

## A STRUGGLE FOR WATER

### State Engineer Predicts a Fight for Control of Water Power

## PRESENT AUTHORITY JUMBLED

### Laws of Nation and State so Different That Only Constitutional Amendment Can Avert Trouble--At Dawn of a Great National Movement for Improvement of Waterways.

That a water right war between western states will be the outgrowth of present jumbling authority, is the opinion of John H. Lewis, state engineer. Laws of nation and state relating to use or conservation of water are widely diverse in operation and intent, and only a constitutional amendment can avert serious difficulties, he says.

Speaking before the Oregon State Academy of Science he said:

"We are at the dawn of a great national movement for the improvement of our waterways, and for the use of our streams for irrigation, power and domestic purposes. Already it is apparent that the available water supply is inadequate to the demands of the immediate future and it is the desire of all that these conflicting uses be adjusted in conformity with some carefully devised plan, so that the greatest good will result to the greatest number.

"The fundamental point in the formulation of such a plan and one concerning which there is great diversity of opinion, is the right of the state or nation to legislate as to interstate waters. At the present there is no legislation, either state or national, bearing upon this subject and but few court decisions.

"The control of water within a state is at present divided between the state and the United States government. This division of responsibility and the complicated nature of the problem is doubtless the cause of inaction by many of the states. In Oregon, where a complete system of state control has been provided, we may be confronted with this uncertainty. Suppose the non-navigable tributaries of the Willamette river be diverted for irrigation under state sanction to the detriment of navigation. Upon complaint the United States authorities could probably enjoin this use, to the great damage of those interested in irrigation development.

"This division of authority between state and nation is further illustrated by the annual tax imposed upon water powers within national forests by both the state and the United States.

"The federal tax, while not imposed primarily for the use of water, amounts to the same thing in the end. It is imposed as a conservation charge, under the theory that the forests conserve moisture. Forests may and doubtless do, protect the soil from erosion, and delay somewhat the melting of snows; but during the low water period, which is the most critical for both power and irrigation, the forests are a positive detriment.

"It is only a matter of a few years, in most of the western states, when the reservoir capacity on many streams will equal or exceed the total average run off. In such cases forests would clearly be a detriment, as the evaporation from the green forest area would far exceed that from the comparatively small exposed water surface of the reservoirs. It would, therefore, appear more reasonable for the government to charge for power plants in forest reserves proportional to the area of government lands actually occupied, without regard to the amount of water used or the power developed.

"With reference to the present state tax upon the development of water power, I wish it to be distinctly understood that such tax was not imposed by the new water code, which goes only to the extent of limiting franchises to a period of 40 years. This code has already proven of great

benefit to the development of the state, as 464 applications were filed during the 10 months of 1909, where the estimated cost of proposed works amounts to over \$30,000,000.

"State control of waters will be further complicated if congress provides for the leasing of lands now withdrawn for power purposes, and imposes an annual tax for the use of water, in addition to other restrictions. This is an important step that should not be taken unless congress intends to exercise control over all waters, as it would tend only to increase the present confusion of authority.

"If we are to have state control of waters, as near as this can be accomplished, then congress should grant these lands to the various states, prescribing the conditions for their lease and the limitation of franchise.

"State control of its water resources is further complicated under present conditions by the interstate problem. For Oregon projects it is planned to bring water from Idaho, California, Nevada and Washington. It is conceivable that war between states may result if some economical and speedy method is not provided for the adjustment of these matters.

"The inauguration of important government undertakings on a comprehensive scale is seriously delayed because of the confusion of authority. The storage of flood water in aid of navigation cannot be accomplished by the government if such water can be diverted for irrigation purposes while in transit through a lower state. The use of this stored water for power purposes in such state would be inequitable without compensation to the public, and this cannot be accomplished without further legislation.

"It has been urged that the interstate problem can be disposed of through uniformity of state laws, and compact between the interested states. But this solution appears distant, without some federal stimulant, such as a conditional water power grant."

## INDUSTRIAL NOTES.

(Portland Correspondence.)

