

HAPPENINGS FROM AROUND OREGON

OREGON'S NEW WATER CODE.

Methods of Registering Water Rights Under State Law

Salem—The following statement was prepared by State Engineer John H. Lewis to refute some of the charges that the new water law passed by the legislature last year is too intricate and cumbersome:

"The assertion has been made that the Oregon water code is so intricate and restrictive in its operation as to prevent or greatly check the use of streams either for power or for irrigation.

"For the purpose of throwing some light on this subject a summary of the filings made under this law in the state engineer's office between February 24 and December 31, 1909, has been made.

"A total of 464 applications for permits to appropriate water have been filed, the estimated cost of the proposed work, as given by the applicants, amounting to \$30,000,000. The magnitude of these figures can be appreciated when it is remembered that \$2,100,000 represented the total cost of all irrigation works prior to 1902, according to the United States census, and it is believed that \$6,000,000 will fully cover all expenditures made since such date, including those of the government.

"The fees paid to the state in connection with these filings amount to \$9,700, a sum which more than covers the cost to the general taxpayer of the state engineer's department. No complaint as to excessive fees or unreasonable regulations or restrictions has been heard. Water right records are necessarily more complicated than land records, and the applicant, or rather those which have appeared at the office, seem to think the cost does not exceed the benefits. Sixty-two of the 464 applications have been canceled from the records and the water is subject to reappropriation.

"The water code makes no annual charge for the use of water for power development, but limits the franchise or right to a period of 40 years, subject to a preference right of renewal under the laws then existing. It should not be confused with a separate law which provides for an annual tax of 25 cents to \$2 upon each horsepower developed. But little complaint as to the excessive amount of these fees has been heard from the small appropriator who intends to apply the power to his own use. It is different, however, with the large appropriator and its retarding influence is reflected in the small number of such filings made under this law. Only a few of the small appropriators have paid the tax in response to notices sent out prior to January 2.

"Forty-nine petitions for the determination of water rights on various streams of the state have been filed with the board of control. This board is composed of the state engineer and the division superintendent of each of the two divisions into which the state is divided. Surveys have been completed and testimony taken on nine of these streams. All irrigated lands, power plants, ditches, etc., along 11 other streams have been located and mapped during the past season by the state engineer. In all, 57,500 acres of irrigated land have been accurately measured and mapped, at a cost of 7 1/2 cents per acre.

"The most important of these streams are the Umatilla river and all its tributaries, Crooked river, Squaw creek and Tumalo creek, in Crook county, Willow creek in Morrow county, and Willow creek in Malheur county, also Little Butte creek in Jackson county. The popularity of the law with respect to the adjudication of old rights has far exceeded the expectation of the legislature, as the appropriation for the state engineer's office is so limited that surveys cannot keep pace with demands.

"No right to the use of water can be acquired except by application to, and the issuance of a permit, by the state engineer. The records as summarized above and the experience of this office during the ten months of 1909 during which the water code has been in effect, leads to the conclusion that this law is entirely satisfactory to the prospective investor and settler. It has already stimulated the development of the state through irrigation. Power filings and doubtless power development has been somewhat retarded by the annual tax provided for in a separate law. Complaints as to this feature should not be directed against the water code."

To Investigate Oregon Electric.

Salem—The railroad commission upon its own motion has ordered an investigation into passenger accommodations furnished patrons by the Oregon Electric Railway company. The investigation will include both car conveniences and depot accommodations such as are required of other railroads operating in Oregon.

SPEAK ON APPLE CULTURE.

Dr. S. A. Robinson, of Old Virginia, Praises Oregon Apples.

Portland—Members of the Portland Apple Growers club were afforded an opportunity to listen to two addresses at the regular meeting at the Y. M. C. A. recently. M. O. Lownsdale, of Lafayette, owner of one of the largest apple orchards in the Willamette valley and having 30 years' experience in raising apples, was the first speaker. He was followed by an address by Dr. S. A. Robinson, vice-president of the State Horticultural society of Virginia, and a member of the Royal society of England.

