

CLASS OF SERVICE

This is a fast message unless its deferred character is indicated by the proper symbol.

WESTERN UNION

W. P. MARSHALL
CHAIRMAN OF THE BOARD

TELEGRAM

R. W. McFALL
PRESIDENT

SYMBOLS

DL=Day Letter

NL=Night Letter

LT=International Letter Telegram

The filing time shown in the date line on domestic telegrams is LOCAL TIME at point of origin. Time of receipt is LOCAL TIME at point of destination

PRA015 SSA026

1967 MAY 12 AM 7 55

PR LLA014 NL PD 4 EXTRA=PORTLAND ORG 11=

THE HONORABLE THOMAS L MCCALL=

GOVERNOR STATE CAPITOL BLDG SALEM ORG=

DEAR GOVERNOR MCCALL. MY WIFE AND I ARE OWNERS OF BEACH FRONT RESIDENTIAL PROPERTY IN TILLAMOOK COUNTY. WE FEEL THE DRY SAND AREA SHOULD BE DEDICATED TO THE PUBLIC'S USE. WE WOULD BE HAPPY TO DONATE THE USE OF THIS PORTION OF OUR BEACH FRONTAGE, UNDER PROPER SAFEGUARDS, TO THE PEOPLE OF OREGON IN THE SPIRIT OF THE GREAT HERITAGE LEFT TO THE PEOPLE OF THIS STATE BY GOVERNOR WEST. WE BELIEVE MANY OTHER

WU1201 (R2-65)

THE COMPANY WILL APPRECIATE SUGGESTIONS FROM ITS PATRONS CONCERNING ITS SERVICE

WESTERN UNION TELEGRAM

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CHAIRMAN OF THE BOARD

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1967 MAY 12 AM 7 5

BEACH FRONT OWNERS FEEL THE SAME WAY. SINCERELY=
BERNARD KRONER= 12619 SOUTHEAST SALMON COURT=.

MAY 12 1967

WU1201 (R2-65)

THE COMPANY WILL APPRECIATE SUGGESTIONS FROM ITS PATRONS CONCERNING ITS SERVICE.

826 N. E. 79th Avenue
Portland, Oregon 97213
May 14, 1967

Governor Thomas McCall
State Capitol Building
Salem, Oregon

Dear Governor McCall:

Thank you for your vigorous and thoughtful approach to the implications of House Bill 1601.

Oregon would never stop being sorry if we make it possible to spoil our beaches--they cannot be replaced. This natural beauty is part of our heritage and it is our duty to preserve it for the future. Let's leave Oregon beaches as they are!

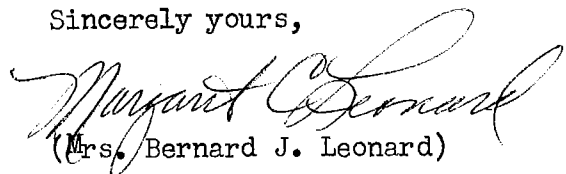
Governor Os West was right! It must have been difficult at that time to foresee the great changes in population and commerce that would come to Oregon by 1967, but because of his foresight it is now possible to effect a permanent preservation of the beaches for the public. Other states have allowed their seashore to become commercialized and garish. Don't let that happen here.

After reading the information in the Sunday, May 14, Oregonian, I would question that specification to be adequate. It would seem that endless complications would be possible in some locations because of it. (13.7' mark)

PRESERVE OREGON BEACHES AS THEY ARE. Once they are spoiled, they are spoiled.

The citizens of Oregon trust that you, as Governor, will protect this public heritage.

Sincerely yours,


(Mrs. Bernard J. Leonard)

Tualatin, Oregon
May 14, 1967

My dear Governor McCall -

Public ownership of the
Ocean beaches! Now.

After a 22 year tour of
Naval duty - ending in Japan -
I think we are about as
aware as any large family
can be, of the importance
of retaining the last great
areas of wild land - & free
land for the public.

We visited a beach
in small - once crowded Japan
before leaving - & it was a

really fun time for our
children, as well as for
mom & dad!

In tiny - over crowded Japan
just think what private
beach ownership could do?

Just think again? -
One very small fraction of
the Japanese population
could prevent the use of
those beaches; or relegate
the public to the ^{less} ~~undesirable~~
parts & control the hours
of time the public could
comfortably use the beach!

It would take only
the people - able to buy
the property - to restrict
Japanese children from

experiencing the thrill &
excitement of the ocean
tides -

How can there be any
doubt?

Regarding the litter &
careless public care of these
beaches - this is sad - &
truly regrettable! - No person
of any respect would
leave the beach this way.

Could not this be where
the restrictions arose - Not
only education - but pride
& the law?

The law protects us in
our homes - with seldom
the sight of a uniform;
why not the beaches - with

Laws regarding mis-use
stringent enough to re-
mind even the most
careless that they will
be held responsible - or
pay a price.

Do not the ocean beaches
of this nation also belong
to the midwesterners? -
How will the inland
children know the joy &
excitement of an hour
watching the tide roaring
in - or silently ebbing
to never never land?

Please - please - make a
strong stand. It shouldn't take
geologists to figure out the
beach land. Besides - the
lines are ever changing.

I am sure most people -
lucky enough to have
had the opportunity - &
cash - who own beach
property - realize how
fortunate they are to have
it. But why ~~the~~ restrict
the beach itself?

They are ex-Oregonians -
& our families have
been here many, many
years - but as an ex-
ample - how can a
man living years away
from home out of duty
to uniform & co-entruf -
hope to buy beach land -
so he can enjoy the
sand? Why should he?

Be strong Governor
McCall! We have seen
beautiful stretches of
America, in our ^{many coast to coast moves,} sacrificed to
land-hungry people - only
interested in the money
they could earn from the
land; not in how our
nation should live.

Protect us the inno-
cent public;

But; insist the
public realize the value
of the blessings they enjoy -
through education & strong
land enforcement -

Let Oregon lead the
way. God Bless you -
Margaret Arthur

May 16 1937

Room 17
Thompson School
1402 O.V.R. Thompson
May 15, 1967

The Honorable Tom McCall
Governor of Oregon
Salem, Oregon

Dear Sir,

Our fifth grade class of room 17 at Parkrose Thompson School is concerned about Oregon's Beaches. We think the beaches should be for everyone. Our class believes that everyone should be able to walk the full length of the Oregon Coast line in the dry sand. We come to the beaches to play in the dry sand not the wet sand and mud. The people who are buying the land are being selfish to future generations. We're sure that the lawmakers of Oregon didn't intend it to be this way.

Sincerely,

The Class of Room 17
Laura Allen

(over)

MAY 17 1967

Linda Potesta

Greg Klocko

Doug Backman

Barbara Hoff

Samona Marie Sayers

Ron Johnson

Tim Bither

Maureen See

Rod Lewis

Dana Harrington

Wallace Edstrom

Gnn Rubstello

Widdy Weeks

Alan Morasch

Robert Chaffee

-S tere Corbett

Janet Taylor

Tom Savage

Claudia Ta Vandehery

Phillip McArdle

Cindy Wilson

Jeff Ward

Terry Hoodway

Richard Regner

Barbara Bolton

Joe Rickless

Mari Lou Psihogios

P. O. Box 304
Scappoose, Oregon

May 17, 1967

The Honorable Representative Sidney Bazett
State Capital
Salem, Oregon

Dear Sir;

I would sincerely like to present my views on the technical aspects of the Beach Bill now being considered by your Highway Committee.

