

Reservation

Irrigation

Representative Doolittle's bill, introduced last week and referred to the committee on Indian affairs to grant the Tacoma and Yakima Canal Company a right-of-way through the Yakima Indian reservation from a point on the boundary line of said reservation in either sections 5, 16, 17 or 18 of township 12, north of range 17 east in Yakima county; thence extending in a southerly direction to a point on the boundary of said reservation in either sections 1, 11 or 15 east in township 8, north of range 22 east.

The right of way to be granted to said company is 75 feet in width on each side of the center line and the company will have the right to take from lands adjacent to the line of the canal material, earth stone and timber necessary for its construction.

The company will also have the right to use the natural channels of Toppenish creek and Satus creek as a portion of the irrigation canal and may divert and appropriate the waters from these creeks or any of their territories not heretofore appropriated, when necessary.

It shall be the duty of the secretary of the Interior to fix the amount of compensation to be paid to the Indians...

The surveys, construction and operation of the canal must be conducted with due regard to the rights of the Indians...The company shall not sell, mortgage, transfer or assign the right of way for any purpose whatever until the canal shall have been completed (provisionally)

A bill giving somewhat similar rights to the Columbian Irrigation company, introduced by Mr. Wilson earlier in the session, is now before the house calendar, having been reported

Irrigation

Articles of Incorporation of the North Yakima Canal company have been filed with the county and state auditors.

The object is to construct and maintain an irrigating canal from the Tietan or Natcheez river to lands owned by the stockholders in North Yakima and west of said city in townships 12, 13 and 14, range 17 and townships 12 and 13 in range 18.

It is proposed to water six thousand acres and the stock is divided into a corresponding number of shares.

The trustees for the first six months are Edward Whitson, W.B. Dudley, A.B. Weed and J.M. Gilbert of North Yakima and Chester A. Congdon of Duluth, Minn.

Major T.P. Wilson who left for New York some time ago to perfect eastern arrangements for the construction of the canal is expected here in the near future but the interruption of transportation, mail and telegraphic connection have left his local associates in the dark concerning his movements.

Without hinderance of conditions, which are now understood to exist, the canal will be completed this fall and a district directly tributary to North Yakima will be brought under cultivation and be made as fair and productive a spot as any in nature's gift--Yakima Herald, June 14, 1894.

[Box 41 Yakima (10)-Irrigation]

Irrigation

The following telegram was on Saturday received by Col. William F. Prosser, chairman of the Commercial club of this city from Senator Watson C. Squire:

"I called up this morning the bill granting the right of way through the Yakima reservation for an irrigation canal and it passed."

Here is good news indeed--and Yakima should thank, after Senator Squire, the gentlemen who compose the Commercial club. That body is always looking ahead and planning something good and desirable for the community. It has already accomplished much and it promises greater things in the future--Yakima Herald, July 19, 1894.

Water rights

The transcribed testimony in the case of H.M. Tanton vs. J.H. Johncox et al has been received by Judge Smith by express. Judge Smith heard the case some time ago in North Yakima, the presiding judge of that county being disqualified from hearing it through being an interested party.

The case involves certain water rights and riparian ownership on the Ahtanum river in Yakima county.

The package was as large as a good sized pillowslip, as one may well believe when he is told that the transcribing of the plaintiff's testimony alone cost \$600. That the prosecuting attorney of Yakima county swore it would cost the county \$2000 to transcribe the whole testimony and that there are no less than 140 persons who through this mass of legal verbosity ask for rights and relief.

The judge has before him the sweet task of separating the precious from the vile in this mass of testimony and rendering a decision which is certain not to be final no matter how just it may be. ~~Overland~~ Klickitat Republican, Oct. 18, 1894.

Economics .

Mr. Lamb has received an order for a large number of men to work on the big irrigagion ditch at Yakima. The pay is \$1.50 per day and board costs \$4.50 per week

He has sent a portion of the men but is unable to fill the balance of the order. For the fir\$ time since he has been labor commissioner he finds that there is a scarcity of workers--Spokane Review, Oct. 1894.

Sunnyside canal

The Northern Pacific officials arrived here Saturday evening and remained over night, leaving the next day in carriages for the Sunnyside country to inspect the big ditch and note the improvments resulting from irrigation.

