Laidlaw Chronicle Editorial Page

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JOHN A. SEABURY, Managing Editor.
FLORENCE SEABURY, Associate Editor.

DEVOTED TO THE INTERESTS OF CROOK COUNTY IN GENERAL: LAIDLAW AND THE IRRIGATED DISTRICT IN PARTICULAR.

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SATURDAY, JUNE 20, 1908.

FACE TO FACE WITH HARD AND COLD FACTS.

UNLESS better support is accorded the Chronicle, the Seabury management feels impelled to say that one of the two editors, probably John A., will be forced as a matter of livelihood to sever the local connection and seek employment in a more remunerative clime. We like Laidlaw, we know it to be an ideal location, and so far as we know to the contrary our readers like us; but one cannot go on forever without adequate rations or capital—and capital means dollars and cents as much as good will and brains.

A stanch minority of our readers have loyally supported the new management, but the vast majority have proven indifferent to our success, (and the success of the town), while Prineville and Bend have "cut us cold" either through jealousy of our prowess or for reasons unknown to us. Certain it is that the amount of outside county advertising was far better under the old management (with a smaller circulation) than it is under the new management (with a larger circulation). We cannot but attribute this condition to the improvement in the paper. Queer; isn't it?

The Chronicle will not be discontinued (as some people fear) even should it become necessary for both of the Seaburys to quit, for in that case W. P. Myers would reassume possession and control. Should one only of the Seaburys quit, conditions might be ameliorated to the extent that a living would be afforded the one who remained.

Owing to lack of adequate support—not lack of appreciation—the paper will be reduced from eight to four pages, all home print, as of yore. When conditions improve, or the railroad comes, the paper will not only be republished with a red headline but it may assume to even greater proportions than during the past 2 months.

PINE TREE ISLAND AS AN IDEAL PICNIC PLACE.

PINE TREE island has been designated by the chairman of the Fourth of July committee as the site of the Independence day basket picnic, free fish barbecue and patriotic exercises. Hon. B. F. Nichols has been chosen speaker of the day, and all other arrangements concluded. Yet a minority of the committee, as well as a not inconsequential part of the populace, apparently dislike the selection as made and would prefer to hold the picnic on Ford island, reached by the barrel bridge opposite Tullar's restaurant. The Ford island advocates are entitled to their opinion, but to the man in the offing it would seem that the selection of Pine Tree island was a wise choice.

The only possible favorable claim which can be advanced for Ford island is its convenient location; otherwise, there is much to be said against it. It is not one-third large enough, the shade is very inample, and to sit upon the boglike ground is almost equivalent to being seated in eight inches of running water and less preferable. Pine Tree island, on the other hand, abounds in shade, is high and dry, not over five minutes walk from town and is of sufficient acreage to accomodate the multitude. Decide aright.

LACK OF INTEREST ON THE PART OF PARENTS.

PARENTS of children who go to school pay too little attention to their children's training in the school room. Never was this fact more patent than last Friday, when the five grades under Miss James held their commencement exercises. With one or two exceptions every one of the little fellows, girls and boys alike, was too much perturbed to declaim or recite audibly to the audience, which consisted of some 25 or 30 parents.

Inquiry of the teacher, whose efficiency is unquestioned, adduced the fact that during the entire nine months of school only seven visits had been made by parents! This is deplorable.

No wonder the little chaps were frightened and abashed to face four times as many people at one time as had appeared individually during 200 school days.

Parents, when school starts again in the fall make it your business to attend the classes once in awhile yourself. By so doing you will encourage scholar and teacher alike.

TRANSPORTATION SORELY NEEDED BY SETTLERS.

BETWEEN November 1, 1907 and June 1, 1908, G. W. Horner shipped into Laidlaw from Shaniko, Portland and outside points 55,178 pounds of freight, exclusive of flour and feed or prod- of local origin. On this vast amount of freight the merchant paid out in charges $1,099.30, all of which money has left Laidlaw never to return, and with no reciprocal equivalent. During the same period Mr. Horner has shipped out of here only $14 worth of home produce, leaving a balance in favor of the nation at large of fully $1,085.30. And this is only one instance.

Another thing: The instance cited tells but 20 percent. of the story, for Mr. Horner expended approximately $4,000 additional in payments for the goods to the wholesalers. Surely a railroad is needed—needed badly, and needed now.

COLUMBIA SOUTHERN INNUENDO

Ditch Company Tries Hard to Flabbergast Settlers.

UNDER DATE OF MAY 19 the Columbia Southern Irri. company; T. W. Clark, vice president and manager; sends out a very long letter to non-resident holders of land in the local segregation. The letter is a tissue of lies and will be answered next week by an eminently capable local citizen—The letter reads:

Portland Oregon, May 18, 1908.

Dear sir: It has come to the notice of the Columbia Southern irrigating company that about April 27th. last, a letter was sent you, ostensibly by one A. P. Donahue of Laidlaw, Oregon, but mailed at Portland, informing you of a suit now pending against the company by the state of Oregon, making certain other statements and representations relative to the condition and affairs of said company and asking that you send one dollar as a membership fee in the "Recovery Association" and to defray expenses of other suits or proceedings against the company, "to recover money heretofore paid by you" to this company; that later you were sent a blank application for membership in the organization mentioned and a blank power of attorney.

Before signing such papers or taking part in such proceedings or joining said or any such organization, you are requested, by the company, to investigate fully certain facts briefly set forth in this letter and to consider the consequence of placing further obstructions to the completion of the work upon the segregation in the way of this company.

