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The Locks Law.

ED. FARMER: While the Locks Law was pending before the last legislature, a band of hired tooters were busy defaming its provisions and representing the cost of the commission would be so great as to entail a grievous burden of taxation upon the people; this claptrap may have had some weight with those who were not conversant with the Law, and it is for this purpose that I desire to enter into some details in explaining the same and the beneficial results growing out of it, but I think you could no more comprehensively enlighten the people with reference to the subject than to publish the Law itself in extenso, as it is clear, succinct, and complete, and needs no interpreter to the ordinary mind.

The people found themselves in a strange predicament by the original enactment under which the Locks franchise was created; it was a loose, disjointed, and disconnected bungle, made purposely indefinite and believed to have been connived at by those at that time high in authority in the affairs of state, who were busier protecting their individual share of the spoils than they were vigilant in the interest of the people; and when the last legislature convened an act of corporate suicide had been pushed as far as a pious District Attorney could carry it, and the State was only saved from the position of a consenting party to the disincorporation by the action of the succeeding District Attorney who traversed the ground of his predecessor and put the Willamette Falls Canal and Locks Company in statu quo, leaving them the ordinary method of disincorporation, should they desire to do so, without the special assent of the State. It is believed by many good lawyers, that had the crafty scheme of the company been carried through, that all the monied interest of the State would have been lost to it; and that the successors to the defunct corporation would step into the property without any of the trammels, restrictions, or conditions precedent imposed by the original act. It does not need very deep or profound knowledge of law to comprehend why if A. and B. have made a covenant with each other, of which one has become tired—and the other party consents to a dissolution, that the original compact falls to the ground—this was the position of affairs when the Locks Co. wanted to commit suicide, and the then district attorney representing the State's side of the compact was consenting to the act.

At any rate at the convening of the last legislature any one in the interest of the people could plainly see—let an effort being made on the part of the W. F. C. & L. Co., to escape the imperfectly enumerated exaction of the original Locks Law; 2d, a combination of the Railroad Company, the Willamette Falls Canal and Lock Company, and U. B. Scott & Co., who had pushed freights to an exorbitant rate in the valley; 3d, an attitude of menace on the part of the Locks Co. towards any independent boat which might essay to pass through their private property as they termed the Locks.

These preconceived measures on the part of the would-be monopolists had to be met and thwarted or else the people would be made to suffer for their indifference. As the result of this condition of affairs the present Locks Law came into existence, it was introduced by the Hon. M. C. George, and went through the fiery ordeal of debate and numerous references to committees without adding to or subtracting anything from the Bill as it came from his hand. All of the opposition that could be arrayed against it—and the monopolists were assiduous in hunting up recruits—was drummed up from representatives east of the mountains and south of Lane county, whose constituents were not thought to have so lively an interest in the matter, and their easy virtue succumbed to the persuasive influence of the monopolists. There was however three or four sensible exceptions to this, where whiskey, cigars, and agency relations attached a few valiant minions to the combination. That "little baul" will have a hard time of it in explaining their action to their constituents in any future peoples' inquest over their doings, and we shall no further seek their demerits to disclose.

As a result of the action of a right minded majority, the Locks Law was enacted, and by so overwhelming a vote in its favor, that the Governor did not dare veto it, although his sympathies were known to be with the monopolists; bear in mind the Bill passed at a time when the President of the Locks Company openly boasted to you, Mr. Editor, that the Locks were their private property and they proposed to do with them as they saw fit, without any objection from the people; do remember that the freight tariff of the combination was double and treble what it is at the present time, and it will be apparent how this law has been vastly advantageous to the people; under its protection other boats were built and the combination Freight Tariff dissolved.

The commissioners appointed under the law were authorized, empowered, and required to bring and maintain any action suit or proceeding necessary or proper to compel the W. F. C. & L. Co. or their successors to keep and maintain said Locks according to the defined and interpreted terms of the

original act, and to recover any damages or liability which said corporation might be liable to pay by reason of a failure to conform to such requirements. They were empowered to hire attorneys in the prosecution of this object and to certify their services to the legislature for payment. They have supervision of and control the extent of any needed repairs on the Locks with authority to expedite them if there is evidence of culpable delay on the part of the company. The Locks Company are required by the act to pass boats in the order of their arrival, charging therefor not to exceed 55 cents per ton for the actual amount of freight on board the boat and ten cents for each passenger.

