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INFAMOUS LEGISLATIVE ACT

Seeking to Sequester Shoreline of Orange County and to Add it to Los Angeles.

Assemblyman P. A. Stanton and Senator Henry E. Carter of Los Angeles have introduced a bill providing for the sequestration of a strip of territory five miles wide, and extending a distance of twelve miles from Anaheim Landing to Newport Beach and seeking to add it to Los Angeles. The move is inspired probably by Stanton's selfish self-interest, he being a stockholder in the Bay City townsite, which he seeks to place in Los Angeles county for reasons best known to himself. He has probably wheedled the other beach townsites into going into the strip with him, feeling that a bill taking in Bay City alone would be too "raw." That this is true is indicated by a telegram from Sacramento to the effect that Stanton is willing to "talk compromise." As Bay City is within a few rods of the Los Angeles county line, the "compromise," it will be seen, will encompass Stanton's real object. Another reason given is that Stanton is trying to take a "crack" at Orange county for some fancied wrong.

The statement emanating from Santa Ana, that the move was prompted by the railroad machine as a menace to Newport Beach, cannot be figured out here. It is probably inaccurate. While Stanton is a member of the push, it is understood he will be thrown down by the machine in the next campaign.

The real reason is probably Stanton's desire to get the Bay City townsite, in which he holds an interest, into Los Angeles county. He is said by a Sacramento dispatch to be willing to compromise by annexing Bay City to Los Angeles and letting the remainder of the strip remain in Orange county.

The Los Angeles merchants and manufacturers' association and chamber of commerce have adopted resolutions condemning Stanton's bills.

Whatever the purpose, it is certain that Orange county was electrified on Friday, when news came from Sacramento of the attempt of the two railroad legislators to rape Orange county of its shoreline frontage. Telephone messages were immediately dispatched from Santa Ana to various towns in the county asking citizens to attend a mass meeting to be held in that city

on Saturday afternoon to take active steps to combat the move.

Hundreds of people gathered from all parts of the county at the rooms of the Santa Ana chamber of commerce to consider the subject. The meeting carried one back to the exciting times of the county-division fight of 1889. There existed a unanimity of sentiment among those present against any cutting out of the beach towns from this county.

W. M. Scott presided. The following committees were appointed to take the fight in hand: From the Santa Ana merchants and manufacturers' association, John Beatty, N. A. Ulm, H. J. Forgy, W. F. Lutz and Charles McNaught; Santa Ana chamber of commerce, James McFadden, F. P. Nickey, D. H. Thomas, A. J. Crookshank, R. J. Blee; from Orange, N. T. Edwards and A. J. Klunk; from Anaheim, Richard Melrose and J. S. Howard; from Fullerton, E. W. Dean and C. C. Chapman.

Five men were selected to go to Sacramento if necessary. These men are James McFadden, A. J. Crookshank, John Beatty, N. A. Ulm and H. J. Forgy.

The resolutions passed are in part: "Whereas, Orange county is now and has been since its formation by far the smallest of the Southern California counties and cannot be curtailed in territory under any pretense of justice, and

"Whereas, it is believed that this proposed change was conceived and is being pushed by real estate speculators for their own personal advantage and not in any degree for the benefit of the producers and resident taxpayers of the section involved; be it, therefore,

"Resolved, by the representatives of the chamber of commerce and merchants' and manufacturers' associations of Santa Ana, Anaheim, Orange and Fullerton, here assembled, that this unwarranted attempt to break into the present boundaries of Orange county be thoroughly and absolutely condemned, that our representative in the state legislature are hereby requested to use all their power and influence in combatting such measure, and that the chamber of commerce and merchants' and manufacturers' association of Los Angeles be requested to co-operate to their utmost in the defeat of this bill."

STANTON'S ALLEGED REASONS.

Assemblyman Stanton, speaking in support of his bill at Sacramento on Saturday, said: "Orange county has paid very little official attention to Bay City, Huntington Beach and the other small towns on the ocean and bay just south of the Los Angeles county line."

"We have expended many thousands of dollars in improvements in that territory, and our contributions in taxes

have been enormous, yet the county of Orange has spent hardly anything on roads or for other public needs in that section. We feel that we rightly belong in Los Angeles county and that we shall receive better treatment at the hands of that county's officers."

HUNTINGTON BEACH ASSERTS.

Huntington Beach manifests great interest in the fight, and favors Stanton's bill. There is a strong sentiment in favor of such a division and annexation to Los Angeles county among the prominent business men and members of the board of trade.

A good many of the citizens of Huntington Beach and farmers and ranchmen in this section of the county, west of the Santa Ana river, think that they have not had "a square deal" in many matters, and say that the interests of Santa Ana have regularly received the preference.

Those in favor of annexation to Los Angeles county believe that the taxes of Huntington Beach will be lessened. Orange county has placed the assessment valuation entirely too high on Huntington Beach property. It is claimed, the assessed valuation being increased 40 percent one year and again increased 20 percent the next. Some of the funds of the road poll tax paid by Huntington Beach taxpayers have not been used for improvement of roads in the vicinity of Huntington Beach, as it is claimed, it should have been. In many petty matters this section has not been given proper consideration, it is alleged. Even in the establishment of the rural free delivery mail service in this county, Santa Ana interests have opposed Huntington Beach and obtained all of the rural free delivery routes from Santa Ana, when the farmers near Huntington Beach can be served much quicker and with less expense from Huntington Beach. Three of the rural carriers cover the same territory for four miles out of Santa Ana.

Some of those who discussed the situation suggested that a mass meeting be held to get the consensus of opinion of the citizens.

Assessor Scott furnishes the following figures of the assessed valuation of the strip sought to be sequestered: The total assessed value of the strip is \$1,238,868, of which \$577,965 is acreage property and \$660,903 property in Huntington Beach, Bay City and Sunset Beach. The total assessed value of Orange county is \$17,022,537. The strip contains 22,000 acres.

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The Bill Dead

A delegation of Orange county citizens was to have left for Sacramento yesterday to oppose the bill, but telegrams received from Senator Anderson and Assemblyman Bishop arrived stating there was no use of the committee coming, as the bill was dead.

Arbor Day

Arbor Day will be observed in Anaheim on the afternoon of February 22d. The program will begin at 1 p. m., sharp, at the band stand. Hon. Clyde Bishop has been invited to give the Arbor Day address, and music will be furnished by the band.

Following the official tree planting a parade will be formed, marching to Athletic park, where a base ball game between Anaheim high school and Fullerton high school, and various athletic contests for children, boys and girls will be enjoyed.

It is desired that school children especially join in the parade, and the only condition required for entrance to any contest will be that the applicant has taken part in the parade.

The chamber of commerce urges that many trees be planted wherever needed throughout the city, on Arbor Day.

It will soon be spring, and we do not want a single plush robe left. Come in and let us tell you the price of them. Wm. F. Lutz Co., Santa Ana, Cal.

L. E. Meyers, aged 44, a resident of Fullerton during the past ten years, committed suicide at his home in that city Monday night by shooting himself through the heart.

Wanted 500 Horses

To be clipped at the Palace Livery Stable, Anaheim, Cal. J. Hahn, Prop.

Residence Burned

Crossed wires in an upper ceiling of the two-story residence of Theodore Rimpau, at the corner of Palm and Broadway, caused the entire destruction of the building by fire early on Tuesday evening. An alarm was given shortly before 7 o'clock. At 9 the building was a smouldering mass of ruins.

Mr. Rimpau and his two daughters were seated in the library after supper when their attention was directed to the crackling noise of the fire, which was located in the ceiling of one of the rooms on the second floor at the base of the cupola. Cries of "Fire!" brought neighbors to the scene in a hurry and the work of removing furniture began.

A telephone message was sent to the city hall, and an alarm sent in from the fire department a few seconds later. The hose cart was hurried to the scene of the fire. The hose was attached to a fire plug on Center street, two blocks away, that being the nearest connection that could be made. The water pressure was poor, and the fire gained headway steadily.

The fire started in the roof at the base of the cupola, and gradually extended toward the remaining portion of the building. With a single line of hose, and that with an insufficient force to the water, it was impossible to make an impression upon the fire, and half an hour after the fire started the building seemed doomed.

At one time the water ceased entirely, and when it was later turned on again, a break in the long hose occurred, which caused additional delay.

Hundreds of people gathered, many of whom assisted in carrying out furniture. This task began the instant the fire was discovered. Most of the contents of the building were saved.

The fire raged fiercely in the upper portions of the building, eating its way through the roof to the rear floor. As the tower fell in, crashing through the roof, the flames seemed to get additional impetus, and the force of water seemed altogether inadequate to the task before it.

At 8 o'clock the building had been burned to the lower floor and fire was raging fiercely on all sides. The east wall of the building fell in. There was a sound of breaking glass, as the tongues of fire leaped upward from every part of the building.

Two hours after the first alarm the building was entirely destroyed. The fire burned itself out, the force of water making but little impression upon it.

The fire department worked heroically, but was at a disadvantage owing to having but a single line of hose, as well as the lack of pressure.

A neighbor who was one of the first to reach the burning building saw flashes of fire leap along the electric lighting wires leading to the house.

Fred Rimpau turned in the alarm at the city hall. Word came over the phone that the Westoff residence, west of the burned building, was on fire. Rimpau turned in the alarm, and later set out for Westoff's place. On his way thither he saw the fire was at his father's house.

Mr. Rimpau estimates his loss at \$6000, with \$3000 insurance upon the building and furniture.

Misses Sophie and Marie Rimpau directed the removal of the furniture from the building, while their aged father was seated in an easy chair upon the lawn, attended by a servant. The two ladies were admirably self-controlled and went about their task in a manner to win words of approbation from those about them.

As the east wall of the building was about to fall Miss Marie sounded a warning for those near it to get out of harm's way.

Mr. Rimpau desires us to state that he is unable to find words to express his deep sense of obligation to the fire department and citizens generally for their work at the fire.

"Make this as strong as possible," he said, with feeling, "I can't find words to express my feelings of appreciation to all who helped, especially the fire department."

Prof. Walker Honored

Prof. J. Franklin Walker, principal of the high school, was on Tuesday, on recommendation of Supervisor Linebarger of this district, appointed a member of the county board of education. Prof. Walker's appointment was made as the unanimous choice of the board of supervisors. He had also the endorsement of County School Superintendent Carpenter and of numerous leading citizens in this city and at Fullerton.

Originally there were four aspirants for the position, which was made vacant by retirement of Prof. Carpenter on his election as county school superintendent. Besides the successful applicant there were Prof. Brunton of the Fullerton union high school, Prof. Harvey of Placentia and Prof. Marbut of Olinde.

Prof. Brunton some days ago withdrew, when Mr. Linebarger determined to endorse Prof. Walker, and his appointment by the board followed. The appointment was conceded to this district, inasmuch as Mr. Carpenter was named from this district.

