

CONGRESS AT COOS BAY

Oregon-Idaho Boosters Hold Interesting Session on Coast

THEY PASS STRONG RESOLUTIONS

Plans by District Railroad Plan and Recommends Adoption of Proffered Amendments to Constitution Covering This Plan—Suggests Law to Allow No Monopoly of Natural Passes.

It was unfortunate that more delegates could not go to the Oregon-Idaho Development Convention meeting at Coos Bay last week. Dr. H. M. Horton and Dr. J. M. Burnham were the only Burns delegates in attendance. According to newspaper reports the meeting was largely attended and was successful in every particular. Business sessions were interesting, and excursions on the coast and a clam bake were part of the diversions. The following resolutions were passed at the meeting:

At the conclusion of this, its fiscal year of labor, the congress wishes to invite the attention of the delegates and the public to the fact that it is especially a movement toward self-help by which the people are aroused to the fact that their resources are their own and their strength is in themselves. They need not and ought not wait helplessly until relief comes from the outside. In furtherance of this principle the congress lent its aid to and because it secured the passage of the acts of the Oregon Legislature which mark a new era in the protection of the people with their own progress and development.

One of these is the Port Commission act, by which any commission is authorized by proper procedure, including submission to popular vote, to create a district for raising funds to deepen and improve harbors and waterways within the district. Under this act four such districts have already been formed: The Port of Coos Bay, the Port of Coquille, the Port of Tillamook and the Port of Tillamook. The beneficial impulse given to local self-help is apparent.

The second is the passage of an act to refer to the people the constitutional amendment to permit of state or district railway construction. The congress points out that an amendment is necessary to the district plan, and the state of Idaho passed such an enabling act unanimously. It already a railway district has been created, including the county of Ada, in which Boise is situated, and the petition for the granting of this district was signed by the leading men of the state. But the Oregon Legislature was not so sure of popular approval and the submission to the people by the initiative was procured with the aid given by the business men of Portland, who went in a body before the legislature and insisted that the measure be submitted to the people. To these men much credit is due.

Resolved, That the thanks of the congress are due to the Marshfield and North Bend commercial organizations for their entertainment of delegates and provision for holding this congress. The hospitality of the people of Coos Bay was again fully demonstrated.

Resolved, That the importance of the Coos Bay harbor and the territory naturally seeking it as an outlet and its possible value to the naval vessels of our nation warrant the improvement of the harbor on the most permanent plan, and that temporary or nibbling projects are not in real economy and injurious to the true value of the harbor. Wherefore it is further

Resolved, That it is the decided sense of this congress, after investigation of the situation, that the General Government ought at once to undertake the improvement of the harbor by a jetty plan, supplemented by

dredging, substantially as indicated in project No. 2 of Col. S. W. Roessler, United States Corps of Engineers, which may be found in S. H. R. document No. 958, 60th Congress, first session, in a letter dated 'Office of the Chief of Engineers.'

Whereas, it has been represented to this congress that it is intended by the War Department, in charge of river and harbor improvements, to remove the dredge Oregon, now at work on the channel at Coos Bay harbor, to Grays harbor, Washington, and, whereas, it is further represented that the dredge was in fact constructed for work on the Oregon coast, and especially for Coos Bay harbor, due to personal efforts of citizens on Coos Bay, and that the dredge was brought to Coos Bay and operated with money furnished by private subscriptions of citizens of Coos Bay, to wit, \$6,500, and additional sums, making a total of \$21,000; and whereas, the Port Commission of Coos Bay is now offering a guaranteed fund of \$50,000 to continue the much-needed work of said dredge.

Resolved, that the good of the people has been in every age the highest law, and it is against public policy and true equity to permit those who would not build when they could to use the courts as a means of obstruction against those who seek to develop the state by the indispensable modern highway, the railroad. Such abuse of the powers of justice is an injury of the people.

Resolved, that it is unwise to permit individuals to file surveys in or otherwise secure control of the great natural passes, merely to hold them against a rival, refusing either to develop the country or permit others to do so, and that a law should be passed declaring or condemning all such controlling points to the state, and that the state should not permit any right of way to be acquired therein, except upon sufficient guarantees of building in good faith, without delays and open to use by all or any other roads, under proper regulations.

