

WATER USERS HAVE LOTS PROBLEMS

BY ABEL ADY, PRESIDENT OF KLAMATH WATER USERS' ASSOCIATION, IN COMPREHENSIVE STATEMENT

Declaring that settlers on government irrigation projects are subjected to unnecessary hardships, are not supplied with data to which they are entitled and that the reclamation service employs bureaucratic methods, secrecy and the "big stick" as weapons only in the interest of preferred speculators, Abel Ady, president of the Klamath Water Users' Association, submitted a statement to the Oregonian as follows:

"The Federated Water Users' Association, composed of all duly organized water users' associations within the various irrigation projects created under the provisions of the reclamation act, was organized for the purpose of safeguarding the best interests of settlers on such projects.

"For years the settlers have waited in vain for a change in administration of the reclamation laws that would recognize their legal and moral rights. In substance the reclamation act provides a loan of money for the reclamation of certain arid lands, requiring approved security for the repayment of the loan before the work is undertaken.

"A corps of agents has been organized to prosecute the work of procuring data relative to the adequacy of security and feasibility of the reclamation of the lands involved in a proposed loan and to supervise the reclamation of the lands after the loan has been approved.

"The form of contract-mortgage required from the settler leaves no question relative to the adequacy of the various approved projects has been passed upon so many times and by such a long list of government engineers, agents, employers and novices that the children on irrigation projects have learned to imitate the attitude and swagger of reclamation employees.

"After investigations, surveys and estimates had been sufficiently made, the agents informed the settlers that the loan would be recommended in case the securities were provided in a definite and approved form, and that thereafter the reclamation of the project would be pushed to completion in the shortest possible time.

"Approved securities were provided in more than a score of projects, and the settlers patiently waited for the business-like progress of the work in accordance with the verbal assurances of the agents.

"The first decade since the passage of the reclamation act is now almost closed, and from the various annual reports of the reclamation service the settlers are able to ascertain that about \$60,000,000 has been charged in the aggregate against the securities of the various projects, and that the actual amounts charged against the completed units of the various projects range from 50 to several hundred per cent higher than the estimates given to the settlers verbally at the time the security was delivered.

"The settlers on the various projects have persistently requested that they be furnished copies of the preliminary estimates, also copies of plans, specifications and official recommendations for future expenditures of these secured funds, so that those who must repay the money might have opportunity to consider the substance and effect of the proposed expenditures and have possible opportunity to file protests before such expenditures are made. Such requests have been denied.

"The settlers on various projects have repeatedly requested that they be furnished regular quarterly itemized statements of expenditures charged against the contract-mortgages on the settlers' homes. These requests have been denied.

"The settlers of various projects have requested that the projects be completed as outlined at the time the security was approved. This request has been denied. The settlers' associations have requested that the water rights, power sites, reservoir sites and other properties acquired for use in connection with an irrigation project be retained for use in such project, unless disposed of with the consent of the settlers who furnished the security for the money expended upon such properties. Such request has been denied.

"Being without information relative to the future plans and policy of the future work, the settlers have been left to guess what ditch system would be constructed the following year. One settler guesses that he will be on the safe side, and delays preparation of his land until the ditch is constructed, only to find the ditch rushed to completion within a short period of time in the early spring, and the construction charges upon his land for the season become due while his land is still uncultured.

"Another settler guesses that he will be ready on time, and gives a second mortgage upon his land for the money necessary to clear it, and after having been cleared, and sandy soil

has drifted into ridges for two or three years during the delayed ditch construction, the second mortgage takes the settler's home, which was profitable grazing land, but would not pay expenses of dry farming.

"This secret policy is good for the money lender, but rather hard on the settler. All the settlers have guessed that the final cost would prove to be somewhere near the original estimate as verbally given, but each settler has another guess coming. The settlers have guessed that when the final cost of the project has been paid, the various properties acquired in connection with the project would remain as the property of the settlers, but the guess is again wrong, for the agents have secured amendments to the reclamation law providing for the sale of such properties upon the recommendation of the agents, and without giving notice to the settlers.

"In short, it is a case of 'the settlers be damned,' except to pay the final bill and take what is left, and the settlers will be damned if they endure such bureaucratic rule any longer.

"The settlers do not ask that the loan be advanced upon insufficient security, nor that opportunity be given to dodge the repayment of a single dollar upon such loan, but that on and after the approval of the security the settlers be given full and complete information relative to all preliminary estimates, plans, specifications, recommendations and itemized statements of expenditures, such as will enable any intelligent man to fairly protect his own interests.

