

# Lake County Examiner

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## WHAT IS YOUR CHOICE?

Believing as we do, that a definite county policy should now be established and steadily pursued, it seems, and is necessary that the people should enter into full investigation and discussion of public wants, and rejecting every local consideration or thought of party advantage, determine what is the most urgently needed public improvement, and be ready at the time of the next tax levy to make preparations for prosecuting the work, whatever it may be, keeping always in view our resources, determined to preserve the county's present proud position of freedom from the thralldom of debt. In former articles we have developed a plan of taxation by which it seemed practicable to defray all ordinary county expenses with a tax levy of 22 mills, and realize \$14,000 as a nucleus for a fund which we have called for want of a better term, an improvement fund.

In the \$30,000 which would be raised by 16 mills, is included ample provision for our road fund, augmented by \$5,000, our usual apportionment from the State 5 per cent fund. The roads would be kept up to the present standard, which is quite as good as we have usually had. We believe that some specially bad sections of road should be selected, and the very best and most scientific road work that the most skillful and experienced road builders can do should be done on them, thus ending forever, the oft recurring problem of whether they can be passed or not, and learning at the same time that which we must know before thinking of engaging extensively in such work—what permanently good roads will cost. For the building of experimental short roads the legislature has provided, and we hope to see the plan adopted in the way we have suggested. We shall greatly increase the drawing capacity of teams over longer stretches of road by doing some perfect work on very short sections. This is anticipated and provided for in the 16 mills, and a handsome little surplus now in the treasury.

The thought of getting good roads built by counties has been abandoned by all the older progressive states as impracticable and impossible, and the states themselves have taken up the work. Pennsylvania appropriating \$5,000,000 in one bill for building roads, and not a legislature of that state ever afterwards finally now, without a liberal appropriation for roads of a permanent, everlasting character. Our sister state, Washington, is extensively engaged in roadwork, and Oregon will never allow another of her legislatures to adjourn finally until a vigorous road policy has been developed and given life.

The people of Lake County cannot build macadam roads throughout the county. Their cost, by actual experimental trial, has been found to be from \$6,000 to \$10,000 per mile, for which we are of course not ready.

Then it seems evident that with our present wealth and population, we can do nothing better than to continue our present system, with, perhaps, some improvements in grades, and doing away with certain very bad short sections, by doing such work as will not have to be done over soon, if ever.

When our arid lands have been ir-

rigated, our population has increased to fifteen or twenty thousand and our taxable property to twenty million dollars, then we may think of building roads that will be permanent.

Now you should be thinking on these matters. You want to see your county progressive, not foolishly, extravagantly, but rationally.

If we are not in too great an error—and we are sure we are not—following this course of taxation and administration for three years, we should have accumulated about \$40,000.

Then I should say we were ready for public improvement, paying cash, and therefore securing everything on the most favorable terms, and our public utilities at the very lowest cost.

We might begin to invest our money to good advantages soon as a collection was made, thus doing our work in parts, and keeping the money in circulation. What shall this work be? What is nearest us and most urgent? Of course you intend to go forward in some way. We are not the character of people who want to pile up credits to our private fortunes while the people are without the most ordinary public necessities, or they are wholly inadequate for the public service. We want letters from the people on this question, what shall we do with our improvement fund first?

Of course we have our own convictions on this question. But, we have said we had no desire to lead public sentiment. Our wish is to publish for our readers, the views of the people, our own in due time, and with full belief in their correctness, yet with all due respect to others, and always open to convictions, when something better is presented.

### A \$12,000 Fire.

Word was received here Monday by telegraphic communication of the burning at 2:30 o'clock Monday morning of the Alturas Plaindealer plant, Negley & Aule's wagonshop and blacksmith shop and a couple of smaller buildings.

The loss was said to be \$12,000 with about \$6,400 insurance. The Plaindealer had just installed a new Cotrell cylinder press and had not run off an issue on it yet. A new building was recently erected and new machinery and type put in and the old plant moved into the new quarters only a week or so ago.

The loss falls heavy on Mr. Thompson, editor of the Plaindealer, to whom our sincerest sympathy is extended. Wish we were close enough to lend you a helping hand, Bro. Thompson. Only by heroic effort on the part of the bucket brigade was the Grand Central Hotel and the Republican saved, and no doubt had the fire gone to these buildings nearly the entire town would have been swept before the flames subsided.

The origin of the fire is said to be incendiary. What low down apology for humanity could have felt constrained to commit such a deed, one of the most cowardly and dastardly crimes to be committed; next to murder is incendiary, and should be punished by nearly as severe penalties.

We hope to soon learn of the rascal's capture and speedy punishment.