My professional qualifications are as follows;

- (1) Registered Land Surveyor of Oregon, No. 624.
- (2) Deputy County Surveyor of Columbia County.
- (3) Assistant City Engineer of St. Helens, Oregon.
- (4) Extensive experience in surveys of riparian properties and marine construction.

First, no attempt should be made to define the high water mark by statute. This is important because:

- (1) Riparian lands have all been patented to private owners under the common law definition of the high water mark, as interpreted by the Courts, and any change in definition would change the boundary, which would either take land without due process, or give land without written instrument. These practices are prohibited by the United States Constitution, The Oregon Constitution, and the Statute of Frauds.
- (2) Any other definition than that given by common law and the courts, is unworkable in practice. That is why the present law has ^{evolved} evolved; there are no other workable solutions.
- (3) The real high water mark cannot be determined by any simple rule. It requires professional evaluation of many factors such as vegetation, visible water marks, elevation, horizontal position, man made changes, improvements, etc. The savants and politicians who advocate a simple rule of using only one of these factors are simply not talking from experience, because it just won't work.

The problem of vague and changing boundaries has always existed with public roads and right of ways, and this problem has been settled very handily in the following ways:

- (1) The courts have always held that a survey by public authority has preference over private surveys or locations.
- (2) Adverse possession can not run against the public, but the public authority can make adverse claim against private owners.
- (3) Oregon Statutes give specific authority to County Courts to initiate surveys to determine the bounds of public roads as in O.R.S. 368, 585.

For statutes dealing with riparian or littoral rights, the term high water mark is sufficient to define the line. Surveyors have been finding high water marks for the last thousand years without insurmountable difficulty. There is a difference of opinion between surveyors, however; therefore it would be expedient to give control to public authority, and this system has long been successful in solving disputes over boundaries of public roads, which is of the same class.

The present controversy shows how much trouble can ensue from private ownership of land below high water mark. Therefore, it seems to me the best policy for the State is to assert the public right to lands below high water mark.

However; the actual determination of the high water mark should be left to authorized professional men who are actually working in the field and have all of the evidence in view. Where public authority prevails, this will give the nearest thing to stability that is possible for a boundary which is by operation of nature vague and unstable.

Sincerely Yours,

Robert M. Swarsy
Robert M. Swarsy

RS/gd

C.C. Gov. Tom McCall
C.C. Rep. Wayne Turner

Keep alive HB 1601 --- Don't compromise with the
100 yr. Heritage we Oregonians have enjoyed.

Sincerely
Barnaly Beckson
Portland, Ore

MAY 18 1967

May 16, 1967

Dear Governor McCall,

We mistakenly thought the fight to save the beaches was won. You have done a good job. Your trip to the beach and the agreement you drew up, were wonderful. I don't understand how that committee can be so blind to the public interest.

Please Gov. McCall keep fighting for the 16ft elevation and your other ideas. If it takes an initiative petition to guarantee ^{that} they will be carried out, support that.

Sincerely,

Mrs. D.R. Pedersen

P.S. The "we" means my husband and our four daughters.

May 15, 1967

Dear Governor McCall,

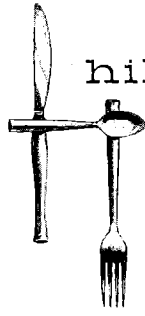
I am the public. I will stay in my 13
feet of dry sand, my wet sand, and my water.
Just make sure the Private doesn't use it,
too. They have their own beach.

Thank you,

The Public

P.S. That goes for the water too.

*Portland - P.M.
As the
The*



Hilaire's restaurants

office: 622 Southwest Washington Street
Portland, Oregon 97205
503 223-5192

May 15, 1967

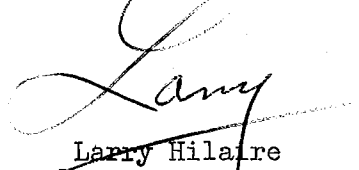
The Honorable Tom Mc Call
Governor of Oregon
Office of the Governor
Salem, Oregon

Dear Governor:

The beaches of Oregon must remain open and free to the citizens and their guests. Certainly this is our greatest Tourist asset and I know that Os West had this in mind when he passed the original authority.

As our Governor I hope that you will use your good office to perpetuate our heritage.

With warm personal regards
Yours most sincerely,


Larry Hilaire

LH:lc

MAY 17 1967



1216 E 10th St.
McMinnville, Ore
May 15 '67

Dear Governor

I hear over the air that you have come up with a formula for beach area.

This is very good, except that a distance or control of shore shape be included.

what to keep an owner taking a bulldozer and start moving his land seaward making an almost vertical face. The 2 ft contours are still there but no sea shore.

hopefully yours

Rex J. Bissell

May 17, 1967

Governor Tom McCall
Salem
Oregon

Dear Sir:

Thank you for your efforts
in preserving the beaches
for the public.

We love the beaches &
hope that none of it will
ever be taken over by
a minority.

It's beautiful the way it is.
I've seen the California beaches.
We hope it will never
happen here.

Thank you.

Sincerely,

Mr & Mrs Nelson C. Brudvig
Connie and Mark

2117 N. E. Anselworth
Portland Oregon 97211

MAY 20 1967

We truly admire the Stand you
are taking on the Ore Beaches.

Just try to get in free beach to walk
on along the Atlantic Ocean.

We have tried my daughter lives on the
East Coast. We must hurry to take our
Stand here before it is too late. Sincerely

Mrs E. E. Hoornis - 8843 15th Place
Portland Ore 97202

MAY 16 1957

Tolovana Park, Ore.

May 16-1967

The Hon. Guverner McCall.

Dear Sir.

I have been with you all the way on the fight for Oregon beaches. But I would like to call your attention to a matter we on the coast has never been able to get across to the Hwy. Commission.

That is to keep the cars off the beaches the small Motel operators are losing money as they are afraid to take their children on the beach to play.

I know as I am working at a small Motel, The Picture Window Cottages, at the 33 mile post on Hwy 101.

They drive all over the beach up to 70 M.P.H. and on one occasion my wife had to climb the bank to save herself from a bunch of punks.

Also we would have good clam digging if the cars were kept off the beach.

The people who claim they are experts
on claims claim no but we have proof
they are wrong.

I say and a lot of Motel operators say
if they are going to let the cars take over
the beaches that they might just as well
let the big Motel Operators fence the
whole of Oregon beaches.

We have good Hwy's to drive on, and if
the cars were kept off the beaches they
would be less garbage left on the beaches.
On a wet end you can stand on our
bank and see a devil devil Auto show
Pacing-Squinting running people into
the surf and up the banks.

It is only a few greedy shop keepers that
want the cars on the beaches, so they
can sell those kids beer-wine and soda
pop to litter the beaches with broken bottles
and beer cans.

I say if you want the beaches for the
people of Oregon and our Tourist trade
keep the cars where they belong. On the Hwy's.

We have had families come and stay from a week to a month and have told us they will not return as their children are not safe on the beach,

and the way Ocean front taxes are going up the small Motel Operators will have to fold up as they can not make enough to pay taxes, Insurance and upkeep on their property.

I am 75 yrs old and have voted Republican all my life. But if we are going to have men like big ear Monty Hatton and a few more with their hands in the tax payer pocket I wont vote for any one on any ticket as I would only be wasting my time.

But I am behind you all the way,

Sincerely,

Harry L. Hamilton

P.O. Box 45

Tillouana Park

Oregon 97145

*To Louanna
over*

MAY 17 1967

P.S. I read quite often they need more
man power on the State Hwy. Patrol, and
Police Depts.

On our beach our week ends it takes
two 2 Cops to patrol our beach alone.

