

**CHAMBERLAIN SAYS
U. S. CONSTRUCT DAM**

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uant to these negotiations, passed an act, which was approved January 20th, 1905, and which is as follows:

An act to authorize the utilization of Upper Klamath Lake, Lower or Little Klamath Lake, and Tule or Rhet Lake, situated in Klamath county, Oregon, and Goose Lake, situated in Lake county, Oregon, in connection with the irrigation and reclamation operations of the reclamation service of the United States, and to cede to the United States all right, title, interest, and claim of the state of Oregon to any and all lands recovered by the lowering of the water levels, or by the drainage of any or all of said lakes.

Be it enacted by the Legislative of the State of Oregon:

Be it enacted by the People of the State of Oregon:

Section 1.—That for the purpose of aiding in the operations of irrigation and reclamation, conducted by the reclamation service of the United States, established by the act of congress, approved June 17, 1902 (32 Stat. 388,) known as the reclamation act, the United States is hereby authorized to lower the water level of Upper Klamath Lake, situated in Klamath county, Oregon, and to lower the water level of, or to drain any or all of the following lakes: Lower or Little Klamath Lake, and the Tule or Rhet Lake, situated in Klamath county, Oregon, and Goose Lake, situated in Lake county, Oregon; and to use any part or all of the beds of said lakes for the storage of water in connection with such operations.

Section 2.—That there be and hereby is ceded to the United States all the right, title, interest, or claim of this state to any land uncovered by the lowering of the water levels, or by the drainage of any or all of said lakes not already disposed of by the United States, free of any claim on the part of this state in any manner that may be deemed advisable by its authorized agencies, in pursuance of the provisions of said reclamation act.

Approved January 20, 1905.
Filed in the office of the secretary of state January 20, 1905.

Filed in the office of the secretary of state January 20, 1905, I think I can speak authoritatively when I say to you that when the cession was made under the terms of this act by the state of Oregon to the United States, it was the purpose solely of the state to make the same to aid in the operations of irrigation and reclamation under the act of congress approved June 17, 1902.

If the suggestion has been made that the waters of the lake were to be used for power purposes or that the government would ever enter into a contract with any private company or corporation authorizing the construction of a dam and the utilization of the waters of the lake for the power purposes or the irrigation of lands not coming within the provisions of the reclamation act, the legislature would not have made the cession, and I am sure that I never would have approved the act.

Taking it by the four corners and reading it as a whole, I am sure you will conclude with me that the terms of the act bear out the contention which is here made.

Contrary to the term thereof, your predecessor has entered into a contract with the California-Oregon Power company, authorizing the construction of a dam that will raise the waters of the lake, for the purpose of controlling and regulating them for the period of 50 years.

I will not undertake to call attention in detail to the provisions of the contract, because you have it before you; but, taking it altogether, the main purpose of it is to authorize the utilization of the water for power purposes, and irrigation is a mere incident to the contract. In my opinion, it is violative of the act of the Oregon legislature, and the secretary of the interior had no power to authorize the utilization of the waters for power purposes, and irrigation is a mere incident to the contract. In my opinion, it is violative of the act of the Oregon legislature, and the secretary of the interior had no power or authority to enter into it.

In the second place, the United States ought not to transfer the control of any part of the waters of Klamath or any other lake situated as it is to the jurisdiction and control of any private company or corporation. If a dam is to be constructed where the power company now proposes to construct one, it ought to be constructed by the federal government and the waters of the lake controlled entirely in the public interest.

It is claimed by the reclamation officials that the construction of this dam by the power company will be an aid to irrigation of lands in Klamath county. If that be true, how much greater would be the benefits derived from irrigation of other lands than those now under irrigation from the waters of Klamath Lake if the government will con-

struct such dam to whatever height may be necessary, raising the waters of the lake so as to utilize all of the waters thereof for the irrigation of lands not now under irrigation?

The contract entered into between the secretary and the power company is contrary to public policy, and furthermore is contrary to the general policy of the government under which limitations and restrictions are placed upon the disposition of waters under the jurisdiction of the federal government. Vigorous protests were made to the secretary against the execution of this contract by individuals in Klamath county and by some, if not all, of the representatives from Oregon in congress. I felt, when negotiations were being had, that the contract ought not to be entered into, and I feel now that an effort ought to be made to cancel it. The company will resist cancellation, of course, but if the contention which I am attempting to make is correct the courts will not sustain it.

The raising of the waters of the lake under this contract will flood quite a large body of government lands at the upper end thereof and interfere with acquired rights of individuals along the edge of the lake, and while these are matters of great importance they do not, in my opinion, compare in magnitude with the principle involved and with the possibility of interfering with later irrigation projects in Klamath county which the federal government itself ought to put under way as soon as moneys are made available by congress for that purpose.

May I say, Mr. Secretary, without meaning to impugn the integrity of

the reclamation officials at Klamath Falls, that they seem prejudiced in favor of this contract? In my discussions with the Project Engineer, Mr. Newell, he strenuously insisted that the performance of this contract by the power company would aid in the irrigation of lands in Klamath county, and he did not think the contract ought to be disturbed. But, again I repeat, if that be true, the government itself ought to construct the dam, and upon your recommendation I am sure congress would appropriate the moneys necessary to do this: if now, a little later.