Dr. Robinson telling why Oregon apples bring the highest prices in the markets of the world said in part:

"You in Oregon are being taught to underestimate your competitors. There are a number of sections which you must take into account. Canada, along the St. Lawrence river and around the Great Lakes, Nova Scotia and a few other sections are as productive as the Pacific Northwest and while the apples of these sections do not compare with the first and second pack of Oregon they are a good commercial apple. But your apples are the best and it is because they are the best that they draw the great prices.

"The production of strictly fancy apples will never be overdone. They will always meet a demand commanding a high price, both because of the small area fitted for such apples and on account of the increasing population which is demanding the highest priced apples. In New York City a few years ago I saw apples piled on the docks, simply glutting the market and with a greater quantity sent in than ever before. They were being sold—good commercial apples—for 75 cents a barrel. Two trainloads of apples were left standing unopened. But with this glutted market Oregon apples were being held at \$3.50 to \$4.00 a bushel box and the dealers were glad to get them at that price. That shows the way Oregon apples are thought of in the East and what will be paid for the very best.

"Now, I am from Virginia, where we can grow a very high grade of apple. But there is no fear of Virginia being a competitor of yours for a generation at least. The reason I would give as hereditary inertia although there are some who may dub it 'hook worm.' At any rate, they will not develop their land and the proprietors of the soil, the sons and grandsons of slaveowners, have such a great amount of personal individuality that they cannot be made to co-operate, and co-operation such as you have at Hood River is an absolute essential to the success of the apple industry."

PORTLAND MARKETS.

Wheat—Track prices—Bluestem, \$1.13@1.13 1/2; club, \$1.06; red Russian, \$1.04; valley, \$1.05; 40-fold, \$1.10.

Corn—Whole, \$35; cracked, \$36 ton.

Oats—No. 1 white, \$31.50 per ton.

Hay—Track prices—Timothy, Willamette valley, \$20@21 per ton; Eastern Oregon, \$22@23; alfalfa, \$17@18; California alfalfa, \$16@17; clover, \$15@16; grain hay, \$16@18.

Fresh Fruits—Apples, \$1.25@3 box; pears, \$1.50@1.75; cranberries, \$8@9 per barrel.

Potatoes—Carload buying prices—Oregon, 70@75c per sack; sweet potatoes, 2 1/2@3c per pound.

Vegetables—Cabbage, \$1.50@2 per hundred; turnips, \$1.25 per sack; rutabagas, \$1@1.25; carrots, \$1; beets, \$1.25; parsnips, \$1.

Butter—City creamery extras, 37@39c; fancy outside creamery, 35@39c; store, 20@23 1/2c per pound. Butter fat prices average 1 1/2c per pound under regular butter prices.

Eggs—Fresh Oregon ranch, 27 1/2@28c per dozen.

Cheese—Full cream twins, 19@20c per pound, young Americans, 20@21c. Pork—Fancy, 12@12 1/2c per pound.

Veal—Fancy, 12@12 1/2c per pound. Poultry—Hens, 17 1/2@18c; springs, 17 1/2@18c; ducks, 20@22c; geese, 13@14c; turkeys, live, 22 1/2@24c; dressed, 25@29c; squabs, \$3 per dozen.

Hops—1909 crop, prime and choice, 20@22c; 1908s, 17 1/2c; 1907s, 11 1/2c per pound.

Wool—Eastern Oregon, 16@23c pound; mohair, choice, 25c.

Cascara bark—4 1/2@5c per pound. Hides—Dry hides, 18@18 1/2c per pound; dry kip, 18@18 1/2c per pound; dry calfskin, 19@21c; salted hides, 10@10 1/2c; salted calfskin, 15c per pound; green, 1c less.