Three men could be on the Hwy, where
they were needed instead of on the
beaches,

I could tell you plenty about how our
Hwy. Commission works and show you
wast of man power that would bug your
eyes.

already received form letter

8600 S. W. 170 Ave.
Beaverton, Oregon
May 17, 1967

Governor Tom McCall
Salem, Oregon

Dear Governor McCall:

^{Amended}
The beach bill, as passed yesterday by the House Highways Committee, is not adequate to protect our beaches. We hope you will substitute a better bill, which will meet the recommendations of yourself, Speaker F.F. Montgomery, Treasurer Straub, and the oceanographers.

Last evening I attended a meeting of a peaceful social group, which has never before, in its fifteen years, taken any kind of political step. However, of the eighteen members present, twelve signed a slip offering to take a beach petition door-to-door if such becomes necessary. Two of the others verbally offered to help one of the signers, as the three are neighbors.

This indicates that fourteen of the eighteen are intensely interested. With that kind of percentage of voters behind the bill, how can the House Highways Committee ignore us?

Thank you.

Yours very truly,

Dorothy N. Morrison
Dorothy N. Morrison
(Mrs. C. V. Morrison)

The other four members also favor a good bill, but they were not able to canvass.

MAY 18 1967

South Beach Oregon
May 14th 1967 97366

Gov. McCall
Salem Oregon

Hear Governor;

I have studied
over your plan for H.B. 1601 the Beach
bill and I am very much in favor
of your plan as stated & pictured
in Sunday's Oregonian to an elevation
of 13.7' elevation, dry sand use for the
Public. I am very familiar with the Beaches
along the Oregon Coast, having come to Oregon
when street cars in Portland were horse drawn
& Rail Road from Portland to Salem was narrow
track & I have hunted Elk on Cannon Beach
when there were 2 brass cannons there and only
one rancher living there. I drove stage on
beach from mouth of Nehalem River to ~~St. Albans~~
Garibaldi when there was only one ranch along
the way. Irwin Bras, run battle back of lakes
A cougar jumped from tree over my head back
of lakes & Bear knocked my hat off one time.

I am very much in favor of keeping very
sand beaches for Public. Yours truly E. E. Ellis

AY 16 1967 Bx 161 South Beach Oregon 97366

DENNIS

UNIFORM MANUFACTURING COMPANY

d

May 15, 1967

Governor Tom McCall
State House
Salem, Oregon

Dear Governor McCall:

I have followed the beach law controversy with great interest, and must align myself with those who strenuously oppose any bill which turn over to the "Public" dry sand areas to which they have no title now.

If the State of Oregon wishes to purchase this land and will then guarantee policing the areas, and will remove this land from the tax rolls, that would be a different matter.

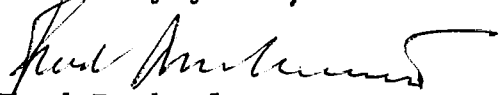
The present arrangement where the "Public" has access to all beaches and can use the wet sand areas, plus extensive State Parks has worked well and should be preserved. Any extension of this, as proposed, should either be dropped, or then considered from the view of compensation.

Some segments of the "Public" seem to have the mistaken notion that the State owns the dry sand areas. They should be told that they are wrong. The fact is that the beach front titles clearly establish ownership to median, high tide, that the States has recorded and acknowledged them as such, and property taxes are levied on this basis.

I am with you when you say that "crass commercialism of beach properties should be fought". This, however, should not apply to private beach property owners who cannot by any stretch of the imagination be accused of "crass commercialism". If you want to prevent future misguided actions, then you should restrict the bill to commercial users, and in a non-retroactive manner, as well as in conformity with the law as it exists.

This would indicate that any new titles for newly acquired beach front property, which is to be used for commercial purposes should not include dry sand areas, even though I realize that this might be discriminating in favor of private owners, or then the erection of barriers, fences, etc. on all beach front property in a dry sand area should be prohibited, while leaving the useage of that area by the public to the goodwill and permission of the owners.

Sincerely yours,


Fred Buchwalter

135 S.E. Hawthorne Blvd.
Portland, Oregon 97214

Telephone 234-5203

Branches: Los Angeles, San Francisco, Seattle, Denver,
Detroit, Cincinnati, Chicago, Spokane,
San Antonio, Milwaukee

cc: Rep. Lee Johnson

Surfside Road
Brookings
Oregon 97415
May 16, 1967

The Honorable Thomas McCall
Governor of the State of Oregon
Salem, Oregon.

Dear Governor:

In consideration of HB 1601, the idea of trying to present to a generally irresponsible and indifferent public a strip of land that belongs by all moral and constitutional rights to the people who have purchased it is a violation of democratic principles, and the rights of private ownership in the pride of caring for a decent front yard.

If public interest requires the use of more "dry sand" area to serve as garbage dumps for picnicking and camping refuse, park sites that can be properly regulated and policed should be purchased by the State. This could be done with benefit to the public and land improvement, rather than through a blanket acquisition that in many cases would be of no use to the public and a drastic injustice to owners, turning their immediate front yards into beer-can littered slums and creating unsanitary health hazards.

Using such terms as "vegetation line", "wet sand", "dry sand", "elevations above mean high-tide line", without regard to the contour of the property, is ridiculous and immaturely unrealistic. Where the ocean rolls in at the base of high cliffs there would be no advantage to the public or injustice to the property owner, but where low-lying flats extend inland, public access to such ~~areas~~ ^{areas} could be a catastrophe to the rightful owner.

We believe that laws which inflict drastic injustices will be declared unconstitutional, and squirm in embarrassment over the distorted arguments that supposedly intelligent men try to present as legislation.

Sincerely yours,

F. Maurice French
Lucille P. French

Mr. and Mrs. F. Maurice French

MAY 19 1967

6723 7th Prescott
Portland Oreg 97218

Gov. Tom McCall
Salem, Oregon

Dear Sir:

I may be just a weak voice in this furor, but I do wish emphatically to say my bit!

I, along with thousands, always believed all the beaches along the ocean belonged to the public, and any motel owner who believes he owns any part of it should be firmly advised differently! I've just read in the Oregonian that Governor West passed a bill declaring the "Seashore" from Washington line to the California line to be public highway, and I can't see anything simpler than that. It certainly means "Seashore", and that includes dry sand! What in the world could raise a doubt in anyone's mind? The bill didn't specify wet sand, did it? And even so, if the highway comm. owns it, I haven't noticed them do any other politician backing up from destroying a great deal of private property, often inadequately compensated, in order to build any and everything they consider "best for public interest." If they wanted to build a road thru my house, I couldn't stop them, as they'd condemn

if necessary, to get the privilege. So will you please inform the public just who and what money is paying them to be so thoughtfully delicate where the shores of our birthright are concerned? Let's face it, if theres enough Calif. investment money trying to get our beaches, some one is going to let them unless you do something pretty damn concrete about it. And I am only one of countless people who cannot afford a classy motel in order to walk the beaches! And if the motel owners are paying taxes on transient land, theres something added about the tax department! Thats as stupid as expecting me to pay taxes up to the center of the public road in front of our property!

Believe me, this thing had better come out in the public interest or the voters are likely to take more than the motel owners bargain for!

Sincerely

Mr & Mrs James Mackay
Portland
Oregon

Des. Co. Pomona Gr.

~~Death Benefit Form~~

Rt. 1 Box 70

Terrebonne, Ore. 97760

DES. CO. POMONA GRANGE No. 25

The Des. Co. Pomona Grange, meeting in regular session in the Pine Forest Grange Hall, on May 13, 1967, passed a motion requesting the approval of House Bill No. 1601 without amending amendments.

The retention of the Oregon benches for public use is considered of paramount importance.

