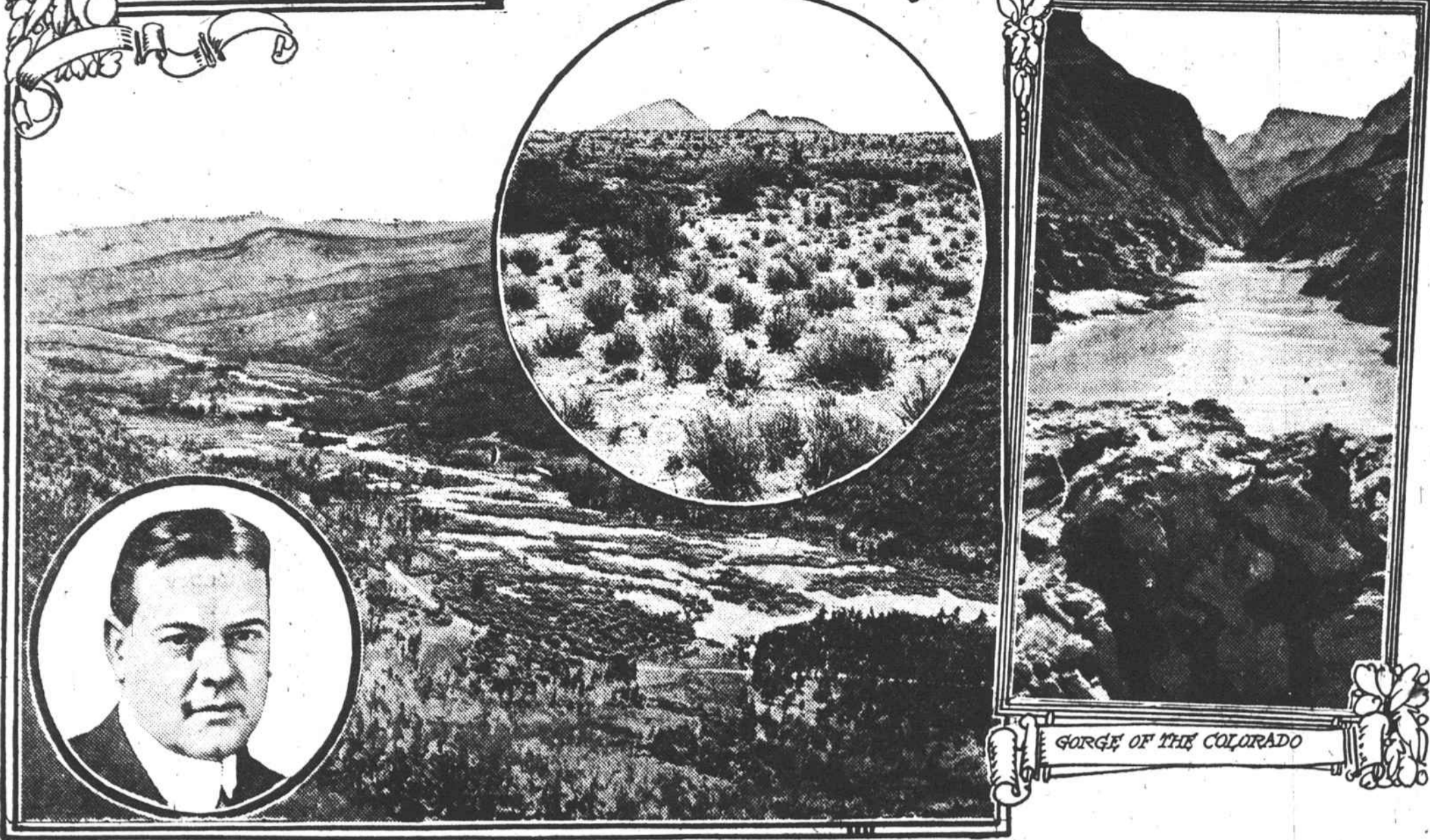


# Seven States Sign Colorado Compact



HEADWATERS OF GRAND RIVER, COLORADO



EVEN sovereign states of the Union—Arizona, California, Colorado, Nevada, New Mexico, Utah and Wyoming—have met in the historic Palace of the Governors in Santa Fe, have come to an amicable conclusion regarding the much-vexed question of the control, disposition and use of the waters of the Colorado river and have signed a compact which is subject to ratification by the legislature of each of the seven signatory states and by congress. In so doing these seven states of the Colorado River basin have—

Settled by treaty instead of by resort to the United States Supreme court fundamental and vitally important interstate rights;

Settled at small expense within 11 months after the appointment of the commission a multitude of disputes that threatened years of litigation blocking the development of the Colorado basin;

Set a precedent in American history;

Taken the first step toward the creation of an empire within an empire, the development of which taxes the imagination and will affect individual living from coast to coast.

