

January 5, 1918.

Mr. James A. Murray,

Monterey, Calif.

My dear Mr. Murray:

On your instructions to Mr. Bartl and myself to block the spillways at Cuyamaca 2-1/2 feet in height, will say that this was done last month. As I have told you before, I think it is a mistake, but as long as you are willing to take the responsibility for it, I should worry.

Gassen, I am told, has made a complaint to the Railroad Commission, and they will investigate immediately. It would be mighty humiliating if this was brought to the attention of the public, for it certainly is not safe from an engineering standpoint. If we should have a flood come this year the way it did in 1916, I believe we would have a dangerous situation confronting us. On the other hand, we have had no rain whatsoever - the driest in fifty years. We have almost thirty feet of water in Cuyamaca Lake - or within five feet of the spillway at the present time. La Mesa Lake today stands 48.6 feet.

You will be very much pleased with Murray Dam. It is certainly a wonder. People from all over the state are coming to see it, including G. W. Wishon, the General Manager of the San Joaquin Power Co., who arrives here tomorrow. Lake Hodges Dam, formerly known as "Carroll" is going to be a stem winder, also.

Yours very truly,

F-8



CAPITAL AND SURPLUS \$700,000 00

AMERICAN SAVINGS BANK & TRUST Co.

SECOND AVE. AT MADISON ST.

J. A. MURRAY, CHAIRMAN
GEO. B. BAKER, VICE PRESIDENT
B. B. LUTEN, SECRETARY

J. P. GLEASON, PRESIDENT
JOHN K. BUSH, CASHIER
A. T. DREW, ASSISTANT CASHIER

SEATTLE, U.S.A.

January
8th,
1918

Mr. Ed. Fletcher,
San Diego, Calif.

Dear Sir:

I was on my way South but last evening received a telegram calling me back to Butte. Don't know how long I shall be detained there but will make a desperate effort to get to San Diego within a week or two.

If I should remain away for six months, however, it would be of benefit to you and your associates. It might test your rustling ability as I imagine that you have been sleeping along the line.

Yours very truly,

January 9, 1918.

Mr. James A. Murray,
Butte, Montana.
(Copy to Monterey, Calif.)

My dear Mr. Murray:

I received a telegram this morning from Washington that the Commissioner of Indian Affairs and the Secretary of the Interior have recommended to Congress that the City of San Diego be allowed to flood the El Capitan Reservation; PROVIDED, however, that Commissioner Sells is to be satisfied as to the location to which the Indians are to be removed; that the City is to build all houses, all roads, and develop a sufficient amount of water for the Indians, without any expense to the Government.

To an outsider, it would look as if the city had won out. But I received a letter from W. R. Wheeler yesterday that he had just had lunch with Commissioner Sells; also Secretary Lane; and that he had a hunch that we would be satisfied with the decision. My interpretation of his letter is either that the conditions will be so severe that they will not be satisfactory to the City, or the Government will use its influence to see that the Cuyamaca Water Co. is purchased by the City. Wheeler gives me to understand that everything is all right; but, of course, he may be mistaken, even, although I cannot believe but that Wheeler has the right dope.

I have just received a telegram from Washington, D. C., informing us that the Public Lands Committee will hold a meeting on the City of San Diego's bill on January 28th, at 10:00 a.m.,

Form 1206

WESTERN UNION TELEGRAM

NEWCOMB CARLTON, PRESIDENT

GEORGE W. E. ATKINS, VICE-PRESIDENT BELVIDERE BROOKS, VICE-PRESIDENT

CLASS OF SERVICE DESIRED	
Fast Day Message	
Day Letter	<input checked="" type="checkbox"/>
Night Message	
Night Letter	<input checked="" type="checkbox"/>

Patrons should mark an X opposite the class of service desired; OTHERWISE THE TELEGRAM WILL BE TRANSMITTED AS A FAST DAY MESSAGE.

Receiver's No.
Check
Time Filed

Send the following telegram, subject to the terms on back hereof, which are hereby agreed to

January 9, 1918.

James A. Murray,
Butte, Montana.

Secretary Lane has made recommendation to Congress that bill be passed favoring San Diego flooding El Capitan Reservation, claiming emergency exists, as Government needs water for Camp Kearney. Have received notice from Public Lands Committee of Congress that hearing on San Diego bill at Washington, January twenty-eighth. Have private letter from Wheeler that matters are favorable to us. Believe you and I should go to Washington for hearing to protect our interests. No time to lose. Wire instructions.

Ed Fletcher.

Charge Cuyamaca Water Co.
F-8

Washington, D. C. The City Attorney and a representative of the Cuyamaca Water Co. are invited to be present.

There is only one thing to do -- someone of us should be in Washington before the committee meeting to see Secretary Lane and the Commissioner of Indian Affairs Sells and get the lay of the land; also to attend the committee meeting, and if we can't kill the bill have it put through in as favorable a manner to us as possible. Can you not go to Washington, to protect our interests; or do you want me to go? I certainly have no desire to go at this time of year, if you think it can be handled by others; but I think it is important enough for us both to go.

The fact of the matter is we have had the least rainfall of any time in fifty years. It has not rained enough to speak of since last May. The city has drawn out between 4,000,000,000 and 5,000,000,000 gallons of water from Morena since last June, and has only 1-1/2 years' supply of water in their reservoirs, if it should not rain. They are going to double the size of Camp Kearney -- commencing this week -- and Commissioner Sells in his recommendation to Secretary Lane says that the water is needed for Camp Kearney. This, I am sure, is what has decided him to recommend turning El Capitan over to the City.

I am sending you a telegram today on the subject. Please let me hear from you, by return mail, as to what you want me to do, as the time is short.

Yours very truly,

Copy to Mr. Hunsaker

CLASS OF SERVICE	SYMBOL
Day Message	
Day Letter	Blue
Night Message	Nite
Night Letter	N L

If none of these three symbols appears after the check (number of words) this is a day message. Otherwise its character is indicated by the symbol appearing after the check.

WESTERN UNION TELEGRAM



NEWCOMB CARLTON, PRESIDENT GEORGE W. E. ATKINS, FIRST VICE-PRESIDENT

CLASS OF SERVICE	SYMBOL
Day Message	
Day Letter	Blue
Night Message	Nite
Night Letter	N L

If none of these three symbols appears after the check (number of words) this is a day message. Otherwise its character is indicated by the symbol appearing after the check.

RECEIVED AT

C210GS CO 16

BUTTE MONT 1251P JAN 14 1918

ED FLETCHER

355

SANDIEGO CALIF

THINK YOU HAD BETTER GO TO WASHINGTON BUT DONT START UNTIL YOU RECEIVE LETTER MAILED TODAY

J A MURRAY

1234PM

San Diego - Cal. Jan. 14, 1918

Mr. James A. Murray,
Butte, Montana,

My dear Mr. Murray:

Your letter from Seattle received, also your telegram about going to Washington. It's no pleasure for me to make a trip to Washington alone, and I do wish you could be there.

The Merchant's Association, the Chamber of Commerce and the Wholesaler's Board of Trade have all passed resolutions urging Congress to grant the petition of the City of San Diego. They don't any of them know why they are doing it except that Cosgrove and the Invisible Government in San Diego want it done. There is every indication that until we pay blackmail or a commission for the sale of the Cuyamaca System to the City, to the Invisible Government they are going to make us all the trouble they can. The way they have the bill formed now, the City does not have to commence work until five years, and build the dam within eight years. So you see they are just getting an option for nothing and holding a club over our head if they do get the deal through Congress. The minute they commence to build the dam, as a riparian owner we can bring suit, providing they build the dam above us, and of course we can give them a run for their money if they condemn our El Capitan dam site. Then again, there is endless litigation as to how much water we are entitled to, even if they build the dam.

When you come to San Diego I have a suggestion to make that I am sure will be of interest, which will put the City of San Diego on the defensive. If there is any possible way for you to be in Washington on or before the 28th of January I wish you would be there, for misery loves company.

Yours very truly,

EF/bm
encl

MONIDAH TRUST
BUTTE, MONTANA

Butte, Montana, January 14, 1918.

Ed Fletcher,
San Diego,
California.

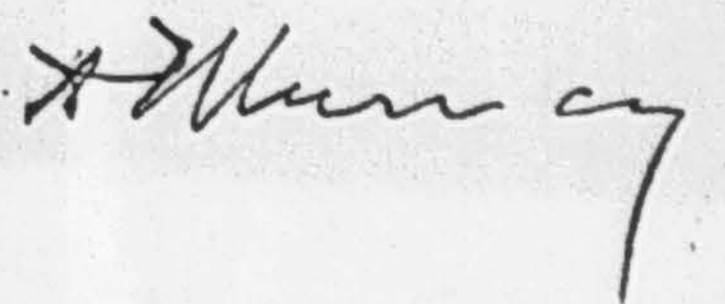
Dear Sir:

I started for California but when I was in Seattle I got a wire to return to Butte, so here I am.

In relation to going to Washington on the El Capitaine matter, I don't care so much, but I think it would be advisable for you to go there at the present time as I believe with the right kind of work, you would be able to unload the Cuyamaca property to the Government or some other corporation. At the present time around Washington a few hundred thousand dollars one way or the other does not cut much of a figure, therefore, you might be able to dispose of it, and you would be justified in giving a few hundred thousand dollars as a commission, providing it could be sold for a million and a half, or more. You will need to be in Washington a few days before the 28th to prepare for that matter if any preparation be necessary.

I will certainly be in San Diego upon your return, if not sooner. I am so mixed up in things up in this country that when I get rid of one thing something else bobs up which detains me, however, I shall get away as soon as possible.

Very truly,



JAM/RBL

The New Willard Hotel,

Washington, D.C.

January 28, 1918.

Messrs Ed Fletcher & Co.,

San Diego. California.

My dear Murray,

Enclosed find copies of letters to Watruss and Henshaw, also please find enclosed copy of my brief.

I got here just in time, they have had the heaviest snowstorm here in seventeen years and all trains from the West are blocked since I arrived, and I never could have reached here if I had waited a day.

Mr. Wheeler has been more than dear to me in helping out. I gave the best that was in me in presenting the case to the Public Lands Committee of the House. It is almost foolish for me to say that I have created a great doubt in the mind of the Committee as to granting the City's request. Only time will tell, but I do know there will be rough sledding getting this bill through the Senate - if it ever passes the House.

Cannot write more at the present time.

Hope everything is going all right with you and that I may receive a telegram from you tomorrow.

Your loving brother,

worst snow storm here in
17 years. no train and
hardly and street car running
1000 families without coal here by tonight paper tomorrow
We have another meeting of committee tomorrow
had is no name for it a week tonight

E. Fletcher

The New Willard Hotel,

Washington, D.C.

January 31, 1918.

Mr. James A. Murray,
Monterey. California.

My dear Mr. Murray,

The hearing is postponed until Friday morning. We have been in session two full days, and it has been some scrap. Cosgrove certainly lost his head and made a fool of himself. He was very bitter, and showed personal animosity towards me. I laughed it off, kept my head, and they all told me I cleaned him up. Cosgrove thought he had a sure thing because Ketner has gone the limit to help Cosgrove and although this land is all within the Indian reservation Ketner was fool enough to have the bill referred to the Public Lands Committee instead of the Committee on Indian Affairs. Ferris is chairman of the Committee and Ketner has bragged in the papers how close he is to Ferris, and spent two weeks in Ferris' district campaigning with Ferris, so Ferris was naturally hostile from the beginning and kept it up to the last.

The programme was to get that bill approved immediately by the House Committee, and get it up before the Senate. How I did it I don't know, but I now sure have some warm friends on that Committee. Three or four Congressmen told me to go home and for us to go ahead and build the dam, and they would take care of it at this end. I have taken the matter up with the Commissioner of Indian affairs and the Secretary of the

Interior and have asked them formally to give us authority to go ahead and build a dam at or near the diverting dam. It is hardly probable that I can come home with the bacon but have laid the foundation for their consent.

Cosgrove made an ass of himself, and when he commenced to give facts and figures on his own opinion, I got him riled up by asking what other perfections he had besides lawyer and hydraulic engineer etc. This made him a wild Indian, and right before the Committee he wanted it noted that he was a big man in San Diego, that he was the highest priced attorney west of the Mississippi river, which Cosgrove said might give the Committee some idea how he was appreciated in San Diego. When asked how much his salary was he said \$6000 a year ! ! ! He certainly killed himself with several of the members of the Committee. I asked him in a very polite way to state that it was his own figures he was giving, and not the figures of any hydraulic engineer of any reputation. I also told the Committee that I did not think he could qualify as a hydraulic engineer. He went from bad to worse, and generally made a fool of himself, going on to say at the last that he would not allow the city under any consideration to buy any water from the Cuyamaca Company, no matter what the price was, and that the attitude of the Mayor and the majority of the City Council was the same. Of course, this did not jibe very well with their plea of emergency, and when I showed that we had made six offers to sell water to the City within the last year at from $3\frac{1}{2}\%$ to 7% , and the City's cost is 19% according to records which I introduced (the City man's own statement to the City Council) it made the City sit up and take

notice.

The showing of the pictures of Murray dam and the fact that we were actually doing things was very convincing. I was also able, over Cosgrove's violent protest to have inserted in the bill --- if it ever carries --- a clause which protects the existing water rights, reading as the Hetch-Hetchy clause, for the benefit of the Spring Valley Water Company.

Congressman Raker asked Cosgrove why he was opposed to the Cuyamaca Water Company continuing its development. Cosgrove said he was not opposed to it, that we had certain rights on the river. Raker then said "Then you have no objections to the complete development and conservation of the water above the Cuyamaca Company's intake and diverting dam at South Fork?" Cosgrove answered "No, they were glad to see the Cuyamaca Company make either of those developments, and that there was plenty of water for the El Capitan dam below". I then stated that if the City of San Diego would stipulate to that effect there was no further use to continue the hearing, and I could go ahead. Indeed so far as my interests were concerned I would give free of charge to the City of San Diego, if they desired to build a dam at El Capitan, all my individual interest in the damsite and water rights. I several times tried to get Cosgrove to admit that we could build a dam at the diverting dam and catch all the water in the river, and South Fork as well, but Cosgrove did not see fit to make that stipulation. He

is in a bad hole, for three Congressmen told me afterwards: "Fletcher, you handled that beautifully, and you forced Cosgrove to come across, according to his statement, and if he doesn't, let us know" and it will go hard with him if he does not live up to his agreement."

You see, Cosgrove came here with a blanket resolution authorizing him to make any agreement he saw fit on behalf of the City.

I have this in mind, that the San Diego Flume Company must have been fools if they did not provide in the original Act of Congress a clause giving them the right to build at or near the diverting dam a dam as high as they wanted to go. I am going to look up the record and maps filed here in Washington, for I am under the impression that if the San Diego Flume Company were business men at all they must have some leeway for they never intended for all time to build only a diverting dam, and the probabilities are that my investigation will show that we can build the dam there at the diverting dam anyhow, according to our original contract, and there will be no necessity of getting a further permit from anyone, the only chance of might be with some riparian owners below.

My dander is up and this thing is going to be gone into to a finish; don't know just yet when I shall leave, but will be home in San Diego anyway, between the 10th and 15th of February.

With kindest regards,

Yours very sincerely,

The New Willard Hotel,

Washington, D.C.

February 4, 1918.

James A. Murray Esq.,

Monterey, California.

My dear Mr. Murray,

The unexpected has happened. The Bill has been introduced in the Senate, reported out to the Public Lands Committee of the Senate, a hearing by the Committee has taken place, a favorable report on the Bill was made, and it was reported out favorably, and is on the Calendar for a final vote on the entire Bill, all in less than 24 hours. Senator Phelan is going to try and pass the Bill today.

This is the way it happened: Mr. Wheeler and I, for fear that something of the kind might happen, went to the Chairman of the Public Lands Committee of the Senate (Myers) and also Senator Ashurst, Chairman of the Indian Affairs, and informed them that if any bill was introduced in the Senate, we wanted a chance to be heard. This was on Monday last. Tuesday afternoon, about 3.30 Senator Phelan, at the request of City Attorney Cosgrove filed in the Senate an identical Bill to the one that has been in the House for nine months. He asked it to be referred to the Public Lands Committee of the Senate, of which he is a member. The Committee met at a regular session at 10 o'clock Wednesday morning. Mr. Cosgrove was there and presented his case and made no mention of any objection to the Bill or that I was in Washington. There were only five Senators there, and it takes nine to make a quorum. Unfortunately Senator Myers was called into a conference with Secretary Lane and could not attend the meeting. It may be only

a coincidence that Secretary Lane had made a favorable report on the bill, saying that an emergency existed for Camp Kearney. It did look a little suspicious that the combination existed, but I can hardly feel that it was anything but a coincidence. The dirty thing of it all is the Kaiser of the City Hall, whose ruthless submarine tactics in this matter show that he is running true to form in not giving me a chance for my white alley, although in the House Committee, on this very same bill, we have been fighting it out for three days solid. If its the last act of my life I'll get that man if I have to stay here all summer to do it. I don't think that kind of dirty tactics will win out when the senators and congressmen know what he has done. I have started a back fire on him. Unfortunately senatorial courtesy is so strong that Senator Phelan now has the advantage, and it will be hard work to get that bill back into the Committee without Senator Phelan's consent. Unfortunately Senator Walsh is in Pasadena. I have seen Senator Johnson, Senator Myers and about a dozen other senators altogether. Senator Myers has promised to move that the bill be re-committed and fight it out on the floor of the Senate, if necessary. I am too discouraged for words to have anything like that put over on me and through no fault of mine, but every cloud has its silver lining.

I have spent nearly a day in the archives of the Government looking up the early history of the San Diego Flume Company, also have certified copies of the original contract and map. Am satisfied in my mind that the original grant of the United States Government gives us the right to build any height dam we want

James A. Murray Esq.,

page 3.

at or near the diverting dam. We don't have to ask any more favors of anyone under the original grant. Judge Henshaw will be in New York the seventh of February. I shall present all my data to him, and get an opinion as to whether we have a legal right or not.

If we have, then there is nothing to do but simply to delay the passage of the bill all we can, and in the meantime go ahead and build our dam and San Diego can whistle, for no one will build at El Capitan if we build at the diverting dam.

Don't know when I shall get home.

Yours sincerely,

Butte, Montana, February 14, 1918.

Ed Fletcher,
San Diego,
California.