As a preliminary to your investigations it should be firmly established in your mind and remembered during all such investigations by you, that up to the present time this company has not failed in a single material particular in complying with the terms of its contract with the state of Oregon; that while there has been some delay during the past year and a half, in the work of the company as planned, the said delay has been due to causes over which the company had no control but which are temporary only; that therefore, at the present time, no cause of action whatsoever exists against the company, for no injury has been done to any one nor is there any injury imminent.

The company is prepared to carry out the project of irrigation and the said contract and while considerable change has been made from the original plans, the same being necessitated by unforeseen conditions, in the five years or thereabouts remaining to the company in which to complete its said contract, the whole of the company's segregation will be thoroughly irrigated and prepared to raise ordinary agricultural crops. During all of the past five years work has been steadily progressing on the segregation, over one hundred and twenty-five (125) miles of ditches have been built and over one hundred and eight thousand dollars, ($108,000) has been expended in such work.

The ground upon which all opposition to and attack upon the company is being made is that "it has developed that there is insufficient water in Tumalo creek to irrigate more than twelve thousand acres". While it has been found that this statement is probably true as far as the natural flow of the said creek is concerned, it is admitted by the same statement and it is a fact that there is at present ample water therein to thoroughly irrigate all of the land now actually occupied, some two thousand five hundred (2,500) acres. Therefore no one is as yet in any way injured and the question is not material at this time and any action based on such ground is premature and without foundation, based not upon facts but upon anticipated injury. In order to constitute a cause of action there must have been or be an actual injury or there must be imminent danger thereof. Neither here exists. Moreover, since discovering said condition of the water the company has planned to, and will, overcome the same by large storage reservoirs, one of which is to contain over eleven hundred acres In fact, as a margin of safety, as the plans and specifications submitted by the predecessor show, a storage reservoir was contemplated and provided for as part of the water supply system. The discovery of the facts as to the natural flow of Tumalo creek will, therefore, require that the said plans and specifications be changed only as to the size and number of storage reservoirs and the canals and ditches in connection therewith and that the same be then constructed

In the bill of complaint on file in said suit against the company, as the one material cause of action it is set forth that the company obtained its contract with the state for the reclamation of said land by fraud. Such fraud is alleged to consist in the following alleged facts: That there is not and never was sufficient water, at all seasons, in Tumalo creek to properly irrigate the whole of said segregation; that the same was known to the assignor of this company, the Three Sisters irrigation company, when it made application to the state for its contract; that it falsely represented to the state that there was sufficient water in said creek for said purpose; that relying on such representations the state entered into the present contract. Unless such allegations of fraud can be established by proof, said suit must fail. Such allegations cannot be established; they are not borne out by the facts.

While it is true that there is not sufficient water in the natural flow of Tumalo creek without conservation thereof, to thoroughly irrigate all of the said segregation in larger or more storage reservoirs than were at first contemplated and planned, the fact was not at the time of said contract known to the said company. Relying on the report of its own engineers it believed that there was sufficient water. The state of Oregon did not rely upon, nor was it mislead by any statements of the said company but, on the contrary, the state of Oregon, for itself, sent three separate parties of irrigation experts and engineers, to the said segregation in Crook county, Oregon, to investigate and report upon the project and upon the plans submitted by said company which they did do. In addition to which an investigation was also made by the United States land office and a report made thereon. All of said reports are now on file and matters of public record and in all of them it was stated, and it was believed by all parties concerned, that there was ample water in the natural flow of Tumalo creek to thoroughly irrigate the whole of said segregation.

While there was clearly no fraud committed, there was a mutual mistake of fact made, as to the amount of water in Tumalo creek. It is now known that there was not then, and is not now, sufficient water in the natural flow of Tumalo creek to thoroughly irrigate all of the land in the segregation and it is now known to be necessary to conserve the same in a reservoir that was at that time contemplated and shown in said plans and specifications requiring a modification and material change in the plans of the company, new ditches and canals and other improvements and much more money will be required than at first thought necessary. This goes to another and second material and serious mistake, one which was made in the arrangement between the predecessor of this company and the state and one which has caused this company the greatest trouble and is the cause of delay in its work on the segregation.

In the said contract with the state the lien of the company upon the land said by the state was fixed at ten dollars ($10) per acre. That sum is entirely insufficient. Such a sum is necessary, in order that the extra work now required to thoroughly irrigate all of the segregation, that such fee must be raised, on the unsold land upon the segregation, to at least twenty five dollars ($25) per acre. The large reservoir proposed will alone cost over eighty thousand dollars ($80,000.00).

In addition to the foregoing, there have been other obstacles in the way of the completion of this work. Irrigation is a comparatively new science and much of the work is necessarily experimental. The common law of water rights cannot be applied to the new condition. Such a new system of law must gradually be developed. The state land board, consisting of the governor, state secretary, treasurer and engineer have, all but the last have been without knowledge on the subject of irrigation and unfamiliar with the conditions where the segregation lies and it has not always been wise in dealing with the company or the settlers. It has demanded of the company conditions which worked, and work, great hardships upon the company and be without benefit to the settlers or anyone else. In support of this statement consider the following instance: the said board, without any authority made and insisted upon the adoption of a set of rules in spite of the protest and much controversy with the company, governing the company requiring it to cover all of the land in the segregation with water to the depth of twenty two inches during the season of irrigation, a requirement impossible of

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Lodges

Laidlaw Lodge, No. 194, I. O. O. F.
Meets every Saturday night in the Clark building. All visiting brothers are cordially welcome.

Wm. G. Stiles,	N. G.
W. P. Barnes	V. G.
A. F. Ramsay,	Sec'y.
W. N. Ray.	Treas.