The headwaters of the Colorado river, as the map shows, are in Wyoming just south of Yellowstone National park, and in northwestern Colorado. Water flowing from Milner pass in the Rocky Mountain National park falls 10,750 feet on its course to the sea. The Green and the Grand come together in Utah to form the Colorado. The Colorado in Arizona flows through Grand Canyon National park. It empties into the Gulf of California in Mexico. It is nearly 2,000 miles in length and more than a score of rivers contribute their waters. It irrigates and annually menaces with floods the Imperial and Palo Verde valleys in California and the Yuma valley in Arizona. Its basin totals 242,000 square miles of American territory.

It is no exaggeration to say that the original contentions of the seven states were so far apart that an agreement seemed hopeless. But Herbert Hoover, secretary of commerce, appointed by President Harding as the representative of the United States, was there as chairman of the commission. Enough said! The compact has been signed by the representatives of the seven warring states and bears this: "Approved. Herbert Hoover."

Following is the official text of the compact, with the omission of certain technical details not necessary to a comprehensive understanding of the whole:

"The States of Arizona, California, Colorado, Nevada, New Mexico, Utah and Wyoming having resolved to enter into a compact under the act of the congress of the United States of America approved August 19, 1921 (42 Stat. L. p. 171), and the acts of the legislatures of the said states have through their governors, appointed as their commissioners W. S. Norviel, for the State of Arizona; W. F. McClure, for the State of California; Deph E. Carpenter, for the State of Colorado; J. G. Scrugham, for the State of Nevada; Stephen D. Davis, Jr., for the State of New Mexico; R. E. Caldwell, for the State of Utah; Frank C. Emerson, for the State of Wyoming, who after negotiations participated in by Herbert Hoover, appointed by the President as the representative of the United States of America, have agreed upon the following articles:

"Article I. The major purposes of this compact are to provide for equitable division and apportionment of the use of the waters of the Colorado river system, to establish the relative importance of different beneficial uses of water, to promote interstate comity, to remove causes of present and future controversies, and to secure the expeditious agricultural and industrial development of the Colorado River basin, the storage of its waters, and the protection of life and property from floods. To these ends the Colorado River basin is divided into two basins, and an apportionment of the use of part of the water of the Colorado River system is made to each of them with the provision that further equitable apportionments may be made.

"Art. II. As used in this compact: (A) The term 'Colorado River system' means that portion of the Colorado river and its tributaries within the United States of America. (B) The term 'Colorado River basin' means all of the drainage area of the Colorado River system and all other territory within the United States of America to which the waters of the Colorado River system shall be beneficially applied. (C) The term 'States of the upper division' means the States of Colorado, New Mexico, Utah and Wyoming. (D) The term 'States of the lower division' means the States of Arizona, California and Nevada. (E) The term 'Lee Ferry'

means a point in the main stream of the Colorado river one mile below the mouth of the Paris river (extreme southeast corner of Utah). (F) The term 'upper basin' means those parts of the States of Arizona, Colorado, New Mexico, Utah and Wyoming within and from which waters naturally drain into the Colorado River system above Lee Ferry and also all parts of said states located without the drainage area of the Colorado River system which are now or shall hereafter be beneficially served by waters diverted from the system above Lee Ferry. (G) The term 'lower basin' means those parts of the States of Arizona, California, Nevada, New Mexico and Utah within and from which waters naturally drain into the Colorado River system below Lee Ferry, and also all parts of said states located without the drainage area of the Colorado River system, which are now or shall hereafter be beneficially served by waters diverted from the system below Lee Ferry. (H) The term 'domestic use' shall include the use of water for household, stock, municipal, mining, milling, industrial, and other like purposes but shall exclude the generation of electrical power.