Dear Sir:

Put in Memo

U I have read your brief, which is very good, and I am under the impression that you must have had somebody help you out; if not, and it be your own, I would suggest that you study law for a week and be admitted to the Bar, for I think you could make a sucker out of those other fellows who are side-stepping to keep out of jail. 9

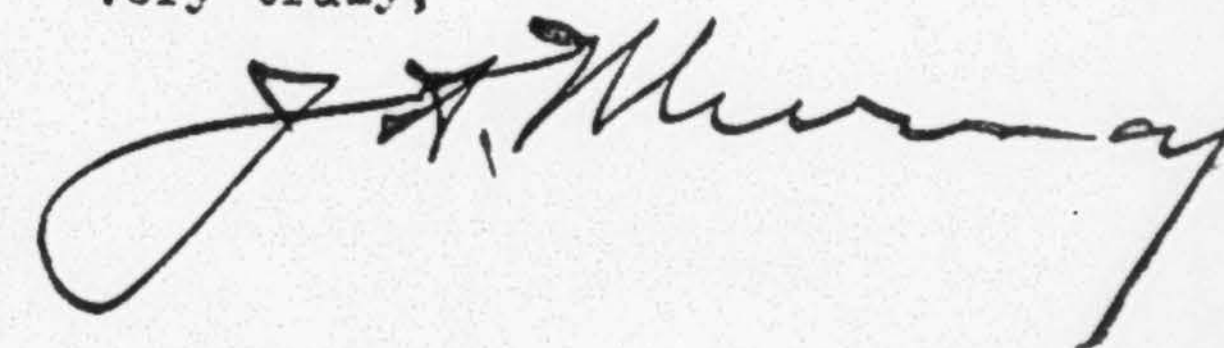
I received a telegram from somebody relative to the orders of the Railroad Commission, but that is one member of the Railroad Commission who happens to be a German, and I felt at the time that it was that old scoundrel who was the cause of it, and I didn't answer it, and I don't want to do anything in relation to the obstruction place in the spill-way, (if obstruction it be.) If the Railroad Commission wants it removed, let them remove it, and if I experience any damage through the removal, why there will be a huge damage suit brought against the gentleman personally, who directs the removal, and if I don't win why he will have a big attorney's fee to pay in case I bring a suit for \$200,000.00, as the amount of water those few feet preserve, might be worth a few hundred thousand dollars, therefore, upon your return do not remove it. If the Railroad Commission wants it removed let them notify me and I will let them know what they can do.

Ed Fletcher---2----

I am waiting here for a decision of the Court, and if you have heard of the insolence of office and that the law^{fi} delay, why, I am experiencing a siege of that kind now, and can't say exactly when I will reach San Diego, but am even more anxious to get there than you are.

I realize that you have done wonders in a way, in Washington, and so much better than I could do that there is no use in mentioning it.

Very truly,



JAM/RBL

Butte, Montana, February 16, 1918.

Ed Fletcher,
San Diego,
California.

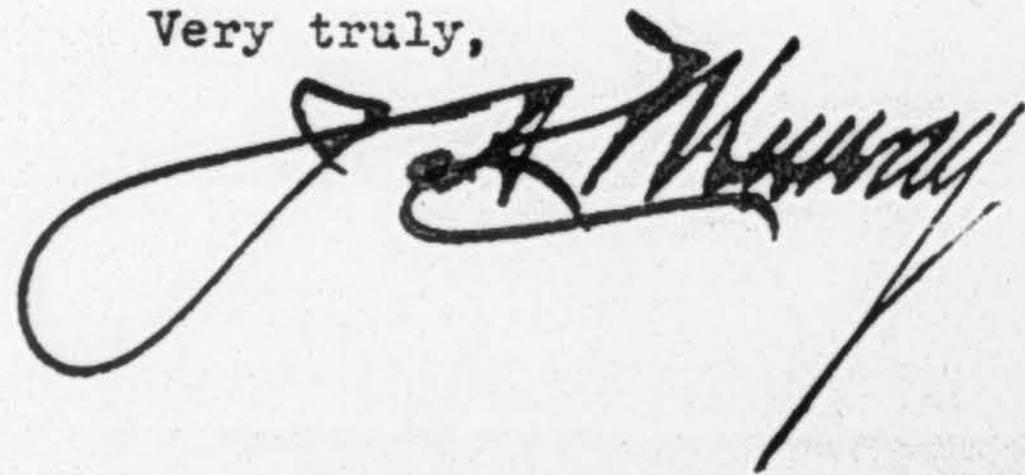
Dear Sir:

Enclosed you will find a couple of papers that will speak for themselves. We cannot afford to leave anything undone at this late hour; if for nothing else, the satisfaction.

You are certainly having nice weather in San Diego but it can't beat Montana weather which is refreshing, balmy and just crisp enough to enjoy it.

Don't think I will be able to get away from here for another week, or maybe more though I am very anxious to get to San Diego.

Very truly,



JAM/RBL

Feb. 18, 1918

Mr. Jas. A. Murray,
Butte, Mont.

My dear Mr. Murray:0

Received a telegram from the State Railroad Commission as follows:

"Commission is informed that you have obstructed the spillways at Cuyamaca Reservoir by building earth dikes in same. If this is true we direct that the obstruction be removed immediately and that no obstruction be placed in any reservoir or spillway except with express permission of this Board. Report at once."

Railroad Commission of California."

I have done nothing and will not except under your written instructions. Of course as a matter of policy we have got to go before them again very soon, and we don't want to make them any madder than it is necessary but if you can stand it I can, although from a policy standpoint there is a question as to whether it is the right thing to do or not. As long as you are willing to assume the responsibility I don't care. If you say she stays, there she stays until the Railroad Commission moves it out.

You must have been feeling pretty good when you wrote your letter to me of Feb. 14th. I think that is the first complimentary letter I ever got from you. But I want you to understand that I composed, dictated, and without any assistance whatsoever, wrote the brief, a copy of which I sent you. One Senator asked me if I was an attorney. I told him no, and that this was my first case. He did have the courtesy to tell me in the presence of the City Attorney, Mr. Cosgrove, that I had made a remarkable presentation. The fact remains, however, that the Commission of Indian Affairs, and Secretary Lane buffaloed by Senator Phelan and Congressman Kettner, were both of them run off their feet the last thirty days by the claim that the City of San Diego is in urgent need of water and the Government troops at Camp Kearny would be liable to have no water, with the result that they were both stampeded, and their signatures consenting to the city's petition were secured, really by false pretenses, but once they are signed up neither one of these gentlemen will retract, though I really think they now see the justice of our claim. But their only reply is, "Perhaps you are right, Fletcher, but you have the Courts to fall back on if the City does you injustice." Which is true, and being a private corporation, we have about as much show as a jack rabbit

JAM -2-

with a dozen hounds behind it. However, I am well pleased with the trip. We gave them a run for their money and the main thing is, we have found out that we can build a diverting dam to any height we want.

I went to New York and saw Chief Justice Henshaw, and the following is his opinion as to our right to build the dam to any height we want it:

"Col. Ed Fletcher,

"To say Congressional Act does not in terms grant right to build dam does violence to manifest intent and scope of act which gives everything necessary for accomplishment of and the conservation and use of water for public benefit stop your brief most fair and convincing. Feel certain department of Interior alone to conditions in Southern California will construe act in accordance with its manifest intent and your construction thereof. Have not slightest doubt outcome of litigation would uphold your contention but litigation inevitably would result in long delay involving loss to company and deprivation to public."

I am getting the plans out for a dam at the diverting dam, high enough to catch all the water, and hope to have bids in within the next two or three weeks to submit to you for your approval. It is now or never with us, and over half of the total value of our property is, in my opinion tied up in control of the water in our diversion points, and also our diverting dam at South Fork.

I got five or six amendments tacked onto the bill that materially strengthen our hand, but eventually, I am afraid this session the congress may pass the bill, and once it is passed it means litigation for many years with the City if we attempt to start building the diverting dam later, while if we build it now, and get it going, I do not believe we will have the opposition from the City after the contract is once let, and work is in progress. We may have some trouble with the riparian owners below which can be easily adjudicated in court if necessary.

Hope everything turns out favorably for you in your litigation in Butte.

Please notify the Southern Trust & Savings Bank to transfer \$5000.00 to pay for work done in January by Shapp & Fellows and in the securing of the reservoir site, Mr. Bartl's salary, employees, etc.

The dam is completed, was accepted today by Mr. Bartl and Mr. Eastwood, and is the finest piece of work in this county. The water is sixty feet in the dam already, running through the spillway of the old dam, and in ten days the water will be over

JAM -3-

the top of the old dam. The seepage through the dam is remarkably slight,- nothing like Big Bear at all, and even where there is some sweatage, it is gradually ceasing.

We have had a nice rain and nearly a foot of snow at Cuyamaca Lake. I may win that \$5.00 from you yet on the Murray Dam being full the first of June.

I am sorry to say that the Sharp-Fellows people have made an actual cash loss of \$33,000.00, but have come through in great shape.

Don't fail to write a letter to the Bank transferring the \$5000.00 because I need it as they are demanding their money.

Drop me a line when you expect to come down this way.

Yours very truly,

EF/bm

2-27-18
77
Butte, Montana, February 21, 1918.

Ed Fletcher,
San Diego,
California.

Dear Sir:

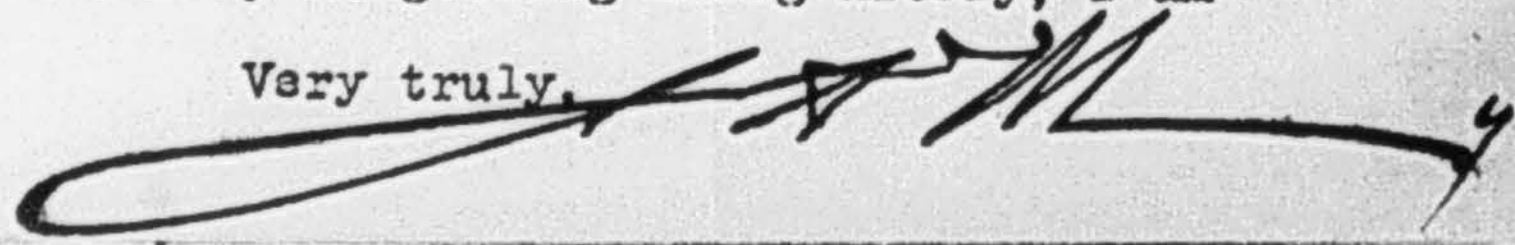
I just got here about fifteen minutes ago and find your letter of the 18th. I note what you say about the dam. Just let it stand for a little while, and if they are in a hurry to move that dirt, why, let them move it.

You also speak of having plans for the diverting dam drawn. I don't want any plans drawn, which will cost anything. If you can have plans drawn that will not cost anything, all right. I am not a particle alarmed about building a dam. Whenever I am ready will be all right, but I don't think I will be in a hurry for a few days, but if you feel like building that dam to any height, why you have my permission.

You also spoke of Bartell and Eastwood accepting the dam. I wonder who told them to accept that dam. I believe I am the fellow who should accept that dam, and I will insist on it, and as to contractors having lost \$33,000.00 on it, that reminds me of the Jew having a placard on a suit of clothes in the window marked \$35.00 formerly cost \$90.00.

Am in a muddle at present and don't know when I can get down to San Diego, but will get down there as soon as convenient. I guess things will keep; if not, why they can spoil.

Hoping that the family is getting along nicely, I am

Very truly,


JAM/RBL

Feb. 22, 1918

Mr. James A. Murray,
Butte, Montana,

My dear Mr. Murray:-

Yours of February 16th at hand, also copies of Walsh's telegrams. When Cosgrove did the dirty work I had fifteen or twenty Senators telephone Senator Phelan and tell him there was a fight on if he did not refer that bill back to the Committee. I had the pleasure of hearing Senator Johnson over the telephone, tell Senator Phelan that if he did not refer that bill back and give me a chance Senator Johnson would move that the bill be recommitted and fight it out on the floor of the Senate. It was up to Senator Phelan to fight it out on the floor of the Senate or back up. Senator Phelan backed up and moved that the bill be referred, himself, although Senator Phelan told me that City Attorney told him that there was no opposition to the bill. Think of it, when I had been fighting Cosgrove two days before the Public Lands Committee. Cosgrove will do everything but murder.

Everything is going nicely here and in ten days or two weeks I will have the surveys all done, the specifications ready and bids for the dam at the diverting dam ready to submit to you. Mr. Eastwood, Mr. Harritt and Mr. King have gone over the whole proposition including the Healion damsite, the diverting dam, and below, and they have agreed there is no better site for the dam than right there at the diverting dam. If we can only hold this thing off in the Senate for a couple of weeks and be able to wire then that the contract has been let for the dam on the San Diego River there will be nothing to do.

Enclosed find copy of letter I have written to the Railroad Commission today regarding the Cuyamaca Dam.

Yours very truly,

EF/bm
encl

CAPITAL AND SURPLUS \$700,000 00

AMERICAN SAVINGS BANK & TRUST CO.

SECOND AVE. AT MADISON ST.

J. A. MURRAY, CHAIRMAN
GEO. B. BAKER, VICE PRESIDENT
B. B. LUTEN, SECRETARY

J. P. GLEASON, PRESIDENT
JOHN K. BUSH, CASHIER
A. T. DREW, ASSISTANT CASHIER

SEATTLE, U.S.A.

February
25th,
1918

Feb. 26, 1918



AMERICAN BANK BUILDING

Mr. Ed. Fletcher,
San Diego, Calif.

Dear Sir:

Replying again to your recent letter will say that I don't believe you could accomplish anything if you were in Washington as I believe they have everything cut and dried. However I will send you a wire tonight or tomorrow and if Senator Walsh is over to Caronado you might call on him and show him my telegram. However, I don't believe he can accomplish anything when he is not on the ground and I doubt whether he could then, as it seems Mr. Cosgrove has filled those people with misrepresentations. However, I don't expect to live long enough to see those fellows build a dam up there on the San Diego River.

I am going up to British Columbia in a day or two but will be in Butte within eight days as I will return by the Northern route.

Yours very truly,

Mr. James A. Murray,
Butte, Mont.

My dear Mr. Murray:-

Yours of the 21st at hand and contents noted.

I shall not move the dike out of the Cuyamaca spillway without your approval.

The plans for the diverting dam are being made by Mr. Eastwood and will cost you nothing. If you accept the plans and have him for the engineer he will want the usual commission that all engineers get for furnishing plans and passing on the work. I will ask for informal bids so that when you get here you can get an idea of the cost and then make your decision. We have the advantage now. If we commence the construction of this dam the bill will never pass in Congress and it will save us endless litigation, for I am satisfied that enough pressure can be brought to bear to keep the City Council from fighting us.

Bartl and Eastwood have written the Cuyamaca Company a letter approving the dam as it stands. As a matter of protection to us, I wrote the Railroad Commission asking them to send down their engineer to approve and accept the dam themselves. Personally, I am not in favor of accepting the dam until the Railroad Commission has first approved it, no matter what Bartl and Eastwood say, and you certainly know me well enough to know that I would not accept the dam until you had approved it. I am going to get a letter from Sharpe & Fellows Company stating that they lost \$33,000. on the job, so that we can introduce it in evidence and get credit for it, for I am of the opinion that the Railroad Commission will try to deduct the cost of the La Mesa Dam from the valuation they make on our property hereafter. They have intimated as much.

Don't worry about things here. They are going along all right. The only thing that I do hope is that you have written the Bank to let us have \$5000. more to clean up the January work. It is imperative. Everything else can hold up a month or six weeks if necessary. In fact, we don't have to pay for 35 days from date of acceptance of the dam, if I remember the contract correctly.

I arrived in San Diego the day before Number Ten was born. Her name is Virginia Fletcher, and she is a fine specimen. Mrs. Fletcher is in good condition and will return home tomorrow.

Cosgrove is still in Washington, telegraphing to the City Council every day or two and moving heaven and earth to get this bill passed.

The wonder of wonders has happened; I called a mass meeting at Lemon Grove Saturday night. The attendance was greater than at any water hearing ever held before in the town. I presented our case: told them I was not there to beg their support, but that our interests were mutual; that the Cuyamaca Water Company was their only source of supply for future growth; that the building of El Capitan Dam and the pipe line down the river would take away their future heritage, and do you know, they unanimously passed resolutions and sent telegrams to the Senate and House Committees urging that Congress take no action which will interfere with our building dams at our intakes. This was very gratifying to me for they gave me a great reception. So I called a mass meeting at La Mesa last night. The Opera House was well filled, although it was raining hard. I might mention that the entire City Council, City Attorney Thorpe, the City Manager Mr. Lockwood, came out from San Diego to the meeting and protested against the City of La Mesa passing any resolutions against El Capitan and in our favor. One or two of the Councilmen were really insulting. It was a three hours fight but I stayed with them to the finish, and you can imagine my surprise when the City of La Mesa unanimously voted to support me and turned the City of San Diego down. Strong telegrams have been sent to Washington, and of course I gave them assurances that the diverting dam would be built soon, and that is what did it. But the City Council was so insulting, it made me many friends among the citizens of La Mesa, and they told the City Council of San Diego what they thought of them. Mayor Wilde has come out with the dirtiest kind of an article against me and in favor of City Attorney Cosgrove. Resolutions have been passed by the Chamber of Commerce, The San Diego Merchant's Association, favoring the City and the fight goes merrily on. But I am afraid that on Wednesday the Committee will take some action. It is a wonder I have been able to stave it off as long as I have, and I do hope Senator Walsh is there to make a fight.

I hope you are well. With kindest regards,

I am

Very sincerely yours,

EF/bm

Feb. 27, 1918.

Mr. James A. Murray,

Butte, Montana.

My dear Mr. Murray:

Nothing ever made me so happy as to go to Lemon Grove and La Mesa, the hotbed of the Cuyamaca consumers, where I supposed they were hostile to me. I called a mass meeting at each place; had big crowds -and think of it! They unanimously stood behind me! Not a dissenting voice, and at both mass meetings they telegraphed the Senate and House Committee backing up the Cuyamaca Water Company's position.

The City Council of San Diego was so vicious that they came out there - all of them - to the meeting, including the deputy City Attorney, who put up a strong talk; also the City Manager. But I fought them one by one, and had a chance to come back at each one after he had made his speech. It was the most intense and exciting experience that I have ever been through in my life. It lasted until eleven o'clock, and when Councilman Moore made a very insulting statement and ended up by saying that Ed Fletcher was working for Ed alone a number of the farmers rose up and gave him hallelujah, and I turned it off in a nice way without dealing in personalities with any of them by saying that I thanked all the Councilmen for coming there; that I felt honored, but as far as Moore was concerned I did not care to have any discussion, for it was Moore who voted to pay Hatfield \$10,000 to fill Moreno Dam, and no explanations did I feel were necessary. It brought down the house, and I was the happiest man on earth to know that the entire bunch of consumers of the Cuyamaca Water Co. are behind us to a unit.

Enclosed find clipping from the Sun, which is explanatory, showing the resolution that was passed.

Mass meetings will be held at Bostonia, El Cajon and one or two other places, in the very near future. My game is first, to show that it is a fight municipality against municipality, not a corporation; second, that the City Council are not backing up the statements made by Mr. Cosgrove before the Public Lands Committee, and if I can create a doubt in their minds as to the integrity of the City Attorney, there will be nothing doing this session of Congress.