"Five years after the approval of the settlers' security for the cost of the Klamath project, the construction cost of the first and cheapest possible unit was announced at \$30 per acre, and the settlers' request for information was answered by the supervising engineer of the United States reclamation service as follows:

"Your first requests (the immediate transmittal of an itemized statement of all estimated costs and expenditures estimated to be necessary for the completion of the Klamath irrigation project as prepared by Project Engineer Humphreys and averaging \$13.65 per acre for the lower and \$16.50 per acre for the upper project) is noted.

"I regret that a search through the files of this office has failed to reveal any such estimates. I find, however, a preliminary estimate prepared in May, 1905, and submitted to the chief engineer at that time. The estimate shows an average cost for building the system necessary for watering 236,467 acres to be \$18.49 per acre, this sum being exclusive of maintenance and operation costs.

"It is widely known that the preliminary estimates of costs of reclamation at the Klamath project, as well as practically every other large engineering project planned five or six years ago, are less than actual cost for reasons which it is unnecessary to now enter. I do not deem it advisable to transmit detailed copy of this preliminary estimate made prior to May 15, 1905, as per your request as I can conceive of no reason whereby the public interest would be advanced thereby, while on the other hand, I foresee embarrassment and even injury to the public interest resulting from such action. I regret, therefore, that my present instructions do not permit me to accommodate you in this particular matter.

"Your third request (that itemized statements of quarterly expenditures charged up against the Klamath project be transmitted to the board of directors at the earliest date after the close of each quarter) has been considered. This request deals with future action, being in the nature continuing instructions to make report to your board every three months until the completion of the work. I regret that I cannot comply with this request. I believe reconsideration by your board of this matter will convince it that compliance with this request would virtually reverse the relation between the department of the interior and the Klamath Water Users' Association, and would be undesirable reclamation work under the act of 1902, and in its own capacity and at first hand, not in any sense as an agent or beneficiary. On the other hand, the water users' association, created to aid in carrying out the intentions of the government, are virtually agents, as well as beneficiaries.

"While, therefore, the government, acting through the secretary of the interior, is apparently willing as a matter of accommodation to furnish proper information to responsible parties, it would obviously improper for it to permit conditions to be established whereby the true relation between the government and parties interested would be impaired or precedents established involving additional work or conducive to misunderstanding and administrative weakness.

(Signed) "E. G. HOPSON," Supervising Engineer.

"The settlers contend that the reclamation law and the approval of its application to a definite tract of land, when met with the required security from the settlers, constitutes a legal contract between the United States

and the settlers, the reclamation officials being simply the agents of the United States, and so designated in all contracts between the United States and the settlers. And they have no legal or moral right to conceal or withhold from either party to the contract any of the facts relative to the same.

"All expenditures under these contracts must be repaid by the settlers, including the salaries of the agents. It is unjust and un-American to force citizens to pay taxes under a contract in which no representation is permitted. The settlers, who must pay the bills, are the only persons in position to check up and verify the accounts with the actual expenditures. One of the United States senators proposed to ask for an accounting in case the settlers should show proof of graft on the part of the agents, but could not cease playing golf and politics long enough to listen to the statement of the fact that an accounting was first necessary to reveal the possible existence of graft.

"It is idiotic and un-American to require the settlers to charge graft in order to obtain a business accounting and honest agents should demand the privilege of giving accountings as a matter of self-protection. Mistaken conclusions of judgment and methods of administration, mistakes in prices paid for properties and materials, together with all sorts of overcharges and misuse of funds, could not be found by auditing clerks in Washington, but would be quickly apparent to settlers who are familiar with all the details and conditions and values of the locality.

"They are in position to check expenditures against the materials received and labor performed upon the project, provided an accounting was given with which to make comparison.

"The settlers protest against the continuance of unrestricted authority of bureaucratic agents who are in position to say to the settlers, 'Keep still and pay the bill, or we will divert the funds to some project where bureaucratic authority is unquestioned, until the declining prices of your homes shall place you sufficiently at the mercy of the money lenders to convince you that you will lose less by keeping still.'

"The mistaken policy of undertaking more projects than the available funds could possibly complete within the limit of time designated by verbal assurances of agents at the time the security was given, and the unlimited authority of the agents to place funds according to their own determination, has resulted in a fluctuation in land prices in various projects that would make Wall street sit up and take notice.