Total deposits in Oregon banks, both National and state, at the close of business January 31, totaled \$91,314,138, an increase of \$1,265,388 since last November. Loans and discounts in the same period increased \$1,441,249. On the last day of January there was due Oregon banks from approved reserve agents outside of the state, a total of \$10,239,853. These figures are given in a statement just issued by State Bank Examiner Steel.

Portland's big new packing plant, just completed by the Swift interests, began killing livestock yesterday. From now on it will enlarge its operations until all the departments and allied industries are under way. It is expected to be two or three months before the big \$2,000,000 plant is in full operation. The completion of this great packing house is a big boost for the producers of livestock not only in this state but throughout the Northwest. The killing department is prepared to handle about 500 cattle a day as a starter and has a capacity of 1000 hogs and sheep. The interest shown in livestock production throughout the big territory tributary to this market will largely determine the magnitude of operations by the new plant. Hogs reached 11.10 during the past week.

With Judge Lionel R. Webster in charge, headquarters have been opened in Portland by the Oregon Good Roads Association and it is planned to wage an active campaign constantly for good roads throughout the state. Funds to carry on the work have been subscribed and not only will good roads legislation be fathered but demonstrations of approved road making will be carried on and it is hoped to secure the appointment of a highway commission. Much good is expected to result from the campaign.

Following a conference between officials of Oregon and Washington held during the last week in Portland, an agreement was reached as to the disputed state boundary at the mouth of the Columbia River. An arbitrary line was agreed upon which will be used in enforcing the fishing laws and in levying taxes until the vexed question is settled finally.

Washington boosters will reach Portland on the afternoon of March 19 on their way to California. The visitors will represent cities in Western Washington and while in Portland will be entertained by the Commercial Club.

## Drivers can aid Roads Movement.

Judge Lionel R. Webster is seeking the enlistment of every vehicle driver of Oregon in the good roads cause. He is inviting the automobilist and the farmer to join with the effort to provide Oregon with continuously well built highways. Preliminary to a state wide campaign of mass meetings, which have for their object the organization of branches of the Oregon Good Roads association in every county, Judge Webster, who has been put at the head of the movement, is communicating with every agency likely to prove of assistance.

Fruit grower's associations, commercial clubs, other popular organizations and individuals are being appealed to.

"Every good citizen who believes in the importance of good roads must help build them in Oregon," said Judge Webster. "It is impossible to accomplish permanent and satisfactory results without the cooperation of all."

Headquarters of the Oregon Good Roads association have been established in commodious rooms on the sixth floor of the Beck building. The offices are the scenes of many conferences between Judge Webster and those who are planning with him for the improvement of Oregon highways. After the affairs of the office are gotten into running order, Judge Webster will make a tour of the state, holding mass meetings and organizing good roads associations in every county. Plans are being made, too, for proposed good roads legislation.—Journal.

## HOMESTEAD MEASURE CHANGED.

A recent Washington dispatch says: The Senate public lands committee reported favorably a substitute for Bourne's enlarged homestead bill. The substitute bill provides that tracts of land in Oregon not having a supply of water for domestic purposes sufficient to make continuous residence upon the lands possible shall be subject to entry without necessity of residence. Patents shall issue upon a showing that one-eighth of the entry was cultivated during the second year, one-fourth during the third year and one-half during the fourth and fifth years, and that the entryman shall reside near enough to the land to farm it.

In Dr. Shoop's Health Coffee, pure healthful toasted grains, malt, nuts, etc. are so cleverly blended as to give a wonderfully true coffee taste, color, and flavor. And besides, Health Coffee goes a third farther than any other kind. You actually get 100 full cups from a 25c, 1 1/2 pound package. And Health Coffee is "made in a minute." No 20 to 30 minutes tedious boiling is at all necessary. And besides there is not a grain of real coffee in it. Sold by Reed Bros.

## HE WOULD BE SENATOR

### Frederick W. Mulkey Will Seek Geo. E. Chamberlain's Toga

## THE DIRECT PRIMARY FOR HIM

### Will not Oppose Senator Bourne and Divide Statement No. 1 Forces--Business Men of Burns Should Get Together and Boost for Greater Burns and Assist Public Enterprises.