Resolved, that it is the decided sense of this congress that, while it will welcome all bona fide private railway building, and will aid and not obstruct, yet it believes construction and ownership of rail highways by the district plan is the correct principle, and is as feasible as the keeping open of waterways by the district or commission plan, and it is further the sense of this congress that the people ought to adopt the proffered amendments to the constitution which will come before the people in 1910.

bly built for a feeder to the Central Oregon line, which from all indications will continue from Vale up the Malheur river, through Harney Valley on to Natron.

Since it has been acknowledged that Hill is back of Porter Bros., in the threatened invasion of Central Oregon up the Deschutes, the Harrimans are getting very busy and considerable railroad activity is looked for in this section.

It has been stated by those in a position to know that the Bhuel extension, or the Short Line cut off, western terminus will be Ontario and should the new line connect with the present road before reaching this city a double track will be built on into Ontario. This matter has been fully considered and the establishing of Malheur Junction has settled the fact that Ontario is to be the terminal division of the Harriman system in Eastern Oregon.

INDUSTRIAL NOTES.

(Portland Correspondence).

Agricultural experts of the country, who have been in session in Portland during the past week, closed their most successful annual gathering Saturday with an attendance even larger than that at a recent convention in Washington, D. C. The session was one that means much to the Pacific Northwest for it was attended by men who are keen students of agricultural possibilities and what they saw here impressed them. They were afforded an opportunity to inspect the various farming districts of the state by means of special trains run by the Portland Commercial Club to Willamette Valley points and Hood River.

On these trips they were guests of the Commercial Club and were escorted by a special committee of prominent Oregon people who gave all the information desired on the different districts inspected. The results of the conventions will be far reaching, it is believed, by those who are familiar with the work of the organizations. President Kerr, of the Oregon Agricultural College, was chosen the head of the Association of American Agricultural Colleges and Experiment Stations for the coming year. President Kerr secured the convention for Portland while in attendance at last year's session.

President Taft will be made the center of a big demonstration when he comes to Portland October 2. There will be no private entertaining for the big President, but he will be on view by the public throughout his visit. There will be a big parade in the President's honor, in which he will ride, and where he may be seen by the thousands who will want to have a look at the nation's executive. President Taft will be asked to make an address at the Armory in the afternoon and attend a banquet at the Commercial Club at night on October 2d. Plans for Sunday, which will be spent here, are not made up yet, but the President will probably attend church and spend the remainder of the day resting. Mayor Simon has named a prominent committee of Portland people to arrange the President's entertainment.

An event of great interest, especially to the Pacific Coast, will be the visit of 30 of the leading business men of Japan, who will arrive on September 6 for a tour of 50 cities of the country. The visitors are coming to learn of the resources and commercial methods of the United States. The trip about the country will be made in a splendidly equipped special train at a cost of \$75,000, contributed by the business interests of the United States. A committee of prominent men has been named to have charge of the visitors while in Portland and arrange for their entertainment here.

FOR SALE—Do you want a nice home? 160 acre ranch 3 miles from Harney on Rattlesnake Creek. First water right, running water the year around, small bearing orchard, 40 acres in cultivation, fine range for cattle horses or sheep. For further particulars call or address Roland Hankins, Harney, Ore.

EXTENSION OF VALE ROAD.
The Malheur Valley railroad will be extended from Vale to Brogan, the new town on Lower Willow creek, this fall, a distance of 25 miles, says the Ontario Argus. All arrangements are complete and construction work will commence soon. The Malheur Valley R. R. is the road between Ontario and Vale, 16 miles in length, and is the eastern link of the Harriman line across central Oregon to Coos Bay and Portland. The Brogan extension will be a branch line and proba-

OUR NEW WATER LAW

As Interpreted by State Engineer in An Address at Spokane

TALKS TO IRRIGATION CONGRESS

No Right to Use of Water From Any Stream Can be Acquired Hereafter Without Compliance With The Law—Remedy of Old Evils Now With Complete Code and Title to Water.

Following is the address delivered by State Engineer John H. Lewis on "Oregon's New Water Law," before the delegates to the National Irrigation congress:

The state of Oregon has recently adopted a system of public control for her water resources. This system is in advance of other states in that rights to the use of water for power development are limited to a period of forty years, subject to renewal under the laws then existing. Compensation to the public for the use of this resource is also provided.