"The result has been generally in favor of the speculators who were content with the reclamation policies, while the tide of settlers has been coming and going with various experiences. Secrecy and 'big stick' are weapons used only in the interest of preferred speculators, and should not be tolerated when dealing with the homes of American citizens. The settlers have demanded a policy of complete publicity, and have united their forces to win."

WOULD SUBSIDIZE SHIPS UNDER CERTAIN SCHEME

WASHINGTON, D. C., Jan. 8.—Government ownership of steamship lines plying both the Pacific and Atlantic coasts of the United States, Central and South America, and through the Panama canal, is contemplated in a bill introduced by Senator Bristow of Kansas. It is proposed that fifteen vessels be provided. If they cannot be built or bought in the United States at a cost not exceeding 20 per cent greater than that of other countries, the bill authorizes the secretary of war to buy them abroad.

Senator Bristow believes the railroads control every shipbuilding plant in the United States, and he thinks the ships cannot be bought in this country at reasonable figures.

The bill provides that the Panama Railroad company operate the ships, or that they be leased to a private company, which is not owned and controlled by any railroad or railroad stockholder.

The senator says the plan would practically restore the American merchant marine.

BOXING BEATS GAMBLING, SO MONTE CARLO THINKS

United Press Service
PARIS, Jan. 6.—So popular has the fight game become in Europe that the Monte Carlo authorities have decided to turn promoters and stage open air bouts between champions of the squared arena.

M. Coquelle, with full powers to act, is negotiating with George Carpenter, champion welter and middleweight of France, and Jim Sullivan, English middleweight champion, for a match March 1.

Coquelle believes the introduction of boxing will add to the popularity of the world's famed gambling resort.

WORKING ON CITY LIGHT PROBLEM

SOME COUNCILMEN WANT RATE ON WHAT IS USED NOW, WHILE COMPANY WOULD CUT ON INCREASED QUANTITY

No solution of the city lighting situation has as yet been arrived at by the council, but Councilman G. W. White, who has been co-operating with Mayor Fred T. Sanderson on the proposition, said today that officials of the Klamath Falls Light and Water company, who have their headquarters elsewhere, would probably be here within a few days, and at that time the matter would again be talked over.

The company offered the city a rate of 3 cents if it would agree to use not less than \$200 worth of light per month. The city figures now that it is paying out about 5 cents for the light used, and that by paying a monthly bill averaging about \$200 it is using approximately 4,000 candle power per month. In order to get the 3 cent rate it would have to use much more power than it consumes now, or about 6,666 candle power. Some of the council feel that a 3 1/2 cent for what is the average consumption now is ample charge, and this would, at 4,000 candle power per month, cost the city only \$140 per month.

A proposition to have the city furnish its own incandescent bulbs may be taken up later. It is contended that the city now wastes current, as when the lights begin to burn red the lamps are wearing out, and use much more power than when in the full bloom of youth. Another thing is that old style 16 candle power lights in the streets are insufficient in lighting capacity, and if the city used Tungstens, which give about twice as much light for an equal amount of energy, it would possibly save in this direction.

At the last meeting of the council the December bill for light was ordered cut to 3 1/2 cents per candle power. No further developments on the cut have been learned, and whether the company will accept payment at that rate remains to be seen.

POST BUSINESS SHOWS INCREASE

Postmaster Clyde Brandenburg has prepared a statement of business of the Klamath Falls postoffice, which shows the year's transactions totalled \$15,663.61, by quarters, as follows: First, \$3,652.70; second, \$3,642.83; third, \$4,105.88; fourth, \$4,262.20. The showing is a considerable increase over 1910, when the receipts were far ahead of any previous year.

The last quarter of 1911 made an especially good showing, being \$4,261.20, against \$3,724.45 for the last quarter of 1910. This is an increase of \$532.75, despite the fact that during the last three months of 1911 there were practically no transients in the city. At the same time in 1910 there were a large number of temporary residents in Klamath Falls engaged in paving and other work. This class of people is often a heavier patron of the postoffice, in proportion, than ordinary residents, for the reason that it is in constant communication with families and friends out of town, and has to do a great deal of business by mail.

Postmaster Brandenburg is greatly pleased with the showing, and is receiving the congratulation of his friends on the attainment.

