

CITY COUNCIL GOES ITS LIMIT

Aldermanic Body Insists on a Large Water Shed Area in Forest Reserve.

After no inconsiderable amount of discussion, both by the municipal authorities in session convened and the citizens in public meetings, the aldermanic body has given the Forest Service reasonable assurance through the adoption of a resolution that it will take care of the water temporarily above the present point of intake, provided the water shed asked for, comprising sixty-five square miles, be granted; and provided further that the citizens of Cottage Grove vote sufficient money to meet the additional expense, should it become necessary to disburse more than \$100,000 in the construction of the contemplated improvement. This action was taken at a special meeting of the council Monday afternoon, called by Mayor Job for a consultation with C. S. Chapman, district forester for Oregon, Washington and Alaska; Mr. Bartrum, supervisor of the Umpqua district, and A. E. Ames, chief of silva culture and in charge of timber sale work.

On Friday last, Mr. A. B. Wood, representing capitalists who are negotiating for the purchase of 173,000,000 feet of timber in the Umpqua forest reserve, made a conditional bid for this timber, the condition being that it be delivered to his company under the same conditions as when negotiations were first instituted, some six months ago, at which time the price was agreed upon between the government's representatives and the contemplating purchasers. This practically put the matter up to the Forest Service to deliver the goods, and with this end in view the three gentlemen came to Cottage Grove in an endeavor to get an assurance from the city that it would temporarily change the location of its intake to a point above the mouth of Junietta creek, which assurance was given, with the proviso that the Forest Service, too, meet the request of the council.

THE PROCEEDINGS.

Aldermen Atkinson, Bartel, Elledge and Kime were present, and Mayor Job presided. After the usual formalities the mayor instructed Recorder VanDenberg to read the call, which showed the purpose of the meeting to be a conference with the foresters regarding the Layng creek district water shed. In order to have a perfect understanding of the situation the mayor caused to be read the water grant from the state for six cubic feet per second, to be taken from a certain described point on Layng creek. This document bears date of June 12 1909.

Mr. Chapman, upon invitation of the mayor, explained the position of the Forest Service by saying it was in favor of setting aside the water shed and that the reserve would receive the best care possible by the service. Naturally he wanted to know the council's position. Our understanding, said Mr. Chapman, is that you wish the sale, and we feel that you should go on record as to what steps you will take to safeguard the water supply against contamination. It has been understood verbally that you will take water temporarily from above the intake site, and we want this a matter of record so that we may know where we are at. The service will do what it can consistently in favor of a water shed, and it wants the council to prepare and adopt a resolution that it will take such steps that it will not in any way interfere with the timber sale the government is about to make. The only question is, how you can insure us that the water will be taken care of.

Attorney Young, counsel for the city, was asked by the mayor for an opinion, and he replied that he didn't see how the city could do anything at this time. The citizens had authorized a bond issue of \$100,000 for a water system, and its construction must be kept within that sum. If after the engineer had made an estimate of its cost, and there was a sufficient amount of money to extend the system it might be done. He couldn't see how the city could say now that it could spend an additional \$15,000.

Mr. Chapman said his understanding was that the pipe above the point of intake would be a temporary arrangement, and if so the cost would be comparatively small.

At this juncture the mayor called on Mr. Burkholder for an expression of opinion, but that gentleman preferred to hear from others first. Mr. Wood was then invited to take the floor, and he replied that his idea was that an answer should be made to Mr. Chapman's request. The mayor then called upon Col. Veatch, who said there seemed to be a fair understanding of the situation. No one in Cottage Grove wanted to hamper the pending deal, and vice versa. The citizens want the shed and to know its exact proportions, and when this was secured there would be no difficulty. A flume could be constructed and extended from time to time to keep above logging operations.

He had talked with both sides, and that seemed to be the understanding. Nothing could be done legally until the water shed was located, then the council could make a binding agreement.

Mr. Wood offered a word as to the contract between the city and company by explaining that the company would go into the reserve under the rules and directions of the Forest Service. The company was dealing with the government, and consequently must look to it and not the city. The city and Forest Service must adjust matters.

Mr. Burkholder: How soon will all that has been done regarding the sale become delinquent if something is not done?

Mr. Ames: The contract can be made within a few days.

Mr. Burkholder: How long can the contract be held open without jeopardizing the sale.

Mr. Ames: There is no limit.

Supervisor Bartrum said there were two sides to the question. The purchasers might have something to say as to how long it could be put off.

Mr. Burkholder requested Mr. Bartrum to answer for the Forest Service, and let the lumber company answer for itself. To which Mr. Bartrum replied that he had nothing further to say.

Mr. Burkholder: Now as to the men who propose to purchase; will they wait?

