# THE OREGON DAILY JOURNAL, PORTLAND, TUESDAY EVENING, JANUARY 12, 1909.

LEGISLATURE SHOULD RESPECT DIRECT PRIMARY, SAYS GOVERNOR

highest number of votes cast for the short term and Mr. Bourne for the long term, whilst a majority of the members, elect (Democratic and Republican) of the logislature pledged themselves to vote for the aboice of the people for senator. But whether they did or not, the people have expressed their choice for the important office, and their winkes should be respected and obeyed, and the gentiemen who have been non-inated by the people ought to be elected unanimously for the short and the long term, respectively. I suggest that this be done as soon as the legislature is or-ganized, so that the work of the session may be given to legislation vitally af-fecting the weifare of the state." When the election occurred, the vote of the senate and the house and four in the senate with reference to Mr. Bourne, showing that the members of the legislature respected their pledges, and that many who took no pledges promising to vote for the selection of this legislature subscribed to pledges promising to vote for the people's choice for senator, supplemented by a law em-acted by the people commanding all uated, in accordance with agricultural appropriation act for 1908, approved March 4, 1907.

Governor Chamberlain's message to the legislature of Oregon is given verbatim herewith: Gentiemen of the Senate and House of Representatives. Sector 11 of article V of the consti-

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### Forest Reserve Receipts.

Forest Reserve Receipts. The receipts from the forest reserves in Oregon for the year ending June 30, 1907, were as follows: Blue Mountain El and W., \$59,648.55; Cascade, N. and S., \$25,515.89; Freemount, \$4,467.37; Goose Lake, \$11,617.37; Heppner, \$8,-130.97; Immaha (Chesnimmus)a and Wallowa, \$22,073.36; Maury Mountains, \$771.94; Siskiyou, \$489.91; Wenaha, \$7,-093.55; Total, \$139,808.91. Ten per cent of this amount, to-wit, \$13,980.89, was, received by me from the federal author-rities and by me paid to the treasury of the state October 30, 1907. It will devolve upon the legislature to provide for the method of expending this sum for the benefit of the public schools and public roads of the coun-ties in which the forest reserves are sit-uated, in accordance with agricultural approxide for her forest reserves are sit-uated. In accordance with agricultural



### Governor George E. Chamberlain,

some one ready to take the prisoner give him employment and report monththe Oregon institute for the blind, for deaf mutes and the reform school are before you for consideration. These are so replete with information that I do not deem it necessary to do more than call your attention thereto and to the recommendations of the several super-intendents. upon his conduct, it has been usual parole such prisoner, except in cases "repeaters," but unless there is an to parole such prisoner, except in cases of "repeaters," but unless there is an opportunity to furnish employment to the convict so as to take away from him the temptation to fall back again into criminal ways, he is not usually paroled at the expiration of the mini-mum term of sentence. In the cases of those released it has been ascertained that most all of them returned to use-ful employment, and in only a few in-stances have the paroles been revoked commendations of the several superitendents, The institutions are well managed and ntendents, keep abreast with those of their kind in other states of the union.

<text><text><text><text> amount of insurance necessary for full protection. If security is to be demand-ed from a company as a condition to its doing business in the state, a surety company's bond ought to be sufficient to protect the holders of policies and those doing business with such company. The suggestion is often made that a re-peal of the deposit law will result in in-viting irresponsible underwriters to the state, but this can be guarded against by establishing an insurance department and the appointment of a capable insur-ance commissioner as is done in other states. Such a department ought to be created now, and ought to be entirely divorced from the office of the secretary of state. It is impossible for this latter officer, with the numerous duties which the law devolves upon him, to give that attention to the insurance business of the state which its importance requires. The insurance department should be presided over by an experienced insur-ance commissioner. With such a depart-ment and such a commissioner, vested with ample authority, there would be no danger to our people on secount of the admission to the state of irrespon-sible companies. I trust that this mat-ter will be taken up seriously by the legislature and siven that careful con-sideration which its importance de-mands.

It shows a steadily increasing interest

### Educational Institutions.

The agricultural college and the state university are in excellent condition, and the enroliment is larger than ever be-fore. The policy has been to raise the standard of both each year. bringing them on a par with the higher educa-tional institutions of the country. Like all of the state institutions, with the in-crease of population in the state, the enroliment of the schools will be greater. demanding each year larger appropria-tions to meet actual needs. I hope that committees of the legislature will visit both the university and the agricultural college and acquaint themselves with the present needs of both institutions.

tative publication as to the state ar its resources, and I know of no betty body of men to prepare for distribution of information as to the resources of the state.

The Fishing Industry.

