

## JOHN H. LEWIS IS LUCKY ONE

### IS APPOINTED STATE ENGINEER BY THE GOVERNOR.

### LAW BECOMES EFFECTIVE TODAY

### Will Assume His Duties at Once and Establish Headquarters in State House.

### Will Hold Office for Period of Four Years, Until Successor Is Elected, at Annual Salary of \$2400—Outline of Duties and Effect of Reclamation Act

Governor Chamberlain yesterday afternoon announced that he would appoint John H. Lewis of Portland to the office of state engineer, the appointment to take effect today. This is in accordance with an act passed by the last legislature, house bill No. 51, known as the reclamation act, and in conformity with the recommendation of Director Charles D. Walcott of the United States bureau of geological survey, department of agriculture, of Washington, D. C., as prescribed by the act which creates the office, and which will go into effect today.

Although comparatively young in years, Mr. Lewis has had a wide and varied experience in that particular class of engineering work, and is regarded as an expert in the position for which he has been chosen. He is a graduate in civil and hydrographic engineering, was employed for two years in the engineering department of the O. R. and N. Company, and has been engaged in the government reclamation service in Eastern Oregon the past two years, which makes him well fitted for the office which he will occupy.

As provided by the act the office of state engineer will be located at the state house, and, as soon as convenient for him, Mr. Lewis will select his room and establish himself here permanently. The only available vacant rooms in the capitol building suitable for the purpose are situated upon the first floor and it is probable that the office will be established in room number 4, 5 or 6 in the south wing.

### New Reclamation Act.

The system of appropriation of water from any stream in the state under the new reclamation act is adapted to conform to that in practice by the government. In order to appropriate water for irrigation purposes under this act it is necessary for one to post written notice of such intention, containing the name of such applicant and the stream or other source of supply of such water, a brief description of the point of diversion and the nature of the beneficial use to which such waters are to be applied and the exact date of such posting. Within fifteen days after posting the notice he must file a duplicate of it with the county clerk, and within thirty days thereafter a similar notice in the office of the state engineer.

Under this act, however, the government engineer reserves the right to appropriate all water upon which prior claim has not been filed, and all private claims are subject to the relinquishment of any right which the government may hold upon that particular point of the stream. Whenever the proper officers of the United States, authorized by law to construct works for the utilization of water within the state, shall file in the office of the state engineer a written notice that the government intends to utilize certain specified waters, the waters described in such notice shall not be subject to further appropriation under the laws of this state, but shall be deemed to have been appropriated by the government.

### Government Must Observe Law.

The government, however, is required to file final plans of the proposed works in the office of the state engineer within three years from the date of the filing of the first notice. Within four years from the date of the notice the government must authorize the construction of the proposed work. In case of the government's failure to comply with the provisions of this act, and within the specified periods of time, the waters specified in such notices shall become subject to appropriation by other parties. Notice of the withdrawal of the government from any proposed reclamation project must be advertised by the state engineer for a period of thirty days in some paper published in the section wherein is located the stream from which the waters are to be appropriated.

Whenever the government desires to appropriate the waters of any stream in the state for irrigation purposes, along which exist private rights to divert water, it becomes incumbent upon the attorney general and the district attorney of the district concerned, to bring suit in equity to establish all adverse claims upon the right to divert waters from the stream, and the decision of the court must stand as conclusive in the adjudication of all prior rights and claims. The costs in such cases must be assessed by the court as provided by law for all equity cases. The decree of the court, a certified copy of which must be placed on file in the office of the state engineer, shall in every case declare as to the water right adjudged to each party, whether riparian or by appropriation, the extent, priority, amount, purpose, place of use, and as to water used for irrigation, the specific tracts of land to which it shall be appurtenant, etc.

### State Engineer: His Duties, Etc.

The state engineer, who must be technically qualified and experienced as a hydraulic engineer, shall hold office

for a term of four years from the date of his appointment unless sooner removed by the governor for good cause, or until his successor shall be duly elected and qualified. He shall have general supervision of all the measurements and records of waters of the state, and of all surveys and engineering work in which the state may be interested, and for which funds are provided, and shall perform all work in connection therewith. His salary is fixed at \$2400 per annum and actual necessary traveling expenses while away from his office in the discharge of his official duties, and he shall not engage in private practice. He will also be provided with the necessary clerical aid and assistance. The salaries and expenses of the office of the engineer shall be paid at the same time and in the same manner as those of other officers of the state.

