

New Irrigation Law Proposed for Oregon

Following is the outline of a general irrigation law suggested by Maurice Blen, legal adviser to Chief Hydrographer F. H. Newell, and recommended to the arid states as being in harmony with the national irrigation act.

It was presented to the joint meeting of the Oregon and Washington irrigation commissions held in Walla Walla Thursday:

1. All unappropriated waters within the limits of the state from all sources of water supply not navigable, to be dedicated to the public and to be subject to appropriation for beneficial use, preference in order to domestic, irrigation, mining and milling purposes.

2. Beneficial use to be the basis, the measure, and the limit of the water right, and all waters appropriated for irrigation purposes to be appurtenant to specific lands, owned by the person claiming the right to use the water, so long as the water can be beneficially used thereon. The use means the ultimate use.

Beneficial Use is Public Use.

3. The beneficial use of water is a public use, and private parties may exercise the right of eminent domain to acquire rights of way for the storage or conveyance of waters for beneficial use, including the right to enlarge existing structures.

4. All applications for rights to the use of water to be made to a state engineer, under such regulations as he may prescribe. He shall be a technically qualified and experienced hydraulic engineer.

5. Prior to the approval of an application for water right, notice thereof shall be published, and the state evidence presented by the parties interested, from such surveys of the water supply as he can make, or as may be available, and from the records, whether there is unappropriated water available for the benefit of the applicant.

Engineer in Charge.

6. The state engineer shall make rights to the use of water, and in approving the same shall specify the time for beginning work and the time for completing the application of the water to a beneficial use. A failure to begin the work within the time specified or to prosecute the same with due diligence shall constitute a forfeiture of all rights acquired under such application. At the expiration of the time allowed, the right to appropriate water shall cease as to the amount not actually applied to a beneficial use. The state engineer shall also at such time inspect the works constructed by the applicant and issue a certificate stating the amount of water then actually applied to a beneficial use. Such examination shall be at the expense of the applicant. Any decision of the state engineer affecting the rights of an applicant to the use of water should be appealable to the courts.

7. In any suit brought to adjudicate any water right, all users of water from the same source of supply in the entire drainage area, shall be made parties.

Parties to Pay Cost.

8. In all suits relating to water rights, if measurements of water and engineering investigations are necessary for the decision of the case, the court shall appoint the state engineer or other duly qualified engineer to make the required investigations at the expense of the parties to the suit.

9. Water turned into any natural or artificial water course may be reclaimed below and diverted therefrom, subject to existing rights.

10. Notice of intention to use any waters required by the United States under the act of congress approved June 17, 1902, (32 Stat. 328), known

as the Reclamation Act, shall be accepted and recorded by the state engineer, upon being filed in his office by a representative of the reclamation service, established under said act. The water described in any such notice and unappropriated at the date thereof shall not be subject to other appropriation, and no adverse claim to the use of such waters, initiated subsequent to the date of such notice, shall be recognized under the laws of the state, unless the notice of record filed under said reclamation act be formally withdrawn in writing by an officer of the reclamation service thereunto duly authorized. The state engineer should be required to co-operate as fully as possible with the government in its operations under the reclamation act.

11. The state engineer shall be required to approve the plans and to inspect the construction of dams or embankments of any kind or more than a specified height, at the expense of the parties constructing them. It should be provided, however, that any such works constructed by the reclamation service under the act of congress approved June 17, 1902, should not be subject to such approval of inspection.

Districts to Be Established.

12. The districts for the distribution of water should be established in conformity with drainage areas. If it is desired to provide for a central body in each state to regulate the procedure in regard to water rights, and to have general supervision over them, the water commissioners elected in each district should form such a board. This board should exercise all the powers in relation to water rights that require regulation from central authority. The state engineer might be ex-officio a member of the board.

13. All decisions of a judicial nature concerning claims to water and water rights should be left entirely to the courts; no individual or commission should be charged with judicial functions.

14. To carry out the idea of the appurtenance of water to specific lands, as in paragraph 2, the following form of enactment is recommended.

Form of Statute.