Two bills were proposed by initiative petition at the last election regulating fishing on the Columbia river and its tributaries, and both were duly enacted. One was entitled "A bill to propose by initiative petition a law to protect salmon and sturgeon in the waters of the Columbia river and its tributaries, and

One was entited a pain to propose by initiative putition a law to protect sal-mon and sturgeon in the waters of the Columbia river and its tributaries, and in the Sandy river, within the boun-all waters over which the state of Ore-son has jurisdiction, and prescribing a pendity for a violation of the law." And the other, "A bill to propose by initia-tive petition a law for the protection of an immon and sturgeon in the waters of the Columbia and Sandy rivers are their tributaries, and prescribing a pen-alty for a violation of the law." The first measure radically changed put an end to all fishing except with hook and line, commonly called angling. In the Columbia river, and the second put an end to all fishing except with hook and line, commonly called angling. In the Columbia river, and the second put an end to all fishing except with hook and line, commonly called angling. In the Columbia river on any of its tributaries, at any place up to the study river, as well as in the latter river and its tributaries. The effect of these laws, aside from the fact that they are measurably con-flicting and operate to readically change to bring the authorities in this state in conflict with thereference to the ques-tion of jurisdiction of the state of Washington, it was lawful to fish when, under the laws of the state of Washington, it was lawful to fish within the territory where the Oregon and the the columbia river to the Washington, it was lawful to fish within the territory where the oregon ind the Oregon suthorities was cor-rect that the furisdiction of this state of the of the Oregon suthorities ex-ind only to the thread of the strate of Washington shore. The authorities ex-ind that between the thread of the stream and the Washington, shore line the Oregon laws were of no force or ef-frect. This conflict of opinion, when the stream and the Washington, shore of the portible by that law, if the consor-ing the diverse of the clause of the stream and the Washington, shore of the stream and the Washington, sh ort of the Oregon library commission. It shows a steadily increasing interest in libraries and in library work through-out the state. The commission serves the clicks of the state which are organiz-ing public libraries by the practical help of a trained librarian, as well as the villages and other districts by supplying library facilities which the state offers these communities in place of the library advantages of the clites. The plan of the commission to make its state library a traveling one has resulted in the col-lection of 5000 of the best books dis-tributed throughout the state at 90 sta-tions with a record of about 25,000 books loaned to readers, during the blennial period. The commission has delivered to the schools of the state during this period 54.825 volumes, at a cost of \$30,-589.79, the method of purchase resulting in a saving of about one third to the schools. The debate libraries and the legisla-

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The need for such legislation was ap-parent then; it is more apparent now and as time slips by and more land is brought under irrigation, the difficul-ties growing out of conflicting claims to the use of water become more diffi-cult of adjustment. A sub-committee of the state conservation commission has been appointed to prepare a bill on the subject, to be submitted to the legislature. They have had the matter under careful consideration and have

states has proven that in order to

effective, legislation upon the subject

effective, legislation upon the subject should cover: 1. Complete (federal where that is possible, or) state control of diversions from streams. No water right in fu-ture should become vested except by ap-propriation under the laws, rules and regulations prescribed by the state, and the diversion of water without elect

the diversion of water without right from a public stream, including all knowingly wrongful interference with the rights of others, to the injury of an-other, should be made a misdemeanor.

priority

2. A system whereby the prior and limitations of every existing ri to the use of water can eventually

which the American Surety company and others were sureties. An adjust-ment of this was made with the American Barely company under the lerms of which the company settled and adjusted the matter with the state, paying a part in cash, and giving their contract for ub balance. Eogether with the sum of \$395,510.68 with interest at the rate of por cent per annum, payable on or before December 31, 1905. Already the company has paid on this contract \$32. 723.86. Not a dollar was lost to the state, and the promptness with which the matter entitles it to commendation. The contract between the state and the company has on file with the secretary of state, and for the terms upon which the sectlement was made the legista-ture is respectfully referred thereto. The balance of the state, but in mach case the treasure holds securities to the state is on deposit in the inder cont file with the bands of the treasurer belonging to the different funds of the state is on deposit in the mach case the treasure holds securities to chase the treasure holds securities the securities taken by the treasurer form the securities taken by the treasurer for the state is any danger of loss to the state in future if the provisions dot in the executive, but in the treasurer for the state is any danger of loss to the state in future if the provisions to the state in future if the provisions to the state in future if the provisions of the depository act of 1907 with re-spect to deposit of the state funds is uticity observed. Burety company under the terms of in the company settled and adjusted