"Art. III. (A) There is hereby apportioned from the Colorado River system in perpetuity to the upper basin and to the lower basin, respectively, to exclusive beneficial consumptive use of 7,700,000 acre-feet of water per annum, which shall include all water necessary for the supply of any rights which may now exist. (B) In addition to the apportionment in paragraph (A) the lower basin is hereby given the right to increase its beneficial consumptive use of such waters by 1,000,000 acre-feet per annum. (C) If, as a matter of international comity, the United States of America shall hereafter recognize in the United States or Mexico any right to use of any waters of the Colorado River system, such waters shall be supplied first from the waters which are surplus over and above the aggregate of the quantities specified in paragraphs (A) and (B), and if such surplus shall prove insufficient for this purpose, then the burden of such deficiency shall be equally borne by the upper basin and the lower basin, and whenever necessary the states of the upper division shall deliver at Lee Ferry water to supply one-half of the deficiency so recognized in addition to that provided in paragraph (D). (D) The states of the upper division will not cause the flow of the river at Lee Ferry to be depleted below an aggregate of 75,000,000 acre-feet for any period of 10 consecutive years reckoned in continuing progressive series beginning with the first day of October next succeeding the ratification of this compact. (E) The states of the upper division shall not withhold water, and the states of the lower division shall not require the delivery of water which cannot reasonably be applied to domestic and agricultural uses. (F) Further equitable apportionment of the beneficial uses of the waters of the Colorado River system unapportioned by paragraphs (A), (B), and (C) may be made in the manner provided in paragraph (G) at any time after October 1, 1963, if and when either basin shall have reached its total beneficial consumptive use as set out in paragraphs (A) and (B). (G) is omitted.

"Art. IV. (A) Inasmuch as the Colorado river has ceased to be navigable for commerce and reservation of its waters for navigation would seriously limit the developments of its basin, the use

of its waters for purposes of navigation shall be subservient to the uses of such waters for domestic, agricultural and power purposes. If the congress shall not consent to this paragraph, the other provisions of this compact shall nevertheless remain binding. (B) Subject to the provisions of this compact, water of the Colorado River system may be impounded and used for the generation of electrical power, but such impounding and use shall be subservient to the use and consumption of such water for agricultural and domestic purposes and shall not interfere with or prevent use for such dominant purposes. (C) The provisions of this article shall not apply to or interfere with the regulation and control by any state within its boundaries of the appropriation, use, and distribution of water.

"Art. VI. Should any claim or controversy arise between any two or more of the signatory states: (A) with respect to the waters of the Colorado River system not covered by the terms of this compact. (B) Over the meaning or performance of any of the terms of this compact. (C) As to the allocation of the burdens incident to the performance of any article of this compact or delivery of waters as herein provided. (D) As to the construction or operation of works within the Colorado River basin to be situated in two or more states or to be constructed in one state for the benefit of another state; or (E) as to the diversion of water in one state for the benefit of another state. The governors of the states affected, upon the request of one of them, shall forthwith appoint commissioners with power to consider and adjust such claim or controversy, subject to ratification by the legislatures of the states so affected.

"Nothing herein contained shall prevent the adjustment of any such claim or controversy by any present method or direct future legislative action of the interested states.

"Art. VII. Nothing in this compact shall be construed as affecting the obligations of the United States of America to Indian tribes.

"Art. VIII. Present perfected rights to the beneficial use of waters of the Colorado River system are unimpaired by this compact. Whenever storage capacity of 5,000,000 acre-feet shall have been provided on the main Colorado river within or for the benefit of the lower basin then claims of such rights, if any, by appropriators or users of water in the lower basin against appropriators or users of water in the upper basin shall attach to and be satisfied from water that may be stored not in conflict with Article III. All other rights to beneficial use of waters of the Colorado River system shall be satisfied solely from the water apportioned to that basin in which they are situated.

"Art. IX. Nothing in this compact shall be construed to limit or prevent any state from instituting or maintaining any action or proceeding, legal or equitable, for the protection of any right under this compact or the enforcement of any of its provisions.

"Art. X. This compact may be terminated at any time by the unanimous agreement of the signatory states. In the event of such termination all rights established under it shall continue unimpaired.

"Art. XI. The compact shall become binding and obligatory when it shall have been approved by the legislature of each of the signatory states and by the congress of the United States."

"The big thing about the Colorado river compact," says Secretary Hoover, "is that it breaks the blockade on development of the whole river. It allows us all to go ahead with river development and with flood protection to the Imperial and Yuma valleys."

