

RECOMMEND UNIFORM LAWS

WATER COMMISSION TO FORMULATE REPORT TO LEGISLATURE.

Proposes That Laws Enacted be Similar to Those of Washington--Result of the Conference.

Resulting from the conference held at Pendleton last week between the Oregon Water Commission and the representatives of the United States Reclamation Service, and the joint conference the next day at Walla Walla of the Oregon members with a like committee from the State of Washington, it has been virtually decided what character of legislation shall be recommended for passage to the next session of the Legislative Assembly. The members of the Oregon Water Commission have returned to their homes, and Zera Snow, the Multnomah County member, said in reference to the work accomplished, to the Telegram:

"Not only was the question of the character of the legislation advisable considered, but the propriety of uniformity in legislation with Washington. Both commissions expressed the tentative opinion that this uniformity was advisable, in view of the similar climatic conditions of both states. The Oregon commission now has under consideration proposed legislation in the following lines:

"First--Legislation having for its object the early determination in the cheapest and most efficacious manner of the existing water rights in the state, with provisions for a proper record of these rights, to the end that it may be known, in connection with a state hydrographic survey, whether there is in this state surplus water which may be devoted to a future beneficial use, under appropriate regulations governing the method of appropriation.

"Second--Legislation abolishing the miners' inch as a unit of measure and substituting a 'second foot'--the discharge of one cubic foot of water per second of time; providing that the 'acre foot' should be the unit of measurement of quantity--the 'acre foot' being equivalent to 43,560 cubic feet; with provisions likewise for converting miner's inch into 'second feet,' making the miner's inch equivalent, say, to one-fortieth or one-fiftieth of a cubic foot of water per second, thus making certain the present varying and uncertain quantity arising from various causes where quantity is governed by the inch measurement, and aiding in the converting of the present water rights, the extent of which is governed by the miner's inch, into the 'second foot' unit of measurement.

"Third--Legislation looking to the organization of irrigation districts, either providing for a quasi public corporate organization for such districts or such amendments to the private incorporation acts as will enable water users to organize and take the benefits of Governmental legislation, while primarily for the purpose of reclaiming public arid lands, contains provisions enabling land claimants, who have already acquired titles, to participate in the use of water arising by the application of the act of the general Government.

"Fourth--Legislation providing for future appropriations under state supervision and regulation and devoting all the unappropriated waters of the state to public use, providing rights to attach by appropriation only, not by riparian ownership, together with legislation upon the question of existing riparian rights, if any exist, and limiting such rights to beneficial use. This question involves serious questions of power as well as of policy.

"Fifth--Legislation providing for condemnation suits by the United States in its efforts to apply the reclamation act to this state, and providing likewise for rights of way over state lands for canals and reservoirs constructed by the United States in its public work in connection with the reclamation act.

"The Commission also has under consideration, and above outlined had best be made applicable to the entire state or be limited to Eastern Oregon.

"A clause in the reclamation act of the United States merits also an attention which heretofore it has not received, probably from lack of knowledge of the provision in question. The reclamation act applies in general to the arid states and territories, and is primarily design-

ed to facilitate the settlement and sale of the unsold public lands when water for their irrigation shall have been provided for. By the act in question these public lands, which are embraced within the area designed to be affected by public irrigation works, are withdrawn temporarily from entry, until the works have been decided upon and the reclamation begun. They are then opened for entry under the homestead act only, and the areas varying from 40 acres, minimum, to 160 acres, maximum; but, inasmuch as it will generally be found that in every region proposed to be benefited by reclamation works private ownership has already been acquired of property, which, from reasons of necessity or advisability, ought to be incorporated in the system involved by the reclamation works, the act provides that:

"No right to use the water for land in private ownership shall be sold for a tract exceeding 160 acres to one landowner, and no such sale shall be made to any landowner unless he be an actual boni fide resident on such land or occupant thereof residing in the neighborhood of said land.

"While this provision was probably designed to prevent reclamation works in the interests of large speculative landowners, it works a great hardship upon the rancher who, having acquired more than 160 acres, is compelled, by virtue of this provision, to surrender his farm or ranch in excess of that area before being entitled to participate in benefits of reclamation works."

TO DRAFT LAWS FOR GOOD ROADS.

Convict Labor on Highways May be Among Proposed Measures.

A dispatch to the Salem Telegram says: In accordance with a resolution adopted by the last meeting of the State Good Roads Association, held in Portland last year, President Scott, of the association, yesterday afternoon announced the personnel of the legislation committee, as named by him, the purpose of which committee will be to draft and offer to the State Legislature such legislation as is deemed necessary to the best interests of the good roads movement in this state. The committee follows: M. A. Miller, of Lebanon; C. J. Smith, of Pendleton; W. W. Steiwer, of Fossil; J. H. Albert, of Salem; M. A. Wertz, of Grant's Pass.

Among matters suggested to the committee, to cover which it is presumed bills will be drafted for presentation to the Legislature, is the matter of public road construction by convict labor, a subject which has been agitated quite freely the past year. As a result of the building of the road between the penitentiary and asylum farm, which is nearing completion and is considered one of the best roads in the state this is now thought quite practicable.

Other prospective laws which the committee will also probably draft is one permitting the County Courts to condemn property for the purpose of straightening out roads, and another for the purpose of requiring petitioners for the establishment of new roads to pay the costs of survey and viewing.

President Scott anticipates a rousing big convention this year, and that there will be an attendance of several hundred delegates. The county Judge and Commissioners of each county, the Mayor of every town or city, and the Supervisor of every road district in the state are considered ex-officio delegates to the convention, besides the County Judges and Mayors are expected to appoint delegations of ten members. President Scott is urging the advisability of making a very extensive good roads display at the State Fair. He thinks that all dealers in and manufacturers of road machinery should make a special effort to place their machinery upon display at the fair. He says that one or both of the Marion County road rollers and rockcrusher will be placed on exhibition and that it is quite probable, if arrangements can be made, object lessons will be given in building of permanent roads.

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PROCLAMATION.

Whereas, there was submitted to the electors of the state at the last general election as required by law, an initiative petition for a Local Option Liqueur Law:

And, whereas, on the 24th day of June, 1904, the Secretary of State in my presence as Governor of the State of Oregon, did canvass the votes given for said law; And, whereas, it was ascertained and determined upon such canvass that there were 43316 votes cast for said Local Option Liqueur Law, and 40198 votes cast against the same, and that the said law received an affirmative majority of the total number of effective votes cast thereon and entitled to be counted under the provisions of law;

Now, Therefore, I, Geo. E. Chamberlain, as Governor of the State of Oregon, in obedience to Section 9 of an Act entitled "An Act making effective the initiative and referendum provisions of Section 1 of Article IV of the Constitution of the State of Oregon, and regulating elections thereunder and providing penalties for violations of the provisions of this Act," Approved February 24, 1903, do hereby make and issue this proclamation to the people of the state of Oregon, and do announce and declare that the whole number of votes cast in the State of Oregon for said Local Option Liqueur Law was 43316 votes, and the whole number of votes cast against said Local Option Liqueur Law was 40198 votes, and that said Local Option Liqueur Law received an affirmative majority of the total number of votes cast on said measure and entitled to be counted under the provisions of law, and that said Local Option Liqueur Law shall be and is in full force and effect as the law of the State of Oregon from the date of this Proclamation.

Done at the Capitol at Salem this 24th day of June, A. D. 1904.

(Signed) GEO. E. CHAMBERLAIN, Governor of Oregon.

By the Governor: (Signed) E. L. DUNBAR, Secretary of State.

Job printing--The Times-Herald

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