Before acting upon the recommendation of these gentlemen, an independent and impartial investigation and hearing ought to be had, so as to develop to you the whole situation. In this connection, permit me to say that at a number of hearings had before Secretary Lane in reference to this contract with the power company Mr. O. Hamele, chief counsel of the reclamation service, appeared and was of the opinion that the contract with the power company ought to be kept in force; at least, that is my recollection of his attitude. He recently visited Klamath Falls, and it was generally supposed that he was there to examine the situation and make report to the interior department. In view of his wellknown attitude upon the subject, it would be better, it seems to me, to have someone without preconceived opinions to look into the situation, particularly if it is your purpose to act without any hearings upon the subject.

A great deal of feeling has been engendered over this matter, and when it is finally settled it ought to be settled right. Otherwise, it is im-

possible to tell what serious results may follow.

I am submitting these observations to you, Mr. Secretary, first because my familiarity with the act of the Oregon legislature in 1905; second, my knowledge of the whole irrigation situation in Klamath county; third, my acquaintance with the present situation in regard to lands under irrigation and those that may later be irrigated; and, fourth, my feeling that this contract, if permitted to stand, violates the act of cession and is contrary to the national policy, as well as to public policy generally. I beg that you will give the matter your usual painstaking consideration, to the end that a proper solution or a complicated situation may be arrived at.

I have the honor to remain,
Yours very sincerely,
(Signed)
GEO. E. CHAMBERLAIN

BANDITS IN NASH SHOW HEELS TO SHERIFF'S POSSE

It is not frequently that publicity and advertising is thrust upon a motor car against the wishes of a dealer, but that is what happened to The Pacific Nash Motor company in the case of a Nash six touring car stolen by four bank robbers from the Ogden branch of the company. The theft of the car was preliminary to a series of bank robberies in and around Ogden and Salt Lake City. So bold were the robbers that the entire country-side formed a motor posse and started in pursuit of the robbers.

This chase, starting at Salt Lake City and leading over the rough desert roads, established a new road

record of forty-six miles in 50 minutes, the distance from Salt Lake to Provo. And Bodenhamer Bros., the local Nash dealers while not contemplating the employment of bank robbers as publicity directors, is nevertheless proud of the fact that the sheriffs of two counties burned out the bearings of their speed cars in a futile effort to keep in sight of the dust raised by the Nash six.

"Notwithstanding the fact that these fellows gave the Nash car a demonstration that even we would not undertake and obtained barrels of publicity for the accomplishments of the car, we have no desire to contribute any more cars for this purpose," said Art Bodenhamer.

"I can't help, however, being proud of the fact that these robbers were not captured until they abandoned the car and attempted to lose their pursuers by 'doubling back' afoot."

NOTICE TO BIDDERS

Sealed proposals will be received at the office of the County Clerk of Klamath County, Oregon, until 2 o'clock p. m. October 25, 1935, for the construction of a Timber Bridge at the Gale ranch in Langell Valley, Oregon.

This work requires the placing of approximately 24,820 Ft. B. M. of timber, 1100 Lin. Ft. of Timber piling and the placing of 5 cu. yds. of dry masonry.

Bridge to be finished on or before November 25, 1935. Five per cent of the amount of bid to accompany. County reserves the right to reject any and all bids.

For particulars address C. R. De Lap, County Clerk, Klamath County, Oregon. O. 6-9-13-16-20-22

land, was common tongue of about three million people, and today there are some thousands of Irish who speak Erse only.



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WE are offering as a special the Old Standard Make Columbia Grafonola with triple motor, eighty record filing system and tone control leaves.

Make a reasonable first payment, then only two dollars a week until \$120 is paid.

Hear its clear tone and smooth running, powerful motor.

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507 Main St. Phone 282-J

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707 Main St.
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Everything Is Marked in Plain
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—SHOP IN KLAMATH FALLS—

To the Women of Klamath Falls and Vicinity:—The BIGGEST EVENT of the SEASON is now here—A SALE that IS a GENUINE SALE, for

NOW COMES THE

Fashion-Show Sale

THE GREATEST OPPORTUNITY OF THE YEAR SO FAR

Every GARMENT

displayed in our beautiful show room will be sold, beginning Tuesday morning, until Saturday night, at the amazing reduction of

20%

REMEMBER—Everything is NEW, FRESH MERCHANDISE and already conceded by the hundreds of customers we have made since opening our doors just one month ago today, to be SUPREME in VALUE, STYLE and QUALITY.

The wonderful business we have enjoyed makes this event possible and as it is OUR policy to always have what is new and best, we must make room for new arrivals.

In this sale you will find just what you need for your winter apparel, whether it be—

COATS
WRAPS
SUITS
FUR COATS

DRESSES
GOWNS
FURS
BLOUSES

CHILDREN'S COATS
PETTICOATS
SWEATERS
SKIRTS

BRASSIERS
HOUSE DRESSES
CREPE DE CHINE UNDERWEAR
ITALIAN UNDERWEAR

The Time: **Tuesday Morning**

The Place: **Andross-Glover Style Shop**