"The first step is to settle the controversy between the upper and lower districts of the Colorado basin. There can be no development until that is settled. Ratification by the states of the pact agreed upon by the Colorado River commission will speedily accomplish this. If the matter is forced into the Supreme court it may require years.

"Yet, behind all the precise and commonplace language of this compact lies the greatness and romance of the West, the building of a million more homes out under the blue sky in security and good will."

While the commission made no recommendation concerning the site of the dam. Mr. Hoover said he favored its construction at or near Boulder canyon. This is below the Grand canyon and close to the line between Arizona and Nevada.

The annual flow of the Colorado is, about 20,000,000 acre-feet. One-third of this is now used.

## SHIPMAN ASKS PRINTING PROBE

RESOLUTION IN BOTH HOUSES DIRECTS LEGISLATIVE INVESTIGATION.

## WILL INTRODUCE GAME LAW

Frank Ray Presents Bill to Repeal Marriage Health Certificate Law of 1921.

Raleigh.—Introduced in both houses of the general assembly was a resolution directing an investigation, by the printing committees of both bodies, of the printing contracts made by the state department of labor and printing, and of charges which the resolution alleges were made by Edwards and Broughton Printing Co., of Raleigh, one of the five state printers, to the effect that the state work had been unfairly allotted.

This resolution was introduced by Senator A. E. Woltz, of Gaston county, and Representative J. B. Sherrill, of Cabarrus county, both explaining that it was at the request of M. L. Shipman, commissioner of labor and printing. It asks for an inquiry to discover whether any state official or employe has been guilty of "unethical or improper conduct," in management of the state printing contracts. Preceding the introduction in the house of this resolution, Representative Neal, of McDowell county, had introduced a resolution calling for "investigation of the state printing."

Representative J. Frank Ray of Macon county, would seek to repeal the laws of 1921 which require a medical certificate before the issuance of a marriage license. Representative T. E. Owens, of Sampson, would require the listing of separate stocks by individuals. Nine additional house committees were announced.

Following are listed the nine additional committees appointed by the house, together with their chairmen:

Printing, John B. Sherrill, of Cabarrus county.

Public service corporation, M. Leslie Davis, of Carteret county.

Oyster industry, Charles H. Grady, of Dare county.

Deaf and dumb, L. A. Nowell, of Bertie county.

Caswell training school, T. E. Whitaker, Guilford county.

Public roads and turnpike, Clayton Moore, of Martin county.

Education, H. G. Connor, Jr., of Wilson county.

Finance, R. A. Doughton, of Allegheny county.

Appropriations, W. N. Everett, of Richmond county.

Proposed legislation to be offered in the lower house by Representative J. E. L. Wade of New Hanover will apply local option to free text books and provide far-reaching supervision and protection of all birds and wild animals in the State under the administration of a game commission and a State Game Warden.

In his law providing for free text books Mr. Wade would give the trustees or committeemen of each school district the authority to provide funds for purchasing such books as may be needed in the schools under their jurisdiction through the appropriation of local funds. It removes the burden from the State treasury and places it entirely on local resources.

In his game law Mr. Wade would provide for the dissolution of the old Audubon society and the establishment of a game commission of three members appointed by the Governor with power to elect a State Game Warden who in turn has power to appoint local game wardens for the enforcement of all game laws.

Drastic powers are given in the bill to the Game Warden including authority to amend or change the schedule of open seasons which are provided in uniform scale for the entire State in the bill. He will also have power to enforce the provisions of the measure governing the number of various game birds and animals that may be taken by a hunter in one day.

Regulations are also included as to the size and types of traps and snares that may be set for birds and beasts with the provision that anybody setting a bear trap must post notices of its location in three public places. Hunting wild geese and other water birds from airplanes is prohibited.

Some birds are outlawed in the bill and prices set on their heads. County Commissioners may pay 50 cents a head for chicken hawks but none for sparrow hawks. Guns larger than ten gauge for hunting are prohibited and in hunting deer the creature must be not taken in water that reaches above its knees.

### New Corporations.

Charters were filed with the Secretary of State for the following corporations to do business in North Carolina:

Payne's Auto Works, of Charlotte, with \$25,000 authorized capital and \$1,500 subscribed by A. M. Marshall, R. N. Payne and J. Ralph Rone, all of Charlotte.