Yours very truly,

F-S

WESTERN UNION TELEGRAM

Form 260

GEORGE W. E. ATKINS, VICE-PRESIDENT NEWCOMB CARLTON, PRESIDENT BELVIDERE BROOKS, VICE-PRESIDENT

RECEIVER'S No.	TIME FILED	CHECK
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SEND the following Telegram, subject to the terms on back hereof, which are hereby agreed to

February 28, 1918.

James A. Murray,
Butte, Montana.

Senator Walsh not at Coronado, left some time ago. Cosgrove still in Washington. He has had five conferences with Senate Committee, but no action taken yet. Received telegram from Senator Myers. Action will undoubtedly be taken next Wednesday. Mass meeting Lemon Grove and La Mesa, unanimously supported Cuyamaca Water Company's contention, and they sent telegrams of protest against city's bill. Use every effort on Senator Myer and Walsh to see no action taken next Wednesday by Committee in Washington.

Ed Fletcher.

chge Ed Fletcher Co.

February 28, 1918.

Mr. James A. Murray,

Butte, Montana.

My dear Mr. Murray:

Enclosed herewith find final report of Mr. Bartl covering everything on Murray Dam.

Yours very truly,

F-S

CLASS OF SERVICE	SYMBOL	CLASS OF SERVICE	SYMBOL
Day Message		Day Message	
Day Letter	Blue	Day Letter	Blue
Night Message	Nite	Night Message	Nite
Night Letter	N.L.	Night Letter	N.L.

WESTERN UNION TELEGRAM

NEWCOMB CARLTON, PRESIDENT GEORGE W. E. ATKINS, FIRST VICE-PRESIDENT

If none of these three symbols appears after the check (number of words) this is a day message. Otherwise its character is indicated by the symbol appearing after the check.

RECEIVED AT

C232GS BG 18

SPOKANE WN 1255P FEB-28-1918

ED FLETCHER

384

SANDIEGO CAL

THINK SENATOR WALCH IS AT CORONADO IF SO GO SEE HIM
TELL HIM I WIRED YOU BUTTE SATURDAY.

J A MURRAY

119P

MONIDAH TRUST
BUTTE, MONTANA

Butte, Montana, March 2, 1918.

CLASS OF SERVICE	SYMBOL
Day Message	
Day Letter	Blue
Night Message	Nite
Night Letter	N L

If none of these three symbols appears after the check (number of words) this is a day message. Otherwise its character is indicated by the symbol appearing after the check.

Form 1204

WESTERN UNION TELEGRAM



CLASS OF SERVICE	SYMBOL
Day Message	
Day Letter	Blue
Night Message	Nite
Night Letter	N L

If none of these three symbols appears after the check (number of words) this is a day message. Otherwise its character is indicated by the symbol appearing after the check.

NEWCOMB CARLTON, PRESIDENT GEORGE W. E. ATKINS, FIRST VICE-PRESIDENT

RECEIVED AT

C132GS BG 26

BUTTE MONT 1053A MAR 2 1918

ED FLETCHER

236

CUYAMACA WATER CO SANDIEGO CAL

UNDERSTAND SENATOR WALSH WILL REACH WASHINGTON TONIGHT WIRE HIM WHAT TO DO AS YOU ARE FAMILIAR WITH SITUATION AND SIGN YOUR NAME AND WIRE TO TELEGRAM

JAMES A MURRAY

1016A

Ed Fletcher,
Cuyamaca Water Co.,
San Diego, California.

Dear Sir:

I received a communication from a lady named Mrs. P. E. Keith, who gives her address as 4638 Terrace Drive, Box 308, Route 2, San Diego, wherein she states she desires to negotiate a loan on some property, and she uses your name as reference, among others. Will you be good enough to tell me what property it is, and what it is worth.

If the Courts do not decide my cases within the next week or so, I will have to jump on the train and go to California and attend to ^{things} ~~it~~ even though I dislike traveling, but I guess that is the only course that is left.

Very truly,

J. A. Murray

JAM/RBL

*see by your Mass meetings
That when it comes to "Counsellors"
you are there with both feet*

WESTERN UNION

Form 200

TELEGRAM

GEORGE W. E. ATKINS, VICE-PRESIDENT

NEWCOMB CARLTON, PRESIDENT

BELVIDERE BROOKS, VICE-PRESIDENT

RECEIVER'S No.	TIME FILED	CHECK
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SEND the following Telegram, subject to the terms on back hereof, which are hereby agreed to

San Diego, Cal. March 5, 1918

James A Murray
Butte, Mont.

Walsh in Washington. Wheeler wires urge you send him strong telegram today urging delay. Senate Committee meeting tomorrow morning.

Ed Fletcher

Chg Cuyamaca Water Co.

March 5, 1918.

Mr. James A. Murray,
Butte, Montana.

My dear Mr. Murray:

Enclosed find testimony of the hearing that will no doubt be of interest. .

Please take the time to read the history of this case, and you can realize what I have been up against as never before, and if I didn't fight the case right, write and give me a roast.

Very sincerely yours,

ENCL.
EF-MK

WESTERN UNION

Form 200

TELEGRAM

GEORGE W. E. ATKINS, VICE-PRESIDENT

NEWCOMB CARLTON, PRESIDENT

BELVIDERE BROOKS, VICE-PRESIDENT

RECEIVER'S No.	TIME FILED	CHECK
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SEND the following Telegram, subject to the terms on back hereof, which are hereby agreed to

San Diego, Cal. March 5, 1918

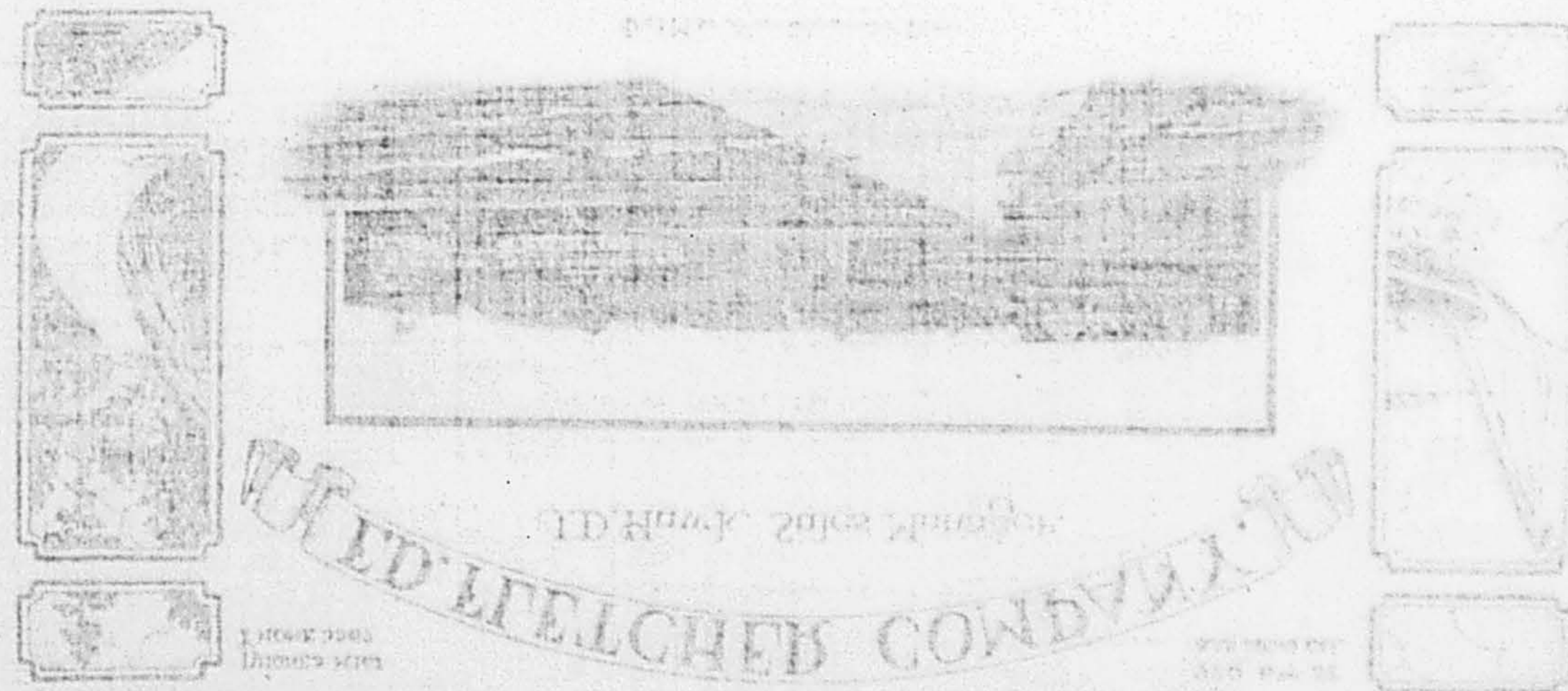
CONFIRMATION

James A Murray
Butte, Mont.

Walsh in Washington. Wheeler wires urge you send him strong telegram today urging delay. Senate Committee meeting tomorrow morning.

Ed Fletcher

Chg Cuyamaca Water Co.



March 5, 1918

Mr. James A. Murray,
Butte, Montana.

My dear Mr. Murray:-

Enclosed find copy of telegram sent Senator Walsh today. I received a telegram from Mr. Wheeler today from Washington, as follows:

"Suggest you request Mr. Murray wire Senator Walsh urging postponement."

I sincerely trust you will send telegram to Senator Walsh; am surprised that you have not. The Senate Committee meet Wednesday morning, and I am informed by Senator Myers action will probably be taken, unless enough influence is brought to bear to stop it.

Yours very truly,

EF/bm

encl

March 5, 1918.

Mr. James A. Murray,

Butte, Montana.

My dear Mr. Murray:

Yours of the 2d at hand. Mrs. Keith owns the Southeast corner of Eighth and E, cater-corner across from me and directly across from the public library. The opposite corner sold for \$45,000 three years ago. Mrs. Keith says she was offered \$50,000 and refused it. I was offered \$27,000 for my inside lot that I built on, before I built. If there is any property in San Diego that has any value, the 50 x 100 owned by Mrs. Keith today is worth 55 or \$40,000, if it worth a nickel. It has a very fair, two-story house on it and is assessed by the City at 24 ~~6~~ \$25,000. I understand she wants a loan of about \$20,000.

Mrs. Keith is a lovely woman. I have known her from boyhood, and you couldn't do a better act of kindness, in my opinion, than loan her the money. If you will only place \$5,000 to our credit so that we can check out the January expenses you will be doing me a kindness, and there is no particular hurry for your coming to San Diego for two or three weeks.

It is impossible to describe the scrap that is going on by letter. I have the City Attorney tied up in a knot, have proved him the biggest liar on earth, and yet he is in Washington staying with it. I cannot help but admire his persistency, and it looks as if he would get away with it and get some kind of a bill through; although I had six different amendments tacked to it when in Washington.

I held a mass meeting in Bostonia last night. It was unanimously in our favor, with Gordon as Chairman and endorsing it. Enclosed find clipping. Will wonders never cease?

I am having surveys of the three damsites made.

Yours very truly,

EF-MK

Butte, Montana, March 8, 1918.

March 8, 1918.

Mr. James A. Murray,

Butte, Montana.

My dear Mr. Murray:

Enclosed find clippings showing resolutions passed by La Mesa, Lemon Grove, Bostonia and Spring Valley backing up the Cuyamaca Water Co. in this El Capitan fight; also water rightup in the Sun Annual which I am sure will be of interest.

No matter if we lose in the El Capitan fight in Washington I am repaid for all my trouble in the knowledge that almost to a man the Cuyamaca Water Company's consumers are with us, and it makes me feel that after all our work in the development of the Cuyamaca system is commencing to be appreciated.

Yours very truly,

ENCL.
EF-MK

Ed Fletcher,
San Diego,
California.

Dear Sir:

I received your letter containing clippings, also book in reference to case at Washington. I haven't had time to read either of them yet, but hope to within a day or two.

My case was decided a few days ago, and was decided in my favor, although the findings have not been made out yet, but they will be today or tomorrow, then I will visit Livingston and see what can be done. This case, if I recollect right, I told you was to bring an injunction against the City of Livingston to prevent them from interfering with the property formerly owned by the Livingston Water Works. The Federal Court some two months or so, ago, decided our franchise was perpetual. I don't know what will be done until I have an interview with the City of Livingston.

A very heavy fall of snow fell last night, and I am not able to get around as fast as an elk.

As to you wanting a cheque for \$5,000.00, it makes me laugh to think I have two partners, both millionaires, and when they want two or three dollars they have to write to me for same. It seems to be a decree of fate; everybody that I am interested with is in the same boat. I realize that you and Mr. Henshaw are worth it, but you don't seem to make an effort to get it when you know that you can get it by writing to me; it looks like getting money from home, however, I will send you this cheque for \$5,000.00

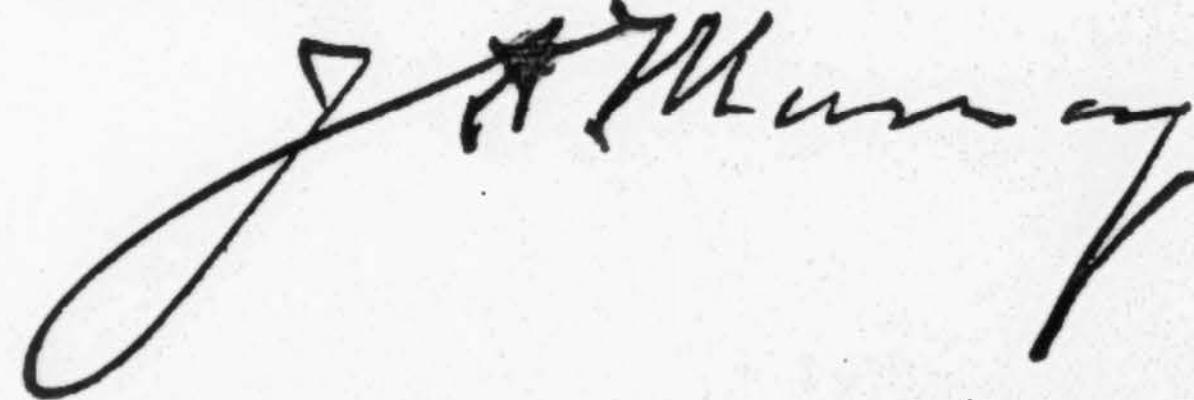
Ed Fletcher, ---2---

but I want you to have Matthews give me credit for the \$10,000.00 I advanced while in San Diego a while ago, as when I vist San Diego there will be a general settlement, and we will all know where we stand.

I see by a portion of a clipping you sent, that our friend Sauer is on the job, and still with us, which I appreciate very much.

I am under the impression that it will all come out in the wash, although I am getting awfully tire of washing dirty clothes.

Very truly,



JAM/RBL
Enc.

March 9, 1918.

Mr. James A. Murray,
Butte, Montana.

My dear Mr. Murray:

The Senate committee have passed the bill favorably out of committee after adding five or six amendments, which I strongly urged. The most important amendment which they included is as follows:

"That the rights of way hereby granted are, and shall be subject to all appropriations of water heretofore made, and to all legal rights heretofore acquired by any persons persons or corporation in or to the above described premises"

This takes the teeth out of the bill and puts us in a very advantageous position in court in case of litigation.

The Public Lands Committee of the House has not acted, but instead, I see by today's dispatch that Kettner has introduced a new bill, which gives outright in fee simple the reservation rather than an easement.

Last night the merchants association of La Mesa, 90% of the organization being present, by resolution unanimously supported our position, and sent telegrams to Washington. We have accomplished what I believed was impossible, and that is the united support of the back country in our favor, and against the city. We are sure making the city council squirm, and they see it coming, a committee from all the towns in the back country under our system demanding that the city give the Cuyamaca Water Company a square deal. We can sit back and let them fight it out. I never had so much fun in my life, but it has been the most strenuous of my life.

I hope you will telegraph Senator Walsh to move heaven and earth so that the bill cannot pass by unanimous consent. We can depent on Senator Johnson, Senator Kellogg and possibly Senator Myers; also Senator Walsh to oppose the bill under all conditions. The only danger is that the bill will be brought up by Senator Phelan during their absence, and passed by unanimous consent. In the House I believe we have more friends, but there is always danger if we can kill action

ED FLETCHER COMPANY

JAM-2

on the bill by unanimous consent, it will have rough sledding and be some time before it is ever brought to a final vote; but in all probability will eventually pass.

When I get the number of the new bill both in the House and Senate I will let you have it, and hope that you will write every Senator and Every Congressman, where you have any influence, asking them to object to the considerations of the bill.

Yours very truly,

March 11, 1918.

Mr. James A. Murray,

Butte, Montana.

My dear Mr. Murray:

I acknowledge receipt of your check for \$5000, which has been deposited to the credit of E. O. Hodges, Trustee, Murray Dam Construction Fund. In this way Mr. Hodge will have complete handling of the funds and have the original b vouchers in his possession, so that the entire receipts for the construction of the dam will be in his hands.

Yours very truly,

UYAMACA WATER COMPANY,

F-S

By _____

920 Bth St
SAN DIEGO CAL

J.D. Hawk Sales Manager.

ED. FLETCHER COMPANY

1 HOME 3567

Del Mar From Pleasure Pier

March 12, 1918

Mr. James A. Murray,
Butte, Montana.

My dear Mr. Murray:-

Yours of the 8th at hand, also check for \$5000.00.
It is sure appreciated.

You forget that I am drawing no salary from Cuyamaca Water Company, neither am I from Mr. Henshaw, for I share the profits with him, that no real estate is selling. I have had no large source of income and have a big family to feed. The Doctor's bills last month have been nearly a thousand dollars. Henshaw is tremendously interested, but he has had to put up over \$200,000. for the cement plant and over a half million through me the last eight months, and both of us are actually strapped for ready money until we can sell something. We will soon sell the San Dieguito Mutual Water Co., thank the Lord, and I will then be out of debt for life. In the meantime, for heavens sake be a little patient with us.

Murray Dam has jumped from 47 feet until it now has 72 feet of water in it, or twelve feet over the top of the spillway of the old Murray Dam. She is sure a wonder. Cuyamaca Lake is within four feet of being full to the spillway. We had three inches of rain yesterday.

Enclosed find clippings which I want you to be sure to read. The Merchants Association of La Mesa unanimously passed a resolution in our favor and it was telegraphed East. A meeting will soon be held between committees from the different towns and city council. There never was such a scrap on in San Diego as on this El Capitan Bill and the papers are full of it. Mayor Wilde and the City Council tried to befog the issue and camouflage the situation.

Enclosed find signed statement which I believe clarifies the situation and which I felt was necessary to put the City Hall bunch on the blink. The truth is Cosgrove is the biggest liar on earth. He tried to get away with it by saying the City would not oppose our building at the diverting dam. Cosgrove could not make any promise in Washington that would hold good, and the City Council have already repudiated it, and before I get through with our friend Cosgrove I am going to get him fired or the City Council will be repudiated. I have had about fifty of the best business men of the city come to me the last few days

-2-

and say that the City should own the Cuyamaca System. For somewhere around \$300,000 we can build a dam at the diverting dam that will take the crimp out of the city and El Capitan forever, and make our property worth \$2,000,000. if it is worth a nickel.

