



FREE LOCKS AND OPEN RIVER

Judge W. S. McFadden's Address Before the Willamette Valley Development League in Albany Recently.

Why Corvallis wants an open river presents an inquiry of practical importance that should deeply interest the people of the Upper Willamette. My subject is one material, wholly devoid of matters imaginative or those that rest on theorizing. The little that I may have to offer is addressed to men of mature years, whose aims and acts must be along the lines of active work, embodied in and emphasized on the actual material things that concern the utmost development of the state.

An open river has long been the theme of talk with no action on the part of the people. We have had a personal knowledge of the present order of things for more than thirty years last past—still, we have rested in quietude as dreamers. Nothing has taken the form of organized effort. It would have been proper and certainly more respectful to you had I reduced to writing in due form what I present; but the art of writing is to a great extent a sealed if not a laborious work to me, hence, from the standpoint in which I find myself placed, extemporizing crazy-quilt fashion, with the chances of more misses than hits, is my condition today, and which is destined to be more fully exemplified as I proceed.

The Willamette river is an entire proposition—an entity, and when we speak of an open river we mean from its source to its mouth. To the shame and disgrace of the state an embargo has been placed on the open river by a corporation. In round figures \$300,000 has been contributed out of your state treasury for the construction of the Oregon City locks. It is true our legislature, as a gratuity to the people, affixed to this contribution of the state's cash certain rights of purchase in behalf of our state, as well recoupments by way of the fixing of interest to accrue; but all the rights of the people and the state were permitted to sleep the sleep of death by those who under the fictions of the constitution were supposed to protect the rights of the state. The right of purchase of the locks and the original rights of the people were allowed to lapse and the statute of limitations has long since run against the interest. We have thus been robbed and victimized out of our God-given birthright and now Western Oregon like the rich man, Dives, who after passing from the glories of this life, lifted up his eyes being in hell in great torment. My scriptural simile is indeed imperfect, excepting only in the position in which we find ourselves; for the people of the valley are not fully enjoying the "good things of this life" as did Dives, nor are our fellow co-workers in Abraham's bosom, but instead we all seem to be very much in the clutches of that soulless thing at the locks. Still, to be facetious, our yearly tribute of \$100,000 and the state's bequest of \$300,000 to that corporation might well be classified under the head of "the good things of life."

The free-will donation of our river that was given us by nature as our common carrier and reducing our people to the condition of beasts of burden for tolling in freight and other exactions may be some of the good things of life for that artificial personage that holds the locks, but is worm wood and gall to the common people.

We are to deal with material

and substantive matters today. The open river is a practical proposition and has much to do with the development of Western Oregon. Mr. Westbrook has reduced to a minute demonstration to you a few minutes since that our people are paying tribute to this corporation in tollage, annual y, at least \$100,000.

Every ton of freight through the locks means fifty cents out of pocket as well as on every ton carried by rail. The grim toll-collector at the locks with its clam-like hand dots down every horse and head of cattle 25 cents; each poor old sheep ten cents; every sack of potatoes, sugar, or other sack of produce, etc., passing through the gilded gates must pay its tribute; each bale of hay a nickle in the slot, and each bale of hops its stipend of ten cents. In short, this lockage charge stands knocking at every door in the valley—nagging every purse string. If you look toward Portland you will always see it in the river with palm extended demanded tribute, tribute!

It has actually chained up the river as a generating power plant for electrical purposes and exacts tribute from Portland, at so much each candle power. We are, therefore, in the language of President Cleveland, confronted "with a condition, not a theory." Under the recognized system in which we are to work it must be in a representative form. The individual factor in every community is always on the ground floor and we are deemed to accomplish legitimate and proper ends by and through those who are called upon to represent us in official capacity.

You may say: "What has our legislative body to do with our advancement, since we suffer mainly from the blights of its official misrepresentation?" The answer is "Correct that evil, and establish a different order—fix a standard for your legislative members in mentality, work and character in the channels they are expected to work." If we are to have an open river, or anything else that is open, we must make a radical departure from our old lines. In the lines of progress and an eye single to the betterment of our interests, it would be wise for us to take an invoice of that galaxy of statesmen who assumed to represent us in the legislatures of five or ten years ago, and inspect them carefully. What you will find to be true of them will probably be a fair test of the caliber of those who have gone before, as well as those who have budded and bloomed since. Consider that body at any given period in the history of the State as an entirety. Put them under your eye and see the large per cent that will average at the rate of one fibre of wool to each sack of shoddy; and then ask why the river is clogged and state development frost bitten.

Your invoice will give you the right answer. Many of those one-fibre characters are now in existence in different parts of the state under the guise of reformers at this time, yet always promoters, but with their hands out for a soft "snap."

My talk, as I before stated, must be on the crazy quilt order, and I'm to be allowed much latitude so long as I am within the subject of State progress.