Autora Co., of Winston-Salem, with \$300,000 authorized capital and \$500 subscribed by A. H. Hollis, of Winston-Salem; Lester P. Latham and M. A. Hodgkin, all of Winston-Salem.

### State Farm Loan System Proposed.

What is regarded by the authorities as a vital relief for the small farmer and a practical means of meeting the important problem and encouraging intensive farming, is proposed in a bill provided for a State Farm Loan Commission to lend money for the purchase of land from a bond issue of \$2,500,000 offered in the Senate by Senator D. P. Giles, of McDowell.

"There is no reason why any person in North Carolina should ever own a head of lettuce or anything else grown in Florida and my bill will put a stop to all that," declared Senator Giles.

Fruit orchards in the West and truck farms in the Piedmont and Eastern sections of the State are the dreams of the Senator from McDowell and he is prepared to make the fight of his life to see them enacted into law and his career has given him a reputation as one of the hardest and most effective fighters in either branch of the General Assembly.

"Do you think the bill will pass?" he was asked, "I know it will," was the confident reply.

Senator Giles proposes a commission of which the Commissioner of Agriculture shall be ex-officio chairman and the State Treasurer ex-officio secretary, with three other members to be appointed by the Governor. Loans would be restricted to farms of not less than 50 nor more than 100 acres and loans would bear interest at a rate of one and one-fourth per cent greater than interest paid on the bonds issued by State and loans would be payable in 18 annual installments, the first falling due two years after the date of issue and all of them becoming payable upon the forfeiture of anyone.

The machinery further provides for a loan association in each county composed of the clerk of the superior court, the chairman of the board of county commissioners and the chairman of the board of education. This body would pass on all applications of loans arising in its county and only loans approved by it would be submitted to the state board.

Senator Giles has an open mind on amendments to his measure, though he will insist upon the main idea. Already, he is preparing an amendment providing a scheme for even closer co-operation with the extension bureau of the department of agriculture than would be assured by making the Commissioner of Agriculture the head of the board. Under this plan, the extension service would be charged with the duty of making investigations of the character of farming best designed for the agricultural improvement of each section of the state and these recommendations may be written into the regulations governing loans, so that only farmers intending to use improved methods and raise crops suitable to the localities in which they live will be given the preference in securing loans.

"This bill, which simply means that the state pledges its credit to the relief of the farmer, will mean that in two years from 1,000 to 1,200 farms can be bought and after that payments will begin coming in and the board will have a revolving fund that will do incalculable good," stated the Senator from McDowell. Senator Giles thinks that the additional one and one-fourth per cent provided in his bill will be sufficient to pay the expenses of the board after the first two years.

Other Bills Proposed.

Abolition of the death penalty and exemption of service men from poll tax were embodied in short measures presented by Representative T. E. Owens, Republican, of Sampson. The prohibition bill offered by Representative Grist, of Caldwell, provides that the first conviction for making or selling liquor shall be classed as a misdemeanor, punished by a fine of \$100 to \$1,000, or imprisonment for not less than six months.

Second offenses carry no fine, but imprisonment for not less than one nor more than three years at hard labor in the State Prison. Third and subsequent convictions carry a penalty of not less than three nor more than 15 years penal servitude. Under a like schedule of penalties, persons arrested for drunkenness and refusing to disclose the source from which liquor was obtained, shall be punished as makers or sellers of liquor.

Other State-wide measures provide the requirement that every motor vehicle shall come to a full stop before crossing a railroad and another to provide similar safeguards for public ferries, another that will require horse drawn as well as motor drawn vehicles to carry lights while traveling the public roads at night, and the measure proposed by the Women's organization of the State making the unsupported testimony of a woman sufficient for conviction in seduction cases.

Senator Jones, of Warren, is sponsor for a bill to abolish in all counties where the clerk of the Superior Court is on a salary the ten cent fee for juror witness tickets now charged by clerks. The item is a considerable one in some counties, amounting to about \$750 a year in Wake county.

A. M. Kistler Will Succeed McBee.

Governor Morrison accepted the resignation of John C. McBee, Republican Highway Commissioner from the Eighth District, effective February 1, and as his successor, appointed Andrew M. Kistler, a business man of Morganton and a Republican. The name of Mr. Kistler will be sent to the Senate immediately.

The letter of resignation which was addressed to Governor Morrison after Mr. McBee had resigned in person at the Mansion, was made public by the Governor.