

IMPERIAL VALLEY PRESS

PUBLISHED SATURDAYS, EL CENTRO, CAL.

F. G. HAVENS,
Editor and Publisher

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ANNOUNCEMENTS

For Public Administrator
I hereby announce myself a candidate for the office of Public Administrator of San Diego County, subject to the approval of the Republican County Convention. P. J. LAYNE.

For District Attorney
I hereby announce myself a candidate for the office of District Attorney of San Diego County, subject to the approval of the Republican County Convention. LEWIS R. KIRBY.

For District Attorney
I hereby announce myself a candidate for the office of District Attorney of San Diego County, subject to the approval of the Republican County Convention. C. C. HAINES.

For County Tax Collector
I hereby announce myself a candidate for the office of County Tax Collector of San Diego County, subject to the approval of the Republican County Convention. W. OLIN LOWE.

For Supervisor
I hereby announce myself as an independent candidate for the office of Supervisor for the Fourth District of San Diego County, subject to the will of the voters, as expressed at the polls on election day, November 6th, 1906. FREDERICK S. WEBSTER.

For County Recorder
I hereby announce myself as a candidate for the office of the County Recorder of the County of San Diego, California, subject to the approval of the Republican Convention. JOHN H. FERRY.

PRIOR RIGHTS

We have been hearing a good deal lately from certain quarters about the "prior right" of the water users of this Valley to the waters of the Colorado river and it has been urged that as a consequence of this prior right our people should oppose the United States government in its efforts for the complete utilization of the irrigation resources of that stream. In this connection we will say that all the rights any of our people have ever claimed are those set forth first in the final proof case of Clara C. Drais on Desert Land Entry No. 1253, which proof was made in March, 1902. These rights are based on the water appropriation notice of the California Development company and the contracts by which that company and its appendages agreed to deliver water to Imperial Water company No. 1. The stockholder gets his right to buy water by virtue of being a stockholder and in no other way. His rights are limited strictly by the contracts under which his company is supplied. These contracts run as follows: First, a contract between the California Development company and the Mexican company, whereby the C. D. company sold to the Mexican company all the water diverted by it in the United States. Second, contract between the Mexican company and Imperial Water company No. 1 and third, the contract of July 24th, 1901, between the California Development company, the Mexican company and Imperial Water company No. 1. As the original owners of the water thus diverted

ed the California Development company sold it to the Mexican company under contract dated Dec. 28th, 1900, and in that contract inserted the following stipulation on this very point of priority of water right:

Party of the first part (C. D. Co.) further agrees to perpetually deliver to party of the second part (Mexican Co.) a sufficient amount of the water, so appropriated, owned, and diverted, or to be in the future appropriated or diverted by party of the first part from the Colorado River, to enable party of the second part to furnish water for the irrigation of the lands situated in Lower California, Republic of Mexico, and State of California, United States of America, which are irrigable by gravity from the system of canals and irrigating system so to be constructed. Said waters so to be delivered by said system of canals to form an irrigation system for the purpose of irrigating lands situated in California, United States of America, and in Lower California, Republic of Mexico, which are irrigable from the Colorado River by gravity. Said agreement to deliver said waters is made subject to and dependant upon the following conditions, namely:

1. No contract made or to be made whereby party of the second part has agreed or in the future shall or will agree to grant, transfer, deliver, or in any manner convey the right to use any of said waters to any person or corporation shall, by reason of priority in date or any other reason, give to such person or corporation any prior or superior right over any other person or corporation who shall in any manner acquire from second party the right to any portion of said waters.

From this it can be seen that no priority of water-right can be obtained under these contracts. As the concession from the Mexican government was secured by the Mexican company that fact might have operated to nullify the contract above quoted but no one has ever taken advantage of the fact if it be true. All final proofs have filed the same statements and followed the same rote. Everyone has referred to the papers filed by Clara C. Drais as the basis of his water right. This therefore limits everyone's rights to those that may be acquired under these contracts. As the basic contract of all prohibits "prior rights" in very plain language it is quite evident that no such thing can exist.