Roy Means Master
Margaret Truesdell Secretary

RECEIVED



Office of the County Engineer

I. M. Huddleston

COUNTY OF LINCOLN

Newport, Oregon 97365

May 16, 1967

Honorable Tom McCall
Governor
State Capital Bldg.
Salem, Oregon

Dear Governor:

I have followed your plans for holding the Beaches for the public with great interest. I concur with you in principal but not by method. The sampling procedure you used was too small to cover all the many miles of beaches we have and the latest raise to elevation 16.0 in some cases will clear the sand dunes and run clear up through houses and etc. A provision also must be included to take care of the mouths of rivers and creeks where again elevation would be a poor method of determining the public's rights. My plan would be as follows:

1. Pass and interim measure to leave every thing as is with teeth so that no fences, structures or etc can be built for the next two year period.
2. Authorize the State Highway Dept. to completely survey the Entire Oregon Coast showing Low Water, High Water Dry Sand area, Log Line, Toe of Bluff and Bluff line.
3. With the above information declare that certain areas are to be maintained for public use and certain areas may be retained by the property holders.

I have had occasion three different times to check the Mean High Water line on spots along the Coast in Lincoln County. In all cases the property holder could have some frontage for himself (30 to 75 feet) and still leave plenty of dry sand area for the public. These areas could be monumented with concrete post. Concrete post will not move elevation 16 will move with every tide and in the winter it can really move.



Office of the County Engineer

I. M. Huddleston

COUNTY OF LINCOLN

Newport, Oregon 97365

Private Enterprise could still exist and the public's interest would be protected. Elevation 16 will get you in trouble.

The private owner having a small strip could protect his bank, his private steps and etc. In some cases it could be large enough strip to actually build on.

Keep up the good work again I say the principal is correct but the elevation method is wrong.

I am sure you are aware of how the boundary between USA and Canada was finally established. The River is a poor Boundary and monuments was the answer. The shifting Elev. 16 is a poor boundary and monuments are the answer.

Sincerely yours,

A handwritten signature in cursive script that reads "I.M. Huddleston".

I.M. Huddleston

P. O. Box 807
Coos Bay, Oregon 97420
May 16, 1967

Governor Tom Mc Call
State Capitol
Salem, Oregon

Dear Governor McCall:

I very much like going to the beach, as I suppose nearly everyone does. Nevertheless, I am extremely dismayed by the bill (HB 1601) now pending before the House, and particularly by some of the opinions expressed on the subject....yours, for example. I neither own beach property nor am I otherwise directly or indirectly interested in any; I simply know how I would feel, and rightly so, if I were in the position of those owners.

I urge you to reconsider your position in favor of one supporting the right of a person to control his own property, whether it be in downtown Salem or on the beach. What can be simpler, sir, than a man owning land and therefore exercising right and proper control over it? Any person who owns land pays property taxes on that land; any person so taxed certainly is entitled to own that property in every sense of the word. Most beach land-owners are quite accomodating, or so my experience has shown me, but there are some who are undoubtedly nasty--or maybe they just want a little privacy. But if they all, down to the last beach owner, were anti-people-on-their-beaches, it would not alter anything, except that people would be using other beaches! It does not matter one whit how long people have been "accustomed" to using the beach in question--if the owner decides, for whatever reason (including "crass commercialism"--isn't one allowed to be crassly commercial on one's own property?), to close his property to the public, then he must not be deprived of that most basic right, no matter how deplorable one thinks his actions are....and no law must be passed which would abrogate his rights, no matter how convenient and popular it seems.

Here's an alternative straight from the grassroots--me!: Give beach owners an option...if they wish, they may have the property tax on the beach land involved "waived", so long as they allow unrestricted use by the public--they still maintain ownership, can withdraw from the scheme if they wish (giving fair advance notice, of course), and are being effectively compensated with a sort of state-supplied "rent". Why not? Or something similar?

A watching and waiting
Citizen of Oregon,

Richard Christensen
RICHARD CHRISTENSEN

May 13, 1967
Portland, Oregon

Gov. Tom McCall
Oregon State Capitol
Salem, Oregon

Mr. McCall:

As a child I remember camping on the dry sand above the tide line of the Oregon beaches for weeks at a time; as did many other families. Many years of public camping on the Oregon beaches should solidly establish our squatter's rights.

However, Oswald West, former governor of Oregon, formulated the Oregon public beach law for the protection of the people of Oregon in order to keep our beaches for a recreational area always.

The Oregon Highway Department has had jurisdiction over the beaches; so if private interests are trying to take control of our beaches it should be made a criminal offense, and a law should be put through to that effect.

Automobiles, debris, and vandals should be kept off the beaches.

Yours truly,

Nora Arness

Mrs. Nora Arness
4737 S. E. 28th Avenue
Portland, Oregon

MAY 15 1967

Mrs. Margaret Senev
Leonard Arness

To:

Governor Tom McCall

Please fight for your version of the dry sands bill. Let me know if any of the Committee members are affected by my vote. In the future I wish to vote for members backing your viewpoint and against members opposing your viewpoint. I recently moved to precinct 31 Washington County Ore. and as yet am unfamiliar with the voting record of my representative

Edward J. Curtin
Rt 1 Box 324
Cornelius Ore.

NOV 18 1967

Office of the Governor
State Capitol
Salem, Oregon

5/15/67

Contact: Ron Schmidt

STATEMENT BY GOVERNOR TOM McCALL

In the past few weeks, the question of how best to preserve the public rights to our beaches has become Oregon's most volatile political issue. It has generated more public expression than any other matter before this legislature.

Over the weekend, the prime movers of the "beach bill" ironed out the remaining points of conflict. We worked in close touch to frame a much better--and much stronger--bill than had originally been proposed.

The result is responsive to the concerns of thousands of citizens--whether they be beach recreationists or property owners. And, far from being a partisan product, it involved Democrats and Republicans, scientists, oceanographers, engineers, biologists, as well as Speaker Montgomery, State Treasurer Straub and this office. The House leadership, in particular, is to be commended for contributing a very effective package of zoning amendments.

From every standpoint, this whole constructive interchange is proof of the strength of the Oregon legislative process.

The release of these amendments marks today as an historic day for Oregon. It fulfills the dream of former Governor Oswald West that: "In the administration of this God-given trust, a broad protective policy should be declared and maintained. No local selfish interest should be permitted, through politics or otherwise, to destroy or even impair this great birthright of our people."

I applaud all those who have contributed to this solution and enthusiastically recommend this set of amendments to the House Highways Committee. I urge the Committee's speedy concurrence.

P. O. Box 2126 Salem, Oregon
May 14, 1967

Hon. Tom McCall,
Governor of Oregon
Salem, Oregon

Dear Governor:

All public spirited Oregonians, I am sure, appreciate the leadership you are giving in protecting our beaches. I hope you will not compromise with the legislature. Unless a bill comes from that body which is clearly in the public interest (not likely) you should veto it and then there should be initiated a constitutional amendment (not a law) which will protect for all time the heritage of our publicly-owned beaches. An ordinary law could be amended at any time by a future legislature and the present sell-out indicates we cannot trust future legislatures.

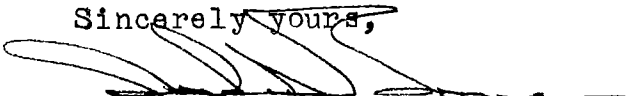
I attended the hearing Thursday and heard your assistant make a statement as to your position. On the whole I thought it excellent. I would like to make a few observations. As I understood the statement, you propose that for those portions of the beach where there are cliffs, the public ownership would go to the foot of the cliffs. I would suggest that the public ownership go to the top of the cliffs, or at least far enough up the cliffs to prevent their use for billboards, signs painted on the cliffs, or even hot dogstands etc which might be erected on the cliff slopes. These things must be prevented at all costs if the beaches are to have complete protection.