I am awfully glad to hear things are going your way there. Mathews has given you credit for \$10,000. and with this \$5,000. makes \$90,000. that you have put up. I have not paid out any of this \$85,000. excepting with the signature of either Mr. Faude or Mr. Bartl, and all the vouchers are over at the Bank.

I had a talk with Mr. Henshaw the other day, and while he is frightfully hard up for ready money, he said he would put up both my share of the money and his for the cost of building Murray Dam, over and above the \$100,000. mortgage, and gave me authority to draw on him for it. But I will wait until you come down now and we can clean it all up at one time. We have kept Murray Dam entirely separate and will have the statement of the cost of Murray Dam completed up to the first of March, and will also include the cost of the condemnation of the lands within the reservoir site, so that the whole thing can be turned into the books at one time in any manner that you see fit.

Yours very truly,

EF/bm
encl

Butte, Montana, March 12, 1918.

Ed Fletcher,
San Diego,
California.

Dear Sir:

I notice by your letter and different clippings that there is being a whole lot of camouflage dished around in that county. They should change the name of that county and call it the County of Camouflage, for I think they are the limit when it comes to the "bull".

Now, if the bill in Washington should be passed, which I think it will be, I don't see that they gain anything, if as you say, the following amendment will be endorsed, i.e. That the rights of way hereby granted are, and shall be subject to all appropriations of water heretofore made, etc. etc.

It seems to me that that is all the Cuyamaca Company wants, and if it were an individual that sought the rights that the City is seeking, I wouldn't be in favor of throwing any obstacles in his way, as I would like to see him separate himself from his money, but when the taxpayers are "mulched", and I am one of them, why it is altogether different, you know.

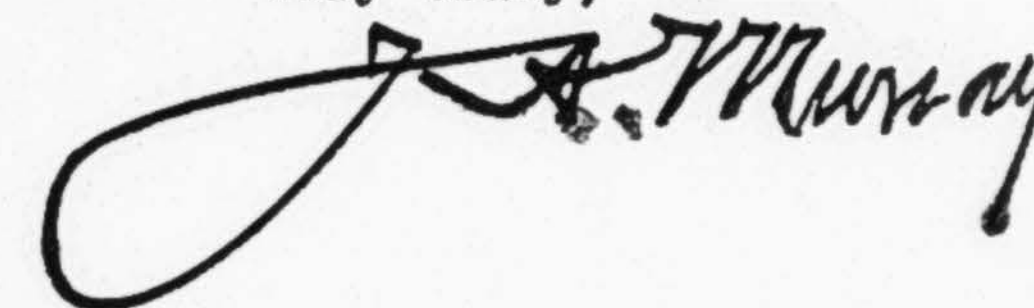
I got a favorable decision the other day in both of my cases in the Federal Court, and am going to Livingston tomorrow or next day, but do not know what turn of affairs will take place next.

I wired Senator Walsh as you suggested, a few days ago,

Ed Fletcher----2----

and had I known that Congressman Jeanette Rankin was one of the Committee, I could have had a friend whisper in her ear, although taking it on a whole I don't know if we will win anything as it is. *if we win the case*

Very truly,



JAM/RBL

March 13, 1918

Mr. James A. Murray,
Butte, Mont.

My dear Mr. Murray:-

I just received word from Wm. R. Wheeler, who writes as follows:

"Senator Walsh returned Sunday and I promptly brought your matter to his attention, leaving with him a copy of the hearings before the House Committee. Senator Walsh felt that inasmuch as he has already requested one postponement by wire from California to Senator Phelan, he could not well ask another. I had hoped however, that upon receipt of Mr. Murray's wire he might appear before the Senate Committee yesterday with me, but he failed to show up. I made a vigorous but unsuccessful appeal before the Committee for further postponement. And the best I could do was to secure the adoption of the amendment to Section #3."

Mr. Wheeler has been doing fine work for us and is going to stay with us to the last ditch. The Bill has been approved by the House Committee and Cosgrove wires that it will probably pass within the next week or two. In my opinion there is nothing to it, and it will be some time before the bill passes.

Murray Dam now has 75 feet of water, and from every indication will be filled to the top, and I win my bet long before the 1st of June. We had 11 inches of rain in the past thirty six hours at Cuyamaca Lake, and the San Diego River is running to the ocean in a torrent. Cuyamaca has jumped up fully three feet and is now within less than a foot and a half of going over the spillway, but we have the dikes still in. The Railroad Commission have not seen fit yet to take them out. Don't worry about San Diego. Everything is coming along nicely here.

Yours very truly,

cc WGH

March 15, 1918

Mr. James A. Murray,
Butte, Montana.

My dear Mr. Murray:

Enclosed find pictures and letter from Mr. Harritt, which will show you what kind of floods we have had and the water that is going to waste, which the city is trying to get.

Yours very truly,

F-S

Butte, Montana, March 16, 1918.

Ed Fletcher,
San Diego,
California.

Dear Sir:

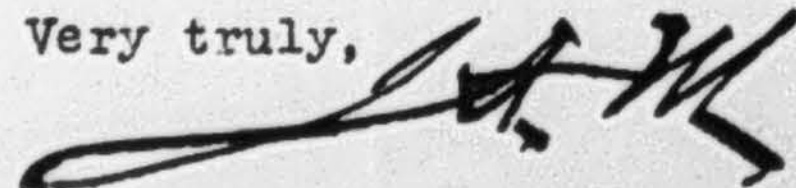
Just received your letter of the 12th inst. containing some clippings. Either you are giving the people a lot of camouflage, or else you misinterpret that telegram of mine to you at Washington. The bill that was sought was that Mr. Cosgrove ~~would give them~~ ^{was to be given} eight years within which to complete that dam. I believe my telegram to you was to ~~complete~~ ^{Build} that dam, in eighteen months if they would give you ~~that~~ contract. I would agree to building any kind of a dam in eighteen months in San Diego County, if the parties desiring the dam, would put up money enough.

You spoke to me about Mr. Eastwood and other parties examining the diverting dam with a view of building a dam at some future time, and I believe I told you not to spend a nickel on that proposition as if I should ever be able ^{or wanted} to build a dam at the diverting dam, I should never have to ask anyone's permission. It seems to me that some people are crazy to have their name appear in public.

You did not ask anybody's permission to build the Hodges Dam, but Mr. Henshaw paid ~~me~~ enough for his "whistle" in connection with that dam, in the shape of acquired property. I don't believe we should ever have to acquire property around the diverting dam if we should ever want to improve matters in that locality.

Am going to Livingston, but don't know what will take place.

Very truly,



JAE/RBL

March 18, 1918

Mr. James A. Murray,
Monterey, Calif.

My dear Mr. Murray:-

I am sending by Wells Fargo Express two copies of the annual report of the Cuyamaca Water Company, for the year ending December 31st, 1917, as per your request the last time you were in San Diego.

I trust you will receive same safely.

Yours very truly,

CUYAMACA WATER COMPANY.

LBM/bm

Secretary.

March 18, 1918

Mr. James A. Murray,
Butte, Montana.

My dear Mr. Murray:-

I have deposited \$800.00 in the Southern Trust
& Commerce Bank to your credit, interest on the \$20,000
loan to the Riverside Portland Cement Co. Enclosed
find copy of notice, also duplicate deposit slip.

Yours very truly,

EF/tm

March 18, 1918

Mr. James A. Murray,
Monterey, Calif.

My dear Mr. Murray:-

I have deposited \$800.00 in the Southern Trust
& Commerce Bank to your credit, interest on the \$20,000
loan to the Riverside Portland Cement Co. Enclosed
find copy of notice, and duplicate deposit slip.

Yours very truly,

EF/tm

March 18, 1918

Mr. James A. Murray,
Monterey, Calif.

My dear Mr. Murray:-

Enclosed find Senate Bill as amended, which will be of interest. However, we have other changes in the House Bill. I will have a copy soon and mail same to you.

I have certainly had some friends there who have worked hard for us, particularly Congressman Elston, Congressman Church, Congressman Hayden, Senator Kellogg of Minnesota, Senator Johnson, also Mr. Wheeler.

Yours very truly,

EF/bm

March 18, 1918.

Mr. James A. Murray,
Butte, Montana.

My dear Mr. Murray:

Answering yours of the 12th: so you call this a County of Camouflage. You forget that I have a reason for stirring up this row in San Diego this way. The reason is that it is educating the public. When the time comes to vote bonds there will be such a confusion in the minds of the people that they will vote the bonds down.

There is a possible chance yet of killing this bill this session of Congress and I am working on it. I had the pleasure of insisting upon and getting six amendments to the original bill of Mr. Cosgrove's, not the least of which is that, "Subject to all appropriations of water heretofore made, etc.," That pulls the teeth out of the bill. The Sun, which is the largest circulated paper in town, is with us.

Enclosed find clipping showing that I gave James G. Scripps deferred classification. I am sure I will win out with the President, who will reverse the decision of the Board.

Be sure and have your friend write to Congresswoman Jeanette Rankin. It is not too late yet.

Murray Dam has 76 feet of water in it and Cuyamaca Lake is within less than 2 feet of the spillway.

Yours very truly,

March 20, 1918.

Mr. James A. Murray,

Butte, Montana.

My dear Mr. Murray;

Yours of March 16th at hand, and contents noted.

I interpreted your telegram received at Washington to mean, that if the Government made no objection to our building the diverting dam to any height we wanted, that it would be built within 12 months; although I made it 18 months in presenting the case to the House and Senate. To everyone in Washington that I showed the telegram, they interpreted it the same way. But, from every indication there will not even be any moral obligation to build the diverting dam, for the bill is going to pass. So don't worry.

I want, however, to make this statement: that the building of the diverting dam now protects the rest of our property and adds 100% to its value. We should build a dam there for 5 or \$400,000, that will add over a million dollars to our property. It will take 20 or 30,000 barrels of cement, and Henshaw has already agreed to furnish the cement and put up any difference in money to take care of our one-sixth of the cost.

I was out with the Government officials yesterday, and in a short time I hope to have the matter settled and the Government buying water from us. I have almost convinced Harry Payne Whitney and Wm. G. Henshaw that it is for their interest to put up the money to build a pipeline from Murray Dam to Camp Kearny without your or I putting up a cent, and Whitney and Henshaw to be paid back the cost of the pipeline from the sales of any water until the pipeline is paid for with interest at 6%. Henshaw and Whitney have lands that want water and I think they will do it.

I cannot explain to you now, but I have been throwing a great deal of camouflage here; but there is something behind it, and I have accomplished my purpose. Lemon Grove, La Mesa, Spring Valley, El Cajon and Bostonia are

JAM-2

March 20, 1918.

behind the Cuyamaca Water Company to a man, including D. G. Gordon and J. H. Halley. The only men that are making me any trouble at all are Grable and Dr. Samson.

I have stated that no one can expect us to build a dam at the diverting dam if this bill passes in Congress, and yet, Mr. Murray, from a financial standpoint we make the mistake of our lives if we don't build immediately the diverting dam, particularly if we commence to sell water to the Government. The San Diego River has been running to the ocean for two months. We are not saving 35% of the water that goes down the San Diego River. Enough water can be caught below to warrant the construction of another dam, and when this is done by the City our property is much less valuable than it is now, because we will have lost the right to build any more dams and conserve additional water when a dam is built below us. On the other hand, if we build the dam we have invaluable property and will some day make a handsome profit on it.

Enclosed find clippings that will be of interest.

Wishing you success at Livingston.

Very sincerely yours,

ENCE
BF-1K

JAN-2

March 30, 1918.

behind the Cuyamaca Water Company to a man, including D. G. Gordon and J. H. Halley. The only men that are making me any trouble at all are Grable and Dr. Samson.

I have stated that no one can expect us to build a dam at the diverting dam if this bill passes in Congress, and yet, Mr. Murray, from a financial standpoint we make the mistake of our lives if we don't build immediately the diverting dam, particularly if we commence to sell water to the Government. The San Diego River has been for two months running to the ocean.

W.M. G. KROCKHOFF
Vice-President
F. H. TOLLE
President
DIRECTORS
H. E. HUNTINGTON
C. A. GANFIELD
W. G. KROCKHOFF
E. FLETCHER
H. W. KELLER
H. P. BAUMGARTNER

South Coast Land Company

(INCORPORATED)
MAIN OFFICE
SUITE 212 KERCKHOFF BUILDING
LOS ANGELES, CAL.
PHONE MAIN 527

H. W. KELLER
PRESIDENT

BRANCH OFFICES
SAN DIEGO, CAL.
DEL MAR, CAL.

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PHONE MAIN 527

H. W. KELLER
PRESIDENT

BRANCH OFFICES
SAN DIEGO, CAL.
DEL MAR, CAL.

March 21, 1918

Mr. James A. Murray,
Butte, Montana.

My dear Mr. Murray:-

Enclosed find clipping from the San Diego
Herald that will be of interest, also clipping from
last night's Sun and this morning's Union, on the
Scripps-Spreckels controversy.

I have to decide the Claus Spreckels claim for
exemption this coming week. Are you not envious of my
position?

Yours very truly,

EF/bm

March 21, 1918

Mr. James A. Murray,
Butte, Montana.

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Enclosed find clipping from the San Diego
Herald that will be of interest, also clipping from
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I have to decide the Claus Spreckels claim for
exemption this coming week. Are you not envious of my
position?

Yours very truly,

EF/bm

55926 m r o
43520.00 Exp Chgs
99446.35

March 21, 1918

Mr. James A. Murray,
Butte, Mont.

My dear Mr. Murray:-

For the year 1917, our total receipts from all sales of water amounted to \$54,952.84. Our total maintenance and operating expense was \$55,926.35 on the books, but this amount includes \$6,000.00 salary to you and me, which was not drawn out. It also includes an extraordinary expense of \$5,500.00 in re-tarring and lining the flume; it includes an extraordinary expense of \$4,080.59 paid the Baker Iron Works pipe line, but as you know, we held back \$13,000. or \$14,000. which we never paid them on their original purchase price. In other words, on an actual operation and maintenance basis we have operated the system for approximately \$40,000. a year while the State Railroad Commission in their last decision, stated that a reasonable operation and maintenance charge which they would allow is \$48,000.00.

I feel that the operation and maintenance showing under the circumstances could not be better without depreciation in the physical properties.

I forgot to mention that over \$2,000.00 of this is in replacement of pipes and changes on account of the State Highway work.

The Railroad Commission have decreed in their last decision that we are entitled to a yearly income of \$134,693.08, and the rates they have established are a joke. I recommend that we make application for increase of rates: get the best attorneys we can and be ready to carry the case to the supremecourt of the United States. We can easily pick out some local attorney and get his services for a small amount, but I believe we should employ a big man in San Francisco, someone like Mr. Allen Chickering, who represents the San Diego Gas Company and seems to have been very successful before the Railroad Commission in all his hearings.

What is your pleasure in regard to the matter?

Yours very truly,

EP/hm
encl statement
Maint. & Oprn.

cc TCH

54,952.84

to S H Co
40,800.59

55,926.35
6,000.00

48,000.00

134,693.08

March 29, 1918.

Mr. James A. Murray,

Butte, Montana.

My dear Mr. Murray:

I acknowledge receipt of your letter of the 26th. Pay no attention to the Gordon matter. I don't think it will even be heard, and the case will be dismissed or postponed.

I have the back country as a unit fighting for us, and when I can get the back country and the City Council scrapping we can sit back and don't have to do anything.

Enclosed find clipping from this morning's paper. Gordon, as you see, is one of the committee fighting our battles. He is also Chairman of the committee that is going to meet the City Council as soon as Cosgrove gets back.

Murray Dam is filled within less than 20 feet of the top. I have some marvelous pictures of the dam. If you are not coming down for two or three weeks let me know, so that I can send you a set. You will certainly be proud of them. There is not an engineer but what says that we have the cheapest and best dam that ever was built. There have been nearly 100 engineers from all over the country as far off as Boston coming here to pass on this dam.

By the way, it is costing us nothing for this Gordon case, as I am the attorney.

The way the situation in Washington is now the Senate committee have passed one bill, giving floodage rights; the House committee has passed another bill giving the City an outright grant deed to the property. It will be some time before the bill goes to conference, if at all this season. We have some friends in Washington. By all means get in touch with any Congressmen you can and tell them to block the passage of HR-10587 introduced by Mr. Kettner, bill granting the City of San Diego certain lands.

Yours very truly,

EP:MK
ENCL

April 2, 1918.

Mr. James A. Murray,
Butte, Montana.

My dear Mr. Murray:

Enclosed find clipping that will be of interest. If there ever was a man who has gone stark crazy it is Wilde. All you have to do is ask any business man of this City. He called me a liar in the newspaper when I said that Cosgrove had agreed to allow us to build our diverting dams before the Public Lands Committee. This was before he had seen the printed testimony, as issued by the Government. Now the City Council repudiates even Cosgrove, and they are in a dickens of a mess.

Murray Dam holds 82 feet of water and is within 18 feet of being filled, with the lake coming up 2 or 3 inches every day.

I hope to get something definite from the Government this week in regard to furnishing Camp Kearny with water.

Very sincerely yours,

Encl

EF:MK

April 22, 1918.

Mr. James A. Murray,
Monterey, California.

My dear Mr. Murray:

Enclosed find shipping receipt for a box of oranges sent by express from El Cajon from my friend Graves, that I am sure you and Mrs. Murray will enjoy. Mr. Graves promised to send as good as could be raised in the valley.

If you did not get the oak tree let me hear from you, because I have ordered it shipped, a nice one five or six feet in height.

*Fried
a mill*

We have had some earthquake down here. It started big boulders off the hillside, two of which cut our flume in two; one opposite the El Capitan damsite and the other between Chocolate and the Diverting Dam. A flow of water 18 inches deep and six feet wide cut the County road in two in both places, and eleven automobiles filled with picnickers had to stay up there all night, as they could not get home. We worked all night and had a temporary repairs made by 8 o'clock this morning so that everything is serene again. There is no damage whatsoever to Murray Dam or at Lake Hodges by the earthquake.

We have nearly 87 feet of water in Murray Dam; although the State Railroad Commission ordered us not to put in over 85. If the Murray Dam is ever going to hold it will hold now all the water we can put in.

Yours very truly,

EF-K

WATER CONTROL BOARD

April 24, 1918.

Mr. James A. Murray,
Monterey, California.

My dear Mr. Murray:

I have a report from Mr. Eastwood that the best damsite on the San Diego River, after all the investigations we have made, is the Marcks site, just above the Diverting Dam.