The train carrying Receiver Payne and his party consists of four pri ate cars besides baggage cars , Messrs Paul Schulze , M.VB. Stacy and Fred R. Reed accompanied the visitors througy the Sunnyside, where they encountered a strong wind, plenty of mud and other disagreeable conditions.

It is claimed that the receivers are pledged to back up the Sunnyside ditch enterprise and place it on its financial feet--

Yakima Herald, Nov. 29, 1894.

Irrigation

Dr. N.G. Blalock, chairman of the Washington irrigation commission estimates that there are 2,400,000 acres of land susceptible to irrigation in eastern Washington.

Of this amount, about one million and a quarter acres are in the Yakima valley. On the basis of 20-acre farms, Yakima could therefore support 60,000 people on irrigated land--Yakima Herald, Dec. 6 1894.

Sunnyside Canal

The affairs of the Yakima investment company, owning and operating the big Sunnyside canal near this city, have been placed in the hands of George Donald, Paul Schulze and Jos. S. Allen of Spokane as receivers, upon an application made by the California Safe Deposit & Trust company of San Francisco.

The case will come on for hearing in Walla Walla.

This condition of affairs is in no way harmful to the interest of the company or Yakima county. The mortgage was given to secure an issue of \$700,000 in bonds in 1893 and \$450,000 of bonds have been issued and are now outstanding.

Judg Paxton, attorney for the plaintiff, speaks thus highly of the company and the point of issue:

"The difficulty the Yakima Investment company is involved in arises about as follows. The bonds for which the mortgage was made to the California Safe Deposit & Trust company were short term bonds; \$200,000 of them were to mature in 1898; \$200,000 in 1900 and the remainder \$300,000 in 1903. They were designed for a special market, as it was thought at the time they were issued that ~~these~~ they were sold in England but some financial disturbance in that country prevented their being taken up. Owing to their peculiar provisions and quick maturity, they are not salable in the American markets; in fact the investment company has been utterly unable to sell them. Negotiations have been on foot with agents of monied institutions looking to the taking up of the issue and replacing them with longer time bonds of character salable in the United States.

The value of the property and its earning capacity would in all probability make such a new issue salable.

I have no doubt at all that the property with proper management will far more than pay the company's debts. The receivership is purely to protect the property and the trustee has every desire

Irrigation

Articles of incorporation of the Horn Rapids Irrigation company were filed at the auditor's office on the 8th inst. by H.K. Owens and J.B. Reavis, trustees.

The purpose of the corporation as set forth in the articles, is to appropriate water from the Yakima river to reclaim the arid and desert lands in townships 9, and 10, ranges 27 and 28 and to sell water for irrigating, manufacturing and domestic purposes.

The term of the existence of the corporation is 50 years and the capitalization \$50,000, divided into 500 shares of \$100 each.

The land which it is proposed to reclaim is situated in the lower end of the Yakima county--Yakima Herald, Feb. 14, 1895.

[Box 41 Yakima (Co.) - Irrigation]

Ahtanum water litigation is presented, in some form or other, to Judge Smith, Feb. 21, 1895.

Judge Sol Smith of Goldendale who came to Yakima last week to render a decision in the Ahtanum water cases left on Sunday without favoring the upper valley settlers with any opinions.

His reason was lack of desired evidence in the matter and it is not known when he will be in a position of the facts he requires--Yakima Herald, Feb. 14, 1895.

...Herald readers will remember that an injunction was secured at the time of the trial in '93 which finally settled the question of having the county pay a stenographer or court reporter for taking the statement of witnesses.

After the trial had begun many of the residents of the Ahtanum privately hired the reporter to take the notes and these farmers cases have been decided by the judge; that is, his opinion is ready for delivery.

For the others, however, those who feel too poor to pay for transcribing the testimony, there is but little hope--a fact which the Ahtanum farmers may readily understand when they are told that, by the absence of the court reporter's notes, Judge Smith is compelled to rely solely upon his memory for the statements of the witnesses or upon such memoranda as were made by the attorneys of either side or both.

This is a hardship which is resented perhaps, by Judge Smith; if not resented it at least prevents his return of an opinion.