For those parts of the beaches where there are no cliffs , your proposal that a line be drawn at a number of feet above mean sea level would be satisfactory, providing the number of feet is set high enough to take public ownership far back from the high tide line. In the picture on Page 1 of this mornings Statesman, the 2 foot line is shown right in the middle of the beach. Obviously 2 feet is not enough. The line must be far enough from the high tide line to discourage any commercialization efforts except possibly hotels and motels. We do not want any Coney Island atmosphere on our beaches.

Legally, I think the public has an air tight case for its ownership of the beaches. No matter what the West law might have read, its obvious purpose was to assure public ownership of all the beaches for all time. To attempt to apply the common law rule of adverse possession to this is ridiculous. The public ownership of all the beaches took effect the moment West signed the bill because that was the obvious intention, and for over 50 years everyone (including owners of beach property) had assumed the intention had become a fact.

In the interest of compromise, we must now not surrender a single square foot of those beaches. With best wishes,

Sincerely yours,


Arthur H. Bone

1630 N. 17
Corvallis, Ore.
May 14, 1967

Dear Gov. McCall,

Your championship of the "deep sand" Pacific beaches for the public has my approval and admiration. Gov. Oswald West and the people of his time thought "all" the beach areas had been preserved for the public, and if it hasn't, we should see that it's done now, by whatever methods necessary. You have my support and I hope you'll continue the fight, to preserve all the Pacific beaches for everyone. We should do no less!

Yours truly,
Mrs. Dexter Rogers

MAY 15 1967

CLASS OF SERVICE

This is a fast message unless its deferred character is indicated by the proper symbol.

WESTERN UNION TELEGRAM

W. P. MARSHALL
CHAIRMAN OF THE BOARD

R. W. MCFALL
PRESIDENT

SYMBOLS

DL=Day Letter

NL=Night Letter

LT=International Letter Telegram

The filing time shown in the date line on domestic telegrams is LOCAL TIME at point of origin. Time of receipt is LOCAL TIME at point of destination

PRA081

1967 MAY 14 PM 7 02

PR LLF363 NL PD 5 EX=PORTLAND ORG 14=

GOVERNOR TOM MCCALL=

SALEM ORG=

DRY SANDS CONTROVERSY. WHY NOT DEVELOP BILL TO THE HEART OF THE MATTER. SIMPLY PREVENT BEACHFRONT BARRIERS OR FENCES TO THE HIGH WATER LINE. THIS PRESERVES PRIVATE OWNERSHIP BUT KEEPS BEACHES OPEN. IS THIS WORTH PURSUING?
MRS E TAYLOR WELSH ROUTE 1 BOX 83N PORTLAND.

MAY 15 1967

CLASS OF SERVICE

This is a fast message unless its deferred character is indicated by the proper symbol.

WESTERN UNION

W. P. MARSHALL
CHAIRMAN OF THE BOARD

TELEGRAM

R. W. McFALL
PRESIDENT

SYMBOLS

DL=Day Letter

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PRA054 SSA061

PR LLE026 NL PD 4 EXTRA= PORTLAND ORG MAY 17=

GOV TOM MC CALL=

1967 MAY 18 AM 9 4⁶

SALEM ORG=

KEEP OUR BEACHES TO 16 FEET. PLEASE FIGHT FOR THIS=

GRETA STARR 2170 NORTHEAST HANCOCK PORTLAND .

MAY 18 1967

CLASS OF SERVICE

This is a fast message unless its deferred character is indicated by the proper symbol.

WESTERN UNION TELEGRAM

W. P. MARSHALL
CHAIRMAN OF THE BOARD

R. W. McFALL
PRESIDENT

SYMBOLS

DL=Day Letter

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LT=International Letter Telegram

The filing time shown in the date line on domestic telegrams is LOCAL TIME at point of origin. Time of receipt is LOCAL TIME at point of destination

PRA011 SSB44

3 PR SMA178 NL PD=TDSM NESKOWIN ORE 17=

1967 MAY 18 AM 7 33

:GOVERNOR TOM MCCALL=

SALEM ORE=

:THE 12 FOOT ELEVATION OF HOUSE BILL 1601 PROTECTS FOR THE PEOPLE OF OREGON OUR BEACHES AND ALSO PROTECTS THE PROPERTY OWNERS ALONG THE BEACH FRONT

¶ I ENLIST YOUR SUPPORT FOR THE 12 FOOT ELEVATION OF HOUSE BILL 1601=

: MR AND MRS STAN CARBAUGH

CLASS OF SERVICE

This is a first message unless its deferred character is indicated by the proper symbol.

WESTERN UNION TELEGRAM

W. P. MARSHALL
CHAIRMAN OF THE BOARD

R. W. MCFALL
PRESIDENT

SYMBOLS

DL=Day Letter

NL=Night Letter

LT=International Letter Telegram

The filing time shown in the date line on domestic telegrams is LOCAL TIME at point of origin. Time of receipt is LOCAL TIME at point of destination

PRA003 SSB006

PR LLC227 NL PD 6 EXTRA=PORTLAND ORG 16

MAY 17 AM 7 30

GOV TOM MCCALL=

STATE CAPITAL SALEM ORE:

=DONT GIVE AN INCH ON THE BEACH BILL. THE PUBLIC HAS ACQUIRED A VESTED INTEREST IN THE ENTIRE BEACH BY DECADES OF UNCONTESTED AND UNRESTRICTED) USE. WE ARE EXTREMELY PROUD OF YOUR FIRM STAND IN THE PUBLIC INTEREST. FUTURE GENERATIONS OF OREGONIANS WILL ADD YOUR NAME TO THAT OF OS WEST AS GUARDIAN OF OREGON'S GREATEST SCENI BEAUTY AND TOURIST ATTRACTION=

GEORGE AND RUTH VAN HOOMISSEN 2127 SOUTHWEST
EDGEWOOD RD PORTLAND (

MAY 17 1967

May, 14, 1967

Honorable Governor M^c Call,

I think it is terrible what is happening to the beaches. I think all the people of Oregon, should be against this idea.

What fun will we have on our vacation? Where

will we go swimming in the summer? These are all the questions, that the 6, 7, and 8

grade students, of Sellwood School, are trying

to answer.

Almost the whole school is writing, to try to convince

the many individuals who want this to happen.

If this does happen, there will be many sad faces in Oregon.

7 grade
Sellwood School
Portland, Oregon

Sincerely,

Laren Burton

Laren Burton

XERO COPY XERO COPY XERO COPY XERO COPY
Office of the Governor
State Capitol
Salem, Oregon

Contact: Ron Schmidt

May 18, 1967

GOVERNOR McCALL'S STATEMENT IN REGARD TO HOUSE BILL 1601 AS ADOPTED
BY THE HOUSE HIGHWAY COMMITTEE

House Bill 1601 has been adopted with the amendments proposed by the House Speaker and Minority Leader, Treasurer Straub and myself, coupled with several additional changes. These changes provide further definition for the variance section of the bill, better guidelines for the boundary of low rising areas and establish the zone lines at 16 feet. Each of these changes is in the public interest and will assure the protection of Oregon beaches. The 16 foot measurement was recommended by this office because it will encompass virtually all of the dry sand areas of the coast.

The further provision directing the Highway Commission to survey the Oregon coast to establish a specific line for the next legislative session to consider is eminently desirable . I totally support this instruction.