The state engineer shall prepare and deliver to the governor on or before November 30 of the year preceding the regular session of the legislature and at other times when required by the governor, a full report of the work of his office, including a detailed statement of the expenditures thereof, with such recommendations for legislation as he may deem advisable. He is also required to furnish a bond in the sum of \$5000 and take oath as to his faithful performance of his duties, etc. The records of the office shall be public and open to public inspection at any time during office hours. All fees collected by the engineer, consisting mainly of \$5 for filing and recording notices of appropriations of water, map and field notes of the same; 10 cents per square foot for each blue print copy of any map; \$1 for certifying to such copies, and such other fees as are provided by law, must be turned in to the general fund of the treasury.

### Must Co-operate With Government.

The principal duties of the engineer are to make hydrographic and topographic surveys and investigations of each stream system and source of water supply in the state, beginning with those most used, obtaining and recording all available data pertaining to the water supply of the state, and shall co-operate with the agencies of the government of a similar nature and in the construction of works for the development and use of the water supply of the state. An annual appropriation of \$5000 is made for the salary and expenses of the engineer, services of assistants, expenses of office, etc. Another annual appropriation of \$2500 is also provided for, but it is contingent upon the government making a like appropriation for the purpose of making hydrographic and topographic surveys and doing other work in connection with the government.

## CUTS NO FIGURE

### REFERENDUM PETITIONS WILL NOT STOP NEEDED REPAIRS AT INSANE ASYLUM.

### Board of Trustees Regard Them as Absolutely Necessary and Instruct Superintendent Calbreath to Proceed With the Work.

At a special meeting of the board of trustees of the insane asylum held yesterday afternoon it was decided and Superintendent Calbreath was authorized to proceed with such repairs and improvements for the institution as are regarded as absolutely necessary, the filing of the petitions for the referendum of the general appropriation bill notwithstanding. There are a number of repairs and improvements, such as printing, laying of sidewalks, etc., that are necessary to be made, even though the funds provided for them were cut off by the referendum petitions, and the board took this matter into thorough consideration before definite action was taken upon it.

The act which provides that all patients shall be conducted to the asylum from different parts of the state in the future by trained attendants from the asylum, instead of the sheriffs and deputies, as was previously in force, goes into effect today with the other new laws, and this was made the subject of another discussion by the board. It was decided in this matter that no particular attendants would be appointed for this work, but that they should be selected at random, from among the corps of efficient employes, as the occasion demanded. The act which provides for the local livermen for the transportation of patients and attendants from the railroad station to the asylum, and the contract for this work was awarded to J. A. Simpson, who has agreed to transport the patient, with not more than two attendants, from the depot to the building for a flat rate of \$1 per trip and \$2.50 for the use of the ambulance. There has never been any occasion to use the latter conveyance, however. The rates heretofore paid for hauling patients from the depot to the asylum have been \$2.50 per trip.

### MODIFICATIONS ARE LIKELY.

### Cuba Said to Be Willing to Admit Foreign Expressage on American Basis.

HAVANA, May 18.—The American express companies who have been protesting against the ruling of the collector of customs at Havana, requiring that all merchandise imported by express companies be treated as freight, are now basing their claims on an order of General Bliss issued when he was administrator of customs, authorizing the acceptance of the companies, bonds and directing the admission of express parcels.

The Cuban government has taken the matter up with Minister Squiers, and the result is expected to be that Cuba will admit foreign expressage under regulations similar to those in force in the United States.

## SETTLEMENT IS STILL HANGING

### PEACE IN CHICAGO STRIKE SEEMS FURTHER AWAY.

### DRIVERS WILL REPLY TONIGHT

### Teamsters' Association and Strikers Meet, Confer and Adjourn Without Agreement.

### President Gompers Leaves City After Two Days in Which He Was Able to Accomplish Nothing—Hopes Contending Elements May Find Basis.

CHICAGO, May 18.—Peace in the teamsters' strike is still hanging in the balance, and although it is generally expected that a settlement will soon be reached, it seems tonight to be further away than it did twenty-four hours ago.

It is confidentially asserted by the Team Owners' Association that the teamsters have consented to arbitrate with them the question whether or not the union teamsters will make deliveries to boycotted houses. President Shea of the Teamsters' Union today upset this arrangement entirely, declaring he had never agreed to any such proposition. The members of the Team Owners' Association, however, stated just as positively that the officials of the Teamsters' Union had agreed to such arbitration.

This misunderstanding has caused a halt in the impending settlement and the meeting arranged for tonight between the team owners and teamsters. At headquarters of both organizations it was denied that such a meeting will be held. It is positively known, however, that arrangements were made for the conference. For the first time in several days riots broke out today, and there were numerous fights between non-union men and union teamsters.

President Gompers of the American Federation of Labor, who has been in Chicago for the past two days negotiating for peace in the present trouble, left for Dayton, O., tonight.