SOME GOOD ADVICE

The Yuma Sun of a recent date published an editorial on the subject of government aid for this Valley that is so clear an exposition of the situation that we herewith reproduce it for the benefit of our readers:

"While there is doubtless by no means a unanimous opinion held on the subject, it is becoming more and more apparent to the careful observer, that Imperial Valleyites are leaning more and more toward government aid as a solution of their irrigation problems.

It is not so much that they fear the inability of the private owners of the canal system to stop the Mexican Intake, which simply must be stopped, as that they are rounding to a belief that under the control of a great corporation the system upon which their very existence depends will never be entirely equitably, economically and satisfactorily managed.

This feeling, which has had root for several years, has been very greatly magnified by the occurrences of the past year, and in the event that the present attempt of the California Development company to master the intake should prove a failure most of those who still hold out against government aid would become converts.

With no desire to "butt in" on the affairs of Imperial Valley, and without regard to the probable

success or failure of the engineering problem of the intake, the Sun is firmly of the belief that our neighbors will find government aid not only highly desirable but absolutely essential to their ultimate prosperity.

Crude irrigation systems, run solely for the profit of their owners, are never dependable, and when their office is to divert and distribute the waters of a stream as ungovernable as the Colorado their dependability has hardly a leg to stand upon.

And an irrigation system that cannot be depended upon to do its duty during all seasons, whether of drouth or flood, is several degrees worse than no system at all. The best is always the cheapest; therefore it follows that the perfect manner in which the government would proceed to harness the Colorado would prove a great economy.

We hope to see something tangible come of the present very evident inclination of Imperial Valley farmers toward government aid."

IMPORTANT RULING

The question of the right of supervisors to fix the rates at which water shall be supplied to users in their counties has very recently been upheld by the supreme court of the United States. The case arose out of the action of the boards of supervisors of Fresno, Merced and Stanislaus counties in this state. About ten years ago these boards of supervisors set the water rates in their counties at from \$1.50 to \$2.00 per acre per year. The San Joaquin and Kings River Canal and Irrigation company fought this rate in the courts and sought to enjoin the supervisors from putting these water rates into effect on the ground that it was a confiscation of their property, as the water was worth more than that sum. The case was fought through all the courts finally reaching the supreme court of the United States, where it was decided in favor of the counties, the court holding that the supervisors were the proper persons to set water rates and that the rates complained of were sufficient. This decision is very opportune at the present time and will no doubt be taken into consideration by irrigators all over this state in the election of supervisors at the coming election. The San Joaquin and Kings River Canal and Irrigation company is one of the largest, if not the largest water company in this state and they have resisted all efforts at regulating water rates to the utmost. This decision will therefore doubtless go far toward bringing about more settled conditions regarding water rates in that part of the state.

NOTICE FOR PUBLICATION.

Department of the Interior, Land office at Los Angeles, Cal., July 30, 1906.

Notice is hereby given that the following named settler has filed notice of his intention to make final proof in support of his claim, and that said proof will be made before register and receiver at Los Angeles, Cal., on September 21st, 1906, viz:

LEWIS E. COOLEY,

Homestead entry No. 9646 for the E 1-2 of NW¼ and E 1-2 of SW¼, Sec. 21, T. 15 S., R 14 E., S. B. M.

He names the following witnesses to prove his continuous residence upon and cultivation of said land, viz: J. S. Kline, of Los Angeles, Cal.; S. M. Bixby, of Imperial, Cal.; Geo. W. Denny, of Imperial, Cal.; F. G. Havens, of El Centro, Cal.; E. A. Slane, of Imperial, Cal.

FRANK C. PRESCOTT, Register. aug-11-sep-8

80 acres all to young alfalfa and looking good, will sell at \$30 if sold within the next few weeks, and Mr., this farm is all fenced, good soil, well located, go and look it over. See Wilson about it.