It is reported from Portland that when the present term of United States Senator George E. Chamberlain expires, former Senator Frederick W. Mulkey will be a candidate to succeed him. Such is the plan of Mr. Mulkey at this time, subject, of course, to change, for many things may develop in five years. Reasons are assigned by Mulkey why he prefers to be a candidate against Chamberlain rather than against United States Senator Jonathan Bourne, whose term expires first. Mr. Mulkey comes out flat-footed for the direct primary, Statement No. 1, and is opposed to the assembly.

"It is true," admitted Mulkey, "that I may be a candidate against Senator Chamberlain. I do not wish to be a candidate in the coming senatorial struggle, because I do not believe in the direct primary and Statement No. 1, and was elected through Statement No. 1. Mr. Bourne will be a candidate to succeed himself in the next election. Senator Bourne personifies Statement No. 1. He will be bitterly opposed by the enemies to the statement and the direct primary, and I do not want to be a candidate at the same time, for it would simply divide the statement strength."

"With Senator Chamberlain it will be different. Mr. Chamberlain is a Democrat, who was elected by the Republicans, who are now calling for an assembly. As a Republican and a believer in the statement I expect to oppose Mr. Chamberlain. These are my reasons for being a candidate against Mr. Chamberlain, rather than Mr. Bourne. It will be a hard fight against Mr. Bourne, especially as he represents the principle of the statement."

"It is only a question of time when the assembly will result in wholesale fraud and crookedness. The first assembly may play fair, for the men who are advocating it are anxious to establish a precedent, but sooner or later there will be one gang, led by a boss, which will be trying to select the delegates to the assembly, and this gang will be opposed by another crowd, also led by a boss and trying to name the delegates. This was the way of the old conventions and it will be the way of the assemblies, or any other political gathering which is not regulated by law. Of the 120,000 votes in this state, not 10,000 are concerned in the manipulation of its politics. The others believe in principles and parties. It is asserted that the assembly does not interfere with the direct primary law. This is a question open to debate. But, however, there is one thing apparent—you will find every man who is fighting the direct primary and who is opposed to the Statement No. 1 taking the most active part in organizing and advocating the assembly. There may be Republicans who suppose the assembly will not undermine the direct primary, in which they believe, but it is as well for these to look around and see who are calling the loudest for an assembly. The men who argue most for the assembly are known as unfriendly to the direct primary."

"I am of the opinion that candidates who take Statement No. 1 will be elected to the legislature, for it is a principle in which the people are interested more than the assembly advocates can believe."

## O A C. TO TEST SEEDS FREE.

Many thousands of dollars are lost annually by both the farmers and the seedsmen of the Northwest and Pacific Coast states, through the purchase and use of inferior seed. This loss is four-fold: First, through the purchase of seed of low vitality, or of seed containing high percentages of worthless or harmful impurities. Second, through the resultant thin stand and poor crop obtained for the same amount of labor expended as for a good crop. Third, through the seeding of the land to worthless plants or to noxious weeds. Fourth, through the loss of business to seedsmen.

This wide spread and heavy annual loss has been due, partially at least, to the fact that farmers and seedsmen alike have not had the means of easily and accurately determining the germination and purity of the seeds purchased and used.

The Seed Laboratory of the United States Department of Agriculture, in Cooperation with the Oregon Agricultural College, has opened a branch seed-testing laboratory at Corvallis, Oregon. This laboratory is solely for the use of the residents of the Pacific Coast and adjoining states, for testing seeds free of charge. The work of this laboratory will include: (1) The identification

## SHOULD GET TOGETHER.

With the opening of spring this section is taking on new life

of seeds of any kind. (2) The examination of samples for the presence of adulterants and dodder. (3) The testing of seeds for purity. (4) Testing for germination.

All samples should be drawn so as to represent accurately the bulk seed from which they are taken.

The size of sample should be a tablespoonful for small seeds, such as clovers and grasses, and five tablespoonfuls of the larger seeds, such as the grains.

