest in the organization is steadily growing, and this interest was given a further impetus by the excellent program provided by the committee.

At 8:30 the company was called to order by President H. C. Kinney, and a few minor matters of business disposed of. The matter of taking up chorus work by the club as a whole was again brought before the house and discussion invited, but no one appeared inclined to enthrone upon the subject. Remarks were made by a number and when the question was again put to a rising vote, there was a considerable majority opposed to it.

It should be stated, however, that a large proportion of the members realize the importance of this branch of work, and it is probable that a separate organization may be formed for the purpose of doing high class vocal work, and that this organization will co-operate with the club in future public performances.

The regular program opened with the "Overture" from William Tell, by the orchestra. This is one of the most difficult and exacting productions ever attempted by an amateur orchestra, and it is much to the credit of Prof. Applehoff and his players that they gave it with fine effect. Being encored, they responded with the beautiful "Angelus."

A ladies quartet, composed of Mesdames Sabin, Woodward, Barnes, and Miss Genevieve Pattillo, gave a beautiful rendering of Cowen's song, "Snowflakes." This was followed by a reading from Riley by Mrs. Baker—"Do They Miss Me at Home?"—a bit of poetry that brought out Mrs. Baker's power of expression to the fullest.

A selection from "Norma"—a duet for the cello and clarinet—was given by Prof. Applehoff and Jos. Wharton, with Prof. Field at the piano, and was enthusiastically received. All of these numbers were encored and were graciously responded to.

The latter half of the program was devoted to the works of Franz Schubert, opening with a paper by H. S. Prescott, who gave a brief sketch of the life and character of the great German, who, in the 18 years of his creative period, produced more music than any other composer, and who, though sorrowing, melancholy and poverty-haunted from the cradle to the grave, brought into the world a wealth of color, of warmth, and of sweetness such as it had never known before.

A resume of the musical work of Schubert was given by Mrs. R. W. Clarke, who in a graphic manner showed the immortal influence that had been made upon the world of music by the wonderful melodies he had scattered like flowers along his path. Humanity is more indebted to Schubert than to any other one man for the development of the modern

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Pass, who replied: "That is bad news—but it will be righted. Now we of Josephine county should begin immediately a campaign of education among our people and be prepared to take advantage of a perfected law, for believe me, the law will be made sound and we will then be ready to issue half a million, a million or a million and a half in bonds, just what amount the people believe is needed, to make Josephine county roads in general and one to the sea, or state line, in particular, without an equal in the state.

"Good roads mean prosperity and civilization. Bad roads mean that any county in this state or other state will find itself left far behind in the progress race, and will be passed up by the tourist and by the homeseeker and by the heavy investor.

"This decision of the supreme court means for us that we must get busier than ever and make ready for a new law or the present one equipped with an enabling act."

## BUILDING OF ROGUE RIVER RAILROAD WOULD MEAN INDUSTRIAL CITY HERE

The Courier learned Wednesday afternoon from reliable authority that J. G. Riggs received a telegram from the east, sent by the eastern representative of the road, telling Mr. Riggs that he had just concluded a meeting with eastern financiers, who stated that they were prepared to finance the road in its entirety. The message also urged Mr. Riggs to start at once to the east to meet these people, who stated that they would send back to Grants Pass with him a representative with full power to act. Mr. Riggs left for the east Wednesday night.

Tonnage in Lumber Traffic Guaranteed to the Contemplated Purchasers of the Grants Pass and Rogue River Railroad is as Follows:

Grants Pass Lumber Co.	35,000 feet per day
Rogue River Lumber Co.	30,000 feet per day
Williams Bros. Sash and Door	20,000 feet per day
California Pine Box	40,000 feet per day
Grants Pass Box Co.	80,000 feet per day
Total	200,000 feet per day

The people of Grants Pass and Josephine county want the Grants Pass & Rogue River railroad built into the Williams country, as was contemplated. The people of the city and county lent all aid possible to this enterprise, and the majority now stand ready to continue their support to the new syndicate which is contemplating purchasing the road and continuing it to a successful finish. These financiers are assured by the Rogue River Courier that they will be welcome here, and that practically the entire financial, industrial, mining and agricultural interests are a unit in extending this welcome.

What has the territory through which the road is contemplated to offer in the way of tonnage? That is a pertinent question, and one of the first to be asked. The answer is: The territory has much to offer and the total tonnage annually will mount into large figures and increase rapidly as the years pass.

Some of the Products. This tonnage would be made up of many thousands of feet of lumber annually; farm produce, consisting of cattle, swine, dairy products, alfalfa, corn, grain and other productions; many thousands of cords of wood annually, not only for use in Grants Pass, but to be shipped to other towns along the line of the Southern Pacific; fruits, consisting of berries, grapes, peaches, apples, pears; the output from lime works and marble quarries to an amount probably of from 40,000 to 50,000 tons for the first twelve months and increasing generously thereafter. In addition to the foregoing the passenger traffic, the United States mail contracts and express business will add generous revenue to the annual business, also the incoming freight from commercial centers.