We learn that the central office of the L. C. Tel. & Tel. Co., at Paisley will be moved from the store of Geo. Conn, where it has been ever since the line was established four years ago.

## IMPORTANT DECISION.

Judge Benson has handed down a decision in the Silver Lake water case which has long been pending, and which was taken under advisement at the last term of circuit court for Lake county.

The Judge's decree is a voluminous document, consequently we publish the salient features of the decision as follows:

It is hereby ordered, adjudged and decided that the defendant, S. A. D. Porter, be and he is hereby perpetually enjoined from in any manner diverting or interfering with the flow in said Silver Creek of the amount of water which this decree grants to the plaintiff, Annie C. Hough. That the said Annie C. Hough, (here we eliminate descriptions of land, law terms, etc.) owns a number of acres of land and that the land is riparian to Silver Creek, and that the predecessors of Annie Hough in 1878 appropriated and that Annie Hough has ever since used, 240 inches of water, measured under 6 inches of pressure, and that this amount is reasonable and necessary for the irrigation of said land, and that her right to said water is superior and prior to the rights of all others in said stream, save the rights as herein decreed to Geo. H. Small and Lucinda Egli.

That Mary J. Kittridge as a riparian owner, is entitled to 480 inches of water of Silver Creek, such right being subsequent and inferior to the rights of S. A. D. Porter, Geo. Small, Annie Hough and M. Conley.

That M. Conley by appropriation is entitled to 250 inches of water, but his right is subsequent and inferior to the right of Annie Hough, Geo. Small, Lucinda Egli, J. C. Porter and Occidental Land & Improvement Co.

That W. H. McCall as riparian owner is entitled to 60 inches of the water, right subsequent and inferior to all of the appropriations.

That S. A. D. Porter as appropriator is entitled to 100 inches of the water, right subsequent and inferior to the rights of Annie Hough, M. Conley, Lucinda Egli, Geo. Small, O. L. & I. Co. and J. C. Porter.

That Lucinda Egli as appropriator is entitled to 200 inches of water, right subsequent and inferior to the rights of Geo. Small, O. L. & I. Co. and J. C. Porter.

That Geo. H. Small as appropriator is entitled to 650 inches of the water, right prior to the rights of all other parties herein.

That J. C. Porter as riparian owner is entitled to 100 inches of the water, 75 inches to be diverted from the Banyard branch of Silver Creek and the remaining 25 inches from the main channel of Silver Creek, right subsequent and inferior to the rights of Geo. Small and M. Conley.

That E. K. Henderson as riparian owner, is entitled to 171 inches of the water, right subsequent and inferior to all the rights acquired by appropriation.

That P. W. Jones as riparian owner, is entitled to 110 inches of the water, right subsequent and inferior to all the rights acquired by appropriation.

That Mary C. Brown, as riparian owner, is entitled to 50 inches of the water, right subsequent and inferior to all of the rights acquired by appropriation.

That E. C. McKune, as riparian owner, is entitled to 50 inches of the water, right subsequent and inferior to all of the rights acquired by appropriation.

That E. D. Lutz, as riparian owner, is entitled to 107 inches of the water, right subsequent and inferior to each of the rights acquired by appropriation.

That Geo. Durand, as owner by prescription, is entitled to 150 inches of the water.

That C. C. Jackson, not a riparian owner, is the owner of the surplus water of the Conley ditch flowing past the Conley lands.

That the Occidental Land & Improvement Co., as riparian owners, is entitled to 355 inches of the water for which is designated as tract No. 1, and also to 235 inches for tract No. 2, said rights being subsequent and inferior to the ap-

propriation of Geo. Small.

That a branch of Silver Creek known as Banyard Branch is an ancient and well defined channel, of the said Silver Creek and that there has been accustomed to flow through the said Banyard branch, one quarter of the waters of Silver Creek.

That in the year 1885 W. C. Buick, Corinna Buick, Lulu Corum-La Bire, Isa M. Corum, Jewel D. Corum and J. M. Small and their grantors appropriated from the United States and the state of Oregon and diverted and carried from said Silver Creek, 600 inches of the waters, and ever since said date, have used all of the said water, for the necessary irrigation of their tracts of land.

That the said W. C. Buick and Corinna Buick, as appropriators are entitled to the joint use of 200 inches of the water to be deducted from Banyard branch, right subsequent and inferior to the rights of Marion Conley, Annie C. Hough, J. C. Porter, George Small, Lucinda Egli, O. L. & I. Co., and S. A. D. Porter, to the extent granted.

That Lulu Corum-La Bire, Isa M. Corum, and Jewel D. Corum, as appropriators are entitled to the joint use of 200 inches of the waters of Banyard Branch, right subsequent and inferior to the rights of Marion Conley, Annie Hough, J. C. Porter, George Small, Lucinda Egli, O. L. & I. Co., and S. A. D. Porter.