All samples should be marked with the name and address of sender.

A letter should accompany sample stating whether the seed is to be tested for purity, for germination, or for both, and the source of the seed.

All samples and letters should be addressed to the Seed-Testing Laboratory, Oregon Agricultural College, Corvallis, Oregon.

All agricultural seeds should be tested before they are purchased, or in any case, before they are used—not only small seeds but grains of doubtful quality, as well.

Farmers and seedsmen both, are urged to make the fullest use of this laboratory, and raise the standard of the seed used upon the farms.

## AGRICULTURAL ASSOCIATION PLAN

The Agricultural Association has perfected organization, is incorporated for ten thousand dollars and has a full set of officials, the county court having made the necessary appointment on the board.

Grounds have been secured temporarily, but it is thought a more suitable location can be secured later.

At present the officers are trying to interest the citizens in the movement and get them to subscribe for the stock. The shares are being sold at twenty five dollars each and entitles the purchaser to a family ticket free to all the fairs held. Most of the people are taking hold of the movement. It is a good thing, buy a share and help push it along.—Ontario Argus.

## RETURNS FROM CAMP.

Jeff Billingsley is in the city from his sheep camp. Jeff had his lambs near Riverside in two bands and they came through good. The wethers and some ewes were on the lower desert near Whitehorse and did well. The loss is small. From what he could learn there are no heavy losses even among the Boscos in the southern part of the state as the lower end of the desert was in fair condition.—Ontario Argus.

A failing tiny nerve—no larger than the finest silken thread—takes from the heart its impulse. Its power, its regularity. The Stomach also has its hidden, or inside nerve. It was Dr. Shoop who first told us it was wrong to drug a weak or failing Stomach, Heart or Kidneys. His prescription—Dr. Shoop's Restorative—is directed straight for the cause of these ailments—these weak and faltering inside nerves.

This, no doubt clearly explains why the Restorative has of late grown so rapidly in popularity. Druggists say that those who test the Restorative even for a few days soon become fully convinced of its wonderful merit. Anyway, don't drug the organ. Treating the cause of sickness is the only sensible and successful way. Sold by Reed Bros.

The forerunner of a busy season is at hand if travel has any significance. Nearly every night stages arrive loaded to their capacity and most of the travel is billed through Harney county. Harney county has done some extensive and intelligent advertising and is now reaping the beneficial results. All that Grant county, with its drowsy conditions is getting is the "slop over."—Blue Mt. Eagle.

Cottrill & Clemens have put in a first class saw mill 1 1/2 miles west of Cold Springs is near the valley with good road. In first class timber—picked trees from the government. Prepared to do custom work. See them about your government permit at once.

Do you realize how much it means to you to get **Quality** in what you buy? There is a wide diversity in goods; we carry that class of merchandise found only in other good stores.

An examination of the goods in our Dress Goods department will convince you of our claim of **Quality**. You will find a much different line of goods—you will notice the **Quality** in looks at a glance.

Most of our goods are bought in dress patterns, a very important matter to you in selecting a nice suit.

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Burns, Oregon.

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Nothing in the way of a Cough is quite so annoying as a tickling teasing, wheezing, bronchial Cough. The quickest relief comes perhaps a prescription known to Druggists everywhere as Dr. Shoop's Cough Remedy. And besides, it is so thoroughly harmless that mothers give it with perfect safety even to the youngest babes. The tender leaves of a simple mountain shrub, give to Dr. Shoop's Cough Remedy its remarkable curative effect. A few days test will tell. Sold by Reed Bros.

## NOTICE.

All parties owing Lewis & Garrett, or Simon Lewis are hereby notified that all these accounts are in the hands of our attorney C. H. Leonard for collection and settlement. Persons indebted to us will please settle the same with Mr. Leonard at once.

SIMON LEWIS  
J. T. GARRETT.

Williams Bros. saw mill at Cold Spring on the Canyon road is prepared to do custom work for those desiring to take advantage of their government permit. Also lumber for sale at \$12 per thousand. See them about custom prices.

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## Harriman, Oregon.

The New Town at Grand Creek Gap