The foregoing does not purport to be a complete list of commodities that will seek transportation on the road; there are divers others developing as a region rich in natural resources moves ahead.

Another Question. So much for what the country will do for the road. Now what will the road do for the country and city?

For the region which will be penetrated it will raise the value of lands; it will make possible many homes in easy access to Grants Pass that now are isolated; it means everything to the country that a modern railway has to offer, and that is much, including opportunities to market productions of farms, mines, forests and quarries which same products, now, many of them at least, are barred from the markets of the world because of lack of rail transportation.

What will the road do for Grants Pass?

It is possible that it will within a few years double the population of the city. Why? Because there exists approximately 2,000,000,000 feet of merchantable timber to be penetrated by the proposed line, and the maximum distance from Grants Pass to these forests is only 28 miles. Now if this lumber can get rail transportation to Grants Pass there will be erected in this city large saw mills, belonging to different companies, to work up this lumber; and the resulting pay roll will add a large volume of cash, monthly, to the channels of trade.

It will also mean a large addition

to the population of the city.

There is scant need, it would seem, of elaborating on the rich returns for Grants Pass that would result in the building of this road and the establishing here of industrial plants on a large scale. Every man knows that it would mean much to the commercial and civic life and aid in building here an industrial city.

With the advent of saw mills will come the people and the machinery to work up the lumber into various products. There is a big firm in California which owns a box factory in this city that is begging that this road be built. The facts are these:

Warren and Lauden, wholesale lumber dealers at San Francisco, in a letter to this city, sent before the close of the year, give some information that will be a surprise to many persons here. The firm is anxious that this road be built, for the reason, they say that they need all the lumber they can get for their box factory here, which is one of the finest on the Pacific coast; that there is practically no limit to the number of boxes they could sell; that with a railroad up Williams creek they could get all the lumber they need; that fruit production in Oregon and California is increasing 20 per cent a year, while the manufacture of boxes is not keeping up; and that the firm does not see where the lumber is to come from, as little rail road building is contemplated, and that, more than all else, there is no road developing a white pine territory, such as is the premier forests the Grants Pass and Rogue River road would penetrate. The firm agrees, as noted in the table preceding this article under Grants Pass Box and Lumber Co., to furnish the road 80,000 feet of lumber daily for transit to Grants Pass, and there is no doubt but that this amount would rapidly be increased. The letter from the San Francisco firm says: Grants Pass and Rogue River R. R. Co.

Grants Pass, Ore. Gentlemen: We are glad to learn that there is a prospect of a railroad being built out to the head of Williams creek.

You are right in understanding that we are anxious for this road to go through. We have at Grants Pass one of the finest box factories that was ever built on the Pacific coast, and while its present capacity would be 60,000 to 70,000 feet per day, this can be easily changed to 80,000 or 100,000 feet per day.

At the present time there is practically no limit to the amount of boxes that we could sell. It is simply a matter of buying the lumber at a reasonable price delivered at our factory.

Practically no lumber now comes to Grants Pass that does not have to be hauled from 16 to 25 miles, and as box lumber is low grade lumber it makes the delivered price prohibitive, but with your railroad in, and reasonable freight rate, there is no doubt that we could get all the volume of box lumber that our mill could manufacture and we believe 50,000 feet per day would be a very conservative estimate.

As you know, the fruit business of California and Oregon is developing rapidly and we think it is not too much to say that it is now in

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## FREIGHT RATE REDUCTION WILL HELP GRANTS PASS

The order of the Oregon Railroad commission in reducing railroad rates in the state has caused much interest in Grants Pass as elsewhere. The order goes into effect March 1, the same date as the order of the interstate commerce commission fixing interstate rates from north Pacific coast points eastward, which gives the lumber interests a big advantage over former rates.

It is supposed in some quarters that the Southern Pacific will contest this recent order of the Oregon commission. Others think that the company will obey the order. If the company goes to court and loses, it will have to refund to shippers the difference charged and the rate ordered, time to date from March 1 when the commission order is effective.

The Courier is under obligations to Attorney H. D. Norton for a copy of the commission's order. Attorney Norton received this document yesterday, as a result of work he did for Grants Pass while at Salem as state senator. Mr. Norton, on his own volition and without mentioning the matter to anyone here, appeared for Grants Pass in the hearings before the commission. Yesterday Mr. Norton received a copy of the order and the following letter:

Mr. H. D. Norton, Grants Pass, Oregon.