Prof. Walker is known as one of the foremost educators in the state, and he will prove a valuable acquisition to the board. He holds a high-school teacher's certificate, and since his residence here has demonstrated his fitness as an able and painstaking educator.

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A BRILLIANT LEGISLATOR.

Senator John Anderson of Santa Ana was a naive confessor of the truth in the senate chamber at Sacramento the other day. Anderson was always long on making an ass of himself. He said very innocently that he knew a certain measure must be all right because the Southern Pacific officials had told him so.

The bill provided for a right of way for railroads ten rods wide instead of nine, the width stipulated in the existing law. The measure was introduced by Anderson in the senate last week.

"This bill," said the senator "was drawn by Pacific Electric railway lawyers of Los Angeles, and is to allow that company to build four-track lines. The extra rod is necessary to such construction."

Senator Caminetti inquired if the bill might not have a more widespread effect than had been calculated on. To this Anderson responded: "I am sure it is all right. It will not work to the injury of any other railroad company in Los Angeles."

I took the bill to Southern Pacific lawyers and they said they were in favor of it—that it would not work to their injury at all."

The mirth which this admission provoked threw Anderson into confusion and then he hastily remarked that he would pass the bill on the file so that its merits might be made apparent to doubting legislators before final action is taken. The humor of the Santa Ana member's remarks lay partly in the fact that Harriman, who owns half the Pacific Electric, naturally would not object to the extra rod which it is proposed to allow the interurban lines. Later the bill was killed.

Anderson made a bad break in the session of two years ago, when he offered to support an up-country measure in return for support of a bill introduced by him. The offer was made openly upon the floor of the senate and Senator Shortridge immediately directed Anderson's attention to the fact that he was technically guilty of felony in offering to barter his vote in return for support of a bill in which he was personally interested. Anderson had the horse laugh on him from one of the state to the other, but still Senator Anderson offers to direct sarcastic shots of ridicule to the town responsible for electing him.

Anderson began his campaign of making bad breaks in the county campaign nine years ago, he being at the time a candidate for district attorney. The fact that he had not yet secured his citizenship papers cut no ice with him. However, before announcing his candidacy he went to Cash Harvey and asked his opinion upon the subject. Cash told him it would be all right. The night before the assembling of the convention Anderson was waited upon by a delegation of rural delegates at the Rossmore hotel, who wanted to take a fall out of him. Before a large gathering one of them said:

"How is it, John, that you are not yet a citizen of the United States and are already a candidate for office? Do you consider yourself eligible to the office?"

Anderson stood upon a chair and addressing the delegation solemnly said: "Gentlemen, Cash Harvey told me that would be all right."

The delegation roared, the next day Anderson received four votes in a convention composed of 200 delegates. Anderson's breaks at Sacramento would fill a good sized volume.

Methods and Cost of Pumping Water

About two-thirds of the water used in irrigation in Southern California is pumped from wells. It is likewise well-water raised through high heads that keeps alive the citrus groves of Tulare County. The prune orchards of Santa Clara County depend chiefly on ground water for their supplies, and throughout the great central plain of California a large number of pumping plants are being installed each year. Our agent, Mr. Tait, reports that in the small district around Pomona, California, \$565,000 has been invested in pumping plants. This may convey some idea of the amount of capital that has been invested in this branch of irrigation in California.

The collection of data and the making of experiments on the methods and cost of pumping water were begun in 1903 and have been continued to the close of 1906. The results of the work done in 1905 have been embodied in two reports, which are now in the hands of the government printer. One of these is entitled "Mechanical Tests of Pumps and Pumping Plants in California," by Prof. J. E. LeConte and C. E. Tait, and the other is "The Use of Water Pumped from Wells in the Pomona District, California," by Mr. C. E. Tait.

Observations have been made and records kept of the rise and fall of the ground water in Fresno and Stanislaus counties for a number of years. This preliminary work has led to the inauguration of demonstration experiments along practical lines in both places. The board of directors of the Tullock Irrigation District has decided to pump a part of their water which is rising near the surface in places. A 26-horsepower gasoline engine has been purchased for their purpose. The writer has agreed to co-operate with the district in ascertaining the effects produced by the pump when in operation in lowering the level of the ground water and the extent of the ground-water surface which is affected thereby.

The growing of grapes in the vicinity of Fresno, California, is under present conditions highly profitable. While the greater part of the land is fertile and productive, there are portions which have been damaged by an excess of water. An earnest endeavor is now being made to rid these otherwise good

lands of their excess of water and mineral salts and restore them to their former high value and productiveness. Experiments have been planned and the necessary tile pipe has been purchased to demonstrate the best practical manner of removing the alkali and lowering the ground water on one or more tracts.

New Settlers for Irrigated Lands
Present indications point to the conclusion that the rural population of California will be greatly increased in the next few years by an influx of settlers desiring irrigated holdings. We believe that the extensive alluvial plains of the state afford unexcelled advantages for this class of farmers. There is, however, only one practical way of demonstrating this fact, and that is by the success of those who come here and establish homes. This is a matter which deeply concerns the State of California, and in furthering its efforts to devise ways and means of helping the new settlers get a good start on the road to success, the U. S. Department of Agriculture desires to co-operate.

A beginning has been made along this line by the writer in preparing a Farmers' Bulletin, on "Practical Information for Beginners in Irrigation," which may be obtained by sending a request for Farmers Bulletin No. 263 to the office of Experiment Stations, U. S. Department of Agriculture, Washington, D. C.

For the years 1903 and 1904, the legislature of the State of California appropriated \$5000 a year for the carrying on of investigations similar to those herein outlined. The last legislature increased the amount to \$7500 a year. Under both appropriations the Office of Experiment Stations has contributed an equal amount.

The importance of such work to California has induced the officers of this branch of the U. S. Department of Agriculture to agree to contribute \$10,000 a year for the next biennial period, beginning July 1, 1907, providing the State of California, through its legislature, will appropriate a like sum.

THE FOREST SERVICE.

By A. W. Cooper, in charge of California forest studies.

From the annual report of the State Board of Examiners.

By an act of the legislature, passed in 1903, the State Board of Examiners was empowered to enter into a contract with the Forest Service (then the Bureau of Forestry) of the U. S. Department of Agriculture, for the purpose of investigating the forest resources of the state, determining the best means of conserving them, and formulating a state forest policy. By the same act, \$15,000 was appropriated for carrying on the work the first two years, with the provision that the Forest Service should contribute a like amount. This contract has been twice renewed since the conclusion of the first two years, with an additional appropriation of \$5000 by both the state and the Forest Service for each succeeding year.

Actual work in the state was begun by the Forest Service July 1, 1903. The co-operative work is therefore now in its fourth year and sufficient time has elapsed to make it possible to point out results, although certain lines of work are as yet incomplete.

General Lines of Work

The contract outlines in a general way the lines which the work has followed, namely: A determination of the character and extent of the State's forest resources; the best methods of conserving them, and the formulation of a state forest policy.

For all the above-mentioned purposes the first step necessary was the acquiring of a knowledge of the general character and extent of the forests of the state. Accordingly an extensive survey of 21,000,000 acres of forest and brush land was made. This included the North Sierras, the Sierra Nevada, Southern California mountains, and the greater part of the redwood belt. The work also included a general classification and description of the forest by types and a description of the timber resources by counties. As a result of the work, a forest map of the state was prepared, showing the extent and location of the commercial forest, woodlands, and brush lands.

In connection with this work large areas of the forest were examined with a view of determining their suitability for forest reserves. Several such areas were found, which, after a consideration of all interests involved, proved suitable, and have since been reserved.

One of the most interesting questions in the preservation of the forest, both to the state and to private lumbermen, has been the protection of the forest lands from fire. This has been the subject of an extended investigation into the character, causes and extent of forest fires, the purpose being to devise both general and special measures for checking them and preventing their occurrence. This investigation revealed the fact that the prevalence of fires might to a great extent be attributed to the inadequacy or non-enforcement of the state fire laws.

The methods best adapted to fire prevention on individual tracts were found to be by patrol, fire lines, and the disposal of slash on logged lands.

In Southern California the question of water supply is all-important and bears a close relation to the forest cover. On this account two more or less related lines of work were undertaken in the southern mountains. The first was a study of the chaparral or brush areas for the purpose of determining the possibility of their natural reforestation and their relation to the water supply. This study was later extended to similar areas in the northern part of the state. It revealed the fact that a brush cover is a very good conservator of moisture in the absence

of a tree cover, that natural reforestation of such areas is a very slow and at best uncertain process, only taking place at all where fire is kept out for a long period, and that fire is the chief factor in the formation and spread of such areas.

The second study in this connection dealt with the reforestation of important watersheds by planting. Here the conclusion was reached that planting on the Southern California mountains, except in favored localities, will be a very expensive undertaking and of doubtful success, but that a careful choice of species for planting may make gradual reforestation possible in portions of the mountains.

State Forest Policy

As a result of these general lines of investigation, which occupied largely the first two years of co-operative work, measures were formulated which, it was believed, the state should embody in its forest policy. These measures were submitted to the legislature in the form of a bill, in the winter of 1905, and led to the act of March 18, 1905, which revised the fire laws and created a State Board of Forestry and the office of State Forester; the latter to be filled by a technically trained forester. The State Forester's duties are in the main the enforcement of the state forest laws, the assisting of timberland owners with advice and information, and the dissemination of an interest in forestry throughout the state.

Commercial Tree Studies

While the general work already outlined was in progress a number of special lines of work were started. Among these were a number of commercial tree studies, the purpose of which was to provide accurate data regarding the habits and growth of the more important commercial trees, with the object of securing their continued presence in the forest by interesting timber owners in adopting methods of lumbering favorable to their reproduction. Studies of this sort were made of sugar pine, yellow pine, and white fir. A similar study had been made of redwood previous to the commencement of the co-operative work.

These studies showed that the rate of growth and character of the various species made them well adapted to conservative lumbering and the securing of successful crops of timber.

Studies somewhat similar to the above were made of eucalyptus and of tanbark oak. The eucalyptus study included the collection of growth figures from the principal eucalyptus groves, as well as estimates of the yield and the financial returns from planted eucalyptus in various localities. As the eucalyptus is an introduced tree, the question of its propagation and extension was also important and the study has dealt thoroughly with these points and with the uses and commercial value of the different species.

It became apparent early in the study that the genus was one of increasing importance and great future value in sections of the state climatically adapted to its production. This led to the establishment by the Forest Service of an experiment station at the University of California for the purpose of testing the strength and the mechanical and physical properties of the different species of eucalyptus, particularly in relation to their use for special purposes. These tests are still in progress, but have already revealed the fact that eucalyptus closely approaches Eastern hickory in its strength, toughness, and general durability.

Tests to determine the practicability of applying preservative treatment to eucalyptus were also made on eucalyptus posts. Creosote was the preservative used, and the tests demonstrated that eucalyptus could be successfully and cheaply treated. Sufficient time, of course, has not elapsed to determine the effect of treatment on the life of the timber.