Before leaving the city Gompers said that so far had accomplished but little, but the prospects were that both sides would soon be able to reach a basis where a settlement of difficulties satisfactory to both interests would be decided on.

### GOING UPWARD

### NEW YORK HOP MARKET RESPONDS TO ADVANCE EXPERIENCED IN ENGLAND.

### Quotation of 29 Cents for Pacific Indicates an Advance of Three Cents Since Oregon Pool Was Organized—Condition of Crops in Other States.

As stated in The Statesman of yesterday, reports have been received of an advance of two cents in the English market on hops (Pacific), and now, according to a circular letter being sent out by the firm of Isaac Pincus & Sons, of Tacoma, the New York market has also undergone a change and assumed an upward tendency, the latest quotations indicating a rise of three cents since the formation of the Oregon pool. The full text of the Pincus letter, which is self-explanatory, follows:

"For the first time since November 2d, New York, which has been the center of the bear movement, has been compelled to advance quotations on Pacific Coast hops one cent per pound, and choice coast hops are now quoted at 29 cents. Before the formation of the Oregon pool, choice Pacific sold as low as 26 cents New York. Today's quotations indicate an advance of three cents. About 1,000 bales of Pacific hops have been reshipped from London to New York, practically all by one firm. It was reported that this firm bought the hops in London at from 25 cents to 28 cents. The truth of the matter is that the hops had been consigned to George W. Bird & Co., of London, early in the season, and, as soon as the pool was formed, the firm above mentioned cabled to London that, unless the hops could be sold at 28 cents, to reship them. The reshipment demonstrated that the hops were valued at about 29 cents New York, or 27 cents coast. We are advised that the quality of the shipments was very poor. If growers on the Pacific coast stand firm, a steady advance will take place, beginning soon. Twenty-five cents is now offered for hops, which buyers confidently expect to purchase by this time at 25 cents, and no one is paying 25 cents for hops for fun, but because they need them. If those who are trying to buy now do not get them at the present offering price, they will pay more. The formation of the Oregon Hop Holders' Protective Association was a death blow to the hopes of the bears. They are now floundering around between the devil and the deep sea, half dazed, and when they 'come in' they will get

## RUSSIAN FLEET SAILS SUNDAY

### ROJESTVENSKY STILL DALLING IN INDO-CHINESE WATERS.

### LEAVES TO MEET JAPANESE.

### Slavs Experience Great Difficulty in Taking On Coal For Their Vessels.

### Provision Junks Are Distributed in Kwangchu Bay Awaiting Arrival of Fleet—From There Admiral Will Make Final Preparations for Battle.

### ENGLAND IS BUILDING STRONGER FORTIFICATIONS AT ESQUIMAULT.

### Chicago Newspaper Photographer Makes Discovery That Great Britain Is Not Destroying Old Fort—Better Protection For Puget Sound Intended

SEATTLE, May 18.—According to statements made to the Post-Intelligencer by the staff photographer of a Chicago newspaper, who had gained admittance to the fort, Great Britain is not abandoning the fortifications at Esquimault, as was inferred from dismantling the old works, but is building stronger and more modern defenses.

"The royal engineers," he says, "have charge of the construction of the fortifications. I met Colonel English, the senior officer at Esquimault. He is not in command at the point where the work is going on, but he informed me that a new fort is being built. Colonel English stated that his government realizes that better protection to British waters in the northern end of Puget Sound is needed."

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LONDON, May 18.—It now seems definitely established that Rojostvensky has started on his northward journey, and there is a great revival of interest here in the Far Eastern campaign. Kwangchu Bay, where the provision junks are said to be waiting for the Russian fleet, is the most northward of the French possessions on the Chinese sea and the last port at which Rojostvensky can set for his final departure to meet the Japanese.

Reports still circulate in London to the effect that the Russian Pacific fleet's coaling arrangements are extremely inadequate and have been the main cause of its prolonged stay in the Indo-Chinese waters, and the admiral is facing ever-increasing difficulty in this score. The Tokio correspondent to the Telegraph says it is expected that the Russian fleet will sail Sunday or Monday toward Amoy or Foo Chow.

Gunshu Pass, Manchuria, May 18.—After several days of rain, a violent downpour set in today, which ruined the roads and will necessitate a period of military inaction, besides increasing the sickness in the camps of the springing up, which will furnish green food

## DONE IN PUTRID PHILADELPHIA

### PEOPLE'S GAS WORKS VOTED AWAY BY CORRUPT COUNCIL.

### AMID SCENES OF DISORDER.

### United Gas Improvement Company Given Lease on City's Plant For Seventy-Five Years.

### PHILADELPHIA, May 18.—Amid scenes of disorder unprecedented in the annals of Philadelphia's legislative body, the city council tonight voted to lease the city's gas works to the United Gas Improvement Co. for a term of seventy-five years. The council chambers and committee rooms were crowded with excited citizens protesting against the lease all the afternoon and until 8 p. m., when the select council passed the bill. The climax was reached when the vote in the common council was announced. The moment the president of the common council announced the vote a great uproar was started in the gallery, which was crowded to the door. From all over the gallery came hisses and cries of "cheese!" A detail of police cleared the gallery.