Dear Sir: We inclose herewith certified copy of order of this commission in the matter of the Southern Pacific company and the Oregon & California Railroad company, file F-179.

Kindly accept service as of February 9, 1912, on the inclosed blank, as we wish our order to be effective on the same date as that of the interstate commerce commission fixing interstate rates from North Pacific coast points eastward.

Very truly yours,  
RAILROAD COMMISSION OF OREGON.

By Frank J. Miller, Commissioner.  
Commissions Order

The order of the commission is quite lengthy. From it the following vital features are herewith presented:

8. That each and every of the said distance class rates named in section 2 of said freight tariff No. 233-B and its supplements, which exceed the rates for corresponding distances and classes hereinafter found and determined, in paragraph 10 hereof, to be just and reasonable, is and are unjust, unreasonable and excessive.

9. That the distance class rates contained in said section 2 of said freight tariff No. 233-B, and its supplements, are not so arranged that the said rates bear any uniform or approximately equal or just relationship to each other, and that in consequence thereof in the application of the said rates, the same are unjustly discriminatory against classes of articles taking class rates and produce the localities from and to which shipments thereunder move.

10. That just and reasonable and non-discriminatory rates and charges for the said Southern Pacific company to charge, collect and impose in the future for the Oregon intrastate transportation of articles taking class rates under the terms of said tariff are the following:

The first class rate for a distance of 5 miles and under shall not ex-

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## STORE IN WOODVILLE ROBBED SUNDAY NIGHT.

A general store in Woodville was robbed Sunday night and \$35 in money taken.

Chief of Police Hittson of Medford was communicated with as soon as the robbery was discovered and he is rounding up all suspicious looking characters.

It is thought the robbers went south, as section men saw two men leave Woodville on foot along the railroad track early Monday morning.

## ROSA ORME KILLED BY C. WHITSETT

MURDERER THEN TURNS WEAPON ON HIMSELF AND DIES.

## BOTH RESIDENTS THIS CITY

Whitsett Dogged the Girl for Months and Previously Threatened Her Life.

From Friday's Daily.

PORTLAND, Jan. 19.—Because, it is said, she refused to accept his attentions, Claude Whitsett, aged 30 years, a bartender, formerly of Grants Pass, last night shot and killed Rosa Orme, a Grants Pass girl, aged 25 years, and then shot himself in the temple, dying instantly.

Miss Orme died within a few minutes after the shot was fired, and without telling how it happened. The tragedy took place in a rooming-house at Second and Madison streets, shortly after 6:30 o'clock.

Entering the room where the woman was sitting at a desk writing a letter to a friend, Whitsett leaned over her and fired downward, the bullet from a 32-caliber revolver striking the woman over the right breast and lodging in the heart. Then Whitsett stepped back and fired at his own temple. The bullet went wild, striking in the wall above his head. Then he pulled the muzzle of the revolver to the level of his temple and shot again, the ball lodging in the temple and killing him at once.

Miss Orme, who took her maiden name after her separation from her husband, whom she had married in 1902, is the daughter of Mr. and Mrs. A. M. Orme, of Grants Pass and Leland, Ore. In their custody is her 7-year-old child, Grace, who is the daughter of Galbraith. Her father is a partner in a placer mine at Leland. Following her separation from Galbraith she lived at several places on the Pacific coast, earning her living as a waitress or as a laundry worker.

Whitsett, who is said by Morrison to have threatened the girl's life two weeks ago when turned out of the house, in the words, "I'll get in some time and I'll show you all about it."

(From Monday's Daily.)

The body of Rosa Orme now rests in I. O. O. F. cemetery of Grants Pass. The dead girl was interred Sunday morning. Services were conducted at Hall's chapel at half past 10 o'clock, Judge Stephen Jewell officiating.

The pallbearers were Ben A. Stannard, Eugene J. Hebrard, George Snow, Eugene Coburn, Frederick Cook, Herbert Smith.

Grant Orme, brother of Miss Orme, and who is an engineer on the Southern Pacific, his run being from this city to West Fork, informed The Courier that the Portland papers and dispatches from that place were in grievous error in many of their purported facts. Mr. Orme states that his sister had long feared Claude Whitsett, who killed her and then himself, and that as long ago as five years Whitsett threatened to kill her. Mr. Orme says he then went to Whitsett and told him to not bother his sister again, and that if any more threats were made that he (Orme) would kill him. This said, the brother, put a stop to the persecution.

"Later, however, when my sister went to Portland to live, and being without my care, Whitsett renewed his unwelcome attentions," said Engineer Orme, and continued:

"Rosa was employed at the Union laundry, and had been with that firm for a long time. She was popular with the other girls and women employed there, and she never left the laundry or her lodgings without some of them always being with her to aid, as far as possible, in protecting her

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