Colorado River Gage Taken At Yuma

Day	July		August	
	Gage Height	Discharge	Gage Height	Discharge
1	26.50	74,079	20.35	25,630
2	25.55	65,879	20.30	25,450
3	24.35	59,695	20.20	25,000
4	23.35	53,185	20.00	24,520
5	22.85	49,927	20 15	24,800
6	22.40	46,104		
7	22.00	42,309		
8	21.90	41,435		
9	21.85	40,988		
10	21.85	40,988		
11	21.80	38,665		
12	21.55	38,323		
13	21.40	38,118		
14	21.30	36,698		
15	21.10	36,300		
16	20.95	35,380		
17	20.95	35,380		
18	21.25	32,820		
19	21.50	32,500		
20	21.20	32,460		
21	21.35	32,000		
22	21.50	32,000		
23	21.60	31,620		
24	21.50	32,290		
25	21.40	32,960		
26	21.40	32,900		
27	21.20	30,400		
28	21.10	29,100		
29	20.90	29,100		
30	20.70	29,055		
31	20.50	27,000		

I have 160 acres of good land in Water Co. No. 1 and 160 shares of water stock all for \$20 per acre. Cash payment of \$500. Pay the balance in work, leveling and putting in crop on adjoining land. See me at once. D. H. CHAPLIN, El Centro, Cal.

If you want to take home a few loaves of bread we keep it; none better. Also we can supply you with meat as we are nicely fixed in our new quarters now. You can see the sign, just back of Franklin hotel.

PROFESSIONAL CARDS

DRS. HOLTZMAN,
OPTICIANS.
We Correct all Errors of Refraction. Also Prescription Druggists. Imperial, California.

GEO. H. P. SHAW, ATTORNEY AT
Law, Imperial, California.
Office upstairs in Imperial Land Company's building.

J. I. SHEPHERD
ATTORNEY-AT-LAW
Office on East Eighth Street
Entitled to practice in all the Courts of the State, Department of the Interior at Washington, D. C., and all the bureaus thereof.

FRANKLIN J. COLE
Attorney-at-Law
Admitted to practice in all courts
Corporation work a Specialty
HOLTVILLE. CALIFORNIA

CHURCH NOTICES

Presbyterian Church
Preaching Services in El Centro First and Third Sundays of each month at 2:30 p. m. All are cordially invited to attend. Rev. A. H. Croco, Pastor.

Christian Church
Preaching in the Hotel Franklin every Second and Fourth Sunday of the month. You are invited to attend. Rev. J. F. Tour, Pastor.

ICE CREAM
The Imperial Drug Co. sells it, wholesale and retail.

Wheat for your chickens. Desert Grain Co., Imperial.

Teller, Singer agent, Postoffice building, Imperial.

THROUGH TO THE EAST AND TO NEVADA GOLD FIELDS VIA SCENIC SALT LAKE ROUTE

Some day you will go back east again. Perhaps this year. When you do, why not go over the new Short Line to Salt Lake City, thence over the Union Pacific or the Rocky Mountain Scenic line, Denver & Rio Grande. There's

BEAUTIFUL
SCENERY

SEE SALT LAKE

Through SLEEPERS



DINING CARS

FREE CHAIR CARS

NEVADA GOLD
DISTRICT

CONNECTIONS AT
COLTON

along the line through California, Nevada and Utah. 'Tis not entirely a desert region. You will be surprised when you see the reality. No extra expense is necessary to stop over a day at Salt Lake City. There's much to interest you in the old Mormon City.

are run on both Salt Lake Route trains from Los Angeles. THE LOS ANGELES LIMITED with both standard and tourist runs solid through to Chicago via Ogden, Union Pacific and North Western lines. There's nothing finer in train equipment. THE OVERLAND carries every day tourist sleepers from Los Angeles to Chicago via D. & R. G. & Burlington Route, to St. Louis via Union Pacific & Wabash Railroads and to St. Louis twice a week via D. & R. G. & Missouri Pacific Railways. There is also every day a Standard sleeper through to Denver via D. & R. G. are carried on both THE LOS ANGELES LIMITED and THE OVERLAND in which meals are served a-la-carte. You pay for what you want at reasonable prices and the service is the best possible. are run on THE OVERLAND to Salt Lake City connecting with similar car on other lines there. These cars are very comfortable. Save sleeper expenses if you wish.

In connection with the Los Vegas & Tonopah R. R. now completed from Los Vegas, Nev., to Johnnieville and Rose's Wells, the SALT LAKE ROUTE is the Short Line from California and from the East to the Bullfrog, Rhyolite and Beatty gold district. The new line will be completed through to these points in August.

From Imperial Valley points connection is made at Colton with the SALT LAKE ROUTE.