The need of our day is men of standing and identity; men who stand for and represent something that concerns the people. For sure, winners under the old

established order, we sought for, and were usually fortunate in finding a nonentity destitute of stamina—with absolute neutrality of tint, who was never known to have an idea on any subject, except the weather; who never collided with anybody and as vertebralless as a fishing worm, who stands for no principle—a negative factor in the body politic; and representing nothing of worth except a genial smile and the "glad hand shake" and you have an ideal man for legislative timber.

We largely larder up our legislatures with that quality of material—in fact, those are the chief characteristics of the men, so called, whom we delight to honor. Is it any wonder we have grafters, boodlers and place hunters whose sole aim is to make merchandise out of their positions and sacrifice all the substantial interests of the people, who use the state fund as a trading base for some little hungry local interest hid in the state that Mr. Negative represents among the law makers of the state? Have you not seen at numerous times Salem law makers of this type spending forty days and forty nights in a fight for United States senator jumping into the passing band wagon of the triumphant senator at the last minute of the last hour of the session and raking in the receivership or other ship or place, as a reward for the faithful performance of duty to his admiring constituents? How nobly is filled the duty of a sacred trust. It is right and proper that we should have faith in each other if we are to accomplish anything; but that faith should be based upon works and acts.

We have learned in the bitter school of experience, that that there is much more of crooked misrepresentation than straight representation. It is up to us to correct this evil, or still suffer the consequences.

It is a part of the unwritten history of Oregon that a member of the senate who prepared the Lock Bill received \$1,000 on the side from a disinterested patriot who desired to show his appreciation of the provisions of the bill. It was merely a free spontaneous offering to the poor senator who could not afford to serve his state under the constitutional salary of \$3,000 per day. It would not tend to precipitate development to pursue further how signally the public was outraged in all matters pertaining to the Lock Bill.

While this corporation was year by year tightening its clutches on the river, the biennial legislatures were absorbed largely in whom was to go to the U. S. Senate or in what might be extracted from the treasury for pet schemes for dear friends or for special interests. It is not within my power to indict that body, if I could the statutes of limitations would be invoked and the indictment fail. These strictures do not apply to all members of that honorable body. We have had many substantial men there who honestly represented us; but unfortunately they have always been in a hopeless minority. In passing, it is to be remembered that a young member of that body from Old Linn did produce a bill for the purchase of the Locks in behalf of the state, under the provisions of the Lock Bill; that it was received in a frigid atmosphere and soon found its way into the hands of a hostile committee and died a speedy death, even though unhonored and unsung. No sorrowful tear drop fell from the eye of any member, and no one at those obsequies said: "Peace to your ashes." In some mysterious way the right kind of balm was applied and the inevitable followed: The state was buccooed and our legislative cohorts returned to their admiring constituents wreathed in garlands and were lovingly received with due honors by admiring constit-

uents. This same spirit of generosity that characterized our legislative body was prior to the date of the Lock Bill emphasized on the part of the general government by our Congressional delegation; our representatives in Congress, for they, too, were engaged on the lines of state development. Big grants of public land to the railroad with the modest limitation of forty miles on either side of the contemplated road-bed, with alien lands to make up shortages, insured home-builders, and would make the waste places bloom as the rose. Wagon road grants from the public domain bloomed forth in golden colors because under the terms of the grants public roads for the use of the home-builders was a certainty. The titles to the lands left the government and vested in the secede the Yaguina Bay, etc., Wagon Road Companies. The Wagon Companies had built the roads as per the terms of the grant, all of which was made to appear by proper certificates after actual examination.

A few scratches at long intervals and some blazed roads were constructed by the companies that a jack rabbit would not attempt to travel without an accident policy. Thus the letter and the spirit of the grants were strictly complied with by the Wagon Co's., and the glories of development were in the ascendant. The result was that those promoters and schemers made cheap merchandise out of the government, and the thousands of acres which the fathers designed for the sole benefit of the home-builders is now concerned and held in a vice grip by these wagon roads and their successors in interest.

So strong is this grip that the general government cannot now even get fair concessions for irrigating purposes in the interest of the people. Open rivers, state development and public aid are now old steeds, that have been pretty well ridden in the past.

To relieve ourselves from the old P. T. holdings at the Falls in the shape of the basin the good of the state was insured by the passage of the Lock Bill. So as the matter stands instead of the state getting the locks—the locks have got us pretty hard.

It is hardly proper to attempt to hold the corporation up to execration. It is simply living up to its privileges, certainly not below them. The corporation has not victimized us. It has no greater rights than your legislature allowed it. Hence, the corporation can greet us with a smile and with Sam Simpson, say: "Onward ever, lovely river." Are we to get succor from the rail-road?

(Continued on second page.)

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