The members of the committee and many others who have contributed to the drafting of this bill are to be commended for passing a bill of this strength and durability. Although this process has been difficult and has generated heat at times, the end result is without question in the public interest.

May 18, 1967

Mrs. Joanna A. Sorensen
Edgewater Motel
Waldport, Oregon

Dear Mrs. Sorensen:

I want you to know that I appreciate the comments you sent to me about the beach bill. They have added a valuable element to the great discussion over the status and future of our beaches. I am pleased to have been a catalyst in this necessary democratic process which contributes so much to sounder legislation in every field. You may be sure that I will do everything in my power to see that the final result, submitted to the legislature for passage, will be fair in every respect to all our citizens, those who only visit the beach as well as the property owners.

Thank you for ~~writting~~ writing me.

Sincerely,

Governor

TM:wv


EDGEWATER MOTEL
2 1/2 Miles South of Waldport, Ore.
RIGHT ON THE BEACH
FIREPLACES - TV - KITCHENS
For Reservations Call 563-4788
Waldport, Oregon

PLACE
STAMP
HERE

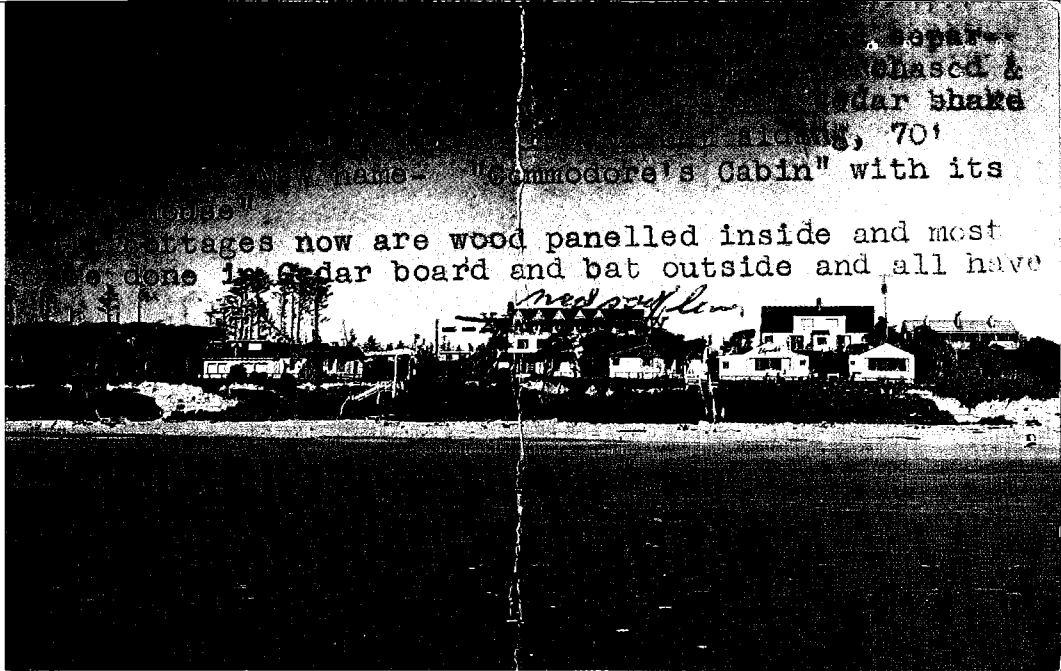
Dear Gov. Tom McCall,
Understand you have a home at **POST CARD**
Road's End and know you and your fine family are most
interested in the Oregon Coast.

We are the people that have the Peruvian boy that
Pan Am wanted you to come down to meet when you were
considering going on Pan Am's initial West Coast
flight to Lima. Too bad that your pressing campaign
duties kept you from the Lima trip. Ex. Gov. Hall &
his wife did come down to greet our boy and I am sure
they enjoyed their trip to Lima. Well, anyway, glad
you won the election.

Best wishes,
Bob, Joanna, & Cathy Sorensen

 Color by Grigsby-Waldport

(Mrs) Joanna Sorensen



repar-
chased &
edar shake
70'

name - "Commodore's Cabin" with its

cabins

cottages now are wood panelled inside and most
done in Cedar board and bat outside and all have

Fred [unclear]

(Mrs.) Joanna A. Sorensen
Edgewater Motel
Waldport, Oregon
May 8, 1967

Mr. Forest Amsden, KGW TV
1501 S. W. Jefferson
Portland, Oregon

Dear Mr. Amsden:

In your commentary May 4, 1967, and in an article in The Journal, I was disturbed that all motel owners and beach front property owners were lumped together as villains in ordering people off "their beaches". Your comment and The Journal article suggested that motels were charging \$25. a day and that beach front owners even threatened oceanographers with guns. We, my husband and I, are beach front motel owners, who do not charge exorbitant prices, have never ordered people not to walk in front of our motel, have not fenced off any of the sand beach, never had any intention of attempting to do so, and people who have had the courtesy to ask to walk thru our property and use our steps to get down to the beach have never been denied.

We have been in states that did not have as much public ownership of beaches as Oregon has and have had to pay to picnic on the sandy shore-- and could not have a driftwood campfire because it was unlawful to burn or remove wood. We are proud to live in a state that offers such excellent state and federal camping areas, rest waysides, and picnic areas.

We believe that of the 400 miles of Oregon's property bordering the Pacific Ocean, some 5%, or about 23 miles, is privately owned--the rest of the beaches already are in the hands of state and federal agencies and open to the public.

As a child in Portland, Oregon, my family's home bordered that of Ex-Gov. Oswald West and it was my privilege to know the family. I believe that Gov. West was very far sighted in his interest in trying to protect the beaches for the public. I firmly believe that access to Oregon beaches should be open to the public. However, I believe a greater threat exists today with the use of motorized vehicles allowed on the beach. Areas can be specifically set aside in either state or federal owned beach areas for cars and motorcycles. That way children can safely build their sand castles, fly kites, sunbath, wade, and beachcombers can have the thrill of finding the Japanese glass fishing floats. Since airplanes may only use the beach for landing in an emergency, perhaps a law should specify the same for motorized vehicles. Truly then the beaches would be a part of Oregon's recreation area.

We do have guests that have "found" our area--turning away from other resort areas because of too many vehicles and horses on the beaches.

The OSU oceanography lab site at South Beach, near here, is a most interesting and informative operation of which we of this area are most proud. We are hopeful that the Sea-grant center will become an extension and expansion of the present facility. I should think we should do anything possible to be of help--not hindrance--to these researchers.

We hope the legislature will be able to keep our unspoiled beaches a thing of beauty and enjoyment for all. I hope the public will observe the "beach safety rules" and also maintain its scenic beauty by not littering. I for one would not like to feel "fenced in" when it comes to beachcombing or enjoying a walk along the shore.

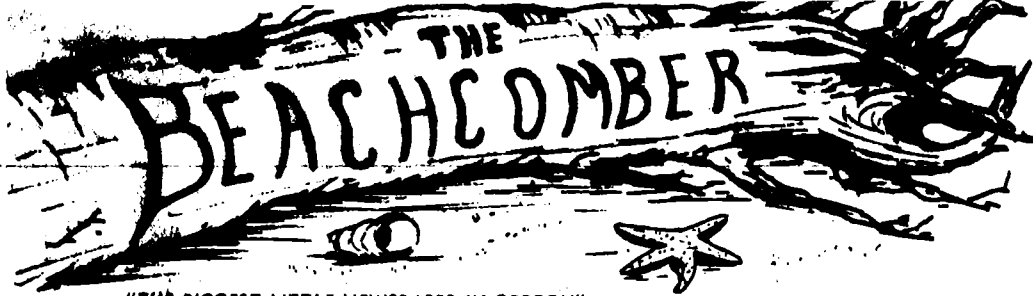
Very truly yours,

Joanna A. Sorensen
(Mrs.) Joanna A. Sorensen

cc: Gov. Tom McCall
Robert Straub
Sen. Wayne Morss
Sen. Mark Hatfield
Stan Outerkirk

League of Woman
Voters of Oregon
in Eugene & Portland
Doug Baker, The Journal
Paul Hanneman

Robt. Dunn, St. Board of
Aeronautics, Salem
Eugene Chamber of Comm.
Monty Montgomery
Other interested parties.