A dam built 130 feet high floods only 197.23 acres and will cost \$238,005, with a capacity of 10,188 acre feet; a dam 140 feet high will cost \$292,965 and only floods 218.87 acres, and holds 12,265 acre feet. A dam 150 feet high will cost \$585,538 and floods 240.53 acres, and has a capacity of 14,565 acre feet. A dam 160 feet high will cost \$480,750, only floods 267.54 acres and holds 17,106 acre feet.

You will notice that the acres flooded is remarkably small. I recommend that we file this suit to condemn within the next week. We will then be in a position to select either damsite: the present diverting dam or going outside the Indian reservation and building on the last site selected, known as the Marcks' site. This is the site that Mr. Eastwood, by all means, says is the best site, in fact the only site to build on. If we built at the diverting dam we would still have to condemn the Marcks and Healion land; the same thing applies if we built on the Marcks place. It is a strong strategic move for us to file this suit immediately, and we can rush as fast or as slow as we want, as conditions warrant, and if anything should happen that you should not decide to build, or should sell out, the suit can be dismissed.

Will you please let me hear from you by return mail, giving your consent to allowing me to file the suit, as the expense will be very small.

Marcks insists upon being paid \$25,000 for 160 acres of land. It is not worth anything like that amount. We only want about 50 or 60 acres of Marcks land and the rest is Healion's land above.

Hoping to have an early and favorable reply.

Yours very truly,

(Faint mirrored text)

San Diego, Calif.
April 27, 1918

Mrs. James A. Murray,
Monterey, California.

My dear Mrs. Murray:-

You promised me a picture of Mr. Murray. Will you please mail it to me at your convenience.

I hope you received the oranges o.k.

Yours very sincerely,

FE/cm

April 29, 1918.

Mr. James A. Murray,
Monterey, California.

My dear Mr. Murray:

I am sorry to hear that you are under the weather, and hope by this time that you are on your feet again.

I can get an Attorney, Mr. Sloane, son of Judge Sloane, to file the papers and bring the suit up to trial for \$50.00. I recommend that this suit be filed immediately. It is going to have a big effect on the whole community.

I am satisfied that I can get a jury to condemn the Marks land and not give him a judgment of over 5 or \$6,000 at the most, possibly less.

Can I see you in San Francisco, Friday, and if not, write me in care of Mr. Henshaw in San Francisco and I will come to Monterey.

I do hope that you will soon be on your feet again.

Kindly let me hear from you by return mail.

Yours very truly,

May 4th, 1918.

Mr. Ed. Fletcher,
San Diego,
California.

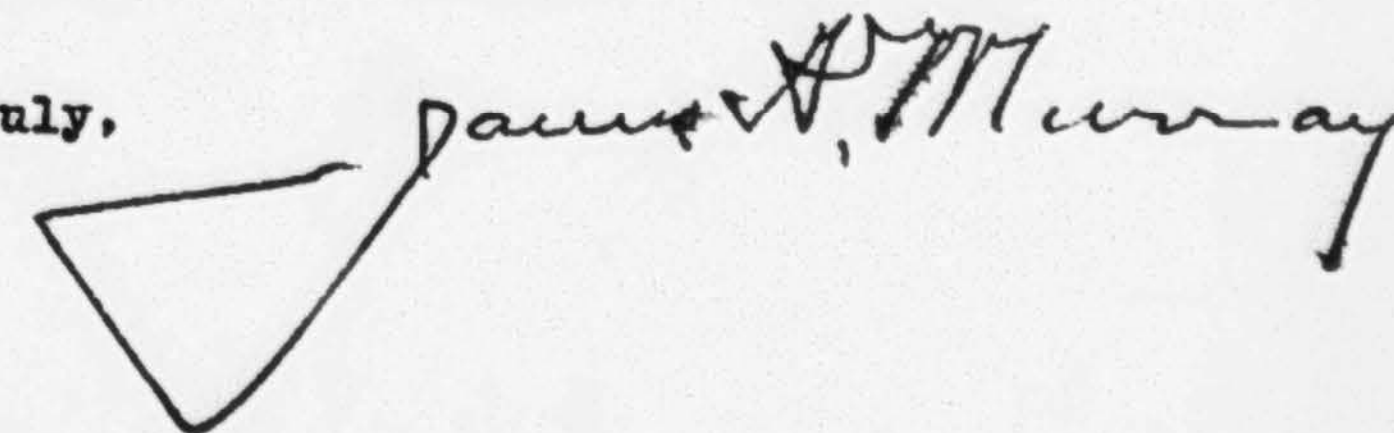
Dear Sir:

In relation to the sale of the Cuyamaca Water Plant, will say, while realizing that it is worth two million and a half, at least, an in ten or fifteen years will be worth five million, I realize everying is heading toward minicipal ownership, therefore, am willing to bow to the inevitable, and you have my permission to negotiate with Mr. McClure or the State Engineer, or the parties authorized to act in such matter.

Of course, if matters attain a stage where it would be desirable for all parties to meet, I can jump on the train and come to San Diego at any time on notice of three or four days. I realize the plant is worth all kinds of money to the District, where each inhabitant will feel interested, and in as much as you and I own a great deal of property which will become a part of the District, I imagine that your contribution to the system will be about equal to the interest you receive upon your bonds. However, we have to give and take and so far as the District, should they take the plant over, needing more money to complete it, they will not require much as a dam built above the diverting dam will give them water enough to supply San Diego County, almost, for the next ten or fifteen years, and feel that Mr. Henshaw, you, and myself would be able to assist them financially or otherwise, as I would prefer bonds of any kind now to cash.

I will keep you posted as to my whereabouts from day to day, and you can communicate with me if need be.

Yours truly,

James A. Murray

May 7, 1918.

Mr. James A. Murray,
Monterey, Calif.

My dear Mr. Murray:-

Enclosed find receipt from the Southern Trust & Commerce Bank, showing that the \$10,000.00 has been deposited in the bank, and a check given to Sharp & Fellows Contracting Company on account.

I note what you say in regard to your Tacoma party buying your interest in the Cuyamaca System. I have always assumed that we had a verbal agreement between us whereby when you sold your interest you were to sell mine. At least that is my understanding. If you sell out I certainly want to sell out and Mr. Henshaw, as well. Please keep this in mind, and whatever you sell at, I am willing to take the same price.

I held a meeting with the Directors of the La Mesa District last night, and the proposition was very favorably received. The matter has been referred to their attorney, but within ten days or two weeks a definite contract will be drawn up for us to look over.

I hope you are feeling better.

Yours very truly,

EF/bm

encl

May 9, 1918.

Mr. James A. Murray,
Monterey, California.

My dear Mr. Murray:

Enclosed herewith find shipping receipt for oak tree. I hope that it arrived safely.

The Directors of the La Mesa irrigation district are meeting today with our Attorney for a conference, and have written a letter to the State Engineer asking for an informal conference with him before drawing up any contract. In the next week or ten days, I am of the opinion that a tentative contract will be drawn up by their attorney and ours, to be taken into consideration by us as well as the board of directors.

Will send you a copy for your criticism; also one to Mr. Henshaw.

Yours very truly,

ENCL
EF-K

May 14, 1918

Mr. James A. Murray,
Monterey, Calif.

My dear Mr. Murray:-

I made arrangements with Mr. Sloane, son of Judge Sloane, to bring condemnation suit. He agreed to take an initial fee of \$50.00 for filing the suit and agrees to put in reasonable attorney's fees for any work thereafter. I am sure he will be reasonable.

Read
enclosed find clipping from the Evening Tribune which is explanatory, showing the city's attitude. We brought suit to condemn between seven and eight hundred acres for the following reasons:

I do not want the City or anyone else to know that we are condemning the dam site, letting them believe we are going to build at the diverting dam. In this way the jury will not make anywhere near as large an award for damages. Then again, the land that we are not flooding is absolutely worthless, as any jury that we take up there will see. Yet it is a good thing to own the land around the reservoir site. We are entirely too much crowded in and around Murray Dam and there is always a chance for the land, especially around the Dam, being sold by outsiders and cause us a good deal of trouble and annoyance.

we have not yet served papers on the people against whom suit is brought; we have a year in which to serve the papers before we actually condemn. My advice is that we serve the papers immediately, however, and get the case brought up and actually own the property. What is your desire? Kindly let me hear from you by return mail.

1
State Engineer McClure was here yesterday and had a conference with the Board of Directors of the La Mesa Irrigation District. The attorneys are drawing up a tentative contract for our approval and that of the District. Everything is progressing favorably. The first draft of the contract should be out in ten days *or less*

Please let me know your plans. Mr. Henshaw is going east and I would like to see this contract signed before he goes, if it is possible. How long will you stay at Monterey? I can come to San Francisco and meet you and Mr. Henshaw in regard to this matter.

-2- JAM

I hope, indeed, that you are feeling better. The President of the United States decided the James G. Scripps case in my favor. In fact I have won all appeals.

Yours very sincerely,

EF/om

encl

cc WGH

May 16, 1918.

Mr. James A. Murray,

Butte, Montana.

My dear Mr. Murray:

I had a talk with Wm. G. Henshaw, in Los Angeles, the other day, in regard to price on cement. He said he would be very glad to make a price, but it was a question of when you want delivery, and that a price will be made which he feels sure will be satisfactory to you.

Mr. Henshaw informed me that the U. S. Government officials have been for nearly a month going through his entire plant determining costs, and are doing this in all the cement plants on the coast; that he is unofficially informed that the Government is going to regulate the price of cement in the near future, and so far as he could find out it would be around \$1.95 a barrel at the mill, which would be a very material jump over the price that we have been paying. Labor costs, the price of sacks, and in fact the entire manufacturing costs have increased at least 25% the last few months, and Mr. Henshaw suggested that if any cement is going to be bought it had better be bought immediately, for contracts entered into before the regulation by the Government would be filled, and even if the Government does not regulate the price of cement it is bound to go up very materially in the near future. Mr. Henshaw suggested that you get a price from outside parties on cement, and he would be glad to meet any reasonable price and make a contract now for delivery f.o.b. the mill at any time later that we see fit, but that it should be a firm contract.

There is no question but what the City of San Diego means business in their attempt to build the El Capitan Dam, and the only way to protect our water rights on the San Diego River in the near future, is to build the diverting dam. I believe that we shall be furnishing the City of San Diego and Camp Kearny water in the very near future, and will have a demand for all the water we can develop.

By furnishing the cement, Mr. Henshaw and I will be glad to take care of our share of the cost of building the diverting dam. It should be built at least 120 feet high, and will cost around \$300,000. It will take a dam 140 feet high to control all the water that comes down the river past that point.

I hope, in the near future to have you say the word, so that we can go ahead building the diverting dam. We should commence construction on that dam as soon as possible. It is the one thing necessary to assist us in selling the system to the La Mesa Irrigation District, and I am sure the State Engineer

May 16, 1918.

Mr. James A. Murray,

Butte, Montana.

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I hope, in the near future to have you say the word, so that we can go ahead building the diverting dam. We should commence construction on that dam as soon as possible. It is the one thing necessary to assist us in selling the system to the La Mesa Irrigation District, and I am sure the State Engineer

will do a darn sight better for us in valuations than was ever done by the State Railroad Commission, as he is a fairer man in every way.

Kindly let me hear from you in regard to these matters.

I hope that you are well and on your feet again.

Yours very truly,

P-S

Lakeside Cal, May 18th 1918.

Cuyamaca Water Co.

Geo A Murray,
President

Ed. Fletcher
Manager.

To J. J. Henderson
city of Leno

Dr.

To return our professional services for suit to exclude Indians not belonging to Capitau Grande Band from Water Privileges under your contract with U.S. Government, as per your instructions, — — — — —

\$ 5,000

Handwritten

Handwritten notes, possibly a list or address, including names like 'Mr. Murray' and 'Monterey'.

Handwritten notes, possibly a list or address, including names like 'Mr. Murray' and 'Monterey'.

May 21, 1918.

Mr. James A. Murray,
Monterey, California.

Handwritten signature/initials

My dear Mr. Murray:-

Please read without fail the enclosed clipping - interview of our present Mayor. When he refers to the Chamber of Jerusalem he refers to the President of the Chamber of Commerce, a Jew - Mr. Klabuer; Pro Geranium he refers to George W. Marston, our leading business man, and the City beautiful. The Amalgamated Society of Ancient Quietus is the invisible Government. The Anvil Choir is lead by Dr. Bard, Preacher of the Unitarian Church.

Yours very truly,

encl
F-K

Faint printed text at the bottom of the page, possibly a return address or publisher information.

POSTAL TELEGRAPH - COMMERCIAL CABLES

CLARENCE H. MACKAY, PRESIDENT

COUNTER No.

TIME FILED

M

TELEGRAM

CHECK

The Postal Telegraph-Cable Company (Incorporated) transmits and delivers this message subject to the terms and conditions printed on the back of this blank.

SEND the following Telegram, subject to the terms on back hereof, which are hereby agreed to.

[DESIGN PATENT No. 40529]

2-676

May 25, 1918.

James A. Murray,
Care New Willard Hotel,
Washington, D. C.

San Diego papers state House will very soon pass city's bill number Ten Five Eighty Seven. Do everything possible to block it. Entire back country with us, six towns including city council's of El Cajon and La Mesa unanimously endorsed our position. San Diego City Council repudiates its city attorney and refuses to give its consent to building our diverting dams. Show this telegram to Senator Myers. Am mailing him official copies resolutions.

Ed Fletcher.

Charge Cuyamaca Water Co.
Night letter
F-S

May 25, 1918.

Mr. James A. Murray,
New Willard Hotel,
Washington, D. C.

My dear Mr. Murray:

Your letter of May 20th at hand, and you are certainly unfair in accusing me of being any party to your being "buncoed." I can't help but feel that your remark was intended as a joke.

Bent Bros. original bid was \$138,000 for the building of Murray Dam. Sharpe-Fellows bid was \$97,000 for the same work as that included in Bent Bros. bid -- a saving of \$39,000. Bent Bros. did agree to pay \$3.65 for cement, which would have given us a profit of 40¢ a barrel, but even at that we saved nearly \$35,000 by letting the contract to Sharpe-Fellows. You had more to do with the drawing of that contract with Mr. Crouch than I, and if you had any understanding with Sharpe-Fellows to sell them cement at \$2.65, it is your own fault that you didn't put it in the contract.

Any competitive bid, such as this was, the contractor buys his material at the cheapest price possible, and there never was any understanding with Sharpe-Fellows and I - or even with Bent Bros. that they were to pay \$2.65 a barrel for cement, if it came to a competitive bid.

Sharpe-Fellows did verbally agree that, if the Riverside cement was sold to them as cheaply as any other cement that they could buy, that Riverside cement would be given the preference. It is only natural and right that, at the same price Henshaw, having an interest in the Murray dam, should want to see Riverside cement go in there and get the preference at the same price. I never have taken a commission of one dollar from Mr. Henshaw or the Riverside Cement Co. for the sale of cement, in my life.

Sharpe-Fellows lost nearly \$40,000 in this contract. They expected to get labor at \$2.00 a day; the Government came in and paid \$3.20 for laborers at the cantonment, and where they expected to hire carpenters at \$4.00 a day they were compelled to pay \$6.00 because the Government paid it, and their labor bill alone cost them 50% more than they had planned. Sharp-Fellows however, came through without a murmur, completed their contract and gave us as fine a piece of work as there has ever been done in this county. I never did business with these people before, and probably never will again, and when you infer that I have a treacherous memory, and that you are being buncoed, it is not right.

I am just as much interested as you, for it would mean a saving to Mr. Henshaw and me of between \$800 and \$900.

I don't suppose you are aware that Sharp-Fellows are now financially almost busted, although they were rated as millionaires. They lost \$700,000 on one railroad contract last year. Fellows has been flat on his back for over six months, sick abed; Sharpe is dead, and I never saw such a wreck of a man as Mr. Fellows last week. Owing to the war and the failure of a Los Angeles concern that Sharp-Fellows were backing, they have lost nearly \$1,500,000 in the last twelve months.

As far as the Benbough lot is concerned, I showed the lot to you before you made the loan, and told you it was a bankable loan, but if I can only sell my interest in the Cuyamaca Water Company I will be glad to take the lot off your hands at cost and seven per cent interest. This loan was made four or five years ago, but owing to war conditions it is almost impossible for me to get cash to buy anything. If there was any guarantee on my part, you certainly have some record of it.

I wired Washington, and found out that Secretary of the Interior Franklin K. Lane was coming to California. I then wired him and had a conference in Pasadena last Thursday. I took up with me the president of the city councils of El Cajon and La Mesa; also the president of the County Farm Bureau and the president of the La Mesa Irrigation District. They all told Secretary Lane in plain language that the back country was a unit in our favor, and that they wanted some assurance from him that the Government would make no opposition to our building the diverting dam. It certainly was an opportune time to see Secretary Lane, and he promised to go into the matter personally and give us an answer within the next four or five weeks.

Enclosed find El Cajon Valley News, giving account of El Cajon Council meeting and resolution.

Yours very truly,

May 29, 1918.

Mr. James A. Murray,
Hotel Willard,
Washington, D. C.

My dear Mr. Murray:

I am pleased to inform you that San Diego has just won a \$10,000,000 government ship building plant, for concrete ships. This is definitely settled, and work will commence at once. The Government has just appropriated \$1,800,000 as part of the \$5,000,000 to build our marine base. Within the last two or three months, they have appropriated \$1,500,000 toward a \$5,000,000 expenditure for the biggest aviation school in the United States; there is every indication that Camp Kearny will be doubled, and things are certainly picking up in San Diego. It is in the air.

A contract for the sale of the Cuyamaca system is being drawn up by the attorney for the La Mesa Irrigation District, and will be ready to submit to you on your return to San Diego. They will want at least the diverting dam built, but this is to our advantage, for it gives us several hundred thousand dollars valuation for water rights that we otherwise would get nothing for, and would be in addition to the actual expense which we put into the construction of the dam. The State Engineer to put the valuation on our property this time. It also includes a pipeline to Camp Kearny. Mr. Henshaw, however, is going East in a few days and hopes to be able to get Mr. Whitney to go in with him and help to finance the pipeline to Camp Kearny, so that the Cuyamaca Company will be relieved of any financing.

Enclosed find copy of letter from Major General Strong, which will be of interest. As he voluntarily made reference to our furnishing water to the Government, without any request from me, I appreciate his friendly attitude all the more.

Kindly give me an idea of when you are going to return to San Diego. I hope you get in touch with Mr. Wheeler while there. You will find him a prince of a fellow. His address is Wm. R. Wheeler, Army and Navy Club.

Enclosed find resolution passed by the City of El Cajon, which is explanatory.

I received a telegram last night from Washington that the Public Lands Committee of the House, especially Mr. Scott Ferris, who is controlled by Mr. Kettner, is wild over the way this city bill is going, and is trying to

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Yours very truly,

F-S

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Yours very truly,

F-S

May 31, 1918.

Mr. James A. Murray,
Monterey, Calif.