### Tax Levy.

It must be expected in the very na-ture of things with the steady increase in population and the consequent in-crease in the burdens and expenses of government that the tax levy will be higher, unless subjects which now es-cape taxation are brought within the taxing power. I fear to recommend any revision of the assessment laws of the state, but it is unfortunate that some system has not been adopted to bring about a uniformity of assessment and taxation in the several counties of the state. The constitution requires that

and due and p iso, and due and p iso, although th thereof in advance the end of the 5. The agricultu (Da) new amount [S all loaned exce mity.

the present status of each of the segre-gations made under the provisions of the Carey act, and contains the forms of contract, together with the rules and of contract, together with the rules and regulations which have from time to time been adopted by the board for the protection of the state, the irrigation companies, and the settlers. Your at-tention is particularly called to these records, and I am glad to advise you that with the exception of a suit now pending with reference to the Columbia Southern Irrigating company, no trouble, is being experienced in caring for or dis-posing of the public lands of the state.

### The Soldiers' Home.

his unexpired term. I have also, during my term, con There were 131 veterans of the Mex-ican, Civil, Indian and Spanish-Ameri-can wars in the home on the 30th day of September, 1908. By virtue of a rule which was adopted before my in-cumbency, those drawing a pension in excess of \$12 per month were not ad-entiate to the home but on the 27th day mitted to the home, but on the 27th day of February, 1906, this limit was mitted to the nome, but on the still day of February, 1906, this limit was changed to \$20 per month, for the rea-son that there were many old soldiers who could not live on their pension, and who were yet deprived of the privileges of a home. As soon as the change in strong factor in restraining the re leased prisoner from the commission o crime who were yet depicted of the pinteges of a home. As soon as the change in this limit was made, the commandant reports that the membership increased to its present number. The home is in excellent condition.

and the relations between the old sol-diers and the commandant, officers and employee is most cordial. The ranks of the old veterans are gradually thin-ning, and those who, by reason of wounds, ill health and misfortune are unable to earn a support, are entitled to the tenderest consideration of both the state and the nation.

Asylum for the Insane.

The report of the superintendent deals at length with present conditions and needs of this institution, and I in-vite your particular attention thereio. It will be necessary, as is suggested by the superintendent, to expend quite a considerable sum of money in order to place the asylum in a condition to

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# State Board of Agriculture.

The annual fair held under the ausstances have the paroles been revoked pices of the state board of agriculture and the prisoner returned to serve out

I have also, during my term, con-ceived the idea of conditionally com-training or pardoning a prisoner where the facts involved in the conviction seemed to warrant it, reserving the him to the penitentiary. This condi-tional commutation or pardon has been sustained by the supreme court of this state and it has been found to be a strong factor in restraining the re-strong factor in restraining the re-strong factor in restraining the re-strong factor in restraining the rehas grown to be one of the most fm-portant factors in industrial, agricultural and horticultural development The last showed an increase in receipte ver any one previously held 25 per cent, as shown by the follow-\*\*\* \*\*\* \*\*\*

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The administration of justice is un-ren. To illustrate: There are 10 judi-al districts in the state. A man may ven. To illustrate: There are 10 judi-ial districts in the state. A man may be convicted in one of a simple felony ind sentenced to a long term in the sentitentlary; while in another, where the computed is the same and in stimulating the livestock interest, in improving methods in agriculture and in horticulture, and in attracting the at-tention of the people of other states to the possibility of our soil and climate. Because of the inadequacy of buildings and accommodations for exhibitors and others the board was commelled last be convicted in one of a simple felony and sentenced to a long term in the penitentiary; while in another, where the crime committed is the same and under almost identical circumstances, the prisoner may be given a very short term. It seems to me that it is a part of the duty of the executive branch of the government to equalize, where con-ditions warrant, this apparent hequality in the administration of justice. It may be that I have exercised too fre-quently the power of the executive in behalf of prisoners, and that an occa-sional mistake has been made, but in the aggregate the results accomplished have been most beneficial, for the public has been relieved of the support of the convict, he has been restored to useful citizenship, and in many cases he has returned to the support of a dependent family, who, during his incarceration. were the objects of charity. The efforts in most states have been directed to making the prisoner earn, during his term of imprisonment, his cost to the state, but that effort, it seems to me, has been in the wrong the others, the board was compelled last year to incur an indebtedness of \$6,-219.40, as follows: Addition to grandstand, 30x260 last

feet Race department stables, 42x220 \$2975.50

Grandstand extras 25. Horse barn and creamery extras 48. These improvements were of a p manent nature and were necessary 25.70 48.20

mapent nature and were necessary to meet the public demands, and I recom-mend that an amount sufficient to meet their payment be appropriated. The amount appropriated annually for the payment of premiums is too small, and it has been exceeded each year as the fair has grown in usefulness and importance, and it is because a part of the general fund has been used for premiums that the above indebtedness had to be incurred. The appropriation for premiums ought to be increased to meet the growing demands of the people

person and is a splendid factor for instruction whenever it becomes neces-sary to call the militia into service. The personnel of the national guard of this state is of the best, composed as it is of the flower of our youth from every walk of life, and I bespeak for its needs, as suggested by the adjutant general, your deliberate consideration.