Cattle—Best steers, \$5.50@5.75; fair to good steers, \$4.50@5; strictly good cows, \$4.50@4.75; fair to good cows, \$3.75@4; light calves, \$5.50@6; heavy calves, \$4@5; bulls, \$3.50@3.75; stags, \$3@4.

Hogs—Top, \$9@9.25; fair to good hogs, \$8.50@8.75.

Sheep—Best wethers, \$6@6.25; fair to good wethers, \$5@5.50; good ewes, \$6; lambs, \$6@6.50.

MOB DEFIES BAYONETS.

Disarms "Tin Soldiers"—General Strike May Be Called.

Philadelphia, Feb. 23.—According to a statement issued today by the Philadelphia Rapid Transit company, the amount of damage done today and the number of assaults committed by mobs were greater than on any previous day of the strike.

Two hundred and ninety-five cars were wrecked, making 750 cars put out of service since the strike began.

Six hundred and sixty-three cars were run up to nightfall, when all cars were returned to the barns.

Philadelphia, Feb. 23.—Three boys were shot and probably fatally injured and several received less severe wounds today in riots that followed the attempted resumption of service by the Philadelphia Rapid Transit company.

The shooting occurred in attacks on cars in the Northeastern section. Market street, the principal business thoroughfare, was the scene of the disturbances all day. Cars were stoned and two policemen were roughly handled by a mob of several thousand persons. A dozen arrests were made and the prisoners were placed in a trolley car. This was stormed by the mob and two prisoners escaped.

Preparations were made by authorities to call upon the entire force of the state militia if the police tomorrow were unable to cope with the situation. President Murphy, of the Central Labor union, still regards a general strike of all unions in the city as inevitable, although Organizer Pratt is said to oppose this move.

Members of the State Fencibles, an independent military organization, 200 strong, were placed on duty today, armed with loaded rifles. They were detailed in the Kensington mill district Northeast, a hotbed of sympathizers.

Fifteen policemen quartered in the barn of the company at Ridge avenue and York street narrowly escaped death tonight when the entire northeast corner of the building was blown away with dynamite. The explosion occurred just as C. O. Pratt was about to address a meeting of carmen at Ridge avenue and Dauphin street.

CENSUS OF OCCUPATIONS.

Questions Will Apply to Everybody in the United States.

Washington, Feb. 23.—The "occupation" question in the United States census population schedule to be carried by the enumerators during the Thirteenth Decennial census, beginning April 15 next, applies to everybody living in the United States on the date mentioned, which is the "Census Day," and all the population schedule questions relate to it only.

In its printed instructions to enumerators the census bureau holds that the occupation followed by a child or a woman is just as important for census purposes, as the occupation of a man. Therefore the enumerators are told never to take it for granted without inquiry that a woman or child old enough to work has no gainful occupation.

It is pointed out, however, that only gainful occupation are to be reported. By this is meant any employment, work, profession or vocation by which the person working regularly earns money or its equivalent. The fact that a person has no gainful occupation is to be noted on the schedule. If a person is only temporarily unemployed on account of lack of work or sickness, or other temporary reason, the occupation which that person usually follows is to be reported.

If a person has two occupations, the enumerator must return only the more important one—that is, the one from which the person gets the more money. If that cannot be learned, then he is to return the one at which the person spends the more time. As an illustration, the enumerators are told to return a man as a "farmer" if he gets most of his income from farming, although he may follow the occupation of a clergyman or preacher; but they must return him as a "clergyman" if he gets more of his income from that occupation.

House of Lords Lacks Support.

London, Feb. 23.—The players in the game of politics threw the cards upon the table in the house of commons today. The government is without the allies necessary to carry legislation and the prospect is that the country will be stirred up by another general election soon. Premier Asquith announced that the financial legislation would be put ahead of the proposals to curb the power of the house of lords. John E. Redmond, the Irish leader, declared flatly that the Nationalists would not support that program.