That J. M. Small as appropriator is entitled to the use of 200 inches of the waters of Banyard branch, right subsequent and inferior to the rights of Marion Conley, J. C. Porter, Geo. Small, Lucinda Egli, O. L. & I. Co., and S. A. D. Porter.

That B. F. Lane and Jennie Lane, as riparian owners are entitled to 90 inches of the water of Banyard branch, right subsequent and inferior to all of the rights acquired by appropriation herein before set out.

That F. M. Chrisman, as riparian owner, is entitled to 40 inches of the water of Banyard branch, right subsequent and inferior to all of the rights acquired by appropriation.

That L. Huesmaud, Morris Ranner, John Partin Jr., L. P. Klipple, Emil Egli, Henry Egli, Martie Ward, Angeline West, Mary Small, J. M. Martin, J. M. Sherer, Maud Small, J. Hall, C. D. Buick, R. E. Smith, J. A. Smith, J. C. Harrow and F. F. McCarty, have been duly served with summons and complaint herein, as more particularly appears from the records and files, in this court, and a default has long since been ordered entered against them for the want of appearance or answer; it is adjudged and decreed that said defaulting defendants have no right, title or interest in the waters of Silver Creek or any of its tributaries or branches.

It is further adjudged and decreed, that P. G. Chrisman has no right, title or interest in the waters of Silver Creek.

It is decreed that none of the parties to the suit are entitled to recover either costs or disbursements herein.

That there is to be allowed to flow from Silver Creek into its Banyard branch not to exceed  $\frac{1}{4}$  of the flow of Silver Creek at the head of Banyard branch, less 600 inches of water, measured under 6 inch pressure, being the diversion in and through the Buick ditch.

Done at Chamber at Klamath Falls, Oregon, this 4th day of April, 1905.

HENRY L. BENSON, Judge.

It must be remembered that the above is not the decree in full, as we have, for want of space, eliminated all descriptions of lands, legal terms, etc., simply giving the names of parties entitled to water, the number of inches granted under six inch pressure, whether by riparian ownership or by appropriation and the superior and inferior rights of the parties.

### Called to Rest.

J. W. Mikel of Lakeview received the sad news one day last week of the death of his father in Missouri, at the ripe old age of 86 years.

M. B. Mikel was born in Wagner county, Kentucky, and lived there till 2 years ago when he went to Missouri to live with a daughter. He leaves to mourn his death six sons and one daughter, all living in the East except J. W. Mikel.

## THE DEVELOPMENT LEAGUE.

The two chief objects of the approaching meeting of the Development League deserve wide mention and support.

The first is to enforce on all the representatives who are then present the importance of every section of the state being continuously represented on the Exposition grounds and buildings. Nearly every county in the state has arranged or is arranging an exhibit. To some extent these will speak for themselves. But although, as the old proverb goes, one eye is worth two ears, the verbal explanation, the question-answering power, is all-important. Another point to be emphasized is this: Eastern visitors will be very apt to regard these exhibits of the products of Oregon counties as exceptional in beauty and quality. All they see will be discounted, as is the constant habit with the printed accounts of yields and profits. The information these experienced observers and critics will demand is as to average products, average yields, average markets, average profits. The local delegate must be armed with replies to all such questions. By all means let the very best be shown. But the most practically effective exhibits will be those of the products of individual farms, orchards and ranches, samples, in fact, of what a specified 160-acre or 320-acre farm produces. Such collections have been from time to time shown at the State Fairs at Salem. If to the exhibits be added verified statements of the total products of the farm in question, say for the past year, the mental if not the oral questions of the observer will be met. The local man in charge of the exhibits of the county will be able to enforce these lessons as no outsider, or professional agent, can enforce them.

The second point to be brought out at the meeting will doubtless be that it is the people of Oregon, far more deeply than the railroads, or other public or semi-public organizations, who are interested in increasing the population, adding to resources, attracting new capital, improving existing and creating new transportation facilities, opening out the unworked resources of the state. It is right that the railroads should exert themselves to the utmost that the best be made of this Exposition. Their profits will be immediate. The main purpose of the Development League is to have the people of Oregon help themselves. When this is publicly and generally recognized, extension of the work of the league over the whole state will follow, and the present fifty-two sub-leagues will be but the first fruits.—Oregonian.

### Where Will We Put Them?

J. N. Watson  
Lakeview, Oregon.

Dear Sir:—Will you oblige me by putting me in communication with some good real estate man in your community, to whom I could send my people, I can send about 100 people next month. In what locations would it be best to take three or four townships.

Any information will be thankfully accepted.

Respectfully,  
W. POSLANSZNY.