## Conservation of Natural Resources.

Library Commission.

I call particular attention to the re-

In May last there was held at the White House in Washington city, a con-ference of the governors of the states his advisers and others, pursuant to a call of the president, for the purpose of discussing the natural resources of the couptry and taking stens loaking to states has moven that in order to has

and territories with the president and his advisers and others, pursuant to a call of the president, for the purpose of discussing the natural resources of the country and taking steps looking to their conservation. Later the president appointed a National Conservation Cern-mission to act in cooperation with state conservation commissions, and a comfer-ence of the national and state commis-sions was held in Washington city in De-cember. 1908, to further consider the questions for which the first conference was called at the White House. The at-tention of the country has been called by these meetings to the rapid depletion of our natural resources, both renewable renewab our natural resources, both and non-renewable, and to the and non-renewable, and to the necessity of cooperation upon the part of the na-tion and the states for the conservation of those resources which now remain and the reproduction of those which it is possible to reproduce. In many of the states the forests have been destroyed: the coal and team

ascertained. 3. Provisions for a reliable record in In many of the states the forests have been destroyed; the coal and from minnes are being wastafully robbed of their stores; soil erosion is rapidly tak-ing place as the result of deforesta-tion; the navigable streams are in flood

some control office of all rights to the use of water as determined, and of new rights as initiated. 4. That actual measurements of tak-sta-4. That actual measurements of flood ditches and streams be made as a basis e at for the adjudication of existing rights the and for the initiation of new rights. must 5. To provide a definite procedure the whereby rights to the use of water can at certain seasons and unnavigable at others for the same reason, and the time has arrived when something must be done by state and nation for the protection of the present and future

be done by state and nation for the protection of the present and future senerations. Oregon is the richest state in the union in forest and in mineral resources which have not been disposed of by the national government or wast-ed or destroyed to satisfy individual or corporate greed, and it behooves our people to see to it that these resources are cared for and protected. The Ore-gon commission appointed by me in pursuance of the request of the presi-

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Indian wars at the rate of \$2 per day for their services. \$2 per day for the use of their horses and further pay for horses lost, killed or disabled while in service. Claims of the survivors of these wars have been paid within the past few years so far as personal serv-ices were concerned, but the state has neglected to compensate them for the use of their horses or for those which were disabled or lost. If the obligation for personal service was a just one, the latter is equally as binding upon the state and the survivors of these early Indian wars ought to be paid by the state the moneys which are justly due them. It is not a question of char-ity, it is a debt of honor, which the state cannot afford to repudiate.

Railroad Commission.

question but that the different Indian tribes of Oregon and Washington in 1855 and prior thereto, entered into an alliance to prevent any further settle-ment of the white man in the north-west. The governor of Oregon terri-tory called for volunteers to suppress hostilities, and those who responded to the call furnished their own arms, borses and equipment. The legislature of the territory of 1856, agreed to pay the volunteers while engaged in these Indian wars at the rate of \$2 per day for their services. \$2 per day for the use of their horses and further pay

Railroad Commission. The railroad commission has been in existence scarcely two years, but the work it has done has already vindi-cated the judgment of those who ad-vocated its creation with ample powers and the legislature which passed it. No one who has the best interest of the state at heart will for a moment listen to a suggestion for the repeal of the present law. The commission has moved with caution and with extreme conservatism, but it has accomplished splendid results, and its members are to be commended. Attention was first given to betterment of the service, and a comparison of the service today with that of two years ago is invited to prove that its efforts have resulted in improvement. It has brought about the bulletining of delayed trains, regula-tions have been prescribed and enforced as to the hours that station buildings should be opened, and as to lighting and heating of depots and lighting of platforms, as well as is sanitary con-veniences at stations and on trains; new depots have been ordered and con-structed at Albany, Gaston, Airlie and Lyons, and additional station facilities have been procured for Woodburn, Mon-mouth, Salem, Aniauf. Haines, Jeffer-son street Portland, Milwaukie and oth-er stations. The commission has done officient work in the matter of livestock shipments; the service is now better than ever before, the yards are cleaner, and prices for freed more reasonable, and in addition to these things, new yards, loading chuites and other con-venences have been constructed at va-rious places. The commission has taken up many The railroad commission has been in