LAWLER VISITS EXECUTIVE ON DYNAMITING MATTERS

United Press Service
WASHINGTON, D. C., Jan. 8.—Federal Attorney Lawler conferred with Taft concerning the government's future course in dynamiting. Information was refused the press.

CHEER UP, BLUE, NOW THAT JOB IS PICKED FOR YOU

United Press Service
WASHINGTON, D. C., Jan. 8.—President Taft has nominated Dr. Rupert Blue surgeon of the national public health and marine hospital service.

MAYOR IN SCRAPPY MOOD OVER COUNCIL BALKING

OREGON CITY, Jan. 8.—Mayor Dimick, whose appointments the council refused to confirm, said that he would file the appointments with the city recorder. It is expected that the mayor will order his choice for chief of police, Charles E. Burns, to go to work. E. J. Shaw, the present chief, for whom the council fought, says he will continue to act as chief. The fight will be to the finish, it is thought.

Apples, Apples, Apples, nice ones, \$1.50 per box at Sunset Grocery, 6-1

Two New Young Ladies Arrive
Dr. George I. Wright reports these births:

On Sunday morning, to Mr. and Mrs. I. S. Voorhees, girl.
Monday morning, to Dr. C. P. Mason and wife, a girl.

PROFESSIONAL CARDS

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NOTICE FOR PUBLICATION

Lakeview List No. 05226
United States Land Office at Lakeview, Ore., Dec. 23, 1911.

Notice is hereby given that the Northern Pacific Railroad company, whose postoffice address is St. Paul, Minnesota, has this 23d day of December, 1911, filed in this office its application to select under the provisions of the act of congress approved July 1, 1898 (30 Stat. 597, 620), NW 1/4 of NW 1/4 of Section 26, and NW 1/4 of NW 1/4 Section 34, township 37 south, range 9 east, Willamette meridian.

Any and all persons claiming adversely the lands described or desiring to object because of the mineral character of the land, or for any other reason, to the disposal to applicant, should file their affidavits of protest on or before the 23d day of February, 1912. A. W. ORTON, Register.

NOTICE FOR PUBLICATION

(Not Coal Lands)
Department of the Interior, United States Land Office at Lakeview, Oregon, December 11, 1911.

Notice is hereby given that John J. Cunningham of Box 646, Tacoma, Washington, who, on April 18, 1910, made timber and stone application No. 03329, for E SE 1/4, NW 1/4 SE 1/4, SW 1/4 NE 1/4, Section 5, Township 37 S., Range 10 E., Willamette Meridian, has filed notice of intention to make final proof, to establish claim to the land above described, before C. R. De Lap, county clerk of Klamath county, at Klamath Falls, Oregon, on the 16th day of February, 1912.

Claimant names as witnesses: Thomas O'Connell, Thomas Shannon, William McMillan, Nestor Marchand, all of Klamath Falls, Oregon. A. W. ORTON, Register.

NOTICE FOR PUBLICATION

(Not Coal Lands)
Department of the Interior, United States Land Office at Lakeview, Oregon, November 14, 1911.

Notice is hereby given that James Arthur Hawkins of Klamath Falls, Oregon, who, on February 5, 1910, made timber and stone application No. 02984, for E 1/2 of NE 1/4 section 29, township 38 south, range 10 east, Willamette meridian, has filed notice of intention to make final proof to establish claim to the land above described, before C. R. De Lap, county clerk of Klamath county, at Klamath Falls, Oregon, on the 26th day of January, 1912.

Claimant names as witnesses: S. E. Icenbice, Roy Kinsman, E. E. Kirkendall, Clarence Harris, all of Klamath Falls, Oregon. A. W. ORTON, Register.

Notice of Sheriff's Sale of Real Property
O. S. Purdy, Plaintiff.

vs.
W. W. Masten, Sarah I. Masten, W. J. Roberts, J. D. Whitmore, C. S. Moore, R. S. Moore, John C. Beach, H. M. Aekley, J. S. Aekley, J. Greenburg, Burge Mason, Defendants.

Under and by virtue of an order of

sale and execution in foreclosure issued out of the circuit court of the county of Klamath, State of Oregon, on the 8th day of December, 1911, in the above entitled action, wherein the above named plaintiff obtained judgment and decree of foreclosure against W. W. Masten and Sarah I. Masten, the wife of said W. W. Masten, defendants, on December 1, 1911, recorded in the judgment lien book of said court at page 60, volume 3. I am commanded to sell all that certain piece and parcel of land situate in the county of Klamath, state of Oregon, bounded and particularly described as follows:

Forty-six (46) feet off the entire easterly side of lot six (6) of block forty-eight (48) in Nichols addition to the city of Klamath Falls.