The study of tanbark oak was botanical and dendrological in its character, but included a thorough study of the tanning industry and the present and future supply of tanbark oak. It showed that the supply now available would last thirty-five years at the present rate of consumption, and that the excellent productive capacity of the tree made the outlook for a continued supply excellent, provided a few simple measures were adopted in cutting the present crop.

The men guests of Countess Rene de Baron were as delighted as amazed when a flock of young women whom they had taken down to dinner over in Paris the other night, so voices the telegraph, burst into the salon while they were sipping coffee. The aristocratic girls all wore regulation ballet tights and tulle skirts. Laughingly, they ordered the Dukes and Marquises to clear the floor. Canvass was spread over the carpet, an orchestra appeared in the next room and then led by the Russian Princess Lazareff, this blue-blooded corps de ballet pirouquetted in the most approved and graceful style. It turned out that the famous ballet master of the opera had been training the charming danseuses for weeks. The audacious innovation has found favor even with dowagers usually critical. So other women may follow the countess' example. For the Faubourg St. Germain usually imitates the novelties she originates for her entertainment. Paris will soon be regarded as being abreast of El Modena when it comes to flippancy and feminine frivolity.

Seed Selection and Club Work

Bulletin of the State Agricultural Society.

Prof. G. W. Shaw, of the Agricultural Department of the University of California, has recently issued a bulletin on the subject of seed-breeding and seed-selection by farmers, gardeners, etc. No one is more competent to treat this important question than Professor Shaw, and that his words may bear the fullest fruit every farmer in California should send to him for a copy of his bulletin and should study it and act upon it.

We can hope to add nothing to what Prof. Shaw has said as to the beneficial results of planting only the most perfectly developed seed, but we can emphasize this importance of the subject and call attention to the fact that eastern farmers are manifesting much more interest in the matter of seed-breeding and seed-selection than are the farmers of the west, and that they are profiting accordingly.

The importance of breeding from select animals is accepted everywhere, and the eastern farmer has come to realize that good, long ears of corn, with deep kernels, small cobs, straight rows, and filled to the end, can only be had from like parentage, and consequently he is becoming more and more careful in the selection of his seed. From the same land, and with the same outlay for planting, cultivating, and harvesting, he reaps a much larger yield, and the difference is just that much added to his profits. What is true of corn is true of all the vegetable kingdom, and when the California farmer takes as much pains in selecting his seed-wheat and barley as the eastern farmer does in selecting his seed corn, he will find the yield and quality of his crop relatively improved. He should no more consent to sow poor, half-developed wheat on his land than he would to breed his fine cow to a scrub sire, or his favorite mare to a plug horse. The ignoring of the common laws of nature in one case is attended by the same results as in the other.

Even in India, where the people are presumed to be but partially civilized, they recognize the importance of planting only the best, as it is their custom to drop their seed wheat from a high platform in the face of a strong breeze and select for planting only those heavy kernels which fall nearest to the wind.

The California farmer should take up this subject vigorously, agitate it, and apply it to everything they plant. Professor Shaw is at the head of the seed-breeding experiments of the university and can give those who address him many valuable suggestions regarding the most approved seed, and ways and means of securing it. In the meantime, any farmer can at least screen out his very best and plumpest grain for planting, and this he should certainly do. The proper time to make the selection of grain, however, is before it is harvested, when regard can be had to the strength of the straw, the size and fullness of the heads, and the plumpness of the

kernels. While advising farmers to at least select good, plump and clean grain for this year, we suggest that when their grain is ripe for harvest they begin the practice of selection by going through their fields and picking out the biggest and best filled heads for seed the year following. If in this way enough is secured for only one acre it will be sufficient to demonstrate the value of the work, and when once convinced that it pays the effort in the direction of continued improvement will be followed as a matter of self-interest.

We are not pressing the subject because we believe the farmers to be ignorant of the facts to the extent that they are indifferent, and as a class whose welfare is so closely allied to the welfare of all other interests and the country at large, they should not be indifferent to any effort that promises to better their condition. Wherever there is a school house in a farming community there should be a farmers' club, where not only such subjects as seed-breeding and seed-selection can be considered, but where all questions affecting their interests can be discussed and acted on, where the results of experiments can be made known, and where by acting together in different ways much can be done for the benefit of the community which individual effort may not be able to accomplish.

More than 1500 fine-blooded, high-class hogs were exhibited last fall at the Nebraska State fair. When the writer was told this he suggested to the secretary of the Nebraska agricultural society that they must have a great many breeders of thoroughbred hogs in Nebraska.—J. A. Filcher.

TRADE CONDITIONS

R. G. Dun & Co's. Monthly Review for January in Southern California

The heavy rainfall of the past month, about four inches more than normal, retarded the work of farmer and orchardist in Southern California. Some damage was reported from the celery fields but on the whole the section was benefited. Green feed has been increased, grain crops assured and irrigation bills saved.

The delay in orange shipments has helped maintain prices, which are 25 per cent higher than at this time last year. There are 14,000 cars of navels to go forward in the next 90 days. The railroads promise to do all in their power to meet the matter of car shortage and if traffic congestion is relieved the fruit will meet a good market at fair prices. The trouble this year will be to educate the trade to the large size fruit. It is looking for medium and small sizes and asking heavy discount on the 96's to 150's. Fruit up to grade is at present finding ready market \$1.65 to \$1.85 fancy, choice \$1.25 to \$1.60.

Lemon market ruled higher than for any previous January. The present supply is bringing \$2.50 to \$3.50 f.o.b. The bean market is featureless. There are about 200,000 bags of limas in growers' hands. Eastern markets seem well supplied, orders are light but prices remain unshaded. Growers will hold a long time before unloading below 4 cents.

The olive crop is reported 1-3 of a

Making Light of a Heavy Washday

This highly improved HORTON Washer will take all the strain of washday off your back and shoulders. While you turn it slowly and easily—without stooping—the HORTON high-speed gear does the work by forcing a hot blast of suds through and through the clothes under a pressure that takes all the dirt out quickly.

You will never realize how easy your washday might be until you have examined this new-idea washer. You will be surprised to find that no matter how slowly you turn the handle the working part of the washer is going at high speed and putting washday behind it almost as fast as you run the clothes through the wringer.

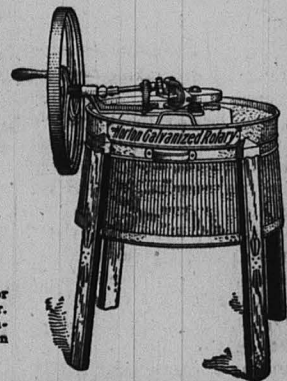
Will you investigate this for yourself? Just step into a good hardware or general store and ask to see the

HORTON

Galvanized Steel Rotary Washer

This is the washer with the GALVANIZED tub. It cannot leak or shrink, and keeps itself sweet and clean, because it does not absorb water. This tub is very light, and stronger than a wooden one. By unfastening a screw the wheel is quickly removed, and the whole washer is then as handy to carry as an ordinary tub.

HORTON MFG. CO., Ft. Wayne, Ind.



normal output. Cured fruit market shows little change. Stocks light, values firm. Apricots quoted 16c for standard, 16½ for choice.

Clever Amateur Performance

A very creditable amateur performance of Augustin Daly's comedy, "A Night Off," was given at the opera-house on Friday evening by the high school class of '07. The house was filled to the doors, and the young performers had the audience with them from the start. The cast of characters was as follows:

Justinian Babbitt—Professor in Ancient History in the Campdown University..... Max Carmichael
Harry Damask, his son-in-law..... George Christiansen
Jack Mulberry, in pursuit of fortune under the name of Chumley..... Alfred Heying
Lord Mulberry, in pursuit of Jack..... Herbert Newman
Marcus Brutus Shap, in pursuit of fame and fortune, under various legitimate aliases..... Roy Firebaugh
Prowl, usher at the university..... Lucien Wisser
Marius, servant at Damask's..... Jack Smale
Mrs. Zantippa Babbitt, professor of conjugal management in the professor's household..... Ethel Crayne
Nisbe, the youngest "imp" of the household..... Blanche Mickie
Angelica Damask, the eldest..... Leah Lawrence
Susan, "the brassiest"..... Lulu Goble

The play was under the management of Miss Williamene Wilkes and Miss Alice Hallett Taylor of a Los Angeles school of elocution.

After the performance the floor was cleared for dancing.

Two hundred and seventy-seven dollars were realized. With this money, the class, after paying incidental expenses, will present its teacher, Miss Edna Wilde, an appropriate gift, and will also purchase a memento for the school, probably a piece of statuary. A group photograph will be taken. The class will graduate in June.

CLASS '07

Ethel Crayne, Leah Lawrence, Blanche Mickie, Lulu Goble, George Christiansen, Max Carmichael, Roy Firebaugh, Alfred Heying, Herbert Newman, Lucien Wisser, John Smale.

CLASS OFFICERS

Leah Lawrence, president; George Christiansen, vice president; Lulu Goble, secretary; Max Carmichael, treasurer and general business manager; John Smale, play manager; Roy Firebaugh, joke editor.

Obituary

In the death of the late Thomas A. Ryan, January 26, 1907, the Memphis bar of Tennessee lost one of its oldest and most honorable lawyers.

Mr. Ryan finished his law course in New York, back in the thirties. He then moved to Memphis, Tennessee, where he practiced law for nearly forty years. After the civil war he was prosecuting attorney for three terms. Mr. Ryan was a lover of truth and honesty. He was ever ready to help those who needed his professional services. He was a kind husband and loving father. He passed away like an infant going to sleep. May his soul rest in peace.

Mr. Ryan leaves a wife and two daughters, Mrs. Alice R. Kennedy and Miss Almie Ryan; also one sister and brother in New York to mourn his loss.

CARD OF THANKS

Mrs. Thomas Almond Ryan and daughters wish to return thanks to their friends who were so kind during the illness and death of husband and father, the late T. A. Ryan.

SELLING OUT

Big reductions in prices

of Overcoats and Suits—Kuppenheimer make—and Trousers.

-SHIRTS-

All 75c Shirts reduced to 50c.

-HATS-

All broken lines offered for far less than the regular price.

In order to make room for our vast new Spring and Summer stock we are compelled to sacrifice these goods at such low prices.

All our goods are marked in plain figures.



Yungbluth & Kroeger

127 Center St.

Phones Main 294, Home 1044

Pitkin's Barn Paint

Guaranteed for five years. Especially adapted for painting barns, roofs, bridges, fences, etc. Put up in 5 gallon and 1 gallon cans, full measure.

Nearly forty years experience in the art of making paint and thousands of tests, have proven conclusively that there are no more durable paints made from any material than those made from oxide of iron.

One gallon of our Barn Paint will cover 200 square feet two coats, on ordinary new wood work; on old or rough wood work, less.

