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ADVERTISING RATES ON APPLICATION.
JUNE 28, 1903.

NORTH UMPQUA RIVER CRAFT.

Last February the PLAINDEALER under the heading:

"Boom Law Unconstitutional," published as follows, which is reproduced from the issue of February 2, 1903:

The supreme court of the state of Oregon has handed down its decision in the case of the Chas. K. Spaulding Logging Company, a corporation, respondent, vs. the Independence & Falls City Lumber & Improvement Company, a corporation appellant.

The court holds that the present Oregon boom law is unconstitutional and void. The effect of this decision has a widespread bearing upon the future development of the lumbering interests of the state, and the legislature now in session should immediately pass a law which contemplates the improvement of unnavigable streams. It is said that measures with this object in view are now being formulated and will soon be introduced in both branches of the legislature. The timber and lumber industry of this state is of too much importance to receive little or no consideration at the hands of our legislators. Let us have some laws that will aid in fostering and building up this valuable industry at the same time a monopoly on any stream should not be allowed.

To give the matter in detail, the Supreme Court of Oregon in the case of the Spaulding Logging Co. vs. Independence Improvement Co., 71 Pac. 132, decided January 19, 1903 holds the Law enacted in 1901 by the Legislature to be illegal and void under the constitution, Art. 4, Sec. 20, in which it is provided that every act shall embrace but one subject which shall be expressed in the title.

The act is entitled "An act authorizing the County Courts of the several counties of this state to declare unnavigable streams highways for the floating of logs and timber, and provide for the improvement and use of the same."

We have before us a copy of the laws passed by the Twenty-first regular session of the Legislative Assembly of 1901, and in the act the county court is not mentioned. The decision of the Supreme Court declaring the 1901 act to be unconstitutional re-instated the act of 1897 as the law governing logging streams, which requires the persons seeking from the county court a franchise to file profile of survey and all intended improvements to be made.

In the application for a franchise worth several million dollars the Oregon Boom and Timber Company has simply treated the court to a blast of hot air. The company has not put in writing what it says it will do, much less what it intends to do. There is tributary to the Umpqua river \$100,000,000 worth of lumber. This is what is sought to be controlled to force every foot of timber to pay tribute. Now if this corporation is sincere in what it says it will do, why does it not file a complete and detailed estimate of work to be done? Why not give to the court as part of the documents upon which the franchise is to be granted, the profile of the survey, the detailed plan for the dam and booms and reserve water in which to hold the logs, a complete statement where the river is to be deepened and rocks blown out so that there can be no mistake in the matter?

Why are not the plans and specifications drawn up by a competent civil engineer, with the estimate of expense and the time when work shall commence and when end, and guarantee that the sum of \$150,000 shall be expended within two years, and not

less than \$5000 each month from the time the franchise is awarded; the same to be manifest by checks paid for work actually done in accordance with the specifications filed, and in the event of failure the charter shall by its own provisions be declared forfeited, together with a cash bond of \$10,000 given to the court as an evidence of good faith?

If this company has behind it one-tenth of the capital it is said to have, this would be a mere bagatelle ball to their vast pile.

But the naked truth is, the company offers nothing but wind, and all the tangible resources of the company are not sufficient to flag a Salvation Army bread wagon. There are millions upon millions of dollars at stake in this franchise which is intended to control every foot of timber on the watershed of the North Umpqua river, and the effort of the boomers is to obtain an exclusive franchise for that part of the river which needs little or no improvement, and where the tributary streams need improvement that is to be left to other parties to put in their money and obtain another franchise. In fact, a proposition has been made to parties interested in timber land on the North Umpqua that they petition the court for another franchise, to control the Little river to its connection with the North Umpqua.

But right here comes in a thought; if the franchise sought is so valuable, why should the county give it away? As that stream controls billions of feet of lumber, why is it necessary to turn it over to razzoozers? Why should the citizens' rights be wrested from them on a speculative 30-year franchise? The law gives the county court full power to make the North Umpqua river a public highway for the public good. Why not make a county highway of the river in deed and in fact?

The law under which the speculators are trying to obtain a franchise says:

Section 1. "Upon application of any individual, association, or corporation interested, the County Court of any County of this State may by order declare all or any portion of any river or stream lying within the County, which has not been declared by law to be navigable, and which is not in fact navigable for commercial purposes, to be a public highway for the floating and transportation of logs, timber and lumber, and the same shall thereupon become and be a public highway for such purposes, subject only to the reservations herein-after contained, and the Court may also, at the same time, or at any time thereafter, direct the widening, deepening, straightening, removing obstructions from, building of dams and booms in, and otherwise improving such streams as may be necessary to render the same fit and suitable for the purpose intended, and enter into contracts for the performance of such work according to law."