Notice is hereby given that on Friday, the 12th day of January, 1912, at 2 o'clock p. m., in front of the court house in the county of Klamath, I will, in obedience to said order of sale and execution in foreclosure, sell the above described property, or so much thereof as may be necessary to satisfy plaintiff's judgment, with interest thereon and costs to the highest bidder for cash.

W. B. BARNES,
Sheriff of Klamath County
By JOHN G. SCHALLOCK, Deputy
J. C. RUTENIC,
12-14-11 r Atty for Plaintiff

NOTICE FOR PUBLICATION

(Not Coal Lands)
Department of the Interior, United States Land Office at Lakeview, Oregon, December 19, 1911.

Notice is hereby given that David L. Rightmeyer of Olene, Oregon, who, on December 4, 1906, made homestead entry No. 2688, serial No. 01380, for SW 1/4 SW 1/4, section 13; S 1/2 of SE 1/4, SE 1/4 SW 1/4, section 14, township 39 S., range 10 E., Willamette meridian, has filed notice of intention to make final five year proof, to establish claim to the land above described, before C. R. De Lap, county clerk of Klamath county, at Klamath Falls, Oregon, on the 27th day of January, 1912.

Claimant names as witnesses: Sam Dixon, Esau Kick, Emil Berling, John Slade, all of Olene, Oregon. A. W. ORTON, Register.

Notice of Restoration of Public Lands to Settlement and Entry

Department of the Interior, General Land Office, Washington, D. C., October 27, 1911. Notice is hereby given that the unappropriated public lands which were excluded from the Crater Lake National Forest, Oregon, and withdrawn for classification under the act of June 25, 1910 (36 Stat. 847), by proclamation of the President, effective July 1, 1911, if not otherwise withdrawn or reserved, will by authority of the Secretary of the Interior be restored to the public domain and become subject to settlement on and after 9 o'clock a. m., standard time, January 15, 1912, but not to entry, filing or selection until on and after February 14, 1912, at the U. S. land office at Lakeview, Oregon: In T. 33 S., R. 6 E., E 1/2 of secs. 12 and 13, sec. 24, 25, E 1/2 sec. 35, sec. 36; in T. 34 S., R. 6 E., sec. 1, 12, N 1/2 sec. 13, sec. 25, E 1/2 sec. 26 and 35, sec. 36; in T. 35 S., R. 6 E., sec. 1, E 1/2 of sec. 2, sec. 12, 13, 24, fr 1 sec. 25 and 36, E 1/2 sec. 35; in T. 36 S., R. 6 E., fr 1 sec. 1, 2, E 1/2 sec. 3, NE 1/4 and S 1/2 sec. 11, fr 1 sec. 12 and 13, sec. 14; Willamette Meridian. Warning is hereby expressly given that no person will be permitted to gain or exercise any right whatever under any settlement or occupancy begun after withdrawal and prior to 9 o'clock a. m., standard time, January 15, 1912, and all such settlement or occupancy is forbidden, and those settling in violation hereof are liable to be ejected. John McPhaul, acting assistant commissioner of the general land office. Approved October 27, 1911: Carmi A. Thompson, acting secretary of the interior. 11-15-1-11 r

PUBLICATION OF SUMMONS

In the Justice Court of the State of Oregon for County of Klamath. D. A. Kenyon and Fred C. Murphy, Partners, Doing Business as O. K. Transfer Company, Plaintiff, vs. Hauschildt Music Company, Defendant.

To Hauschildt Music Company, Defendant:

In the Name of the State of Oregon: You are hereby required to appear and answer to the complaint filed against you in the above entitled action on or before the 12th day of January, 1912, that being the expiration of six weeks publication of this summons prescribed by the order of publication thereof made by this court, and if you fail so to answer the plaintiffs will take judgment against you in the sum of \$54.00 and for their costs and disbursements in this action, and that any property attached herein may be sold to satisfy the said judgment, particularly the sum of money owing to you by Henry Grimes.

This publication is made by the order of the honorable Charles Graves, Justice of the above named court, duly made and entered on November 18, 1911. The date of the first publication of this summons is November 30, 1911.

J. C. RUTENIC,
11-30-i-11 r Atty for Plaintiff