Mr. Wood: That is a question I cannot answer definitely. Answering for myself, I would not object. Time is passing, and arrangements must be made; the money has been set aside for the purpose and the men want to know. Unless they get an answer within a reasonable time, and the department would not return the money until the question is settled, the deal might be off.

Mr. Burkholder: If that's the way of it I think the sooner the town authorities give the forest officials a definite answer the better. It will take a good many hundreds of thousands of dollars to carry the enterprise through and the money will not wait forever. I don't think, not saying the town should relinquish its rights, that any man on this council would invest his money on a verbal understanding with the whole town. With all due respect to the Forest department, I wouldn't put in the mill, paying the exorbitant price for the timber, and then have the department over me. Cottage Grove will make more out of the enterprise than the men who put the money in. I say if they are ready to invest for the Lord's sake don't stop them.

Mayor Job: There is no question but that the council and the citizens want the deal to go through, and if Mr. Burkholder thinks the council is throwing obstacles in the way he is mistaken.

The mayor asked Attorney Young if the city could guarantee protection to the lumber company, and that gentleman said the estimated cost of the pipe line should be had first. If the deal could be held up thirty days this estimate would probably be made, and then intelligent action could be had.

Mr. Wood inquired if, under the circumstances, the council would set a day when a definite answer would be given, but the inquiry fell upon deaf ears.

The mayor asked Attorney Young if the city had a right to the reserve until the reserve was set aside, and the attorney replied that he thought it had.

Mr. Chapman: It simply needs a permit from the Forest Service to temporarily locate the intake above. On this point you may be absolutely certain.

Mayor Job to city attorney: Suppose we can put in the pipe line for \$75,000 or \$80,000, can the city use the balance of the money for the extension?

Mr. Young: Yes.

The mayor invited an expression of opinion from Mr. Porter and Mr. Chambers, but both remained silent. Councilman Bartel, however, accepted the chief executive's invitation and said he didn't think he thoroughly understood the situation. It was not a prune or cherry crop that needed gathering within thirty days. He wanted the water shed first. According to Mr. Burkholder the lumbermen were anxious to get into a bad deal, he said.

Mr. Burkholder replied by saying he had no money in the deal.

Mr. Chapman: The Service would like to sell the timber, and at the same time wants the water supply protected. No one knows how large a water shed is necessary for the supply. If the city takes the stand that it will interfere with the water, and in view of what has been verbally agreed, would you expect us to sit down and wait for you? Suppose we think the area is larger than you need? We feel that you should give us the best possible assurance that the sale will not be inter-

fered with. It looks very much as though it would be legally impossible to do anything, but we would like to know the sense of the meeting regarding the sale now, and also that the meeting would use its efforts to effect the sale.

Alderman Kime said the trouble lay in the fact that the council lacked capital to carry out the additional work. He thought there would be no difficulty in raising the additional money. If there was any of the \$100,000 left it could be used, otherwise the citizens would have to vote it. The water fund had only \$1600 and \$100 of that had been contracted for.

The mayor asked Mr. Young if, in case of a surplus after an estimate was made, the city possessed the right to put in a temporary flume, and the attorney advised that it could do any work necessary or incidental to the pipe line.

Mayor Job then stated that in conversation with Engineer Roberts it was thought there might be a surplus of \$10,000 or \$15,000. The mayor thought, too, that if a little time were given it could be made satisfactory to all concerned.

Mr. Young suggested that the timber people might assist by stating what timber would be cut first. The expenditure might not be needed for two or three years. The flume might be added to as found necessary. It might not get to the mouth of Junietta creek for ten years.

Mr. Wood, as stated on divers previous occasions, said operations would begin on Crazy creek, and continue there for at least one season. Mr. Wood said the ground had been gone over sufficiently to eliminate all ifs. The question had resolved itself into ways and means to take the intake above the permanent site. "I have no authority to hold the investors, but if the engineer will proceed and get an estimate, I think I can safely say that we could take up the matter of ways and means after that. The Forest Service, independent of us, wants to know about this matter. The forest men need some assurance, and that resolves itself into whether these means will be undertaken."

After some discussion by Mr. Burkholder, Alderman Kime spoke as to the length of time necessary for the survey and estimate. Mr. H. O. Thompson said he considered it impossible to fix a date when the information could be given, and suggested that the council adopt a resolution to the effect that it was the sense of that body that if citizens provided means the council would use its utmost endeavor to grant the request.

Mr. Ames couldn't see why the estimate should be given first. If the \$100,000 was needed why couldn't a resolution be passed now as well as then.

Mr. Thompson said his meaning was that the council simply go on record as being willing if it had the authority of the people.