Section 2 of the same act provides that the County may purchase all necessary rights from the land owners along the shores of the streams for the purposes set forth in section one.

Would it not be a good idea for the court to put off, for a few months, action on the franchise, to see what is the actual desire of the citizens living on the North Umpqua, and also the owners of timber tributary to that river? To put off action will do nobody any harm, but a vast amount of good will result because harmony is needed and just at this time much political clap-trap is being indulged in.

The PLAINDEALER wants the fork of the creek citizens to be heard from before their rights are grafted away by speculators on a 30-year franchise.

Christian Church.

Sunday, June 28, Bible school, 10 a. m. Preaching, 11 a. m. and 8 p. m., by pastor; evening sermon to young people. Everybody invited. Junior Y. P. S. C. E., 2:30 p. m.; Y. P. S. C. E., 7 p. m.; good music. Everybody welcome. C. E. DATCHERTY, Pastor.

A CONTEMPTIBLE, MEAN ACT.

EUGENE CAMBLERS CONTROL THE TEAM.

THEY BOUGHT UP ROSEBURG'S PITCHER TO THROW DOWN THE GAME.

The Eugene Guard of Friday says:

"The Roseburg PLAINDEALER in its last issue, prints a long and dirty screed about Pitcher Somers of the Eugene baseball team, because he signed with the locals after having played one game with the Roseburg team. Such an attack is entirely uncalled for. Somers had not signed with Roseburg, and when he saw the quality of ball that the team was putting up he concluded he would rather sign with a team that would give him a proper support in the field.

The screed in question is too low and vulgar to reprint any part of it, but it is kept at this office and may be seen at any time."

The Roseburg papers are red-eyed because Eugene's new pitcher, Somers, did not sign up with Roseburg. The PLAINDEALER waxes so warm that it cannot find words to express itself, and calls Somers and the management of the Eugene team all kinds of blankety blanks.

Somers was seen this morning by a reporter and said that if he had known the conditions at Roseburg he would not have gone there at all and that the story that he had signed up with them and accepted advance money was a fake. The team left this afternoon for Roseburg, and Somers and Taliaferro will occupy the box for Eugene."

That Somers is a very disgraceful specimen of a base ball man there can be no doubt. The fellow came to Roseburg with the expressed understanding that he would sign. The Roseburg team not only paid his way here but advanced him his wages and he jumped to the Eugene team while playing with the Roseburg team at Eugene. The conduct of the gamblers conducting base ball affairs at Eugene in respect to Somers is so rotten that it would make a buzzard sick. Somers came down to Roseburg with the Eugene aggregation to play ball Saturday afternoon; but his conduct was so well known that he was literally roasted off the streets and had to hide out. If the man dares to show up in a base ball game at Roseburg he should be presented with several baskets full of over-ripe hen fruit. The action of the Eugene combine is disgraceful and dishonorable in the extreme and should be met with scorn and detestation by all lovers of fair play. The more the affair is aired the ranker the perfume pervades the atmosphere; and all that the Eugene Guard and Register does to screen their "sugar teat" base ball team management only makes matters worse. If the Eugene girls have not patriotism to make the "sugar teats" for their players Roseburg will hire the marion of the founding asylum to do the job. The Eugene team management was not merely content to seduce the fellow Somers from the path of rectitude but after they had seduced him so that Delilah like he played off on the Roseburg team, they still were afraid to play our boys last Sunday afternoon. We advise the Eugene papers instead of backing up sculduggery to take up a public subscription to get good honest players. The man Somers, it is stated by Eugene lovers of fair play, had signed the contract to jump from Roseburg and while he was pitching for Roseburg was actually in the pay of a set of scoundrels and hired to defeat the Roseburg team which he did at Eugene on Saturday

afternoon, June 20. It is about time for the Eugene papers to shut up and let the mantle of charity be thrown over the infamous act.

ANOTHER LETTER.

Portland, Ore., June 23, '03.

THE PLAINDEALER,
Roseburg, Ore.

We notice that some parties are trying through the County court to obtain control of the North Umpqua river, and some of its tributaries. These, we understand, are the same people who made an attempt during the last term of the legislature, to pass what was known as House Bill 197. The terms of this bill which were very thoroughly discussed, and finally turned down by the legislature, were aimed to place control of the streams of Oregon in the hands of two or three members of the combination, who attempted to obtain this notorious legislation. The subject was thoroughly discussed by the most prominent newspapers of the state at that time, and the parties who tried to get the pernicious legislation enacted, were thoroughly denounced, the whole thing being looked on as a bare-faced attempt to obtain control of the timber of the state, through control of the streams which are and will be for many years in this state, the sole high-ways of transportation of the timber market.