Under the old law, no foundation exists for titles to water. Utter confusion prevailed as to the legal status of a water right. Litigation among water users grew to such an extent as to prove a serious burden upon irrigated agriculture. Dams and flumes were annually destroyed and lives threatened in community quarrels to secure a proper division of streams. Under such conditions, capital declined to invest, and homeseekers went to other states where the purchase of a water right did not mean the purchase of a law suit. To remedy these conditions, a complete code of law was enacted, which became effective February 24, 1909.

The ultimate object of this law is to secure a proper division of streams among those entitled to its use. It is not supported by any constitutional provisions relating to water, but rests entirely upon the police power of the state to preserve the public peace, health and safety.

Its enactment is of as great importance to Oregon as was the making of the "Doomsday Book," in 1085, by William the Conqueror, which was the first attempt in England to systematize land titles.

The new law is an attempt to systematize water titles in Oregon. Its enforcement devolves upon the state engineer and division superintendent of each of the two divisions into which the state has been divided. County water right records have been abandoned in favor of the central office with large powers. Besides a few miscellaneous provisions, this law is divided into three divisions, which will be taken up in order: (1) The determination of early rights; (2) The granting of new rights; and (3) The protection of all rights when determined.

The state engineer and the two superintendents sitting as a board have power to determine all water rights on a given stream upon the application of any water user. This determination is based upon field surveys by the state engineer and testimony taken by the superintendent. The testimony is in the form of an answer to questions upon a simple blank form which is sent to each claimant thirty days in advance of the date of hearing. When all of the claims have been subscribed to under oath before the superintendent, they are, after notice submitted for the inspection of all interested water users and contests permitted. In this way, accuracy of information is assured, as self-interest will compel each water user to see that his neighbor's claim is not in excess of that to which he is entitled.

Upon the evidence collected an order will be entered by the board setting forth in tabular form the priority, location and extent of each right. This order becomes effective at once and can be enforced by the appointment of a water master. It is later filed with the circuit court

for confirmation. If no exceptions are taken within thirty days, a decree must be entered affirming the determination of the board. A water right certificate is then issued by the board to each claimant, based upon the decree. This certificate will be to the water right what the patent from the United States is to the land title. The law operates to make the water appurtenant to the land where used. The fees payable in advance are expected to about equal the cost to the state of these determinations.

The demand for such a law is shown by the fact that applications for the determination of rights to water on forty different streams have already been filed with the board. About one thousand claimants are involved in one of these determinations. The experience gained by the board in the first determination is carried to the next stream, perhaps in another judicial district, and their report of defects in the law will be a valuable guide to the legislature for further action.

No right to the use of water from any stream can hereafter be acquired without compliance with law. This insures a complete and reliable record of new rights, which is necessary to promote the development of our water resources.

The reliability of this record is further assured by the penalty making it a misdemeanor to divert water until the issuance of a permit by the state engineer. This officer has power to limit the amount of water asked for, and to fix the time within which the works must be completed and the water applied to beneficial use. A permit can be denied where the proposed use is a menace to the safety and welfare of the public. The fees payable to the state in connection with the granting of permits are expected to fully meet the cost of administration.

No protection can be granted by the state for early rights until after they have been determined. A single determination on a stream is final, because it involves all claimants. New appropriations cannot complicate the situation, for the reason that such rights will be fully defined at the time of initiation.

By making water appurtenant to the place of use, a uniform system of township plats can be employed for recording determined rights, so that only a few seconds will be required to ascertain whether a given tract of land has a valid water right.

This information will ultimately be published in tabular form for the convenience of the water user, the prospective investor, and especially as a guide to the water master, whose duty it is to distribute the water in accordance with such rights.

of appropriation and beneficial use. The use is the basis of the right, and not the capacity of the ditch or the appropriation made. Upon termination of the time allowed in the permit, proof is taken by the superintendent in the same manner as for original determinations, and a water right certificate is then issued, based upon the extent to which the water has actually been applied to beneficial use. Old rights are thus placed upon the same footing as new rights.