Efforts are being made by some of the farmers to have drafts of the testimony made from the reporter's notes; and when that is done their cases, also, may be intelligently decided upon.

There can be no general decision in the matter until this testimony

Sunnyside Canal

The Herald is a great paper.

On Thursday noon N.P.Y & K.I. Co. warrants and time checks were worth 40 and 50 cents; one hour after this paper was issued those same warrants were going like hot cakes at 60 and 65 cents-- all because of the published account of the action of the receivers in making these laborers' vouchers or their holders preferred creditors.--
Yakima Herald, Feb. 28, 1895.

Irrigation
Reservation

State Senator C.W. Ide is in the city on business connected with the reservation ditch project.

With him was Mr. M.B. Smith, well known over the state as a Mason and Pythian adherent and a thorough hustler and good fellow.

Senator Ide states that some work will be done on ditch construction this spring or at least as soon as the maps of definite locations of route have been returned from Washington, D.C.

Senator John L. Wilson had intended accompanying Senator Ide to Yakima but business prevented it. Yakima Herald, March 28, 1895.

The Columbia Irrigation company which was organized a year ago for the purpose of building a canal through the Yakima Indian reservation to water that body of land (when it is thrown open to settlement) and over one hundred thousand acres between Kennewick and Wallula, is arranging to begin work this summer and build the 20 miles of canal through the reservation.

The object of this is to hold the right of way granted by congress and to water 12,000 acres of land in the vicinity of Mabton. The estimate of cost for the completion of the canal according to specifications is \$131,000 but until the reservation is thrown open it will not be built to its full dimensions.

Messrs C.W. Ide, A.W. Strong and George Gabbert of Spokane are largely interested in the undertaking, will spend much of the summer in Yakima looking after the promotion of the work. The intake of the canal will be a short distance below Union gap.

The noble red man is not at all slow in realizing the new condition

Yakima City

Some of the owners of alkali and salt grass lands near the Old Town are trying to reclaim the same by a system of flooding, thus washing out the alkali--Yakima Herald, ~~March~~ April 11, 1895.

Selah

(Advertisement)

Selah Valley Irrigation Co pany. Has for sale to settlers only the very best land near the city; abundance of water, excellent shipping facilities, good roads and best of schools. If you want to engage in farming under the most favorable conditions for success; you want a home in a good neighborhood; you want to be a producer with your farm near market; you want land where you don't have to wait for a railroad or a town to be built to give you a market; you contemplate buying land on its merits to improve under such favorable conditions as will insure you success, then call or write to the Selah Valley Irrigation co.

The company's canal is a finished proposition and all paid for . The company floated all its bonds before the panic paralyzed the country. It is free from annoying floating indebtedness and is a solid substantial enterprise, selling land on its merits to those who investigate and buy on its merits. It has land to sell all plowed ready for crop and near to station on the Northern Pacific railroad. You are invited to come to North Yakima from which city you will be taken at your request and shown the land free of cost or charge to you.

Lands under this canal are offered for sale to actual settlers only on such terms as will allow them to devote the greater part of even a very limited capital to the improvement and cultivation of their farms and enable them to derive an income therefrom at the start.

No lands have been sold or will be sold to speculators.

The Selah valley lands are outside the early frost belt and peculiarly adapted to raising apples. Hundreds of acres of orchard there are now doing well. Go and see one solid mile of orchard on lands of the company.

Judge Sol Smith of Goldendale is in the city this week in an endeavor to make some settlement of the Ahtanum water cases.

He stated that the testimony which had been transcribed was now about to be purchased by the farmers interested and that he hoped soon to be able to render some decision in the matter.

These cases have been awaiting settlement for almost three years; and the only thing which has postponed a verdict is the inability or disinclination of the farmers to pay for the short hand notes of the testimony taken at the trial.

Without these the court is unable to render an opinion and A.L. Slemmons, who was court reporter, refuses to give them away. Judge Smith says if the notes are not furnished he will order a rehearing beginning at 7:30 a.m. and terminating at 6 p.m. upon the adjournment of the court by Judge Graves--Yakima Herald June 6, 1895.