Boat owners are required to certify to the secretary of the Board of Canal Commissioners the number of tons of freight and passengers on board each boat, each successive trip, and are put under a heavy penalty for false statement. The necessity for this requirement is apparent when it is remembered that a percentage of the revenues of the Locks goes to the School Fund in repayment of the \$200,000 loan granted by the State, and so other means would be obtainable for ascertaining what the actual receipts are, rather than to leave it to the say so of an interested party. This last provision cited is the one through or by which the Locks Co. have sought to make a breach in the chain of the law; they have refused to render a transcript of freights from boats owned by them to the Secretary of the Board, and were promptly sued by the Canal Commissioners. The company have availed themselves of all the laws delays, but in the slow course of time it was brought to issue before Judge Shattuck who decided that the exaction was legal, and one which the State Legislature might reasonably make, taking all the time they could before announcing an appeal to the Supreme Court, this they have finally done, but in the light of the recent decisions of the United States Supreme Court affirming the right of the legislature of a State to regulate all things relating to public convenience, there is no doubt but that the company will finally acknowledge the sovereignty of the law. So far they have evinced a mulish stubbornness and purse-proud disposition, as if their exalted height could not be fettered with the trammels of law. The Locks Commissioners have never relaxed their fight for the people and are deserving of much encomium for their persistence.

Summing the whole matter up, Mr. Editor, the people owe very much to the presence of the last legislature which took the bull by the horns and fettered him with gyves of law, by reason of which, and only that, we now have freights on a reasonable basis. We owe much to the Canal Commissioners who have been steadfast and constant in their intention to compel the recalcitrant Locks Co. to conform to the law, and when the cost of this commission is made up, let it be remembered that nothing but the obstinacy and blind perverseness of the magnates of the O. S. N. Co. has caused the bulk of it; their contumacy shows the latent disposition in them to encroach upon the rights of the people, and the few dollars spent by the taxpayers to resist the tyranny of a monopoly can not be repeated in the Willamette valley. It behooves the next Legislature to go one step farther, and by as rigid a law to declare the maximum of freights over railroad lines, and the monopoly of the O. S. N. Co. east of the mountains will be broken, as their portage connections will then be under the dominion of law and the restrictions of legislation, which being done, the incubus of their sole occupancy will at once be removed, and independent lines will swarm on the waters of the Upper Columbia as they now do on the Willamette.

The freighters of this valley are well aware who are their friends in the transportation business; they know which companies had their hands on the throats of the people that were only disengaged after the bulk of last seasons carriage had been taken to market; they now have the opportunity of dividing their patronage so that the boats which—under the assuring protection of the Locks Law were the means of reducing freights to a reasonable base—shall have a fair share of patronage. More than this they do not ask, and it seems assured, unless resolutions of intention are as rapid as an empty drum, that the freighters will not forget their repeated declaration of support to those friendly lines above indicated.

Walter A. Wood's Harvester and Self-Binder.

The following telegram should have appeared last week, but owing to illness of the editor, it, with other matter, failed to receive attention due:

HARRISBURG, OR., June 16, 1877. To FRANK HOSKINS & Co., Portland: After a very severe test of the Walter A. Wood's Harvester and Self-Binder in the field, it proved a complete success—and we sold three during the trial.

W. S. NEWBURY. The above confirms the experiences of various farmers who made thorough trials of these machines last year, as was set forth in the letter published some weeks ago by Mr. Geo. W. Hunt of what he saw and heard during his travels among friends in Yamhill county.

ALL RIGHT AT LAST.—For several weeks past we have been breaking in a new press for work, and there many difficulties to overcome, slight changes to make to secure perfect work, and as a consequence the paper has not been well printed. We believe that these difficulties and imperfections have now been overcome, and hope in future to send the WILLAMETTE FARMER to its friends wearing a first class appearance. And when we see sufficient encouragement to do so we intend to enlarge the paper and give considerable more reading matter.

HARNESS AND SADDLERY.—R. H. Dearborn Salem, has a complete stock of goods in this line, and manufactures some of the best harness on direct orders. He has about everything in that line that you could ask and deserves a call if you have need of that style of goods.

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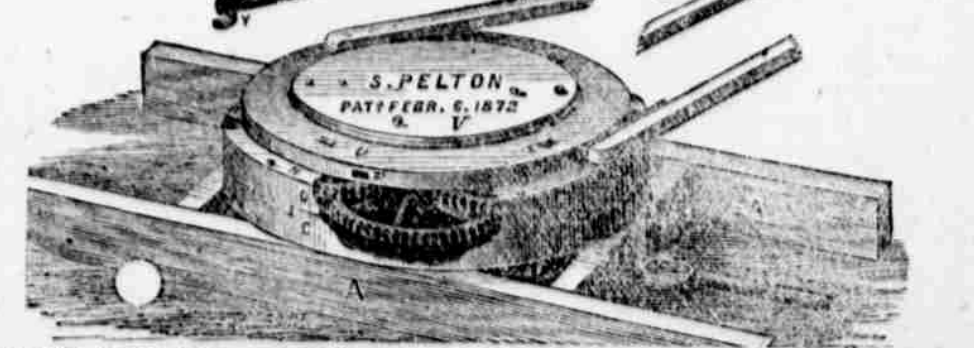
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