Egypt's Premier Dies of Wound.

Cairo, Egypt, Feb. 23.—Boutros Pasha Chali, the Egyptian premier and minister of foreign affairs, who was shot by a student yesterday, died today. The assassin, who is in custody, is a Nationalist, and declares he sought to avenge certain acts of the government which are displeasing to the Nationalists.

PROCEEDINGS OF CONGRESS IN BRIEF

Washington, Feb. 28.—Because of protests filed against the bill donating to Whitman college the lands and buildings of the abandoned Walla Walla military reservation, Senator Jones has withdrawn that measure, and today introduced a new bill authorizing the sale of the reservation to Whitman college at \$50 an acre.

It is expected that the military committee, before reporting this bill, will ascertain from the War department whether or not this price is reasonable, and if not will substitute a price recommended by that department. It is not expected there will be objection to the sale of the lands at a fair price.

A bill introduced in the senate today to add 1,000,000 acres to the area available for use by the state of Oregon under the Carey desert land act, and also to authorize the state of Oregon to drain Blue Point, Flagstaff, Hart and Clumf lakes and reclaim the lands now submerged and to create liens upon the land so reclaimed as a security for the repayment of the cost of reclamation by settlers on the reclaimed lands.

Senator Jones today introduced bill permitting the Okanogan Electric Railway company to build a bridge across the Columbia river at Bridgeport and another across the Okanogan river at Deffins Ferry.

The Aldrich bill providing for a commission of senators, representatives and civil appointees to be selected by the president, to supervise the business methods of the executive departments, was passed by the senate today.

The postoffice appropriation bill was under consideration in the house during the entire session, which lasted over six hours. Both houses will be in session tomorrow.

The house public lands committee has reported favorably the administration bill making an appropriation of \$500,000 for the survey of public lands within railway land grants. In Oregon there are \$500,000 acres unsurveyed in Oregon & California railroad grant.

Washington, Feb. 26.—In accordance with recommendations by the senate committee on finance, the bill providing for the issuance of \$30,000,000 of certificates of indebtedness for the benefit of the reclamation service will be amended so as to make the government directly responsible for the payment of the certificates. As the bill now stands the certificates are made payable from the reclamation fund.

The proposed amendment will authorize the secretary of the treasury to transfer from time to time from the general fund to the reclamation fund such amounts as may be necessary to complete the projects, providing the aggregate shall not exceed \$30,000,000. He is authorized to issue certificates not to carry more than three per cent interest to reimburse the treasury for advances made. The funds thus obtained are to be used for the completion of projects already begun.

Ultimately the government is to be reimbursed from the reclamation fund at the rate of 50 per cent of the receipts of the fund.

After a conference today with Dr. W. T. Hornaday, director of the New York zoo, the senate committee on conservation of natural resources, of which Dixon, of Montana, is chairman, decided to represent to the department of commerce and labor the undesirability of renewing the present lease for the slaughter of seals in Alaskan waters, which expires next April.

According to Dr. Hornaday, the seal herd has been reduced from 4,000,000 to 50,000 in a comparatively brief period. He expressed the opinion that a renewal of the lease would amount to the practical extermination of the herd. He recommended a closed season for ten years.

Washington, Feb. 25.—Representative Claude Kitchin of North Carolina, made a general assault on the tariff law under license of general debate on the postoffice appropriation bill in the house today.

Telling a number of stories of starving children and of working men appealing for work in the large cities, Kitchin concluded each tale with the statement:

"And all this under the Aldrich-Payne bill, which no one on the Republican side has the courage to defend."

The administration bill to create a court of commerce and amend the interstate commerce laws was ordered favorably reported today by the senate committee on interstate commerce, which will recommend its passage practically in the form recently revised by Attorney General Wickersham.

The attitude of the house committee in regard to the bill is giving the president concern and today he sent for some Republican members of the committee and urged them to do everything possible to expedite its passage, even if it should be necessary to amend it, so long as the general purposes of the act were carried out.