Since Saturday Judge Sol Smith of Goldendale has been occupying the bench in the hearing of testimony in the long-tried Ahtanum water cases. All of the testimony in these

cases heretofore found impossible to obtain has been this week secured and complete decisions may be expected within 60 days. The judge already has prepared perhaps 200 pages of findings and will return during the August term of court with the opinions and decisions which Ahtanum farmers have been waiting three years to receive--Yakima Herald, June 13, 1895.

One of the most voluminous decisions ever handed down in our superior court will be tomorrow filed with County Clerk Brown by Judge Sol Smith of Goldendale who after five long years of intermittent takings of testimony and hearing of complaints, interspersed with trying delays caused by inability to secure the shorthand reporter's notes on Wednesday of this week read these several hundred pages of closely written legal cap which ends for the present the celebrated Ahtanum water cases.

The whole Ahtanum valley is involved in the suits, 140 settlers being directly interested. In part the judge found:

The court finds as conclusions of law that a person purchasing land bordering upon a natural stream or body of water or through which a stream flows in its natural channel purchases as an incident to the land a right to the use of the water to have said stream flow by or through his land as it naturally and of right was flowing at the time of purchase subject only to the reasonable use of the riparian proprietors above and below him and that he cannot be deprived of this right without his consent to the entire amount of water flowing in such stream when it flows through his land and to one half of the volume of water when he owns one bank of the stream, to use in any manner that he chooses but he must return the water to its natural channel unadulterated and practically undiminished before it reaches the land of the riparian proprietor next below him.

Etc. etc.

The decision is a clear victory for the plaintiffs or creek settlers who were represented by Whitson and Parker through the long battle. Yakima Herald, August 17, 1895.

The local land office has an application from the Commissioner of Arid Lands for the segregation of seventy-seven thousand one hundred and eighty acres of land in Yakima county to be withdrawn under the terms of the Carey Act. . . .

This is the first withdrawal made under the arid lands laws of this state or in any of the states, so far as has been reported. It includes much of the best land in the Yakima valley or more properly between the Yakima and Columbia rivers, all carefully selected and classified with an abundant water supply, and a preliminary line for an irrigation canal which will be one of the largest in the world and larger than any now constructed in the United States.

It presents an investment for capital more favorable than has ever before been offered in an irrigation scheme as the acreage given will be more than doubled by adding the odd sections which the railroad stands ready to put into any scheme along with the state lands.

These can be watered and sold to purchasers at a much lower figure than any irrigated land has ever before been put on the market and the acreage included will furnish homes for, in round numbers, 40,000 people allowing each family twenty acres, which is a generous estimate for irrigated lands.

In addition to this about thirty thousand acres of state selections under other acts are covered by the line of the canal as run.

The value of these other state lands depends entirely upon irrigation. It is confidently hoped, in view of negotiations already begun, that these lands will be irrigated without much delay and be made the homes of immense colonies whose agents are now looking to the Pacific coast for locations large enough and cheap enough to ac

Irrigation

Alfred Banister left on yesterday morning for Alameda, Cal., after havin successfully turned the waters of the Natcheez into the big Wide Hollow canal of which he was the constructing engineer-- Yakima Herald, May 9, 1895.

Irrigation

Water is being let into the Wide Hollow canal this week in limited quantity.

It is now down about three miles and the ditch is being puddled and other repairs made. It is expected that everything will be made in readiness for the reception of a full head of water by Monday or Tuesday next--Yakima Herald, March 28, 1895.

Congdon

Irrigation

About five miles of the Congdon canal have been completed and work is being pushed as rapidly as possible--Yakima Herald, Oct. 25, 1894.

The Congdon-Gilbert ditch may be said to be practically finished to the point of fluming around the foothills at the gap, known as the Painted Rocks (Septris Patahanum as the Indians call them) on the Nat heez.

The ditch is about the same size as that known as the Hubbard and is a splendid piece of engineering work throughout.

It is cut from the solid earth over the bench lands of the Wide Hollow and is consequently very strong and durable. It has a heavy fall but its side walls are not embankments and it could carry even more water than it is now designed to do.

When the flumes of the Natcheez gap are completed they will be somewhat on the picturesque order; because they are to be carried upon iron trestles reaching 100 feet into the air. Yakima Herald, Nov. 15, 1894.