"Sec. 3. All water used in this state for irrigation purposes shall remain appurtenant to the land upon which it used; and beneficial use shall be the basis, the measure and the limit of the right, provided, that if for any reason it should at any time become impracticable to beneficially or economically use water for the irrigation of any land to which the right use of the same is appurtenant, said right may be severed from said land, and simultaneously transferred, and become appurtenant to other land, subject to prior existing rights, and without losing priority of right theretofore established, on the approval of an application of the owner to the state engineer. Before final action is taken, the applicant must give notice thereof by publication once a week for four weeks in a newspaper of general circulation in the county or counties in which the tracts of land are located.

"The state engineer shall make his decision thereon in writing. Any party interested in the same source of water supply may bring appropriate action in the court having jurisdiction, for a review of such decision. If the owner of the land to which water has become appurtenant abandons the use of such waters, the same shall become open to general appropriation."

15. Abandonment of a water right should be defined as for example the failure to use water for the purposes for which it was appropriated for two consecutive years.

MANILA DAY AT THE FAIR.

Anniversary of Capture of City by Americans.

St. Louis, Mo., Aug. 12.—In celebration of the anniversary of the capture of the city of Manila by the American troops the management of the World's fair designated today as "Manila Day" at the exposition and it proved to be one of the red letter days of the big fair to date.

The National Society, Army of the Philippines, whose annual reunion is being held here, and the Philippine colony at the exposition took part in the day's program, which consisted of speeches, lectures and reunions. Prominent among the speakers were Secretary of War Taft, Colonel Edwards, Chief of the Insular Bureau, Generals Chaffee and Merritt, Senator Lodge, chairman of the Philippine commission in the Senate, and Representative Cooper of Wisconsin, chairman of the House committee on insular affairs.

A Perfect Painless Pill.

Is the one that will cleanse the system, set the liver to action, remove the bile, clear the complexion, cure headache and leave a good taste in the mouth. The famous little pills for doing such work pleasantly and effectually are DeWitt's Little Early Risers. Bob Moore, of Lafayette, Ind., says: "All other pills I have used gripe and sicken, while DeWitt's Little Early Risers are simply perfect." Sold by Tallman & Co.

SALE OF HISTORIC MANOR.

Tract of 14,400 Acres Surveyed 122 Years Ago.

York, Pa., Aug. 13.—The historic tract of land in York county known as Springettsburg Manor was put up for sale by the sheriff today. The manor embraces 14,400 acres, representing an original survey made by Governor Keith in 1722, according to the terms of a treaty with the Conestoga Indians. The land was named in

honor of Springside Penn, a grandson of William Penn.

James Smith of Yorktown, a signer of the Declaration of Independence, was at one time an owner of the tract, and built upon it the famous Codorus Forge, which turned out cannon balls and grape shot for the Continental army. The ruins of the old forge are still standing, as are all the manor house, intact and still inhabited, a flint mill and other original buildings of the colonial period.

Suicide Prevented.

The startling announcement that a preventive of suicide had been discovered will interest many. A run-down system and despondency invariably precede suicide and something has been found that will prevent that condition which makes suicide likely. At the first thought of self-destruction take Electric Bitters. It being a great tonic and nerve will strengthen the nerves and build up the system. It's also a great stomach, liver and kidney regulator. Only 50c. Satisfaction guaranteed by Tallman & Co., druggists.

Racing at Anaconda.

Anaconda, Mont., Aug. 13.—The eight days' racing meet for which preparations have been making for some time opened in Anaconda today under favorable auspices. The stables are filled with fast horses and if the weather next week is favorable the success of meeting is assured. In addition to the regular program, special features will be pulled off daily, including pony races, gentlemen's driving races and a ladies' relay race.

Minnesota Veterans.

St. Paul, Minn., Aug. 13.—The official train bearing the Minnesota G. A. R. veterans to Boston left St. Paul this afternoon. The excursionists number several hundred and represent all parts of the state. Governor Van Sant, who is a past commander of the department of Minnesota, is a member of the party.

DOUGH MIXER.

Will Handle 1000 Pounds of Dough at One Time.