My dear Mr. Murray:

The State Railroad Commission has authorized armed guards for our two dams, and they will recognize this expense. We have only one armed guard at the present, and that is at night at Murray Dam; none at Cuyamaca.

I simply write this to tell you of the facts, for the reason that I do not care to take the responsibility for not having armed guards on the job.

Yours very truly,

F-S

Get clipping

June 3, 1918

Mr. James A. Murray,
C/o New Willard Hotel,
Washington, D.C.

My dear Mr. Murray:-

Enclosed find clipping from yesterdays paper which is self-explanatory: also copy of letter from Col. Murray which will be of interest: also copy of letter sent to Hon. Wm. R. Wheeler, showing that the entire back country is back of us.

Yours very truly,

EF/bm
encl 3

June 7, 1918.

Mr. James A. Murray,
New Willard Hotel,
Washington, D. C.

My dear Mr. Murray:


Enclosed find copy of telegram
of the 6th from Wm. R. Wheeler, and my reply.
It looks as if the City of San Diego commenced
to see the handwriting on the wall, and sooner
or later we will force them to give us a
square deal.

Yours very truly,

F-S

Form 1223

CLASSES OF DOMESTIC SERVICE	
Fast Day Message	
Night Message	
Day Letter	X
Night Letter	
Charges (if any) \$	

WESTERN UNION
TELEGRAMS  **CABLEGRAMS**
BY TELEPHONE FROM THE WESTERN UNION MAIN OFFICE
NEWCOMB CARLTON, PRESIDENT GEORGE W. E. ATKINS, FIRST VICE-PRESIDENT

CLASSES OF CABLE SERVICE	
Full Rate	
Half Rate Deferred	
Cable Letter	
Week End Letter	
Charges (if any) \$	

Dated San Diego, Cal. June 15, 1918

To

Jas. A. Murray,
c/o Gregorian, 35th St. West,
New York, N.Y.

Letter Received. La Mesa District
passed resolution favorably considering purchase
our system. Have had contract of sale drawn and signed by
Henshaw and myself awaiting your approval. Write when you
will probably arrive Butte, Montana, also San Diego.

Ed Fletcher.

Chg.
Cuyamaca Water Co.

June 15, 1918

Mr. James A. Murray,
Butte, Montana.

My dear Mr. Murray:-

Glad to hear from you under date of June 10th.

There are two reasons why I felt we should oppose the City's El Capitan Bill: first, if the bill was passed the City might be foolish enough to order a dam built at El Capitan and if they did, we would have five years litigation ahead of us, which I want to get away from. It is to your financial interest, in my opinion, also, to get away from it. Second, by opposing the City's bill and showing the City up as a hog trying to steal all the water from the back country, we have made friends with all our consumers, even Gordon and Halley. All three city Councils at their meetings were unanimous in favoring the Cuyamaca Water Company and our position, and today public opinion is worth a good deal more than in years gone by. It has brought about the desired result that the District is willing to buy our system, and we have brought it around to a fight between the City of San Diego and the other municipalities favoring the Cuyamaca System, instead of a private fight between a corporation vs. a municipality.

As far as Sharp & Fellows are concerned, anything that you do is absolutely satisfactory to me, but my sympathy is with the poor devils, as they are financially embarrassed, and lost thirty or forty thousand dollars on this job. It is our own fault that we did not put in the contract that they were to pay \$2.65 for the cement. If that had been done we certainly could have collected. All I can say to you is "God speed," if you can see your way to collect it, for it means just as much proportionately to Henshaw and me as to you.

As to the Benbough mortgage: while I have not the money, I will be glad, as soon as we sell the Cuyamaca System, to take it off your hands at cost and interest.

I expect within a short time, to have the City of San Diego asking us to take over the Camp Kearny water contract, or that they will be buying water from us.

Kindly wire me on receipt of this, as to just when we may expect you in San Diego, as it means a good deal to my plans. I am holding the contract for the sale of the Cuyamaca System to the La Mesa District, ready for your signature.

Yours very sincerely,

EF/bm

Not reviewed
after dictation

CLASS OF SERVICE	SYMBOL
Telegram	
Day Letter	Blue
Night Message	Nite
Night Letter	N L

If none of these three symbols appears after the check (number of words) this is a telegram. Otherwise its character is indicated by the symbol appearing after the check.

WESTERN UNION TELEGRAM

NEWCOMB CARLTON, PRESIDENT

GEORGE W. E. ATKINS, FIRST VICE-PRESIDENT

Form 1204

CLASS OF SERVICE	SYMBOL
Telegram	
Day Letter	Blue
Night Message	Nite
Night Letter	N L

If none of these three symbols appears after the check (number of words) this is a telegram. Otherwise its character is indicated by the symbol appearing after the check.

RECEIVED AT D9GSSF 10

STAUNTON VA 130P JUNE 22 1918

ED FLETCHER

SAN DIEGO CALIF

CASE ON CALENDAR LOOKS ALL RIGHT WAS IN WASHINGTON YESTERDAY

J A M

1220P

July 12, 1918.

Mr. James A. Murray,

Butte, Montana.

My dear Mr. Murray:

Yours of the 8th at hand, and contents noted. I have written to Mr. Wheeler for the information that you asked for.

I sent you the original contract with the La Mesa Irrigation District signed by Mr. Henshaw and myself, and you now have it in your possession. It was mailed to Butte, Montana. Don't lose the contract, but bring it back with you to San Diego, when you come.

There is no reason that I can see why you should not sign that contract, because our attorney who passed on the contract for Henshaw and myself says that we don't have to put up a dollar until the State Engineer determines what the value of our property is; and we don't have to sign any binding contract until after we know what we are going to get for our property - the present system together with the other improvements. Under these conditions, I cannot see where you are in any danger whatsoever in signing the contract with the La Mesa Irrigation District which Henshaw and I signed.

I am satisfied that the State Engineer will give us around \$2,000,000 valuation for our property, including the building of the dam at the diverting dam, and it will give us \$500,000 or \$600,000 profit. The bonds, in my opinion, will unquestionably be certified to by the Bonding Commission and can be sold at 95 or 97.

When we later on enter into another contract, after the bonds have been voted to buy the system, a clause can be put into the contract that on delivery of the system we get 60% of our bonds - the purchase price - the balance of the bonds to be delivered when the dam is completed. In other words, we can get the bonds in our possession before we spend a dollar to build the diverting dam, and with those bonds in our possession we can sell at 95 or 97, and get the money to build the diverting dam. In this way, no one of us will have to put up another dollar to develop the system.

You ask why we cannot take the bonds that ^{already} have been voted. The reason is that there are not enough of them. There will have to be another bond issue anyway, and it is a question whether or not the Board of Directors would have the right

July 19, 1918

Mr. James A. Murray,

Butte, Montana.

My dear Mr. Murray:

Answering yours of the 8th, will say that Henderson is crazy and no mistake. He is referring to an option on the property, which we expected to have to buy when the Railroad Commission ordered us to install pumping plants on the San Diego River. We paid him \$100 and failed to exercise the option.

Regarding his report, we paid him \$50 for it, as per agreement, and have his receipt for it. I again say that Henderson is crazy, and no mistake.

Yours very truly,

F-S

to issue those bonds now in payment for our property, without having it ratified by a vote of the people within the district.

You say that you want \$1,100,000 for the property. If you are not satisfied with what I am doing, I am ready to step down and out and sell you my interest for \$100,000 less than that - that is on the basis of \$1,000,000, and apply it to my indebtedness to you.

Or, if you want to give Mr. Henshaw and I an option for a year on the basis of \$1,100,000, Mr. Henshaw will go the limit to try and handle this thing and take it off your hands. But both Mr. Henshaw and I feel that it is a pity that we should not all see this thing through together.

We are furnishing the city of San Diego 3,000,000 gallons of water daily, at 7¢ a thousand gallons. We have a billion gallons of surplus water in Murray Dam, and hope to sell the city \$20,000 or \$25,000 worth of water between now and the first of January.

Write me when you expect to be in San Diego.

Very truly yours,

July 22, 1918.

Mr. James A. Murray,
Butte, Montana.

My dear Mr. Murray:

I am sorry, indeed, that you have not come to San Diego ere this, for I am sure that Mr. Henshaw and I can convince you that in signing that letter to the La Mesa Irrigation District there is no legal obligation; but we do get the advantage of having the State Engineer put a valuation on our property, and after this is done we can sell or not, as we see fit. The present state engineer may go out of office the first of next January, and there was certainly need of haste in getting him to make his valuation.

Any valuation placed by him on the property will probably be approved by the State Bonding Commission, of which the State Engineer is a member. Any bonds approved by the State Bonding Commission are worth almost par today, and savings banks are allowed to loan 90% of the face value of these bonds in the State of California.

The reason that I put in the letter that it is planned to build the diverting dam is this: Any dam that we build at the diverting dam will be inventoried and paid for at least cost and interest. In addition to that we can get a valuation for additional water rights, which is clear velvet, for if we do not build the dam, we will not get the value for the additional water rights -- only for such water as we have actually diverted up to date. In other words, we would get full payment for the building of the diverting dam, in bonds approved by the commission, and in addition we would get at least \$200,000 or \$300,000 more bonds as the value of the additional water rights, which is all profit, and if we don't get this value we don't have to build the dam or sell our property, even although we signed this letter to the La Mesa Irrigation District.

If anything is going to be done, it should be done immediately. Will you please return the letter to the La Mesa Irrigation District, which Mr. Henshaw and I signed, and I will hold it here until your return.

The Santa Fe Railroad and Mr. Henshaw are satisfied with the valuation which the State Engineer has placed on our Lake Hodges and San Dieguito dams and our system, and an election will be called at an early date when we expect to sell the entire system to a district and take bonds in payment.

August 3, 1918.

Mr. James A. Murray,
Butte, Montana.

Self paper

My dear Mr. Murray:

Enclosed find clipping which is explanatory, showing that the La Mesa people appreciate Murray Dam.

Yours very truly,

encl
F-K

San Diego is rapidly becoming a government town, and you will be amazed at the activity going on here.

Mr. Henshaw has been East and while there I discovered accidentally that we might get the War Finance Corporation of Washington to finance the big Warners project and get them to loan us \$3,000,000 to build the whole Warners project, including Warners Dam. It has been heartily endorsed by the Food Administrator of the Pacific Coast, the Fuel Administrator, Department of Agriculture and State Engineer. The power alone will save 220,000 barrels of oil annually, and the project will develop between 6000 and 7000 h.p. of electricity.

The City is negotiating to buy 5,000,000 gallons of water a day. I don't know whether anything will come of it or not, but San Diego has got to have water - and plenty of it, in the near future. We are furnishing the city over \$150 worth of water a day, at the present time.

If you are not going to sell to the District, the quicker we make application to the Railroad Commission for an increase in rates, the better it will suit me. Thelen is out, thank the Lord! and I have had a talk with the commission in San Francisco and they have promised us a good increase in rates - and I know they feel that Thelen has not treated us right.

Mr. Henshaw will be down here this coming week, and I will see what, if anything, can be done in the matter of Henshaw and Harry Payne Whitney buying you and me out, but I don't know what you could ask for better than 6% bonds approved by the State Bonding Commission, and urge you to consider selling our system to the district along the lines that we had originally planned.

Yours very truly,

August 6, 1918.

Mr. James A. Murray,

Butte, Montana.

My dear Mr. Murray:

I am in receipt of yours of August 2nd, and glad to hear from you, although I had hoped to see you here ere this.

Max Thelen is out for good. I had a conference with two members of the Commission, in San Francisco, after Thelen left. The new president, Mr. Edgerton, told me that the policy of the Commission would be different from Mr. Thelen's policy, and to write them a letter covering the facts of the Cuyamaca Water Company's financial condition. Enclosed herewith find copy of my letter to the Railroad Commission, a copy of which was also sent to Sacramento, and enclosed herewith find copy of reply from the Governor's private secretary.

I am satisfied that the Commission will take this matter up now, on their own initiative. The Railroad Commission's chief engineer is Richard Sachse, who has always heretofore delegated the work to Mr. Hawley - a socialist and almost an anarchist, in my opinion, when it comes to protecting public utilities. Enclosed find letter from Richard Sachse, chief engineer of the Commission, which is explanatory. I am satisfied that we are going to get a square deal this time.

I have charge of Governor Stephen's campaign in San Diego County, and believe he will be our next governor. The primaries are on the 27th of August.

Everything is going along nicely here. Be sure and read my letter to the Railroad Commission, a copy of which is herewith enclosed. Don't worry about San Diego, because I tell you things are coming out all right, although it may take a little time to work it out.

Charles Schwab has been here and he tells us we will have the largest ship building plant in the world. The San Diego and Arizona Railroad will be in operation, without fail, within eight or nine months, and things have been picking up here wonderfully. The largest opera house in San Diego is to be built just north of me. The garage is being torn down. This will be a benefit to my property and to Broadway, as the main entrance will be on Broadway.

Very truly yours,

F-S

August 26, 1918.

Mr. James A. Murray,

Butte, Montana.

My dear Mr. Murray:

C. W. Fisher

Enclosed find copy of resolutions passed today by the City Council. A citizens committee, friends of ours went down to the council and told them where to head in at.

I hope you will be down here at an early date.

There never was a time when the citizens of San Diego were so much in sympathy with us as at the present time.

Very truly yours,

F-S

Sept. 9, 1918

Mr. James A. Murray,
Office.

El. Cajon - l.

My dear Mr. Murray:

You asked Mr. Mathews for a statement of receipts and disbursements for the month of July, 1918:

The total receipts from the sale of all water were \$11555.55. The total payments for new construction and Operation and Maintenance of the system for the month of July is \$6623.36, as per statement herewith attached.

This sum of \$6623.36 does not represent actual operating expenses, but includes many outside items which have been put into Capital Account. To illustrate: There is an item of nearly \$500.00 for moving, re-building, painting, etc. the house at Murray Dam. We purchased 605 lbs. of rubber packing at a cost of \$343.25. This will last for three or four months. In addition, there is included in this statement an extraordinary expense in excess of \$1500.00 for putting the 20" pipe line into condition on El Cajon Avenue, preparatory to furnishing water to the City of San Diego. This had to be done before any water could be delivered to the City, as the 14" pipe line will only deliver one million gallons of water a day, and it was necessary that we put the 20" pipeline into temporary condition as best we could, and at the least expense possible. There is another item of \$250.00 which I paid W. R. Wheeler as a retainer, asking him to look out for our interests. He has been a very valuable man to us.

I wish again to call your attention to the awful monthly expense we are put to in repairing the El Cajon pipe line. The Baker Iron Works pipe line alone is costing us \$600.00 to \$700.00 per month in repairs. We are keeping record by months. In July we repaired on the Baker Iron Works pipe line 84 leaks; in June, 164 leaks; in May, 153 leaks; in April, 107 leaks; in March, 144; in February, 79; and in January 92. The quicker we commence cementing the 20" pipe line and get it done, the quicker we will save this enormous expense which is not a just operating expense, but which has to be done.

It is true there is nearly \$15,000. which we never paid the Baker Iron Works on their contract, but the quicker we get the El Cajon Ave. pipe line cemented and cut down the awful expense, the better.

We will have money now coming in from the City from the sale of water which will enable us to cement the

-2- JAM

pipe line, and cut down our operating expenses easily \$600. to \$800. per month. I have instructed Mr. Harritt to get busy immediately on the El Cajon line. When it is completed the pipe line will be there for all time, and will be, if anything, of greater value even than cast iron pipe.

We will send you a statement of the total receipts for July giving the names of each consumer.

Yours very truly,

EF/bm

September 16, 1918.

Mr. James A. Murray,
Monterey, Calif.

My dear Mr. Murray:

I thank you for your letter of the 14th;
also check and note. Enclosed herewith find note signed by
Mrs. Fletcher and myself, and I thank you for same.

I wish that you had been in on this war film syndicate.
The government is behind the picture and will censor it. It
will be the biggest thing that has ever been pulled off, and
I want to thank you for the opportunity of getting into it.
Otherwise I could not have done so. I am sure it is going to
be a money maker.

I wired you today that Sharp & Fellows have brought suit
and served me with papers; but they will have to serve you and
Mr. Henshaw as well. Have you been served? The sheriff came
here to the office trying to locate you to serve the papers on
you. The man that you talked to in Los Angeles when in Sharp-
Fellows office is really the man that is running the business.
He happens to be an Irishman by the name of Gannon, and his
Irish is certainly up. The balance of the payment to Sharp
& Fellows that you owe, according to our own engineers written
statement is \$3452.75. Mr. Henshaw and I have settled for our
portion. My suggestion is that you send me a check for this
amount, payable to Sharp & Fellows and in full of account, and
let me go and try to get a receipt from Sharp & Fellows in full
and draw off the suit.

The total amount of money paid to Sharp & Fellows to date
on the contract is \$90,885.22
and the total amount that they will receive on the contract
for the construction of Murray Dam is \$97,905.40
So you see you are mistaken as to what we are paying Sharp
& Fellows for building Murray Dam. We did have some extra
work done, such as annexing the outlet pipes, installing the
gates, and building cement spillway, which was not included
in the plans, and some other things, the total for all extras
for which we paid Sharp & Fellows, not included in the contract,
being \$3704.54 covering the entire period.

If you are going to press this suit, we must give an answer
to the Sharp - Fellows complaint immediately and get a transfer
of the case to San Diego. In making our answer, I understand

Cable Address "SICNARF San Francisco"
WESTERN UNION TELEGRAPHIC CODE.



HOTEL ST. FRANCIS
UNION SQUARE
SAN FRANCISCO

MANAGEMENT - THOMAS J. COLEMAN

September 18, 1918.

Mr. Ed Fletcher,
San Diego, Cal.

Dear Sir:-

Your telegram is noted. They have not served me with
a subpoena yet. If you and Mr. Henshaw have paid them they should
give you a receipt in full but in any event have an attorney put
in a demurrer and of course we will have the case transferred
from Los Angeles to San Diego and it is barely possible that I may
take it into the Federal Court and have it taken to Montana.
In any event this matter does not bother me much. Now as to the
Washington business. I read Miss Long's pamphlet on our friend
Cosgrove and the water situation. I think it is good as it gives
data. When you go to Washington take a few of those pamphlets
along and see that Senator Walsh and Meyers gets one with my
compliments. If Senator Meyers and Walsh can do anything in the
El Capitan matter you might say to them that it is my request that
they give it personal attention. In relation to the Cuyamaca
matter would it not be a good idea to try and dispose of it to the
government? If Camp Kearny is to remain permanent and will be a
growing concern they would need all the surplus water that our
system can furnish. I return to Monterey tomorrow where I shall
remain at least a week.