—AT—

L. E. MILLER'S

A Resistant Grape

The Lenoir grape when ungrafted is resistant to the California Vine Disease. The vine is very vigorous, a good bearer when mature, while the fruit is very dark in color and rather small of size. The Lenoir is strictly a wine variety. It is hardest when ungrafted, but will prolong the life of a tender top variety though not preventing the latter from infection as the disease involves all parts of the vine.

I have carefully selected Lenoir cuttings for sale at \$10.00 per thousand

Newton B. Pierce,

Santa Ana, Calif.

Jan 17-1m

For Hardware

Call and see us. Our stock is complete. We have a very large and extensive line of Cutlery and Builders' Hardware. Our prices can not be beaten.

All kinds of repair work promptly and neatly done.

Galvanized Iron and Gutter Work. Estimates given.

A. NAGEL



Rapid changes of temperature are hard on the toughest constitution.

The conductor passing from the heated inside of a trolley car to the icy temperature of the platform—the canvasser spending an hour or so in a heated building and then walking against a biting wind—know the difficulty of avoiding cold.

Scott's Emulsion strengthens the body so that it can better withstand the danger of cold from changes of temperature.

It will help you to avoid taking cold.

ALL DRUGGISTS, 50c. AND \$1.00.

The Weekly Gazette.

ESTABLISHED 1870

SUBSCRIPTION - - \$1.50 Per Year

HENRY KUCHEL, EDITOR AND PROPRIETOR

Six months.....\$1.00

Three months.....50c

Payable invariably in advance.

The GAZETTE is issued every Thursday

morning.

Entered at the Anaheim Postoffice as second-class matter.

THE SANTA ANA HOG.

A bill has been introduced in the legislature which seeks to dismember Orange county, taking from it twelve miles of ocean frontage, in which are located the towns of Huntington Beach, Bay City and other communities, and annexing them to Los Angeles. Assemblyman Stanton is sponsor for the bill in the assembly, and Senator Carter performs a similar function in the senate. A mass meeting has been held at Santa Ana and a committee appointed to go to Sacramento to fight the bill.

Let us say at the outset of this business that we are unalterably opposed to Mr. Stanton's bill, or any other legislation, for that matter, in which he may have an interest.

But when we come right down to the fact of the case, the haunches of the Santa Ana hog become at once apparent, threatening to assist in bringing about the dismemberment of the county. Whatever Stanton's motive, and it is probably dictated by his personal interests, the facts remain that the citizens of Huntington Beach, and other shoreline communities, are eager to separate themselves from Orange county and to become part of Los Angeles county. Why? Simply and only because of the Santa Ana hog. Huntington Beach feels hostility toward Santa Ana because the county seat has hogged the several routes of rural free delivery, supplying the farmers living in the Huntington Beach section with their mails, when these farmers can be better and more cheaply served by having these routes start from Huntington Beach. The beach town has not been given a square deal by the Santa Ana hog, and why not?

Santa Ana sees only one thing ahead of it, and that is a federal building, for which it is anxious to ask an appropriation of the next congress. It wishes to swell its postoffice receipts to the utmost limit, irrespective of the rights of the Huntington Beach farmers or of any one else. It places its interests ahead of those of any other section of the county, or indeed of the whole county; and therein lies the danger of dismemberment at this time. This hog has been in action before. It is not so many years ago that the Santa Ana hog stole from Anaheim the mail routes leading from this city to Garden Grove and Westminster. The hog wanted free city delivery of mail at that time, and its legitimate postoffice receipts were not sufficient to justify that evidence of urban development. What did the hog do? Jim McFadden gave a grunt, Bill Spurgeon emitted a squeal, and the thing was done. Two mail routes were stolen from Anaheim, even though this city was the correct geographical point from which these routes should start, being eight miles nearer by rail, and thence several miles nearer by wagon route. Thus by way of this city it is ten to twelve miles nearer to Garden Grove than by the roundabout Santa Ana way. But that made no difference to the hog. Neither the interests of this city, nor those of the Garden Grove or Westminster people, availed aught in the transaction. The Santa Ana hog wanted free city delivery, and the only way it could get it was by

increasing its postoffice receipts. The way these receipts were increased was by taking away from this city that which justly belonged to us.

When the routes of rural free delivery were some years later introduced, Santa Ana was slow in acquainting itself with the new method of delivering mail to rural communities, although Senator Perkins was instrumental in sending one of the first agents of the rural free delivery service to Santa Ana. He remained there several weeks waiting upon the people to act. The hog seemed asleep, and there was nothing doing. The agent came to Anaheim and installed three routes of rural free delivery. Then the hog awakened.

What is true of the hog relating to postoffice receipts is likewise true of its political side. The hog never permits the election of an outside man so long as a Santa Ana man is in sight.

Huntington Beach is for separation from Orange county because it has not had a square deal on county roads. No more have we in this Third supervisor district. Why should we of the Third supervisor district be required to poll nearly 1500 votes, while Santa Ana polls less than 1000, and the Santa Ana-Tustin district about 850? Is it necessary to ask why we have wretched roads, while Santa Ana and its surroundings have good roads? It is because our district is too large, and our road money is distributed over too large an area. It should be reduced in size, and the road money applied to the smaller area.

There are many other indecencies attributable to this porcine quadruped, but it is sufficient at this time to refer to these matters solely. One other incident may suffice. When a year ago this city was anxious to secure the state experiment station here, Mr. Nickey of the Santa Ana chamber of commerce refused to permit the organization to endorse us, holding that such act "might tend to lessen Santa Ana's chance of getting a federal building." There is one thing the Santa Ana hog has got to do, and that, in the parlance of the street, is that it must come off the perch. It must restore to this city the mail routes it stole from us, and it must give Huntington Beach a square deal in its local matters. It must cease its visions of a federal building at the expense of the remaining sections of the county. It must mend its ways, and give outside sections a square deal all around, or it will find itself confronted one of these days with a far more serious problem than has in the present case driven it to destruction.

If Stanton shall succeed in cutting up this county, the railroad may be behind him, but the Santa Ana hog is rendering him mighty good assistance.

Milwaukee at the present moment is bragging about its water works. But that is not the liquid that made Milwaukee famous.

Following "trial marriages" the latest thing has been introduced in the New Jersey courts in the shape of a petition for "temporary divorce."

Ex-chariman Wallace is going to look up Ex-chairman Shonts and ask him how he managed to do it without a row.

The president in a letter to the senate this week assured them that Mr. Harriman did not know anything about railroads. But it must be understood that it was George H. and not Eddie H. he was talking about.

Representative Tawney took a look at Representative Wadsworth's case and decided to postpone inserting his joker into the pure food law until after the election.

LOOKS DANGEROUS TO ANDERSON

Orange county need have no fear of Stanton's attempt to rend her asunder. Have we not Senator Anderson at Sacramento? Yet the fact must not be lost sight of that Anderson has telegraphed Santa Ana that Stanton's scheme "looks dangerous" to him. Here is his telegram to the chamber of commerce of his home town:

Telegram received. Diabolical scheme. Looks dangerous here on account of Fresno matter. Los Angeles not behind it. Get very busy at once with Los Angeles, Long Beach and Pasadena chambers of commerce and governor. Get petition from stolen territory immediately. Bill introduced in senate and assembly yesterday my first information. Will send copy of bill tomorrow. They talk compromised line. I offer nothing.

JOHN N. ANDERSON.

Let Jim McFadden rest in peace! Is not his man Anderson at the front?

And Stanton talks compromise! Inasmuch as that slippery gentleman probably desires only to include Bay City in Los Angeles county, and is using the other shoreline communities as a club over this county's head, his palaver about compromise will bear watching.

But what's the use of talking? Have we not the brilliant Anderson at the state capital, protecting our interests?

"In area," said Senator Anderson to a newspaper reporter at Sacramento, "Orange is the smallest county in the state. It cannot be cut down by any pretense of justice." And so on.

Orange county is not "the smallest county in the state," whatever may be the infamy back of the plan to cut it down.

San Francisco is the smallest county in area in the state, and the counties of Santa Cruz, San Mateo, Sutter, Yuba, Amador, Alpine and Contra Costa are all smaller than Orange. But none of them have such a brilliant ass for a senator as has the tight little county of Orange. Senator Anderson knows who this is.

The interstate commerce commission made a searching investigation into the railway pool at a session held the past week in Los Angeles, at which it was developed that Harriman through the Union Pacific, controls the Salt Lake railroad. To secure right of way through the Meadow Valley wash in Utah the Salt Lake turned over to Harriman a half interest in the road and the right to appoint half of the board of directors. The Salt Lake has an agreement with the Union Pacific to permit the latter to make rates over the Salt Lake tracks in Utah. The Salt Lake, Southern Pacific and Santa Fe, it was also brought out at the investigation, have a mutual agreement in regard to rates in Southern California. The famous five-day citrus special train between Los Angeles and Chicago was withdrawn by the Salt Lake owing to pressure brought to bear by both the other roads. The Santa Fe, a Rockefeller property, looms up as immune from the tactics of Harriman. The Union Pacific controls the Southern Pacific and the Salt Lake alike. The interstate commerce commission adjourned to meet in New York, when Harriman will be called upon to testify. It is hoped the control of Harriman over the Salt Lake, which is in restraint of trade, will be broken, and the orange growers of Southern California soon be offered relief from the railroad monopoly.

A Chicago paper declares that Senator Beveridge is the only logical and reasonable successor to Theodore Roosevelt. Counting Senator Beveridge that makes two at any rate.

Wm. Schwenckert has been appointed by Assessor Scott deputy assessor for this district.

Garden Seeds of all kinds

A well-selected stock having been just received.

SEED POTATOES

AT

DICKEL'S

SELLING OUT

My stock of teas, coffees, spices
and all kinds of canned goods.
At cost and below cost!

Let me save you money while my stock lasts.

ANAHEIM, CAL.

Jos. Helmsen

If in Need of Shoes

Don't forget the Electric Shoe Store, where you can find at all times a complete line of all styles and makes of shoes at lowest prices. COME AND SEE ME.

Wm. Heying, Proprietor

III West Center St. Anaheim,

Visited the Reservoir

L. G. Kellogg was in town the first of the week, in company of his brother Engineer Kellogg, having just arrived from Honolulu. He goes to Washington on official business and will continue on to New York purchasing machinery for his new pineapple cannery. Speaking of the Waihiwa dam, of which company Mr. Kellogg is president, he says it is filled with water, which backs up a distance of eight miles. It has five times the capacity of the Yorba reservoir, its dam being 108 feet high, while that of the Yorba reservoir is 46.

"We sold 20,000,000 gallons of water daily from March to December, which is our dry season," said Mr. Kellogg. Asked as to the profit incident to disposing of this water he said it brought in \$125 per day.

Speaking of the Japanese in the islands he said there is apparently more discussion about the matter here than at his home.