A dough mixer that will handle 1000 pounds of flour and the other ingredients necessary in the mixing of bread, is the latest acquisition to Pendleton, and it is the first ever brought into this or any adjoining county. It was installed Wednesday by Hobach brothers, on Johnson street. An auxiliary to it is the gasoline engine which affords the power. Both comprise the plant which is entirely new and comes from the Joliet, Ill., plant for the manufacture of all kinds of bakers' appliances.

Fifteen minutes is the time required to thoroughly mix—ready for the oven—1000 pounds of dough. The ingredients are simply dumped in without any pretense toward mixing, and 15 minutes later it is ready for the open. The apparatus is mechanically clean—that is, it is dust proof, and oil proof, and as the baker's hands do not come in contact with the mixture at any time, cleanliness in the absolute sense, is the result.

Further, the kneading is much more thorough, being absolutely uniform, a feature of which every housewife knows the great value in getting bread that will rise uniformly and bake to perfection.

Baseball Tournament.

Prineville, Aug. 13.—Antelope is to hold a baseball tournament during the early part of September and invitations have been sent to the local teams of Fossil and Haystack to participate in the series of games for which a purse of \$400 will be offered. The tournament will last three days and two games will be played each day. Owing to so many of the members of the local team being away, no definite arrangement has been made by the Prineville ball tossers to accept the invitation.

Fortune is said to knock once at every man's door, but she forgets to leave her card with her address on it.

BALD HEADS COVERED

With Luxuriant Hair and Crusted Scalps Cleansed and Purified by

CUTICURA SOAP

Assisted by Light Dressings of Cuticura, the Great Skin Cure.

This treatment at once stops falling hair, removes crusts, scales and dandruff, destroys hair parasites, soothes irritated, itching surfaces, stimulates the hair follicles, loosens the scalp skin, supplies the roots with energy and nourishment, and makes the hair grow upon a sweet, wholesome, healthy scalp when all else fails.

Millions now rely on Cuticura Soap, assisted by Cuticura Ointment, the great skin cure, for preserving, purifying and beautifying the skin, for cleansing the scalp of crusts, scales and dandruff, and the stopping of falling hair, for softening, whitening and soothing red, rough and sore hands, for baby rashes, itchings and chafings, for annoying irritations, or too free or offensive perspiration, for ulcerative weaknesses, and many sanative, anti-septic purposes which readily suggest themselves, as well as for all the purposes of the toilet and nursery. Complete treatment for every humor, consisting of Cuticura Soap, to cleanse the skin, Cuticura Ointment, to heal the skin, and Cuticura Resolvent Pills, to cool and cleanse the blood, may now be had for one dollar. A single set is often sufficient to cure the most torturing, disgusting, itching, burning and scaly humors, eczemas, rashes and irritations, from infancy to age, when all else fails.

Sold throughout the world. Cuticura Resolvent, 50c. (in form of 100 Tablets) Cuticura Soap, 50c. per box of 50. Ointment, 50c. per box of 50. Depot: London, 17, Chancery Lane; Paris, 2, Rue de la Paix; Boston, 12, Columbus Ave.; New York, 15, West 4th St.; San Francisco, 10, Market St. Send for "How to Cure Every Humour," and "How to Have Beautiful Hair."

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By order of the State Board of Prison Directors, I am authorized to sell grain bags in any quantity above 500, manufactured at San Quentin Prison, at price fixed at \$4.75 per 100. Bags delivered free in San Francisco. Orders must be accompanied with cash or exchange on San Francisco in full, and also with the following affidavit verified before a Notary Public or Justice of the Peace:

"I hereby certify that I am a consumer residing in _____ and that the bags ordered by me are for my own personal and individual use."

(Signature) _____

Subscribed and sworn to before me this _____ day of _____ (Seal.) _____

The bags are of the same capacity as standard Calcuttas, and superior in quality. Don't delay—Send your order today to J. W. TOMPKINS, Warden San Quentin Prison, California.

Sample of these bags can be seen at the office of this newspaper.

The Hotel Cruise

First-class in every particular. Modern in all appointments. Splendidly furnished throughout. Service the very best.