Very truly yours,

J. A. Murray

THOMAS P. KEATING
ERNEST L. DRURY
THOMAS J. PEARCE
ASST. MANAGERS

that you desire to put in a claim that Sharp - Fellows owe us 40¢ a barrel rebate for all the cement that they used. Please furnish me with the information as to on what basis this claim is made, so that we can have a basis for claiming a rebate. No mention was made of it, either in the call for bids or in the contract that was drawn up by Crouch. There were eight or ten bidders and all of them understood that they were to buy their own cement, at the lowest price possible and furnish a standard quality. No mention was ever made by me or any of the contractors who bid on the job that they would have to buy Riverside cement, or that they would have to pay \$2.65 a barrel. The cement manufacturers all made a price of \$2.25 delivered at Murray Dam - the Colton, Bear and Riverside people, and all the contractors when they turned in their bids on Murray Dam based their bids on \$2.25 per barrel, which was the price the different cement firms made to all the contractors.

This was an entirely different deal from the original offer of Bent Bros., privately, to build the dam for \$136,000 and pay \$2.65 for cement, on which we were to receive a commission of 40¢ per barrel from the Riverside Portland Cement Co.

Mr. Cannon of Sharp - Fellows refused to settle the suit for \$8452.75 but I think that if I go to Mr. Fellows personally with a check for that amount he may get Mr. Cannon's consent to make a final settlement. However, this Sharp - Fellows suit is your matter, and it makes no difference to me. I will be glad to go to the bat for you, if you want to continue the suit, and will do the best I can.

If you are not satisfied with Mr. Crouch, I suggest that you send some attorney down here or get some other attorney to fight the case. Your pleasure is mine.

Yours very truly,

F-S

Manager.

September 18, 1918.

Mr. James A. Murray,

Butte, Montana.

My dear Mr. Murray:

Enclosed find clipping from today's paper showing that San Diego is still on the map and that the government is interested in us.

I am pleased to inform you that we today received notice that the State Irrigation District Bond Commission has approved the formation of the district of 25,000 between Oceanside and Del Mar; it also approved the valuation of the State Engineer of \$2,647,000 for our property, and they have agreed to certify to these bonds for savings banks deposits.

This is the beginning of the end, and is certainly a victory for me.

Yours very truly,

F-S

Form 1204

CLASS OF SERVICE	SYMBOL
Telegram	
Day Letter	Blue
Night Message	Nite
Night Letter	N L

If none of these three symbols appears after the check (number of words) this is a telegram. Otherwise its character is indicated by the symbol appearing after the check.

WESTERN UNION TELEGRAM

NEWCOMB CARLTON, PRESIDENT

GEORGE W. E. ATKINS, FIRST VICE-PRESIDENT

936 5th St., San Diego, Cal.

RECEIVED AT
SEP 17 1918 27 NL

MONTEREY CALIF SEPT 20 1918

ED FLETCHER

630

SANDIEGO CALIF

YOU MAY SEND TELEGRAM SUCH AS YOU THINK DESIRABLE TO
SENATORS WALCH AND MEYERS RELATIVE TO THE EL CAPITAL MATTER AND
SIGN MY NAME TO IT LETTER TOMORROW

J A MURRAY

850PM

MONTEREY
CALIFORNIA

September 20th, 1918.

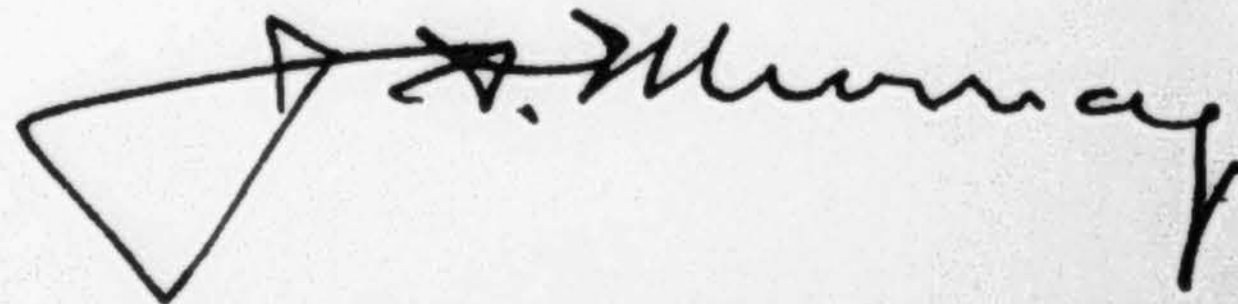
Mr. Ed. Fletcher,
San Diego,
California.

Dear Sir:

I just wired you a few minutes ago and will mail you this letter this afternoon or tomorrow. As I am not subpoenaed in that Sharp Fellows matter at present, I do not know what I shall put in as a defense, but would suggest to you that in your answer you deny that you owe anything, inasmuch as you have settled with them. You will show the attorney, whoever he may be, whether Crouch or somebody else, a copy of the original bid where they figured so much for soft rock and so much for hard rock, and among other things cement at \$2.65 a barrel. The final contract that we entered into says in very plain words that if there be more excavation or more of any material necessary than what they figured on, then we would have to pay for all extras, and if there was less we would get a credit for the difference.

Therefore, I claim that inasmuch as they based their bid on cement at \$2.65 and we succeeded in getting it for them at \$2.25, that we are entitled to that 40¢ a barrel rebate. Furthermore, I claim that the straightening out of that end of the dam saves at least 50 or 60 feet. We would be able to tell after measuring the original drawings by Mr. Eastwood. And last but not least, I claim as others have told me that the dam leaks a good deal. Whether that can be remedied or not I cannot say, but I do not like the idea of losing a drop of water.

You will very likely have your attorney ask for a change of venue. As far as I am concerned, I may have it transferred to a federal court being a non-resident. Do not think I can have it taken to Montana, however, I can try it.

A handwritten signature in dark ink, appearing to read "J. Murray". The signature is written in a cursive style and is positioned at the bottom of the page, below the typed text.

September 23, 1918.

Mr. James A. Murray,
Monterey, California.

My dear Mr. Murray:

Your telegram of September 20th received, and contents noted.

I don't think Senator Meyers or Senator Walsh can do us any good. I have just received the Congressional Record in the matter of Senate bill No. 3646 - the El Capitan Bill. Both Senator Walsh and Senator Meyers were there and made no protest when the El Capitan Bill passed the Senate. Wm. R. Wheeler did some good work for us. All of the amendments that I fought for in Washington were added to the bill before the bill passed the Senate. I refer particularly to Section 3, which amendment was agreed to before the bill was passed, as follows:

"That the rights of way hereby granted are and shall be subject to all appropriations of water heretofore made and to legal rights heretofore acquired by any person, persons or corporation in or to the above-described premises, or any part thereof, and now existing under and by virtue of the laws of the U. S."

I also got included the following amendment:
"That this act is a grant upon certain express conditions specifically set forth herein, and nothing herein contained shall be construed as affecting or intending to affect, or in any way to interfere with the laws of the State of California relating to the control, appropriation, use or distribution of water used in irrigation, or for municipal, or other uses or any vested rights acquired thereunder, and the Secretary of the Interior in carrying out the provisions of this act shall proceed in conformity with the laws of said State."

There is no question but what we were very fortunate in getting this clause inserted in the bill, and our rights are protected by this clause only so long as the City does not commence the construction of a dam, and so long as we proceed with our construction to perfect our water rights, secured by our water filings on the San Diego River the day we bought the

JAM-2

system - June 1, 1910. The whole question involved is: "Are we diligently protecting our water rights?" Up to this date I believe we have and can prove in court, but we have reached the point where we must build the dam at or just above the diverting dam, or forfeit any right to any flood waters that go past our diverting dam if the city proceeds with its enterprise.

I received a resolution to the War Finance Corporation passed by the La Mesa Irrigation District urging that the government finance the building of our pipeline to Camp Kearny and a dam on the San Diego River.

Yours very truly,

F-mk

September 25, 1918.

Mr. James A. Murray,

Butte, Montana.

My dear Mr. Murray:

I asked you to sell me that imitation ruby - don't forget me on this.

Yours very truly,

F-mk

Sept. 27, 1918.

Mr. James A. Murray,
Monterey, Calif.

Dear Sir:

I have a new note from the Riverside Portland Cement Co. in your favor, for \$20,000. If you desire to return the old note for \$50,000, I will forward the new note signed by the Riverside Portland Cement Co., and also signed personally by Wm. G. Henshaw. The new note is for one year. I am sure Mr. Henshaw would be grateful if you could give this extension of time. I believe the interest is 8%.

Yours very truly,

F-S

Form 1204

CLASS OF SERVICE	SYMBOL
Telegram	
Day Letter	Blue
Night Message	Nite
Night Letter	N L

If none of these three symbols appears after the check (number of words) this is a telegram. Otherwise its character is indicated by the symbol appearing after the check.

WESTERN UNION TELEGRAM

NEWCOMB CARLTON, PRESIDENT
950 5th St., San Diego, Cal. GEORGE W. E. ATKINS, FIRST VICE-PRESIDENT

CLASS OF SERVICE	SYMBOL
Telegram	
Day Letter	Blue
Night Message	Nite
Night Letter	N L

If none of these three symbols appears after the check (number of words) this is a telegram. Otherwise its character is indicated by the symbol appearing after the check.

RECEIVED AT

623 GS R 42NL

MONTEREY CAL SEP 27 1918

ED FLETCHER

531

SANDIEGO CAL

ELEVEN IS SATISFACTORY IF OTHER CONDITIONS ARE STRAIGHTE HAVE SOME ONE WITH AUTHORITY ACT WILL COME DOWN ANY DAY AND CLOSE CAN PUT DISTRICT IN POSSESSION IN 24 HOURS THINK CAN ARRANGE FOR MONEY WITH WHICH TO MAKE IMPROVEMENTS IF NECESSARY

J A MURRAY

1021P

September 28, 1918.

Mr. James A. Murray,

Monterey, Calif.

My dear Mr. Murray:

Enclosed find letter from Mr. Crouch, the attorney, which is explanatory. In a few words, our attorney's opinion is this:

That we have not a leg to stand on to collect any rebate of 40¢ a barrel; that a judgment will be secured against us for the full sum of the contract, as approved by our own engineers, Eastwood and Bartl; that Sharp-Fellows will never be able to get any other damages against us for the extras which they claim.

Under all the circumstances, Mr. Murray, is it not advisable for you to send me a check for \$8452.75, payable to Sharpe-Fellows, for your ten-twelfths interest, and we can clean the thing up. We have everything to lose and nothing to gain by making this fight. It will only bring us worry and trouble, and heaven knows I have worry enough of my own, without getting into this lawsuit where I don't think there is a chance in the world to win.

In closing, I wish to say: When we advertised for bids the specifications were for the contractor to furnish the cement. The three cement companies agreed to deliver the cement at Murray Dam at \$2.25 per barrel, and each company charged 10¢ a sack additional for the sack and credited 10¢ a sack when they were returned. Bent Bros had agreed to pay \$2.25 for the cement if they had got the contract at \$136,000. In that way we could have made 40¢ per barrel, but Sharp-Fellows' contract for the same work was only \$97,000, and when you will have paid this check of \$8452.75, Sharp-Fellows will have received only about \$100,000 for all their work, including extras, that they did for us. My suggestion is that you send me a check for \$8452.75, payable to Sharpe-Fellows, and I will try and get them to accept it. If not, I will return the check to you.

If you still feel like fighting it, I will go the limit to help you out, but both Mr. Henshaw and I feel that it is a waste of money.

Yours very truly,

F-S

Sept. 28, 1918.

Mr. James A. Murray,

Monterey, Calif.

My dear Mr. Murray:

There will be a meeting of the Board of Directors, Monday night, to determine what action will be taken toward the purchase of our system.

Dillon, Thomson & Clay of New York approved the bond issue two years ago, and the Supreme Court has declared the district legal, so there is no question about the validity of the bonds. The only question is: Are the Board of Directors to take the responsibility of turning over the bonds and take the property? I do think they will call an election, and let the present district decide whether or not they care to buy.

I am pleased to inform you that I have temporarily stopped the building by the City of any pipeline to Camp Kearny, and expect to get the backing of the Chamber of Commerce and the majority of the City Council, asking that the War Finance Corporation put up the money for us to build the Camp Kearny pipeline. I leave for Washington Tuesday. My address will be the New Willard Hotel.

The La Mesa Irrigation District will want to go right ahead with the building of the dam at the head of our flume also the pipeline to Camp Kearny, so it will have no effect on our sale to the district, because we are agreed with them as to what is the necessary thing to do.

It would be impossible for the next thirty days to close this deal with the district, as both our attorney and the district's attorney are going to look into the legality of the question as to whether the district can buy the system and turn over the bonds of the district without a vote of the district. This is an important matter both from our standpoint and theirs. I would rather see it done this way, if possible. If it can be done I will have the attorney draw up a contract and submit it to you for your approval.

Yours very truly,

F-S

October 1, 1918.

Mr. James A. Murray,
Monterey, California.

My dear Mr. Murray:

Enclosed find clipping from last night's paper showing the City Council of San Diego has endorsed the building of a pipeline to Camp Kearny. The Chamber of Commerce of San Diego as well as the Merchants Association, the City Council of La Mesa, the Chamber of Commerce of El Cajon and the La Mesa Irrigation District have also passed favorable recommendations, so I am going to Washington well healed.

In the meantime things are working around very favorably for the eventual sale of our system to the La Mesa Irrigation District. Mr. Crouch says that the bonds in the treasury, which have already been voted, are legal and the board of directors can turn the bonds over without a vote of the people. I ~~will~~ not accept Mr. Crouch's opinion but with the approval of Dillon, Thomson and Clay to the bonds, and the Supreme Court have determined the validity of the district, we are absolutely safe.

I leave for Washington tonight. My address will be New Willard Hotel, Washington, D. C.

Have started something on the El Capitan bill of the city which will tie that bill up for some little time.
Yours very truly,

JAN-2

I received a letter from Wm. R. Wheeler who states that he will immediately see the Capital Issues Committee and notify them to check up the activities of the several cities in Montana, and will try and get them to order work stopped, particularly at Livingston. I will also take this matter up when I get East.

Yours very truly,

F. Ink

Oct. 16, 1918.

Mr. James A. Murray,
Monterey, Cal.,

My Dear Mr. Murray:

I arrived this morning from Washington after what I think has been a very successful trip.

The War Department have drawn up a contract whereby they advance the money to build the pipe line from Murray Dam to Camp Kearney and the pipe line is to be paid for by water which the cantonment uses or any other water that is sold on the pipe line, less 10%, which is retained by the Cuiamaca Water Co. for operating expenses.

A year after the war ends a committee of three will be appointed, one selected by us, one from San Diego County selected by the Government, these two to select the third, who are to appraise the value of the pipe line at that time.

I was told by the Government Officials that at that time in their opinion there would be charged off to war wastage the additional cost of this pipe line over normal cost which would be 30 or 40%. When this valuation is placed by the Arbitration Board we can if we wish pay this off in cash and if we cannot then on terms mutually satisfactory after deducting credits from the sale of water during the intervening time.

The price at which water shall be sold is 10¢ per thousand gallons unless changed by the State Railway Commission of California. I am of the opinion that the State Railway Commission will increase the rate but this is the maximum rate that they allow us to charge today according to their schedule. The City Council of San Diego passed resolutions formally endorsing this construction and the Chamber of Commerce and Merchants Association sent a representative to officially represent the City, who was of great assistance to us in carrying through this plan. The City of San Diego is to approve this contract and Mr. Johnson, the City's representative, said there was no question but what the City Council will approve this contract.

2.

Murray

The contract has not been signed yet but must have the approval of the Secretary of War. However, all of the Departments assured me that there would be no question but what the Secretary would sign the contract when placed before him. I will send you a copy of the contract as soon as possible.

While in Washington I also took up with another branch of the Government, the War Finance Corporation, the matter of a loan of \$500,000 for building the proposed diverting dam although I do not think it will cost over \$400,000 but the application was made for any amount of money necessary up to \$500,000, the interest to be 5%.

There is every indication that the War Finance Corporation will make this loan. The Capital Issues Committee have approved it as well as the War Industries Board. The War Finance Corporation, however, insisted that the show of revenue was not sufficient to justify them and the State Railway Commission of California should and would have to increase the rates so as to give a proper return on the investment.

I am working on this with the State Railway Commission. Of course nothing further can be done in this line until the Railway Commission of California either increase our rates or give satisfactory assurance to the War Finance Corporation that they will be increased. I have asked them to write a letter to the War Finance Corporation setting forth their position.

We are very fortunate in having both the City Council of Escondido, the City Council of Le Mesa, the City Council of San Diego, the Merchants Association and Chamber of Commerce, both of San Diego, as well as the Le Mesa Irrigation District, get behind us in this matter. It shows harmony which has never heretofore existed, and an appreciation to some extent of what we have been trying to do in San Diego County.

Of course nothing will be finally done committing you or Mr. Henshaw to this \$500,000 loan until everything in detail has been put before you and is satisfactory to you both.

In the meantime the Le Mesa Irrigation District are seriously considering turning over \$1,100,000 in bonds and taking over the property. My understanding from your letter is that this is satisfactory and I have heard from

Murray

Mr. Henshaw is satisfactory to him, but of course I will not obligate in any way either you or Mr. Henshaw until all the details are arranged satisfactory to both of you. I only hope that the District will come no osa.

I am going to San Diego tonight and if any new developments take place I would like to come to Monterey or San Francisco and see you before you leave for Seattle. Mrs. Murray told me over the telephone today that this was your plan.

Please keep me posted as to where I can reach you from time to time if you do leave for the North. You will hear from me again from San Diego.

With kind personal regards

Very sincerely yours,

c.c. Wm. C. Henshaw
Ed Fletcher

Ed F.

CLASSES OF DOMESTIC SERVICE	
Fast Day Message	<input checked="" type="checkbox"/>
Night Message	<input type="checkbox"/>
Day Letter	<input type="checkbox"/>
Night Letter	<input type="checkbox"/>
Charges (if any) \$	

WESTERN UNION

TELEGRAMS



CABLEGRAMS

BY TELEPHONE FROM THE WESTERN UNION MAIN OFFICE
NEWCOMB CARLTON, PRESIDENT GEORGE W. E. ATKINS, FIRST VICE-PRESIDENT

Form 1223

CLASSES OF CABLE SERVICE	
Full Rate	<input type="checkbox"/>
Half Rate Deferred	<input type="checkbox"/>
Cable Letter	<input type="checkbox"/>
Week End Letter	<input type="checkbox"/>
Charges (if any) \$	

Dated San Diego, Cal. Oct. 18, 1918

To

James A. Murray,
Monterey, Calif.

Letter received. Writing you important letter today Monterey. Cannot be San Francisco Monday. Hope you are better.

Ed Fletcher.

Chg Cuyamaca Water Co.

Monterey, Calif., Oct. 21, 1918.

Ed. Fletcher,
San Diego, California.