"There are 80,000 Japs in the islands, but we have a sufficient number of good Americans there to take care of them in case of an uprising. They are the best laborers we can get for the price, but if they should be excluded we should be able to get along very well without them. We should have to pay higher wages to American laborers, but we should get a great deal more work out of them."

Mr. Kellogg visited the Yorba reservoir, which he pronounced an enterprise fraught with the greatest importance to this entire section.

Church Notes

The Methodist choir, with a volume of twenty voices including a double male quartette, has been reorganized and is now doing faithful work. You are especially invited to come in and hear them on Sunday if your preference does not call you to some other church. Mr. Haffen will speak in the morning on "The Cure for Heart Trouble." In the evening on "Decision."

Excursionists going to San Diego with Los Angeles and Anaheim turners and their friends must take the 9.03 train from Anaheim Saturday morning. Fare \$3.85 roundtrip, good till Tuesday. Parties going should notify A. Fuhrberg before 5 o'clock Friday, as the tickets must be procured from Los Angeles.

Teams from this city and Fullerton engaged in a bowling contest at Davis' alleys on Tuesday evening. The former won by a score of 2057 to 1971. Three games were played. Last week, in a contest at Fullerton, the Anaheim team won over Fullerton.

Business and Pleasure

An auto party composed of a number of Los Angeles ladies and gentlemen arrived in town in four touring cars shortly after noon on Sunday, and enjoyed a basket dinner as guests of Mr. and Mrs. Hessel at the West End. In the party were Mrs. Louise A. Denker and sister, who is lately over from Paris for a brief sojourn; her son Louie Denker; Mrs. Mary Hammel, Mr. and Mrs. F. O. McLaughlin, Mr. and Mrs. George W. Lichtenberger, Julius W. Krause, the architect, and others. Mrs. McLaughlin of the party is the lady who will shortly begin the erection of a brick block, 48x94, at the corner of Emily and Center streets. After an enjoyable outing of an hour or more the party drove up town and were guests of Mr. and Mrs. Kistler. Here they were met by a number of citizens of this city, among them prospective renters of parts of the building. Among the callers was Mrs. Cadman, who will rent the up-stairs portion of the building, which will be composed of eighteen offices and living rooms.

The building will have a front of plate glass and pressed brick and will cost when completed \$13,000. A water-color sketch of the structure is on exhibition in the east window of J. Resh's photographic studio.

The party after meeting many friends and enjoying a most pleasant afternoon started on its return for Los Angeles about 4 o'clock.

Mr. Resh said yesterday that work upon the building will probably begin in a few days. He said occupants for the entire building are practically in sight. The two lower stores will probably be occupied by new business houses.

FOR SALE.—Forty head of Idaho horses, 3 to 8 years old; weight from 1200 to 1400. Fuller & Nicolas' Stables, Fullerton. It

Nearly one-half of the Fullerton walnut growers sold their crop the past season through the J. B. Inderrieden company of Chicago, and the report of the season's business, which has just been made up, shows that \$35,944.29 was received for the crop of these growers. Of this amount \$73,501.94 was received for soft shells, \$2556.31 for No. 2 soft shell and hard shells, and \$6969.97 for No. 1 hard shells. The salaries and wages for handling the crop amounted to \$889, and \$2353 was paid for sacks and twine. The report shows that there was a gain of 15,934 pounds over shipments made by the same growers last year.

FOR SALE.—Improved soft-shell walnut trees, seedlings. VICTOR MONTGOMERY, Atty at Law, Room 7, Commercial Bank Bldg., Jan 28/11 Santa Ana.

LOCAL EVENTS

G. L. Duckworth spent the day at Los Angeles on Sunday.

F. A. Backs was a visitor in Los Angeles on Saturday.

W. M. Wickett was called to Los Angeles on Saturday on business.

Contractor Boney is out again after a fortnight's illness due to the grip.

Wm. McLaughlin and F. A. Korn visited the Yorba reservoir in the former's touring car Monday afternoon.

D. Hartman and Dr. Arthur H. Jackson of Los Angeles visited a day or two ago with Mr. and Mrs. Louis Gold.

Chester Holcomb has been detained at home during the week with a slight attack of illness.

Company E has invitations out for a grand ball to be given at the army the evening of February 22d, Washington's birthday.

J. E. Mauerhan and niece, Miss Bertha Ochs, of Oakland, are guests of the former's parents, Mr. and Mrs. Mauerhan at the West End.

Ed Zeus came down from Berkeley on Saturday on a short visit to relatives and friends. He returned north on Monday afternoon.

M. L. Rogers was in town the past week for a brief visit with friends. He recently returned from a trip to Iowa, New York and other points east.

Guy L. Duckworth has tendered his resignation as postmaster at Loara and the office will be discontinued February 28th. Mail for patrons of the office will go by rural free delivery from the Anaheim postoffice.

In the report of the board of audit of the Anaheim Union Water company, the following error needs to be corrected: On page 3 of said report issued January 26, 1907, the fourth line under the heading of Receipts and Payments reads, "Construction Water Account \$22,514.38," but should read, "Consumers Account—Water, \$22,514.38."

Fritz Ruhmann was in Huntington Beach on Monday. He says sentiment in that section is all in favor of secession from Orange county and annexation Los Angeles. The people claim, he says, Santa Ana has not treated them right in matters of taxation, protection from river overflow, roads, mails and other articles too numerous to mention.

Mr. and Mrs. Frank Walter had as guests, at their home on the east side on Sunday the former's brother, Albert Walter of San Jose, Clark Sutherland of South Bend, Ind., Frank Walter, (cousin of our fellow-townsmen), his wife and two children, and E. W. Vegeley of Los Angeles. A family reunion was the feature of the day. The visitors departed for their homes on Monday morning.

Harry Kuebler has sold to A. W. Cavanaugh 2½ acres on East Center street; consideration, \$750. Sale made by the L. A. Evans company.

If you wish to sell or exchange your property list the same with the L. A. Evans company.

Jacob Harold Matlock and Mrs. McDonald of Olinda went to Santa Ana on Saturday to get married. They took Judge Howard along to perform the ceremony after they secured the license. Clerk Williams on questioning Matlock learned that he was only 20 years of age. He presented the written consent of his parents in Seattle, but as the consent was not sworn to a license was refused. The young couple were greatly disappointed. Judge Howard sympathized with the would-be groom, and congratulated the bride on her escape.

The mortal remains of David Bush were laid tenderly to rest in the cemetery on Saturday afternoon. Funeral services were held at the family home on Philadelphia street, whither the body had been transported from the Santa Ana hospital. Rev. Markle preached impressively upon the sad ending of the young man, who was known and respected by many in the community. The aged parents of deceased were bowed in grief, as were also the sisters. The Christian church choir rendered appropriate musical selections. The pall bearers were Herman Stern, Ed Zeus, Joseph Gibson, Ed Blake, Fred Cowan and Joe Lochner. After the services the remains were taken to the cemetery, where the last tribute of respect was paid the dead. Many were in tears as the body was lowered into the grave. Deceased was a native of Missouri, and was aged 28 years.

The decision of the Supreme court sustaining Judge Bledsoe's ruling in the suit of the Anaheim Union Water company and the Santa Ana Irrigation company against O. B. Fuller and others of Riverside is published upon another page this morning. The decision of the upper court affirms Judge Bledsoe's ruling in every particular and is the most sweeping victory in a water suit ever gained in Southern California. The decision will be read with interest by irrigators generally, it being of great importance to them. The most noted legal counsel ever gathered in a water case in Southern California were engaged in the case. To the local attorneys for the company, Richard Melrose of this city, and E. E. Keech of Santa Ana, much of the credit for the victory is due.

Samuel Kraemer on Saturday purchased from Ferdinand Heying the fifty-foot lot on Center street occupied by the restaurant conducted by the latter, paying therefor, according to reports, about \$6000. The lot contains a two-story frame building, which will later on be replaced by a modern brick structure. Three years ago the property was sold by N. Hart, administrator of the Metz estate, to Henry Adams and Crockett Bowers for \$1750. A few months later they sold to Mr. Heying for \$2500. The price has more than trebled in three years. Frank Baum conducted the negotiations.

Give me your orders for street trees for Arbor day. A. A. Mills, Anaheim. feb14

Herman Schindler has drawn plans for A. Nagel's new brick block to be erected at the corner of Claudina and Center streets. The structure will be 35x80, plate glass and pressed brick front, and offices and living rooms upstairs. Mr. Nagel will occupy the upper floor with his family. The lower floor will be devoted to his hardware establishment. He expects to begin work upon it in a few days. The building will be one of the handsomest in town.

L. J. Howes of Fullerton, correspondent of the Los Angeles Examiner, was in town on Monday gathering items for his paper. Mr. Howes is an instructor in the Fullerton high school, and employs odd hours in giving the elusive item a bit of a run for its money.

Charles Pendleton of Riverside was in town on Sunday shaking hands with old friends.

Robt. Johnston and Miss Marian Johnston visited the family of Edward Michod at Long Beach on Sunday.

Miss Alice Robinson has taken a position at the postoffice and will be in charge of the money-order department.

For sale at a bargain, a lot 77 foot frontage on South Lemon street, three blocks from postoffice, opposite new laundry; east front cement sidewalk; \$450. Inquire of J. P. Gibson. 1t

Sister Coelstine, for eleven years past a member of the order of Dominican Sisters at St. Catherine's academy, died at that institution at an early hour on Friday morning after a lingering illness. She was a native of Bavaria, and was aged 36 years. She was known by many of the townspeople and was esteemed for her lovable traits of character. She came from San Francisco in 1895 in search of health, being a sufferer from consumption. Her end seemed near, but under the gracious skies of this southern clime and careful treatment at the academy she survived until she came to enjoy reasonably good health. Latterly she declined and after a lingering illness passed to her reward. She gave her life to the ministering and education of the poor, and richly earned the rest and peace which comes to those who prove their faith by deeds of charity and self abnegation. The funeral occurred on Saturday morning. Services were held at the chapel. The body was taken to Los Angeles, where it was interred in the sisters' plot at the Catholic cemetery. Peace and rest be with this gentle sister of charity.

A distribution of 5000 acres of land at Wasco, Kern county, was made to 250 people at the chamber of commerce assembly room in Los Angeles on Thursday. Among local people who were interested in the distribution were W. H. Spake, P. H. Krick, O. Lagman, Wm. Christian, A. S. Bradford, Wm. McLaughlin, Mr. Rose, L. A. Evans, Henry Adams, L. Goble, Mrs. Keah and others. The tract was disposed of at from \$12.50 to \$32.50 per acre, the average being \$22.50. Desirable locations brought the higher figure. The sale continued from 10 a. m. until 10:30 p. m. The land is adapted to grapes, almonds, chili peppers, potatoes and other crops. An abundance of water is had by pumping. Improvements will be made and representatives of the colony will be placed in charge.