This system of public supervision is satisfactory to the general taxpayer because it is self-supporting, promotes the general prosperity of the state, and may in future prove a source of revenue. It is satisfactory to the water user because he sees in it the end of vexatious and costly litigation, and can devote all his energy to the growing of crops. It is also satisfactory to the prospective settler and to the investing public, for the reason that a foundation in law has been provided, and the necessary police protection assured by the public.

HILL'S GREAT MOVE.

The announcement that James J. Hill has purchased the Oregon Trunk line and is now back of Porter Bros. in building a railway line to central Oregon is the best news eastern Oregon has had since the main line of the O. R. & N. was built in the early eighties. The fact that Hill is invading the interior and is moving in an earnest, energetic manner makes it practically certain that the great central portion of the state is at last to be developed. When it is fully developed Oregon will be a new state.

The great interior, now without transportation facilities other than that afforded by stage lines and freight teams, comprises two thirds the area of the state. Much of the interior is marvelously rich in natural resources. Hundreds of thousands of acres of arid land may be irrigated. Much land is already being brought under ditches, especially in Crook and Klamath counties. Other sections are adapted to wheat raising, lumbering, etc. But in every portion of the interior development has been retarded by the absence of transportation facilities.

The most pleasing thing about the situation at present is that it is generally admitted that neither Hill nor Harriman will stop after they have built south up the Deschutes to Crook county. Hill's road at least will go on to San Francisco and there can be little doubt that Harriman too will build southward to the California line.

Then an east and west line is also a certainty. Harriman will build across the state from Ontario to western Oregon and Hill may build across to Coos Bay. Many feeder roads will be built in time. The railroad map of Oregon will be completely revised.

After the Hill road has been built through to California it would be a logical thing for the Northern Pacific to extend its Pendleton branch on to Central Oregon, probably connecting with the Deschutes road in Crook county or farther south. The extension of the Pendleton line would shorten the distance from San Francisco to the east via the Northern Pacific. At the same time such an extension would open up the great John Day country.

When James J. Hill purchased the Oregon Trunk line he smote the rock of eastern Oregon's resources and inestimable benefits promise to flow forth. Let it be hoped the veteran empire builder will live to complete his work within this state and to see the interior of Oregon transformed into a settled, cultivated region.—East Oregonian.

NOTICE

Any and all persons owing the firm of Haggy, Fenwick & Jackson, either on account or note, are hereby notified that all such accounts and notes are now in the hands of C. H. Leonard for collection. Such persons are hereby requested to make immediate settlement of the same. Dated Aug. 6th, 1909. HAGGY, FENWICK & JACKSON.

NEW FALL GOODS ARRIVING

N. BROWN & SONS

Burns, Oregon

BROWN'S SATISFACTORY STORE SINCE 1884
Patrons will receive Trading Stamps, during this sale.

The Harney Valley Brewing Co.

Manufacturers of

PURE BEER

and

Pure Soda Water

Family Trade Solicited—Free Delivery

T. E. JENKINS, Manager

THE CAPITAL SALOON,

CHAS. BEDELL, Proprietor.

Burns, Oregon.

Make This Headquarters.

Wines, Liquors and Cigars.

Billiard and Pool Tables.

Club Rooms in Connection.

M. A. LEWIS

Will be glad to furnish

PARTICULARS


and PRICES

To anyone desiring

INFORMATION.

See his Handsome

DESIGNS.



BETTER AND GREATER THAN ANY STONE

Over 500 Beautiful Designs.

Send for Price List & Circulars.

MONUMENTAL GRANITE COMPANY, BEND, OREGON.

The OVERLAND HOTEL

Burns, Oregon

Afford the Best Accommodations

to be had in Harney County

CLEAN ROOMS, CLEAN LINEN, PALATABLE VICTUALS

The patronage of all guests under the old management especially solicited.

Rates \$1 a day, \$6 a week, \$24 a month

Henderson Elliott, Propt.

STEVENS

"Generations of live, white-awake American Boys have obtained the right kind of FIREARM EDUCATION by being equipped with the superior, time-honored STEVENS."

All progressive Americans should shoot their boys into the STEVENS. If you can't get it as well as you can, get it as you would expect it to be.

Send a coin in return for 10-page illustrated catalog.

H. J. Hansen of the Burns Meat Market is prepared to furnish bacon, hams and lard to sheepmen and ranchers in any quantity. Special prices for big orders.