"THE BIGGEST LITTLE NEWSPAPER IN OREGON"

Vol. 1 No. 34 Wednesday, November 23, 1966, Waldport, Oregon 97394 5c Per Copy

Coast Landmark At Edgewater Torn Down

The building which housed the Edgewater dining room and hotel rooms is being torn down. It was built in 1937 by Carl Moffitt for Emil and Edith Nerhaugen. The Nerhaugens saw a need for a small hotel with a dining room on the coast and built Edgewater Lodge. Assisting Mrs. Nerhaugen in the operation was Marge Kauffman, Arda May Ball, Katie Brooks,

Marge Doty and Bernice Hays. They served five-course meals and the Lodge was well known as a coastal resort.

Frank and Mary Fehrenbacher having sold their dining room and cottages in Portland, came to Waldport in 1944 and purchased Edgewater Lodge which by that time consisted of the Lodge and two cottages. During the

ensuing few years they built six more units with kitchen facilities. Edgewater when filled to capacity would house seventy people. Dining room service was available seven days a week. During the Fehrenbachers ownership they housed many celebrities including the following: Governor and Mrs. Earl Snell, who were friends and frequent visitors. (Governor Snell stayed there the night before the fatal plane crash in 1947); Governor and Mrs. John Hall; Governor and Mrs. Elmo Smith; Governor and Mrs. Paul Patterson and Governor-Elect and Mrs. Tom



Edgewater Lodge, known to many is being torn down after 29 years of serving people. Many famous people have stayed at the Oregon Coast Landmark in the past but the cost of up dating the building is prohibitive so it is being dismantled. Mr. and Mrs. Robert Sorensen are the owners of the building and Joseph Musser of Yachats has been contracted for the dismantling.

McCall. During these years Edgewater was the headquarters for the five or six Waldport Salmon Derby as rooms, cottages and dining room facilities were all available in one location. Hollywood celebrities housed by the Fehrenbachers were: Chill Wills and his wife, Betty; Ray and Dorothy Obrenger of Warner Bros., Studio; actor James Craig; Joel Yule (Mike y Rooney's dad); composer Ben Black, who wrote "Moonlight and Roses"; composer Ray Whitley, who wrote "Tumbling Tumbleweeds"; actor Cannonball Taylor; comedian and sounds effects man Rufe Davis and many others.

In 1955 the Lodge was sold to Ben and Frances Pawelski with the Fehrenbachers retaining the cottages. Pawelskis renamed the Lodge, Shangri-La and operated it as a night club for several years before the doors were closed.

Mr. and Mrs. Ralph Tellett of Portland, purchased the cottages in 1957 and operated them until 1960, when they were repossessed by the Fehrenbachers and sold to Mr. and Mrs. Robert Sorensen. During these years the Lodge (Shangri-La) stood empty and was in a state of disrepair.

Mr. and Mrs. Sorensen purchased the lodge this fall re-

uniting the Edgewater property. The building was sturdily built but the cost of remodeling was prohibitive so the Sorensens decided to have it torn down. The property may be developed at a later date.

Joseph A. Musser of Yachats, has the contract to dismantle the building which was over 70 feet long plus the porch and additions. He will use the lumber on his chicken farm up the Yachats River.

By the first of the year a beautiful landmark which turned into an eyesore will be gone from the Waldport scene!

MERRY CHRISTMAS and A

HAPPY NEW YEAR

Bob, Joanna and Cathy

A. E. GUNDERSON
P. O. BOX 3616
PORTLAND 8, OREGON

May 18, 1967

Dear Mr. McCall:

With reference to the publicity and all the time that has been wasted, it would seem to me that the issue of beach frontage along the Oregon Coast has become a political football. I feel that you have raised a tempest in a teapot unnecessarily.

I own approximately 1500 feet of ocean frontage North of Gearhart, upon which my residence is located. I have never objected to the public using the beach in any manner or means, and I am sure that other property owners along the Oregon Coast have assumed the same attitude.

The only trouble that I have had as far as my property is concerned, as well as other property owners in the area, has had to do with the gross negligence of the public who have used the beach and have completely disregarded normal safety factors as well as the interest of others. I have had two fires on my property which have been caused by people who have used the beach which is directly next to the Holland grass which was planted, and I have had to call the aid of other property owners to assist with shovels and whatever other means available to put out the fires. As you know, Holland grass burns very rapidly and is actually like a combustible material.

Also, it has become so difficult to actually use the beach frontage of my property as far as my grandchildren are concerned because of the broken bottles and other debris which have been left there. Furthermore, the people who drive their cars on the beach, and particularly the squirrels running around on motorcycles, make it actually hazardous for children to play on the beach.

It would seem to me, as a substantial taxpayer in this State, that the Governor and Secretary of the Treasury and other representatives of the State Government should have more important things to do than to create such a turbulence over something that is completely unnecessary.

I again repeat that I am very sure that, by and large, the property owners of beach property along the Oregon Coast do not resent the usage of the beach property, although they own same, by the public. Apparently your motive is to secure votes in some future election and you have not given the proper consideration to people who have paid taxes on the property involved over a long period of time.

We have many important things to straighten out in the State of Oregon, and it would seem to me that you can create a much more favorable relationship with the public by trying to solve some other problems that exist rather than to create a lot of publicity and actual dissension with the owners of beach property, as well as the public.

Yours truly,



A. E. Gunderson

Honorable Thomas McCall
State Capitol
Salem, Oregon

cc: Honorable Robert Straub

1971 9 23

67
May 19, 1967

Honorable Robert Straub
State Treasurer
State Capitol
Salem, Oregon

Dear Bob:

By now you know that I am laid up with a bout of arthritis which has me down for the present. I have been trying to get a letter off occasionally but most of the time I am flat on my back. I couldn't have picked a worse time both for the University and for conservation matters. I am sad that I am not of more use.

What I wanted to say though was How much we appreciate your strong leadership in conservation matters--beaches, Willamette Greenway, etc. I have the upmost confidence in you and others working with you. The interest of the public and the future of Oregon will be fully protected. It's good to have this kind of confidence in present leadership.

Sincerely,

Karl W. Onthank
1653 Fairmount
Eugene, Oregon

KWO:bs

May 19, 1967

Mr. R. D. Spomer
President
Spomer Outdoor Advertising Company
Post Office Box 579
311 South Front Street
Medford, Oregon 97501

Dear Dick:

It would be too much to expect that all the people who supported me for election would agree with all my stands on every issue. Even Lincoln said, "you can't please all the people all the time". I firmly believe that most of my supporters worked for me because they believed that I would be fair in my dealings with the people, considerate of their opinions, and judicious in my decisions, so that the people of the entire state of Oregon would be proud of their governor and so our state could become even greater than it already is.

I did receive your letter of April 17th but with the pressures of the legislature we have had to defer answering some of the mail until things calm down. Especially as the session draws to a close, there are so many matters requiring immediate attention that some others must be delayed for a short time. I doubt that most people have any concept of what a busy time this is. In the meantime, however, I believe an agreement has been reached between the Highway Department and the billboard people and you are no doubt aware of it.