George L. Wagner reports a raise of 34 feet of water in his well on his potato plantation on the east side since rains began falling the latter part of November. Mr. Wagner's well is 140 feet deep and the well-pit 88 feet. When dug two years ago, water came to the floor of the pit. Water now stands at a depth of 56 feet in the pit. It recedes only two feet after a day's pumping, and rises instantly to its former level when pumping ceases. Mr. Wagner regards it as the greatest well in the county. He and his brothers will plant 200 acres to potatoes this year. The crop the present season was sold exclusively for seed, the stock being shipped to many points in Southern California.

C. G. Billings has received a copy of his home paper, from Langdon, N. Dak., from which he learns the people of that town had received no mail at the time of the issuance of the paper Jan. 31, for eleven days, and had sent none out in eight. The thermometer was 44 degrees below zero, and railroads were blockaded in all directions with the heaviest fall of snow in many years. Mr. Billings says he prefers the glorious climate of Southern California, where peach trees are in bloom and wild flowers carpet the landscape. What d'ye think of that, you Langdon man, up there in the snow?

Damon Snodgrass was in from the Jungle ranch on Monday and made a pleasant call at this office. Damon reports all kinds of prosperity in his section, and the country looking finer than for years. His father is one of the pioneers of his section and finds his time so taken up with affairs on the ranch that he has not been in town to shake hands with old friends this year. May prosperity continue to smile upon the ancient and honorable house of Snodgrass.

A deed forty-four years old was filed on Monday for record with County Recorder Peters. The paper deeds a strip of ditch land near Anaheim to Carolina Sophie Rust, and it is signed by T. E. Schmidt as secretary of the Anaheim Water company. The deed was signed before Judge Benjamin Hayes, then judge of the district court, and was given on March 8, 1862. The property consists of seventeen-fortieths of an acre. Mr. Schmidt still resides here, while Mrs. Rust (now Mrs. Koll) is a resident of Los Angeles.

Peach trees are in bloom as a result of recent warm weather. Lost, on Saturday, between Anaheim and Yorba, a roll of currency. Finder will be liberally rewarded on return to this office.

FOR SALE
Magoon strawberry plants. Received from Oregon two years ago. First-class bearers. \$3 per 1000. Apply to Y. Spingath, 1 mile east of Anaheim on Olive road.

Your mind is about made up as to the kind of a buggy you will buy. We have it and can save you money. Wm. F. Lutz Co., Santa Ana, Cal.

Always Reliable

Spring Dress Goods

Spring Wash Goods

Spring Waists

In Silk and Lawn

White Goods in Large Variety

Muslin Underwear and Children's Dresses are arriving daily

ASHER & FALKENSTEIN

Where Quality Counts

Did you know that
J. W. Duckworth & Son
—carry a full and complete line of—

Fancy Groceries, Dry Goods and Notions!
Crockeryware, Hardware, Tinware

Also, we handle all kinds of **Chicken Feed** in car lots, and don't forget that we pay the Highest Market Price for Produce.

J. W. Duckworth & Son, LOARA, Cal.
Phones: Sunset Main 411 Home Loara Exchange

Frank Perry recovered a suit of newly laundered underwear and a blue shirt by seeing them advertised in these columns. Frank's mother had out a large wash, about two weeks ago, when several articles belonging to her son were stolen. Mr. Kistler found a portion of the clothing in front of his bakery the same evening and advertised them. It is thought a tramp stole the articles, and either forgot them or abandoned them on going to the bakery to buy bread. Frank recovered them and now wears his customary smile.

Emmett & Dyer are boring their first of two deep wells at the site of the proposed new city powerhouse on South Los Angeles street. They will sink the wells a depth of 140 feet, where an abundance of water may be reached. They have also the contract for digging a sixty-foot wellpit, and will begin work upon it as soon as the first well is completed and tested.

Richard Melrose and H. A. Dickel were in Los Angeles yesterday, in company of other committeemen of this county, in conference with representative Los Angeles citizens regarding Stanton's bill for dismembering Orange county. Strong resolutions were passed by the Los Angeles merchants and manufacturers' association against the passage of the bill. The Los Angeles chamber of commerce also adopted strong resolutions against the bill.

FOR SALE—Two finely bred mares; perfectly gentle and true. Will work either single or double. Apply to A. Henry, Caledonia Grove, West Anaheim. feb14t2

For Sale or Rent at a Bargain—A fine 20-acre ranch near the Wagner's; southeast of Anaheim. Inquire of "Owner, box 184, Anaheim."

A personal inspection of our line of robes will convince you that you can do better here than elsewhere. Wm. F. Lutz Co., Santa Ana, Cal.

Frank Baum has purchased from Guy Holman a lot on West Broadway, paying \$1000 therefor. He will shortly begin the erection of a handsome residence.

Miss Annie M. Irvine has sold a lot on Santa Ana street to Miss Elizabeth Vetter for \$150. Frank Baum engineered the deal.

Victor Browning was in town on Tuesday evening from his ranch on Orangethorpe avenue, assisting at the Rimpau fire.

We want to sell you an automobile that will make you feel kindly toward us after the purchase. The Buick is the car for you. "Good everywhere, but best on hills." Wm. F. Lutz Co., Santa Ana, Cal.

Theo. Ford's soft-shell walnuts have acquired celebrity throughout Southern California as being superior stock. Nurseries, 2½ miles west of Orange on Anaheim road. Phone 494, Orange ja3

GUM WOOD
For Sale.

C.C. Browning Ranch
Phone Sub 164

Baseball Sunday

The oil wells and Hoegees of Los Angeles will play at Athletic park in this city on Sunday afternoon. Johnson and Meats will be in the points for the home team and a good game is looked for.

The oil wells defeated San Diego on Sunday by a score of 2 to 1. Johnson was not hit safely a single time. The oil wells batted well, getting nine hits.

STANDING OF TEAMS
Feb. 11, 1907

	P	W	L	Pct
Tufts-Lyon.....	6	5	1	.833
San Bernardino.....	6	4	2	.666
San Diego.....	9	5	4	.555
Morans.....	8	4	4	.500
Anaheim.....	4	2	2	.500
Hoeges.....	7	3	4	.428
Pasadena.....	6	2	4	.333
Hamburgers.....	7	2	5	.285

A. W. Cavanaugh has sold twenty acres northeast of town to E. Lebell of Hollywood; consideration, \$1600. Sale made by the L. A. Evans company.

If you wish to sell or exchange your property, list the same with the L. A. Evans company.

Your horse can't tell you, but he'll appreciate a new harness just the same. We sell our own home-made harness. Wm. F. Lutz Co., Santa Ana, Cal.

Assemblyman Stanton who introduced the bill seeking to include a portion of Orange county in Los Angeles was some weeks ago considerably in the public prints in connection with a drunken orgy in which he participated while on a train returning to Sacramento from Oakland, where he and other members of the legislature went to attend the funeral of a fellow member. Stanton and other solons were so drunk they went through the sleeping car pulling people out of their beds and raising Cain generally. The up-country papers were full of the orgy, and Stanton and his associates came in for a grueling at the hands of the papers.

Frank Legourgue has purchased ten acres in the Tucker tract northeast of town from Mr. Wilson; consideration, \$1000. Sale made by the L. A. Evans company.

If you wish to sell or exchange your property list the same with the L. A. Evans company.

Would you like to know how cheaply you can purchase a reliable, up-to-date bike buggy, with 1 1/8 in. rubber tires? If so, go and see Wm. F. Lutz Co., Santa Ana, Cal.

Frank Schwentker spent several days in town this week visiting with his parents, Mr. and Mrs. Henry Schwentker. Frank is in business in Albuquerque.

Statement of Condition of German American Bank of Anaheim

At close of Business February 1st, 1907.

Resources.	Liabilities.
Loans and Discounts.....\$67,143.93	Capital Stock.....\$30,000.00
Over Drafts.....214.74	Reserve.....3,480.92
Real Estate.....10,328.74	Interest.....458.57
Furniture and Fixtures...6,156.72	Cashier Checks.....18.85
Expenses.....191.28	Individual Deposits.....\$66,599.31
Cash.....\$9,047.76	93,729.34
Due from banks 34,604.95	Saving Dep.....27,130.03
Total.....\$127,687.68	Total.....\$127,687.68

H. W. CHYNOWETH, JOSEPH HELMSEN, CHAS. A. BOEGE
President. Vice-President. Cashier

WATER RIGHTS UPHELD

Text of Supreme Court Decision Affirming Judge Bledsoe's Ruling in Fuller Case.

Following is the complete text of the supreme court decision affirming the ruling of Judge Bledsoe in the suit of the Anaheim Union Water company and Santa Ana Valley Irrigation company against Fuller:

Department One

Anaheim Union Water Company, and Santa Ana Valley Irrigation Company Plaintiffs and Respondents, vs. L. A. No. 1629 O. B. Fuller, C. H. Fuller, Fred Zucker and F. J. Smith, Defendants and Appellants.

This is an action to enjoin the defendants from diverting water from the Santa Ana river. Judgment in favor of the plaintiffs as prayed for, was given in the court below. The defendants appeal from the judgment and from an order denying their motion for a new trial.

The plaintiffs own lands through which the Santa Ana river flows. They have been accustomed for many years to irrigate this land with waters from the river, and for that purpose there is required, during the irrigating season, a continuous flow of four hundred miner's inches of water. The defendants, or some of them, own land on the river, situated above the land of the plaintiffs, and upon it they had built a dam in the river and were thereby diverting water from the stream, which, by means of a ditch, they were conducting to other lands owned by them and were there using it for irrigation. The plaintiffs claim, and the court found, that the land which the defendants were thus irrigating with water from the river, was not riparian thereto. The sufficiency of the evidence to support this finding, and the question whether or not the plaintiffs' land is entitled to riparian rights in the river, are the principal questions presented upon the appeals.

1. The defendants claim that the land of the plaintiffs lies within, and constitutes a part of, the bed of the stream, and contend that such land is not riparian nor as such entitled to the use of the water of the stream. It appears that the land consists of good soil, capable of producing valuable crops, that it abuts on the river, and that it has been successfully cultivated and irrigated by the plaintiffs and their predecessors for many years. The only facts upon which the claim that it is non-riparian are based are that it forms part of the wide bottom extending between the higher lands or bluffs on each side, that the course of the river channel is subject to changes by unusual floods, although no substantial change has occurred for forty years last past, and that the land is all underlain by an underground flow, in contact with, and forming a part of, the surface stream. We are of the opinion that land thus situated is not to be distinguished from other land abutting on the stream, so far as the right of the owner to the reasonable use of the water is concerned. We know of no principle of riparian rights that would except such land from its benefits, nor of any decision to that effect. The opinion in *Ventura L. & F. Co. v. Meiners*, 136 Cal. 284, contains nothing that can be so construed. It appears to decide that land may be riparian to a stream, although it does not abut thereon except when the stream is swollen by floods. Without conceding the soundness of the decision so far as it seems to decide that the owner of such land may take water from the stream, at its ordinary flow, as against other owners whose lands abut upon such ordinary stream, we think it is clear that the discussion in the opinion as to the character of the ground lying between the edge of the stream at its ordinary flow, and the line of high water when in flood, has no reference to the right of the owner of such intervening land, as a riparian owner, to use the water of the stream for any useful purpose which his position upon the stream enabled him to make of it. The land here involved was not at all similar to the land described in the opinion in that case. The case of *Diedrich v. N.W.U. Ry. Co.*, 42 Wis. 264, is not in point. It refers to the rights of the owner of land lying wholly under the bed of a navigable lake, and holds that such owner may not erect wharves or other structures thereon which would interfere with navigation, and that, in that respect, he has not the right of one owning land along the bank of such lake to erect wharves in aid of navigation for his own use. There is nothing in that opinion to indicate that the owner of the land which was under the bed of an ordinary stream might not, by virtue of the position of his land, have such benefit from the water as he could get from it. This question, however, is not involved in the case at bar, for we are of the opinion that the plaintiffs' land was not in the bed of the stream in any proper sense of the term.