The same parties are now working with your Honorable Court with the same end in view. You will notice that they are not lumbermen, neither are they timber owners. They own no mills in this state, are employing no labor in the development of the state, but are simply following the idea which brought them to this country, that is, to obtain without putting up a dollar, control of some important water-way; and through control of the stream, control of the timber.

In the interest of the advancement and development of the state, it is to be hoped that you will look into this matter very thoroughly, and will use your effort to prevent the granting of rights which would result in tying up the enormous timber bodies of your county, and forcing the timber owners to deal with a few outside speculators, shrewd enough to come here and obtain valuable concessions without putting up a dollar.

Yours sincerely,
PACIFIC TIMBER COMPANY.

NO BABY ACT BUT THE ACT QF

"The Roseburg team lost Saturday's game to Eugene, and the PLAINDEALER, to show how small it can be, lays defeat to the umpire and otherwise plays the baby act. But the Roseburg boys are thorough gentlemen and will not endorse the PLAINDEALER's howl.—Eugene Register.

No not exactly on the umpire: but it is a well known fact that Eugene tampered with one of Roseburg's pitchers and the conduct of Eugene backers of the team in the deal with Somers would be a disgrace to the lowest gambling dive in Oregon; and it shows to what depths of rascality the gambling element controlling the Eugene team can descend to have the appearance of playing ball.

X-Ray Cure for Cancer.

Two doctors of Lille, France, claim to have discovered a real cure for cancer by means of treatment with the Roentgen rays.

In applying the X-ray they use a very feeble current, and what are called soft bulbs. By applying the bulbs to the affected part of a woman patient pain was relieved as if by a miracle after three minutes. By repeating the application, each time for only three minutes, a scar is soon formed over the wound. The tumor diminishes and the crust falls off in a few days, leaving the wound entirely cicatrized. In a case where they treated cancer of the internal organs, the patient being 65 years of age, vomiting was stopped in the first application. After seven applications of three minutes each, the woman was perfectly cured.

A REMARKABLE BICYCLE RIDE.

THE CARNIVAL RIDERS ARE OUTCLASSED.

JAMES FLETCHER OF ROSEBURG HAS NERVE TO SPARE.

On Thursday afternoon quite a number of Roseburg citizens enjoyed a rare feast of daredevil bicycle riding that was not on the board bills of the Southern Carnival company which has just closed in this city:

James Fletcher, a Roseburg boy twelve years old, rode up on his bicycle to the foot of the stairs erected for the use of the "Champion Bicycle Rider of the World." He then deliberately took the wheel in hand and mounted to the top of the platform and steadying himself for less than one second and with only one foot on the pedal he rode at lightning speed from the top of the platform to the bottom, when he mounted the wheel and rode off up the street.

He wanted to make another trial but the Southern Carnival men were soon on the ground and threatened him with arrest and all that kind of talk for interfering with their property. They doubtless saw that if a boy like James Fletcher could do the "wonderful feat" so easily that the glory would depart from the show.

James is a "dare devil" boy and bids fair to outclass his brother who had so many wonderful adventures in this city, one of which "called the boy home."

Protest the Game on Account of Fraud.

The Roseburg team should protest the game claimed to be won by the Eugene team on Saturday, June 20. The game was lost to Roseburg through the most damnable methods known to tin horn gamblers. The Eugene aggregation stole a contemptible two-legged "it" and had him sign as a member of the Eugene team and while a member of the Eugene team he played as pitcher for the Roseburg team and threw down the game. Such disgraceful, contemptible proceedings show up Eugene as a cowardly, sculdugging place and brings their good element into contempt. The honest element should arise in that city and set down on the black-hearted scoundrels who perpetrated the outrage. We sympathize with the Eugene boys who have signed to play under such a management, for they are first-class young men.

Judge McMullan of New Mexico.

The Rocky Mountains News prints a statement from Judge McMullan, of New Mexico, regarding his removal from office. Said he:

"I am surprised at the outcome of my case. When it was submitted in April, I was satisfied I had established a complete vindication. I never had charge of a matter where every point in controversy had been so thoroughly met and answered."

The Judge very bitterly attacked the character of some of the witnesses against him, and declared that disappointed ambition had much to do with the charges against him. He said:

"I believe Attorney-General Knox intended to be eminently fair and just, but the assistants in the Department were filled with prejudice against me by one of my opponents."

The Judge declares that he would not allow the smirch upon his character to stand adding:

"When Congress convenes I shall ask the Senate to send for the record and to pass upon the question whether it contains anything to justify the decision."

BORN.

MARTIN.—In this city, Wednesday, June 25, 1903, to Mr. and Mrs. A. W. Martin, a son.