The senate today passed Representative Ellis' bill authorizing the Oregon Trunk line to build a bridge across the

Columbia river and the Celilo canal, to connect with the North Bank road at a point opposite the mouth of the Deschutes river. This bill now lacks only the signature of the president to make it law.

The secretary of the interior has decided to report favorably upon the Bourne bill amending the enlarged homestead act so as to permit patents to issue in Oregon upon proof of production and cultivation instead of requiring residence.

Washington, Feb. 24.—Representative Hawley announced today that the hearings on the Lefean apple packing bill would begin before the house committee on agriculture on March 9, and continue long enough to enable all witnesses to be heard. He has notified horticultural societies in Oregon in order that they may send representatives to Washington to appear before the committee.

A bill was introduced today in the house by representative Hawley, of Oregon, providing for the opening and settlement of the Klamath Indian reservation of Oregon.

The bill provides for the surveying of the reservation and allotment to the Indians within a year, the government to have use of some of the land for demonstration farms.

A graphic picture of Alaska, with her millions in gold lying hidden beneath hundreds of feet of frozen earth, was drawn by Delegate James Wickersham today in a statement before the house committee on territories, in support of a bill for the revision of Alaskan mining laws.

If a resolution introduced today by Senator Heyburn is adopted, the senate will take up what is known among police officials as the "third degree." The resolution provides for appointment of a select committee of three to investigate the practice of administering what is known as the "third degree" ordeal by the officers of the law for the purpose of extorting statements and confessions from those charged with crime.

Mr. Heyburn asserted that such methods were more cruel than those of the Inquisition. They were not only barbarous, he said, but were in direct conflict with American court instructions under which an officer is prohibited from talking with his prisoner on the subject of the charge against him.

Washington, Feb. 23.—Senator Warren today introduced a bill authorizing the secretary of the interior to sell surplus water of the government reclamation projects to individuals, corporations or associations operating under the Carey act and authorizing the secretary to co-operate with persons, corporations, irrigating districts or Carey act associations in the construction of contemplated reservoirs, which will impound the water in excess of the needs of public lands within the proposed irrigation project.

Senators who have been heretofore unfriendly to the bill to raise additional money to hasten completion of government irrigation projects are now suggesting that the bill be amended to authorize \$50,000,000 instead of \$30,000,000 worth of certificates of indebtedness. Commenting on this new situation Senator Borah said: "Of course we would like to have \$50,000,000, and if we find we can get it, we will take up this new proposal, but the thing that is disturbing friends of the measure now is whether or not this proposed raise may not have the effect of killing the bill after it gets to the house. We do not know what we will do regarding this proposition until the situation can be canvassed in the house."

The senate commerce committee has adopted amendments to the river and harbor bill as follows: Siuslaw river, \$213,000, conditioned upon co-operation by the Port of Siuslaw; Coquille river, increase from \$27,840 to \$50,000 and \$6,000 annually for maintenance; Clatskanie river, increase from \$500 to \$5,000. Survey of the Oregon slough in the Columbia opposite Vancouver, is also ordered.

Washington, Feb. 22.—Representative Hawley today introduced a bill authorizing the opening of the surplus lands in Klamath reservation after the completion of allotments to Klamath and Modoc Indians. As soon as the allotments are completed, a commission consisting of one resident of Oregon, one representative of the Interior department and one member of the Klamath tribe are to be appointed at \$10 a day to classify and appraise the surplus lands, dividing them into agricultural, timber, grazing and mineral lands, the classification to be completed in eight months.

The house naval committee today voted a tentative approval of Secretary Meyer's plan of reorganization, which will give the secretary the power to put his plan into practice for one year.

Several hours again were devoted by the senate committee on interstate commerce today to listening to Attorney General Wickersham expound his views concerning amendments to the interstate commerce law.