2. Some distance below the land of the plaintiffs, a tributary known as Chino creek, enters the Santa Ana river. Chino creek also has a tributary known as Mill creek, which enters Chino creek one and one-half miles above the confluence of the latter with the Santa Ana river. The defendants take the water from the river, above the land of the plaintiffs, in a ditch which extends across the low bottom to the high land or bluff, and

then extends along the bluff, at a grade less than that of the river, gradually getting further above and away from the river until it reaches and crosses the divide, or summit of the elevated land, between the water shed of the river and that of Mill creek. The court found that the land irrigated with water from this ditch lies beyond this divide and is wholly within the water shed of Mill creek, and that it does not abut upon the stream and is not riparian thereto. Land which is not within the water shed of the river is not riparian thereto and is not entitled, as riparian land, to the use or benefit of the water from the river, although it may be part of an entire tract which does not extend to the river. *Chauvet v. Hill*, 93 Cal. 410; *Bathgate v. Irvine*, 126 Cal. 135; *Southern Cal. I. Co. v. Wilshire*, 144 Cal. 68; *Watkins L. Co. v. Clements*, 98 Tex. 578.

The defendants claim that these findings are contrary to the evidence and that this rule does not apply to the land they seek to irrigate, because, while it is wholly within the Mill creek water shed, it is an entirety including the valley from its sources to its mouth. This fact does not effect the case, at least, so far as the land of the plaintiffs is concerned. The principal reasons for the rule confining riparian rights to that part of lands bordering on the stream which are within the water shed, are that where the water is used on such land, it will, after such use, return to the stream, so far as it is not consumed, and that, as the rainfall on such land feeds the stream, the land is, in consequence, entitled, so to speak, to the use of its waters. Where two streams unite, we think the correct rule to be applied, in regard to the riparian rights therein, is that each is to be considered as a separate stream with regard to lands abutting thereon above the junction, and that land lying within the water shed of one stream above that point is not to be considered as riparian to the other stream. The fact that the streams are of different size, or that both lie in one general water shed, or drainage basin, should not affect the rule, nor should it be changed by the additional fact that the two water sheds are separated merely by the summit or crown of a comparatively low table land, or mesa, as it is called in the evidence, and not by a sharp or well defined ridge, range of hills or mountains. The reasons for the rule are the same in either case. In some cases it may be difficult to distinguish the line of separation. This seems to have been a case of that sort. Nevertheless we think there is evidence sufficient to support the findings of the court that there is a dividing line between the two water sheds and that the land irrigated by defendants lies upon the slope which descends into Mill creek. It is not necessary to discuss this evidence in detail.

The evidence also supports the finding that the land so irrigated by the defendants does not abut upon, or extend to, the river. If the owner of a tract abutting on a stream conveys to another a part of the land not contiguous to the stream, he hereby cuts off the part so conveyed from all participation in the use of the stream and from riparian rights therein, unless the conveyance declares the contrary. Land thus conveyed and severed from the stream can never regain the riparian right, although it may thereafter be reconveyed to the person who owns the part abutting on the stream, so that the two tracts are again held in one ownership. (*Boehmer v. Big Rock C. I. Dist.*, 117 Cal. 26; *Alta Land Co. v. Hancock*, 85 Cal. 229; *Lux v. Haggins*, 69 Cal. 424; *Watkins L. Co. v. Clements*, 98 Tex. 578; 86 S. W. 835, 2 *Farnham on Waters*, 1572, sec. 463a.) All the land belonging to the defendants including the Smith tract which was in part irrigated, was originally a part of the Jurupa Rancho, which abutted upon the river. The original owner of that Rancho subdivided it by arbitrary lines, corresponding to the government surveys, and sold and conveyed it in parcels according to that survey. Under the rule above stated, the conveyance by him of a tract not contiguous to the stream would sever such tract from the riparian interest and deprive it of subsequent participation in the use of the water of the river, the right to which previously attached to the entire rancho. The tract which includes the irrigated land of the defendants is not at any point contiguous to the river. At the time the action was begun it was owned by the defendant, Smith. He was not the owner of any adjoining land which lay contiguous to the river. After the action was begun he conveyed this land to certain of the other defendants, some of whom owned adjoining lands extending from the Smith land to the river. This subsequent conveyance gave those defendants a continuous ownership of land extending from the river to and including the Smith land. This continuous ownership, however, did not confer upon the Smith land the riparian rights of which it was deprived, when Smith, or his predecessors, obtained it by a conveyance which severed it from the portion of the Jurupa Rancho abutting upon the river.

It seems to be contended that, for the purpose of determining what lands are riparian, the river is to be considered as including all the space through which its underground flow extends, as well as that occupied by the surface stream. It is claimed, and apparently conceded by the respondents, that the Smith tract, at one or two of its angles, extends into the low bottom under which the underground water flows or percolates, and upon this circumstance riparian rights are asserted to accrue. It is not necessary here to decide what rights to the use of the underground flow of a stream may by virtue of its position, attach to land which abuts upon, or extends

into or over such waters, but does not extend to the surface stream. We are certain that such location of the land, with relation to the stream, does not carry the right to divert water from the surface stream, conduct or transport it across intervening land to the tract thus separated from such surface stream, and there apply it to use on the later to the injury of lands which abut upon the proper banks of the surface stream, and hence, that even if the Smith land were within the water shed, such location upon the underground flow does not justify the diversion the defendants were making from the surface stream for use upon that tract.

3. It is further contended that the plaintiffs' land is in no wise damaged by the diversion complained of, and hence, that the diversion cannot be enjoined. Upon this proposition the decisions of this court, and the general principles of law regarding injunctions, are against the theory of the defendants. In *Southern Cal. I. Co. v. Wilshire*, supra, speaking of the right of a lower riparian proprietor to enjoin a diversion of a part of the stream for use outside of the watershed of the stream, leaving enough in the stream for any use which had heretofore been made, or was then proposed to be made, by the lower riparian proprietor on his land, the court said: "It is not necessary in such cases, for the plaintiff to show damages, in order that it may be entitled to a judgment. It is enough if it appears that the continuance of the acts of the defendants will deprive it of a right of property, a valuable part of its estate. The taking of the water beyond the water shed would, therefore, be an injury to the plaintiffs' riparian right which, under the pleadings and findings in the case, the plaintiff was entitled to have enjoined," citing *Moore v. Clear L. W. Co.*, 68 Cal. 146; *Stanford v. Felt*, 71 Cal. 249; *Heilborn v. Fowler S. C. Co.*, 75 Cal. 426; *Conklin v. Pac. I. Co.*, 87 Cal. 296; *Walker v. Emerson*, 89 Cal. 456; *Sparburg v. Heard*, 90 Cal. 221. All of these authorities fully sustain the proposition to which they are cited. In *Stanford v. Felt*, supra, the court says: "Nor is the owner lower down the stream required to show, in order to produce an injunction, any actual present damage. The diversion, by lapse of time, may grow into a right, (citing authorities.) To prevent such result, an injunction will be awarded." The same proposition is reiterated in opposition to the above decisions, in the case of *Modoc L. & L. Co. v. Booth*, 102 Cal. 151, and *Vernon I. Co. v. Los Angeles*, 106 Cal. 243, 256. In the *Modoc* case, however, it appeared that "during the months of June, July, August and September, when respondent used the small quantity of water appropriated by him, the full flow would have worked an injury rather than a benefit to appellants, and they sought to avoid the injury by maintaining expensive diverting and drainage works," to turn off the water and keep their lands from being overflowed. The decision was evidently based on the doctrine, stated in some of the decisions, that a diversion of water during times of extraordinary floods, which does not perceptibly diminish the stream below, will not be enjoined. (*Edgar v. Stevenson*, 70 Cal. 286; *Heilborn v. S. V. & W. Co.*, 80 Cal. 194; *Fildes v. S. V. & W. Co.*, 130 Cal. 552; *Blacks Pom. Water Rights*, sec. 75.) Unless it can be so reconciled, the case is contrary to all the other decisions of this court above cited and to the settled principles of law, and must be disregarded. In *Vernon I. Co. v. Los Angeles*, the plaintiff was not claiming any injury or damage by virtue of his riparian ownership, but was asserting the right to divert water for use upon lands not riparian, against the city of Los Angeles, which was asserting its pueblo rights, and what was said in that case, with respect to the necessity of showing injury, must be taken with the qualifications made evident by the character of the case and by the concurring opinion of Mr. Justice McFarland. The conditions existing in those cases do not exist in the case at bar. The court finds, on sufficient evidence, that the diversion of the defendants, if allowed, would render plaintiffs' land much less fertile and valuable. The defendants do not propose to limit the diversion to times of high water, but, on the contrary, they will take it during the time of its greatest scarcity. There is no question of the diversion of flood water involved in the case. The right which they assert, is the right to take the ordinary water of the stream, and hence, the doctrine of the *Modoc* case does not apply.

On this point the defendants cite several cases in which it is held that a lower riparian owner cannot enjoin a diversion of another riparian proprietor above, unless he can show that such diversion works damage to him and that it is more than the just proportion of the water to which the upper owner is entitled. Such decisions are not applicable to this case. Riparian owners have correlative rights in the stream, and neither is a trespasser against the other, until he diverts more than his share and injures and damages the other thereby. Here the defendants were not, with respect to the land irrigated, riparian owners, but were trespassers on plaintiffs' property rights from the beginning, and the continuance of the trespass for a sufficient time, would divest the right of the plaintiffs with respect to the water diverted. The same distinction exists with respect to cases cited involving the taking of percolating water for use by one owner upon his land, to the detriment of other land over the same saturated plane. The rights in such cases are correlative, and if an injunction can issue at all therein, it can be only when one owner takes more than his due proportion and damages to the other ensues from such excessive taking.