### Mayor Weaver is expected to veto the bill, and, in that event, both chambers will probably pass it over his head. The vote in the common council was 94 to 9 and in the select council 37 to 4. There was only one democratic in each body, and both voted against the lease. There is some talk of taking the matter to the courts.

## HOW THEY DO IT

### FEDERAL GRAND JURY ATTEMPTS TO SHOW HOW LIVESTOCK PRICES ARE FIXED.

CHICAGO, May 16.—An attempt was made at today's session of the federal grand jury investigating the affairs of the beef packing industry to show that cattle buyers, the packing concerns and certain commission men met each morning and agreed upon the prices to be paid for livestock during the day.

### SPEAKER CANNOT BE AT FAIR

WASHINGTON, D. C., May 18.—Speaker Cannon has abandoned his intention to accompany Secretary Taft to the Philippines, and instead will go to the Lewis and Clark exposition with the congressional party that will be present at the opening, June 1.

# GREAT SALE NOW ON

**Our Entire Stock of Shoes Thrown on the Market at Retiring Sale Prices**

**This is a bona fide retiring sale with no worn out or shelf worn stock. We propose to close out at once, and are sacrificing the most up-to-date stock of shoes ever shown in Salem, at or below cost. Note these prices:**

<p>All Lair, Schuber &amp; Co.'s ladies' shoes, hand turned and welt soles, patent leather or kid. Regular price \$5 to \$6. Retiring price... \$3.69</p> <p>Patent kid, welt sole blucher. Regular price \$4. Retiring price... 2.95</p> <p>Patent colt welt, blucher. Regular price \$5. Retiring price... 3.75</p> <p>Kid lace, patent tip welt. Regular price \$4. Retiring price... 2.98</p> <p>Patent leather welt Oxford. Regular price \$4.50. Retiring price 2.75</p> <p>Patent leather turn sole Oxford. Regular price \$4. Retiring price 2.69</p> <p>Tan Oxford, large eyelets. Regular price, \$3.50. Retiring price... 2.69</p> <p>Tan and chocolate Oxfords. Regular price, \$3. Retiring price... 2.25</p> <p>Kid Oxford, turn sole. Regular price \$3. Retiring price... 1.98</p> <p>Old ladies' comforts, lace and congress. Regular price, \$1.75. Retiring price... 1.59</p> <p>Lad Juliet's patent tip. Regular price \$1.75. Retiring price... 1.00</p> <p>Lad one and two-strap slippers. Regular price \$1.75 and \$2.00. Retiring price... 1.00</p> <p>Misses' box calf and kid shoes. Regular price \$2. Retiring price... 1.00</p> <p>Children's shoes, sizes 5 to 8. Regular price 75c to \$1. Retiring price... 59c</p>	<p>Infants' shoes, red, black and tan. Regular price 65c. Retiring price... 49c</p> <p>All Edwin Clap men's fine shoes. Regular price \$5.50 to \$6.50. Retiring price... 4.98</p> <p>Men's Cordovan. Regular price \$5. Retiring price... 3.98</p> <p>Men's box calf, Viscol sole. Regular price \$4. Retiring price... 2.99</p> <p>Men's vici kid. Regular price \$4. Retiring price... 3.15</p> <p>Men's patent kid blucher. Regular price \$3.50. Retiring price... 3.50</p> <p>Men's patent kid shoes. Regular price \$3.50. Retiring price... 2.99</p> <p>Men's vici kid shoes. Regular price \$3.50. Retiring price... 2.69</p> <p>Men's vici and colt skin. Regular price \$3.50. Retiring price... 2.25</p> <p>Patent leather blucher Oxfords. Regular price \$5. Retiring price 3.25</p> <p>Men's tan Oxfords. Regular price \$3.50 and \$4.00. Retiring price 3.00</p> <p>Boys' box calf shoes. Regular price \$2.25. Retiring price... 1.50</p> <p>Boys' vici kid shoes. Regular price \$2. Retiring price... 1.40</p> <p>Youths' box calf and kid shoes. Regular price \$1.50. Retiring price 1.19</p> <p>Youth's vici shoes. Regular price \$1.35. Retiring price... 1.10</p>
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