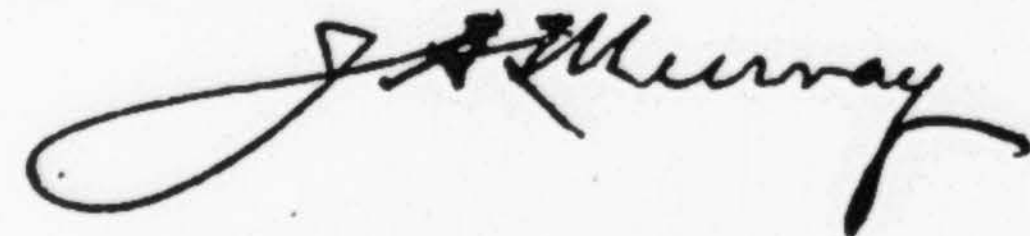
Dear Sir:

After reading your several letters I wish to say that old scoundrel Henderson must be it, nit as I never spoke to him in my life. You mention the fact in one of your letters that you and I employed him, the mistake you make there cuts no figure, but I never had any idea that you employed him for anything, as I looked upon him as a "niny". However his counter claim will not be admitted, it has no bearing whatever on the mortgage or record and as to the ownership of the mortgage that is also immaterial. If I wanted to make you a present of it I could have done so, so we will let it go at that.

Now as to the pipe line in Kearney, I never told you or nobody else absolutely, that I would go into the scheme of putting three or four hundred thousand dollars in that pipe line, and the conditions would have to be very favorable and the rate of interest on that amount of money would have to be very low as I can get that money in a dozen different places without bothering Uncle Sam for it. I would much prefer to sell the plant to the District because they can get any kind of favors that they ask for, while you and I cannot. I would be perfectly satisfied to let it go at valuation placed upon it by the commission, as I believe the commission is composed of honorable men since that little rooster is eliminated, and furthermore I may in the near future use a good deal of water myself and feel that the manager of the district would treat me alright as I am under the impression were the plant turned over to the District there would be a man named Fletcher manager, as I don't know of anybody else equal to the occasion.

Enclosed you will find a draft for those olives.

Yours truly,



JAM/EH
Incl.

Monterey, Calif., Oct. 23, 1918.

Ed Fletcher,
San Diego, Calif.

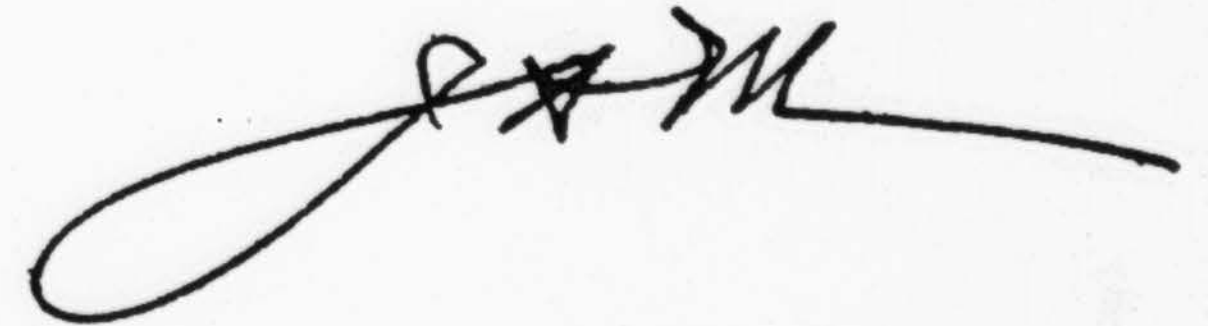
Dear Sir:

I forgot in my last letter to say, "do not employ any attorney in the water transactions with the district, it is too plain!" If they will deliver you the bonds you will deliver them a deed, individuals can't do business with the public to any advantage. Therefore I am willing to sell at a valuation placed upon it by the commission notwithstanding that the property is worth five times what we will get for it. If it is worth a dollar it will be worth five million within the next ten years. The district can have the rates doubled and the consumers will not object as they will feel that they are part owners.

Let the district employ their own attorneys and when papers are drawn up then we can have them examined by Judge Hanshaw or some other attorney. "We are counting our chickens before they are hatched!"

Yours truly,

JAM/EH



OCT 25 1918

October 25, 1918.

Mr. James A. Murray,
Monterey, California.

My dear Mr. Murray:

I did not hear from you asking me to come north so I took it for granted that you did not want me to.

The Capital Issues Committee hearing in Los Angeles, Thursday, turned out very successful, and they have wired Washington to approve the loan. The War Industries Board have also formally recommended the loan as a war necessity, so it is up to the War Finance Corporation to make a decision. I anticipate that they will demand a material increase in rates from the State Railroad Commission before the War Finance Corporation agree to make a loan of \$500,000 to build the diverting dam on the San Diego River.

There is a possibility within the next week of the City being willing to enter into a contract for five years to buy 2,000,000 gallons of water daily from us. This income, together with increased rates from the sale of irrigation water, will put the Cuyamaca system on its feet with an income of \$150,000 to \$200,000 a year.

The State Engineer, as well as the President of the La Mesa Irrigation District and the Mayor of La Mesa, attended the hearing in Los Angeles yesterday. The La Mesa Irrigation District are very much alive to buying the Cuyamaca system. They are urging the construction of both the pipe line to Camp Kearny and the building of the diverting dam, and at their next meeting I expect them to pass a resolution agreeing to take the Cuyamaca system, at a price set by the State Engineer, 6% bonds at par, subject to ratification by the voters of the district.

Please let me know what your plans are, and if you leave the state kindly let me know where you are in case of necessity, and when you expect to return, as there is going to be something doing in the near future.

Yours very truly,

F-mk

Monterey, Cal., Oct. 25, 1918.

Ed. Fletcher,
San Diego, Calif.

Dear Sir:

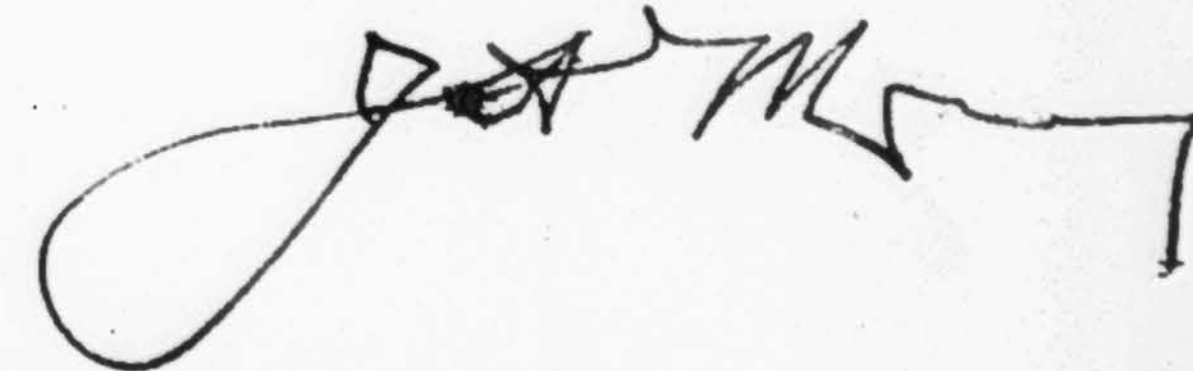
Replying to yours of recent date, also yesterdays, will say, I felt it my duty, in a measure, in as much as I had made a good deal of money in Seattle, to invest some money there in Liberty Bonds, but not having the ready cash on hand I disposed of an eight percent mortgage and invested it at four and one ~~quarter~~ a good business man, nit.

In relation to the renewal of the Henshaw note, I don't see any necessity in rushing that until I get down there, and of course will do anything Mr. Henshaw desires in the matter, but I don't see that it makes much difference as to the Kurchoff proposition. I feel that the security is "A-1" and would like to make the loan if I was in a position to do so, but at the present time "no mun" and that speaks volumes.

If in your dealings with the district, there should be a contract drawn up. If they draw it up so that there will be no buts nor ifs, in other words, ~~and~~ have it made final, even if we get the worst of it.

Yours truly,

JAM/EH



Oct 27, 1918



CAPITAL AND SURPLUS \$700,000 00

AMERICAN SAVINGS BANK & TRUST CO.

SECOND AVE. AT MADISON ST.

J. A. MURRAY, CHAIRMAN
GEO. B. BAKER, VICE PRESIDENT
B. B. LUTEN, SECRETARY

J. P. GLEASON, PRESIDENT
JOHN K. BUSH, CASHIER
A. T. DREW, ASSISTANT CASHIER

SEATTLE, U.S.A.

November
~~21~~ 22^d
1918

November 29, 1918.

Mr. Ed. Fletcher,
San Diego, Calif.

Dear Sir:

Just before I left home a party calling himself Morris telephone me from San Francisco wanting to know if we would give him an option on the Cuyamaca water plant for six months at the figure placed upon the same by the railroad commission. In return for said option his people would agree to make a survey from the fountain head of all the water of the system to where the pipe is connected with the City pipe on El Canon Avenue. I did not answer him until I found out your views and Mr. Henshaw's views in the matter.

Now then, a letter will catch me in Butte where you might give me your views in relation to this matter. At the present time I hope to be able to get to California inside of a month, however I cannot see into the future.

Yours very truly,
J. A. Murray

*Morris says should be
not exercise the option
that he would turn over all the blue prints & field notes
to us free x*

Mr. James A. Murray,
Butte, Montana.

My dear Mr. Murray:

Answering yours of November 22d, will say that I have discussed this matter with Mr. Henshaw and we will be pleased to sell the Cuyamaca system if you are, at a valuation placed on same by the state engineer, who is now doing this work jointly for the La Mesa Irrigation District and ourselves.

Please take note that it is not the State Railroad Commission but the state engineer who is making the valuation. The state engineer has full control over all mutual water companies and districts, while the State Railroad Commission has full control over all public utilities. Now, our Cuyamaca system could not be sold to the La Mesa Irrigation District except with the consent of the state engineer, who must finally determine the value of the Cuyamaca system before it can be sold to a district. This is now being done.

The state engineer has placed a valuation on the Lake Hodges system which is very satisfactory to us, and is satisfactory to 90% of the property owners between Del Mar and Oceanside, and on the 17th of December a vote will be taken to form the district to take over our system. The State Engineer has also just placed a valuation on the Warners Dam for the San Luis Rey Irrigation District, proposed, which is very satisfactory to us and I am sure the State Engineer is more liberal in his valuations and will be more liberal with us in his valuation on the Cuyamaca system than the State Railroad Commission over would be. For that reason I would by all means say that our interests are best preserved by having the State Engineer make the valuation than the State Railroad Commission.

I suggest you write Mr. Morris telling him that we will be glad to sell for cash or take bonds that are satisfactory, the sale price to be determined by the State Engineer of California with the reservation that we are morally obligated to sell to the La Mesa Irrigation District

JAM-2

at a valuation placed by the state engineer; that this valuation is now being made, and the first one to accept the proposition will have the property. In this way we keep the La Mesa Irrigation District in line, and they seem very anxious to buy our property and have agreed to put it to the vote of the people just as soon as the state engineer makes his decision as to the valuation of the Cuyamaca system. It will probably be 60 days before this will be completed and a complete report rendered to us.

Everything is going nicely here.

With kind personal regards and hoping you are well.

Very sincerely yours,

BF-mk

December 4, 1918.

Mr. James A. Murray,

Butte Montana.

Dear Mr. Murray:

I have received a telegram from Mr. Wheeler in Washington, today, that Mr. Ketner is going to push and have passed by the House, the Senate bill No. 3646 which was passed by the Senate at last session after six or eight amendments were attached to it which I asked for in the committee hearing, when in Washington.

The most important amendment that I got the committee to accept before it was passed by the Senate, is as follows:-

Sec. 3. That the rights of way hereby granted are and shall be subject to all appropriations of water heretofore made and to legal rights heretofore acquired by any person, persons, or corporation in or to the above-described premises, or any part thereof and now existing under and by virtue of the laws of the United States, and no private right, title, interest or claim of any person, persons, or corporation in or to any of the lands traversed by or embraced in said rights of way shall be interfered with or abridged, except with the consent of the owner or owners or claimant or claimants thereof, or by due process of law and just compensation paid to such owner or claimant: Provided That the rights and claims of the Mission Indians of the Capitan Grande Reservation, located upon the rights of way herein described and affected by the easement herein granted, shall be protected and provided for as hereinafter set forth in section 5 of this act.

I do not however, want to see this bill passed at all and I hope that you and Mr. Henshaw will use every effort through your Congressman friends to see this bill is either referred to a committee in the house or any action taken whatever. I am very doubtful if we can stop it.

December 4, 1918.

Mr. James A. Murray,

#2

This is only a short session of Congress and if we could keep it from being passed the City would have to commence all over again next session and I do not believe they would ever attempt it again, for we have blocked them for five years already.

The bill came up in the House three times this last session and we were able to knock it out. It is now on the bottom of the calendar and can not be taken out of its regular order excepting by unanimous consent. They might slip it over and get unanimous consent, however, as you know.

I urge you to do everything possible for if this bill is passed it will be a club over our heads and will hurt us financially in our attempt to either sell to the District or to the City, and I am sure that this coming year we can sell our system either to the District or the City if we can block this bill in Congress.

I have asked Mr. Wheeler to go the limit to kill any action and I am paying him for his services.

The contract to build the pipeline to Camp Kearny, is now in the hands of Secretary of Interior and will not be signed until they decide whether or not Camp Kearny will be permanent or not. Only two cantonments out of the sixteen that were built, will be maintained. We are making a big fight to see that Camp Kearny is made permanent.

Yours very truly,

F_F

P. S. I also got the Senate Committee to add the following conditions to the bill:-

That this is a grant upon certain express conditions specifically set forth herein, and nothing herein contained shall be construed as affecting or intending to affect, or in any way to interfere with the laws of the State of California relating to the control, appropriation, use, or distribution of water used in irrigation, or for municipal or other uses or any vested rights acquired thereunder, and the Secretary of the Interior in carrying out the provisions of this act shall proceed in conformity with the laws of said State.

December 7, 1918.

Mr. James A. Murray,

Butte, Montana,

My dear Mr. Murray:

I am certainly happy today. We have just received the report of the State Engineer in the matter of the proposed sale of the Warners project to the San Luis Rey District, now in process of formation.

The State Engineer, on the Warners damsite, water rights and lands flooded, gave us a valuation of nearly two and one half million dollars. Government engineers are now here from Washington going into the matter thoroughly and will undoubtedly get behind this proposition, as Secretary Lane has now, or soon will have, five hundred million dollars to spend in development of public and private enterprises of water and land development, in order to give work to returned soldiers.

I took this matter up with Secretary Lane and Chief Engineer of Reclamation Service, Mr. Davis. The Government Engineer's report is now ready to be filed and he has had the benefit of the State Engineers report and things never did look more favorable.

Referring to the Santa Fe or San Dieguito Mutual Water Company project. Lake Hodges and San Dieguito dams, these have been built and the pipeline to the ocean completed and on the 17th of this month the people

December 7, 1918.

Mr. James A. Murray, #2

of this District, from Ocean side to Del ^{Mar} ar, vote on the organization of a District of twenty five thousand acres to buy our system, we taking forty ~~percent~~ ^{year} bonds in payment, and the price set by the State Engineer and approved by the Bonding Commission is very satisfactory. I will make enough out of that alone to pay all of my debts, including what I owe you.

The State Engineer is now making a valuation on the Cuyamaca System and I expect a very fair valuation, as the State Engineer is certainly more liberal and willing to give a square deal to capital, than the Railroad Commission.

I had charge of Governor Stephens campaign for Governor. Governor Johnson never carried either the primaries or general election in San Diego County, when running for Governor but I had the pleasure of seeing San Diego County at the primaries give Stephens 3,673 majority and at the general election in November we carried the County by over nine thousand for Stephens.

I am glad that we have a friend at court any how.

Stephens wanted to make me California Highway Commissioner but nothing doing, I have too much work on hand but I will have something to say about the appointments.

Write and let me know how you are. Do not worry about San Diego, Everything is going along alright

Mr. James A. Murray,

December 7, 1918.

#8

I have over a mile of the 20" pipeline on El Cajon Avenue up and reenforcing it with steel and four inches of concrete. It is costing about four dollars a foot as against ten dollars a foot for cast iron but we will have a pipe as good or better than cast iron when the line is done and will be able to furnish six or seven million gallons of water to the City next year when they surely are going to need it.

The work that you wanted to have done at Cuyamaca Dam, the concrete wall and gate on the south spillway, is built and I am sure will please you. I am doing nothing with the north spillway excepting to leave it filled up with dirt part way.

The Henderson trial has come off on the foreclosure of mortgage and I am subpoenaed as a witness on the 12th of this month. We will get a decision shortly, knocking out our friend Henderson and mortgaged will be foreclosed.

Yours truly,

F-F

December 21, 1918.

Mr. James A. Murray,
Monterey, California.

My dear Mr. Murray:

Enclosed find shipping receipt for a case of olives, which Mrs. Fletcher and I are sending as a Christmas greeting to you and the Madam and wishing you and yours a Happy and healthful Christmas and New Year.

Everything is going nicely here. The state engineer has a man here and is working hard getting out a valuation on our system; it will take some few weeks yet. The country from Oceanside to Del Mar, 25,000 acres, had an election Tuesday last and only two votes were against forming the district. I don't expect over 40 or 50 votes against it when it comes to purchasing our system.

We have certainly have had some Flu troubles here; seven cases in our house. We are all compelled to wear masks yet but hope soon to get back to normal again.

Let me know when you will be down this way.

Hoping everything is going OK with you.

Very sincerely yours,

encl
F-mk

Dec. 28, 1918

Mr. James A. Murray,
Monterey, Calif.

My dear Mr. Murray:

I was surprised and very sorry to hear that Swindlehurst got into a fight and killed that politician in Livingston. I hope it is not your manager at Livingston-- possibly a brother of his.

I don't know as I wrote you that from Oceanside to Del Mar 23,000 acres have been formed into a district, having an election a week ago last Tuesday with only two votes against it. The next step is the bond election to buy our system. There is every indication that 90 % of the interests will vote to buy our system. If this deal goes through it puts me on velvet for life. The Santa Fe are making very little out of it, themselves, but now that the Government has taken over the railroads they want to get out of the power business as well. But both Henshaw and the Santa Fe are doing the handsome thing by me. It is a dream that I have carried through successfully, and I am going to do the same thing by the Cuyamaca, but it has been a harder up-hill fight.

The Government is going right ahead, spending \$4,000,000. on the Marine Base, the Government concrete ship-yards are going right ahead and is a permanent affair. Nothing new about Camp Kearny pipe line yet.

The Flu situation is a little better here now. Let me know a few days ahead of time if you can, when you expect to be here. You should bring Mrs. Murray this time, as we are having wonderful weather.

The Government is building a plunge and landing field and putting in a hospital Camp at Warners Springs.

I wish you and yours a Happy New Year.

Yours very sincerely,

EF/bm

Ed Fletcher Papers

1870-1955

MSS.81

Box: 19 Folder: 9

General Correspondence - Murray, James A -



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