The defendants urge that, inasmuch as the plaintiffs need but four hundred inches of water for their land, and there remained in the stream, after defendant's diversion, more than two thousand inches, which flows down to and beyond the plaintiffs' land, and which is more than they can possibly use thereon, that it therefore follows that no damage can ever ensue, even if the diversion is unlawful and should ripen into a prescriptive right by continuance, and hence, that their diversion should not be enjoined. The theory of the law of riparian rights in this state is that the water of a stream belongs, by a sort of common right, to the several riparian owners along the stream, each being entitled to sever his share for use on his riparian land. The fact that a large quantity of water flows down the stream by and beyond the plaintiffs' land, does not prove that it goes to waste, nor that the plaintiffs are entitled to take a part of it, as against other riparian owners or users below. Nor can it be said that plaintiffs, on account of the present abundance, could safely permit defendants to acquire, as against them a right to a part of the water. The riparian right is no lost by disuse, and other riparian owners above may take, or others below may be entitled to take, and may insist upon being allowed to take, all of the stream, excepting only sufficient for the plaintiffs' land. In either alternative, the taking of a part of the water by the defendants would not leave enough for the plaintiffs' use. There is nothing in this case to show how much water is required above and below by those having rights in the stream. In view of the well-known aridity of the climate, and the high state of cultivation in the vicinity, the court could almost take judicial notice that in years of ordinary rainfall there is no surplus of water in the stream over that used by the various owners under claim of right. But, however this may be, it is settled by the decisions above cited and that a party, situated as the plaintiffs are, can enjoin an unlawful diversion, in order to protect and preserve his riparian right.

The findings support the judgment, and we are unable to perceive any substantial or material conflict in them. We find no error in the record. The judgment and order are affirmed.

We concur: ANGELLOTTI, J. SLOSS, J.

Superstitious Bonapartes.

The Bonapartes always were superstitious, especially the mother of Napoleon. She always had a presentiment that the rise and fall of her family would occur in the same century, that the glory which was prophesied for them would be followed by disaster. And the prediction was verified. She died in her eighty-seventh year, having lived long enough to see the downfall of all her children.

Napoleon I always feared Dec. 2 as an unlucky day, and it is related of him that before every important battle he would throw dice to ascertain if he were to lose or win. The "red men" whom he always saw going to battle with him was a delusion that caused him much suffering.—Toronto Saturday Night

Walk on Easy Street

Get rid of that painful corn or bunion.

When relief and cure are to be obtained

Indian Corn Leaf

will do the work quickly and without causing a particle of pain. It is the new way of treating corns, bunions or callous. Cut off a piece of the leaf, apply it to the corn, relief comes instantly after which the corn is removed entirely. It is harmless and totally unlike any other remedy. We have testimonials from all over the U. S., of its wonderful cures, and the cost is only 20 cents, sent by mail for ten two cent stamps and our booklet how to treat the feet. "Indian Pile Ointment" cures Piles, price 50 cents. Agents make money selling these wonderful remedies. Write for terms. Address: BOND SUPPLY CO., BOND BUILDING, WASHINGTON, D. C.

Run-down People



NEED VINOL

the modern strength creator and body builder

Many people right here in this vicinity are all run down and hardly able to drag about—don't know what ails them.

"Such people need Vinol, our cod liver preparation without oil, which contains in a highly concentrated form all of the medicinal and strengthening elements of cod liver oil actually taken from fresh cods' livers, but from which the useless oil is eliminated and tonic iron added."

We ask every man, woman and child in this vicinity who is run down, tired and debilitated to try Vinol on our offer to return money if it fails.

Mullinix Drug Store

Sunset phone 494. P. O. Address R.F.D. No.

Theo. Ford

Grower of Ford's Soft Shell Walnut Trees: 2 1/2 miles West of Orange, Anaheim Road. Orange, California.

VICTOR MONTGOMERY

ATTORNEY-AT-LAW Attention given to Probate Business Commercial Bank Building. Santa Ana Tel. Black 7912 au23-6m

F. C. SPENCER

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Frank Baum REAL ESTATE

Center Street City and County Property Agent for Anaheim

Bay City Property

DR. W. W. ADAMS

OSTEOPATHIC PHYSICIAN Graduate of American School of Osteopathy at Kirksville, Mo. Office and Residence: 126 Philadelphia St. Office Hours: 10 to 12; 1 to 4. Phone No. Main 77

W. H. SYER, M. D.

Physician and Surgeon Office and residence in Hart Building, next to City Hall (formerly Dr. Bickford's). Office hours, 10 to 12 a. m., 2 to 4 p. m., 7 to 8 p. m. Telephone No. Main 74 ANAHEIM CAL

J. L. BEEBE, M. D.

PHYSICIAN AND SURGEON. Office cor. Center and Palm Streets. Office hours: 11 to 12, m. 2 to 4, 7 to 8 p. m. Phone Main 21. ANAHEIM, CAL.

H. A. JOHNSTON, M. D.

Office and Residence Cor. Los Angeles and Broadway Sts. Phone Main 56. Hours: 2 to 4 p. m.; 7 to 8 p. m. Sundays, 2 to 4 p. m., by appointment. ANAHEIM, CAL.

RICHARD MELROSE

ATTORNEY-AT-LAW AND NOTARY PUBLIC Office Center St. Special attention given to Probate Matters ANAHEIM, CAL.

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Keeps on hand a Large and complete stock of liquors, wines and cigars. Cold beer always on draught.

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GA SNOW & Co.

[CORRESPONDENCE OF THE GAZETTE]

The automobiles of Senators become unruly just the same as do those owned by less noted folk. Senator Knox of Pennsylvania, whisked up to the White House one cold day this week, stepped out of his "palace on

Japan has made rapid strides in its naval strength during the last two years. The bureau of naval intelligence gives Japan an active navy, consisting of eleven battleships, nine armored cruisers, twenty-two cruisers, fifty-four destroyers, seventy-nine torpedo boats, nine submarines and three coast defense vessels. It has under construction two battleships, four armored cruisers and one cruiser, but no smaller vessels.

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C. E. ROTHARMEL,
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Choice Softshell Walnut Trees. Size, from 10 feet down. Apply, 1 1/2 miles south of town, near semaphore tower. Phone Sub 337. WM. PANNIER.
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ANAHEIM,

CALIFORNIA

Infamous Legislative Act

Continued from Page 1

RESOLUTIONS

The merchants and manufacturers' association of Los Angeles on Monday passed the following resolutions against the Stanton grab:

Whereas, A bill has been introduced in the state legislature, having for its object the annexation of part of Orange county to Los Angeles county; and

Whereas, To our knowledge the people of neither county have expressed a desire for such action; and

Whereas, In our opinion no necessity or cause exists for the division of Orange county and the addition of that territory to Los Angeles county; therefore, be it

Resolved, By the board of directors of the merchants' and manufacturers' association that public policy and the mutual interests of both counties as they exist at the present time, and we therefore urgently request our delegates to the legislature to vote and work against said bill.

Merchants' and Manufacturers' Association of Los Angeles, California.
F. J. Zeehandler, Sec.
J. M. Snyder, Pres.

By the board of supervisors of Orange county, California:

Whereas, A certain bill has been introduced into the legislature of this state for the purpose of changing the boundary line between Orange county and Los Angeles county, whereby certain territory will be cut off from Or-

ange county and added to Los Angeles county, and

Whereas, The territory proposed to be cut off from Orange county rightfully belongs to this county and contains an important part of this county which has been developed in Orange county to a condition which makes it an important part in its taxable resources, and

Whereas, Orange county is now and since its formation has been by far the smallest of the Southern California counties, and that this county is as small in territory and resources as can successfully be conducted at this time, and

Whereas, The board of supervisors of Orange county has always been in favor of and advocated the interests of all parts of the county and especially of the territory proposed to be cut off, and

Whereas, The territory proposed to be cut off has always had its full share of taxes levied for road, school and other purposes, and

Whereas, No request or petition has ever been presented to the board of supervisors by the people residing in said territory for the purpose of cutting off said territory, from this county, and

Whereas, The proposed change was conceived and is fostered by real estate speculators for their own personal advantage and not for the benefit of the resident tax payers of the section involved, therefore, be it

Resolved, by the board of supervisors of Orange county, That it most emphatically protests against the proposed change of boundaries and that

this board characterize such an attempt to cut off any part of the territory of this county as unwarranted and unjust to all of the inhabitants of this county. Be it further

Resolved, That the board of supervisors of Orange county absolutely and unqualifiedly condemn such action; and that our representatives of this county in the state legislature are requested to use every means within their power and influence to combat and defeat said measure. And be it further

Resolved, by the board of supervisors of Orange county, that a copy of these resolutions be sent to our representatives in the state legislature and to the chambers of commerce and manufacturers' associations of Los Angeles, Anaheim, Fullerton, Orange, Huntington Beach and Santa Ana, requesting them to use all lawful means within their power to defeat this unwise and unjust measure.

The office hours of Dr. Roberts, the eye specialist in the Federman building will be on Saturdays hereafter. Other hours by appointment. Dr. Roberts keeps an automobile to visit patients at their homes, when for any reason they can not, or do not care, to come to the office.

Huntington Beach

Since the first of the year the loss to the celery growers, from the scarcity of cars alone has amounted to 900 cars, according to estimates, and there is no relief from the railway in sight at this time. In the meantime the celery is

going to seed and thus passing the stage which renders it a total loss. The growers have already abandoned, says Mr. Hazeltine, from 1200 to 1500 acres of what was excellent celery. They have gotten out scarcely enough to meet the expenses of the season. The profits that would have come to them had transportation been furnished, is going to waste in the fields. If the car famine continues for the next thirty days, as it has been since the first of the year, the loss to the growers for the season will be from \$200,000 to \$225,000. Many orders have been canceled in the eastern markets. This loss is a great disappointment to the celery growers, after many months of hard work and expense, but they are not grumblers by any means and expect to launch into the industry again next season, hoping to win in the end.

FOR SALE

First-class Budded Perfection Walnut trees by Wm. Tyler and E. G. Ware, Garden Grove, Cal. jan31-4t

The Board of Supervisors on Tuesday cut the pile and made appointments that have been hanging fire for six weeks. They appointed Dr. C. D. Ball of Santa Ana, County Physician; Dr. W. A. Boucher of Anaheim, County Veterinarian; A. B. Tiffany of Orange, custodian of the County Park; J. E. Pleasants of Silverado Canon, Bee In-

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spector; M. B. Patton of Santa Ana, Courthouse park gardener; G. M. Benedict of Santa Ana, Courthouse janitor; J. F. Walker, of Anaheim, member of the Board of Education, to fill the unexpired term of W. R. Carpenter, who was elected County Superintendent of Schools.

The local High School will meet Throop Polytechnic Institute in debate on March 23, at Anaheim. The question is, Resolved, That the ability of a court to issue a preliminary injunction previous to a judicial determination of the equity of a case, is a dangerous power, the exercise of which should be made legally impossible. Anaheim takes the affirmative and Throop the negative. Anaheim will be represented by Messrs. Firebaugh and Carmichael.