The Hotel Cruise is located at the corner of Webb and Cottonwood streets in a new building built especially for hotel purposes. Each room is large and comfortable, being well lighted and well ventilated. In furnishing this hotel, the best of everything was purchased, and attention has been given to the artistic effect as well as comfort.

The Hotel Cruise is a model place for lodgers, traveling men and citizens who seek a first-class place where rates are not high. Cafe in connection. Short orders served at all times.

One Hundred Dollars Reward.

One hundred dollars is a pretty good reward for five minutes work, yet that is what J. E. Strode, of Watsburg, Wash., got from the East Oregonian in our last subscription contest. He received with the compliments of the East Oregonian, without a cent of expense to himself, a \$100 rubber-tired buggy. We propose to conduct another subscription contest on the following basis:

From now until November 4th we will take new subscriptions sent in by our subscribers and to the one who guesses nearest to the vote received by the winning presidential candidate in this state, we will give one-half of all the money received from this contest.

For example, if you think President Roosevelt will receive the majority of votes in the coming election, fill out the coupon, "Roosevelt's total vote in Oregon will be (.....)," and put in your estimate.

If our subscribers co-operate with us as they have in previous contests and as we expect they will in this, we will take in several hundred dollars and possibly much more, one-half of which will go to the person who guesses nearest to the vote in Oregon for the winning presidential candidate.

There is only one requirement and this is important. **ALL NAMES SENT IN MUST BE THOSE OF N.W. SUBSCRIBERS.** Renewals of subscription will not be counted in this contest. Subscribers can participate in this way: Get some neighbor to take the Weekly East Oregonian for four months for 50 cents. Send in a money order for the 50 cents; or in 1c and 2c stamps or silver, accompanied by your guess on the presidential vote. If you do not want to ask some neighbor to subscribe, send in 50 cents and the name of some friend in the East who is interested in the western country. Let him read the Weekly East Oregonian and it will give him more news about the resources of the Inland Empire than you could if you wrote him a 50-page letter a week. For every 50 cents you will be entitled to one guess. If you get four of your friends to take it four months each, you will be entitled to four guesses, or if you get one new subscription for a year for the Weekly for \$1.50 you are entitled to three guesses. Some one of our subscribers will get one half of all money taken in on this contest. It may be only \$50, or it may be several hundred dollars, but whatever the sum the one who guesses nearest to the presidential vote in Oregon for the winning candidate, will get one-half of the money.

Remember the guess is on the vote cast in Oregon for the successful presidential candidate.

Only new subscriptions count.

A subscription for 50 cents gives you one guess.

You can send in as many subscribers as you wish and for each 50 cents you get one guess.

This contest closes November fourth, so be sure to send in your guess before that time.

The total vote in June, 1904, was 92,608; for republican candidate for supreme judge, 52,946; for democratic, 38,729; socialist, 6419, and prohibition, 5514.

My estimate on _____ vote in Oregon for President is _____

Name _____

Postoffice address _____

Fill in the first blank space the name of the candidate you think will win. Fill in the second blank space with your estimate of the number of votes he will get in Oregon. Enclose with 50 cents and mail to the East Oregonian Publishing Co., Pendleton, Oregon.

Send paper to _____

Address _____

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We have located a branch office in Pendleton, and will make collecting defunct bills a specialty. No account too old for us to handle.

Our plan is: "No collections, no charges. Suits instituted, judgments advertised."

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LOST, STRAYED OR STOLEN

From my place at Juniper on June 27, two mares; one a sorrel mare weight about 1200 pounds, 5 years old branded CH on left shoulder; she has crooked front feet.

The other is a 5-year-old bay mare weighing 1100, branded R over a hat on left hip and T within a circle on right shoulder.

I will pay \$10 for information leading to the recovery of both horses, or \$5 for either of them. Address, _____

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Have you prospered? What are your prospects? Every one is expected for some particular profession or trade, which is termed their true vocation, yet one-half of you are against an unknown fate and fortune, which you do cannot obtain until you find vocation. A call on Wellington settle that all important; your vocation will be out to you; your conviction sure and success will follow. Satisfaction guaranteed or accepted.

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