Alderman Atkinson wanted the reserve set aside first, and then the resolution could be adopted.

Mr. Chapman, after explaining the steps necessary to secure a water shed, urged the council to act upon Mr. Thompson's suggestion. During his talk Mr. Chapman said the area asked for was a large one, and didn't know whether the department would grant it or not. The city, however, would not be asked to take a smaller area than would amply supply it.

Alderman Bartel informed the meeting that the \$100,000 had been voted for water from necessity. When the line was completed, he said, it will not get a revenue of more than \$6,000 and interest on the investment would be \$7,000. He didn't think the council should ask for an additional \$15,000.

Mr. Wood said 25 per cent of the money derived from the timber sale would be distributed in the county, which meant that \$87,000 would go for schools and roads, thus lightening the taxes along these lines.

Attorney Young, when asked, said the proposed resolution would be legal, and Alderman Kime introduced the resolution—that if the Forest Service grants to the city of Cottage Grove the water shed asked for, according to the present maps, this council is willing to take care of the water temporarily above the present intake, provided the citizens vote sufficient money—and after some discussion it was adopted. But before its adoption an attempt was made to eliminate "if the water shed be granted." Mr. Ames said the resolution was contingent on setting aside the 65 square miles.

During the discussion it was brought out through Supervisor Bartrum that Engineer Roberts had said 43 square miles would be sufficient area, and if the engineer was satisfied with 43 square miles and the Service should grant it, the resolution would be without effect. What we want, said Mr. Bartrum, is the support of the people. We have been for five or six years trying to consummate this sale, and the citizens of Cottage Grove have criticised us for holding it.

Dr. Kime, by way of explanation, said that when Mr. Roberts came back from Roseburg it was found that the 43 square miles run only to the mouth of Junietta creek and the water above was not protected.

Mr. Bartrum said rights wouldn't be

forfeited by going above the intake.

The mayor said the council had asked for 65 square miles and it would be bad judgment to ask for less now.

Mr. Chapman, in urging the government's cause, said sufficient area would be granted, but if that area includes timber that should be taken out it wouldn't be right for the city to ask for it. By putting on the extension the city holds the water below, and when the time comes that it is needed the service would protect the whole area. To comply with the request for 65 square miles would hold up a vast amount of valuable timber.

Mr. Veatch incidentally remarked that it was his honest opinion that there was not enough water above the mouth of Junietta creek at all seasons. He was confident that the city would take care of the matter until after logging operations had ceased.

Mr. Ames: That being the case why wouldn't Mr. Thompson's suggestion suit?

The resolution referred to above was again read and Mr. Young's opinion asked regarding its legality. He said Mr. Bartrum had recommended the intake above Junietta creek, which brought a prompt denial from the Forest Supervisor, who said he had made no recommendation whatever. The attorney thought that men familiar with the territory for forty years were in a position to urge the needs of the city as well as the forest department.

Mr. Ames: How about the report of the engineer?

The mayor said Mr. Roberts was not competent to judge the water above the mouth of Junietta creek, because he had made no measurements there. Mr. Roberts, said the mayor, "is under the authority of this council, and if he has made any recommendations he has exceeded his authority."

Mr. Chapman smoothed matters over by saying the department did not want to be arbitrary; that the department should not be asked to protect an area until after an investigation had been made. It was intimated that the council was holding up the deal, and the mayor asked in what way the council was putting obstacles in the way, and received the reply from Mr. Chapman, "by giving the buyers no assurance."

The mayor promptly responded that the city did not want to interfere with the logging operations; it simply desired to protect its water rights. The mayor then asked Mr. Porter if the resolution suited him, and receiving the reply that it did so far as he understood it, it was put to a vote and carried unanimously, whereupon the council adjourned.

WILL FILE PETITION.

Document Asking for Nesmith County Bears Many Signatures.

The Nesmith county committee held a meeting Wednesday afternoon, checked up the signatures to the petition, and arranged to file it with the state authorities at Salem on Monday next. The petition bears the names of over eleven thousand citizens of the state, or several hundred more than the number required by law. These signatures were secured without difficulty, and twice the number might have been had, it being recognized by the people generally throughout Oregon that our claim is just and our cause worthy.

ADDRESS STUDENTS.

Rev. Elkins Talks on Making of a Life Before School.

The Rev. Mr. Elkins addressed the students of the high school on Wednesday afternoon taking for his theme "Making of a Life." He talked about thirty minutes, showing some of the essentials to form a successful life. The habits formed in the school were important links. He dwelt at some length upon thoroughness, earnestness and the quest of knowledge, and emphasized the value of an education.

R. C. Barfield of Salem inspected the local telephones this week, and found them good.

ALL OUT OF SORTS

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