I have appreciated your support, Dick, and although we may not always agree, I hope you will write me whenever you have an opinion or comment it would be helpful for me to have.

Sincerely,

Governor

TM:mm



OUTDOOR ADVERTISING COMPANY

P. O. BOX 579 • 311 SOUTH FRONT STREET • PHONE 779-1511
MEDFORD, OREGON 97501

May 12, 1967

Governor Tom McCall
Governor State of Oregon
State Capitol
Salem, Oregon

Dear Tom:

It was with interest that I read your proposal to confiscate private property on the Oregon beaches.

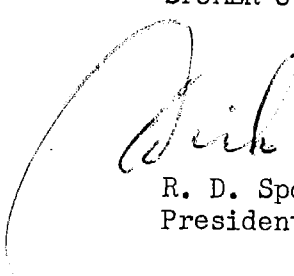
Personally, I am as opposed to this as I was to your stand on outdoing Lady Bird, on her Beautification bill!

Tom, I understand Wyoming zoned ALL property adjoining highways, secondary, primary and interstate as commercial or industrial zones.....so now they don't have to jeopardize 10% of their highway funds under Lady Bird's bill. With our restrictive Outdoor laws in Oregon, i.e., licensing, placement, we ought to go this way, this puts the matter back in the State's hands where it belongs.

I am still awaiting a reply to my letter of April 17. It would appear that you are no longer concerned with those of us who labored hard, strong and expensively to assure your election as Governor of our state.

Sincerely,

SPOMER OUTDOOR ADVERTISING COMPANY


R. D. Spomer
President

RDS:M

MAY 15 1967

Tom McCall

Room 121, State Capitol • Salem, Oregon 97310 • 364-2171 Ext. 1201

*File
Political*

August 2, 1966



Mr. R. D. Spomer, President
Spomer Outdoor Advertising Co.
P. O. Box 352
Medford, Oregon 97501

Dear Dick:

I am very grateful for your wonderful contribution to my campaign in August and September. This is very vital to my overall effort and I want you to know how very much I appreciate it.

My Portland office is sending the materials you need to you and you should be receiving them shortly.

I'll be in Jackson County perhaps in September and will maybe run into you then.

Thanks again.

Sincerely,

Tom McCall
Tom McCall

Portland Ore
May 14-67

Dear Gov, McCall

I am enclosing a list of names of whom you will find are interest in your good work towards our sea shore bill.

I hope we wont forget some of our Reps devlish work in the past few weeks at Salem in regards to this bill. In making your reply send it to me and I'll show my friends of your interest.

Thanks for your good work and in our interest.

Excuse pen, and I know I can be of help to you, also.

Yours truly
Oth Erickson.

5204 - SE 43rd

Portland 97602

5204 S.E. 43rd Avenue
Portland, Oregon
May 13, 1967

The Honorable Tom McCall
Governor
State of Oregon
State House
Salem, Oregon

Dear Governor McCall:

We, the undersigned, wish to thank you for your stand on the Dry Sand Bill now before the Legislature and your opposition to give all of our beach area to the land owners.

We know under your leadership the land owner and the vacationist will get a fair break.

Warren O. Smith 7909 S.E. Duke St. Portland, Ore 97206
Sam E. Tompkins 8014 S.E. Morrison Insurance agent.
Marnie Root 1130 SW Mill St -
Ida May Norby 2403 S.E. 55th Ave. Portland Ore 97216
Wayne Cox 19302 S.E. Ramona Portland Ore 97266
Ruth J. Guil Hamell Rd Box 18 Seaside 97138
Margaret Linville 5525 S.E. 67th Ave Portland 97206
Mary Kugel 4805 S.E. 71 Portland Ore
W.H. Root 5806 S.E. 46 Ave Portland Ore
Tom Hilts 9610 S.E. Bush }
Elva Hilts 9610 S.E. Bush }
Roger W. Dunnam 3115 N.E. 59 Ave
Hellen E. Morgan 5018 N. Princeton St. Portland 97203
Robert L. Valk 5221 S.E. 44th
Betty M. Valk 5221 S.E. 44th

Lawrence Karak 5812 A S E 92 ave.

Madalene Pacanelli 3957-S.E. Cora
Diane D. Dunaway 3115 N.E. 59 Avenue
Mrs Helen Deverele 2631-N. Mississippi
Ruth L. Kaufman 8435 N. Fessenden St
Edw. F. Kaufman 8435 N. Fessenden St
Laura B. Smith 7909-S. E. Duke St.
Myrtle Schriever 10216 S.E. Martin
Augusta Coffey 762 1st Hubbard ^{Or} Lenta #351
Kate Nelson 1526 S.E. Hawthorne Blvd Portland Ore
Gladys Warnke 9627-S. E. Yukon
Ruth Van Alusen 4679 S E 74 Lenta #351
Walter G. Spence 762 - 1st S Hubbard, Ore
Lillie M. Bishop 9920-S.E. Foster apt 8-
Robert & Rosey 5220 S E 43rd Portland
Mabel Watson 5228-S. E. 43rd Ave - Portland
Maxine Rosey 5220 S. E. 43rd
Hazel M. Campbell 4420 S E Mitchell St. Portland 97206
William S. Campbell 4420 S.E. Mitchell St. Portland 97206
Ethyl Smith 5104 S.E. 45 - Portland
Daryl F. Haudeshell 5104 S. E. 45 - Portland
Mrs. Edna Haudeshell 5104 S.E. 45 Portland
Mrs. Selma Bryant 4830-S. E. Mitchell. Portland
M. O. Lutz 4404-S. E. Mitchell Portland
Normie C. Lutz 4404-S. E. Mitchell. Portland

Claine V. Jensen	5225 N. E Irving - Portland
Harold Alving	10384 SW Gayn Dr Beaverton
Ease J Gustafson	5015 SE 43rd Portland
Anders Gustafson	5015 S.E. 43 rd Portland
W. Erickson	5204 SE 43 —
Fred E Mac Murray	5204 - SE 43 rd —
Mrs A L Erickson	5204 SE 43 rd Portland Ore

McMINIMEE & KAUFMAN
ATTORNEYS AT LAW
LAWYERS BUILDING
110 PACIFIC AVENUE
TILLAMOOK, OREGON 97141

WARREN A. McMINIMEE
DOUGLAS E. KAUFMAN

842-2533

May 14, 1967

The Honorable Thomas McCall
Governor of Oregon
Capitol Building
Salem, Oregon

My dear Governor:

I was happy to see you yesterday and pleased to know you were on the coast for a first hand inspection of the beaches.

*the property
in question
here was
a Douglas
land claim*

Over the weekend I have done some research on the matter and while I believe the scientist may be of material assistance fundamentally I believe we are overlooking the very basic principle announced by the Judicial branch of our government in the very early case of Hinman v. Warren, decided in 1877, 6 Oregon 408 involving a dispute wherein the claimant was attempting to claim lands wholly within limits described by the lines marking the ebb and flow of the tide. In response to the query (6 Or 411), "Do the tide lands belong to the State?" -- the court said ".....Our response is that the tide lands--those that are uncovered and covered by the ebb and flow of the sea--belong to the state of Oregon by virtue of its sovereignty," followed by citation of authority.

In making this unequivocal statement our Supreme Court made no mention of "ordinary tide", "flood tide", "spring tide" or the various and sundry well defined terms applicable to tides of the earth and known through the centuries.

Our Supreme Court defined the sovereign lands of the State of Oregon as being "all lands uncovered and covered by ebb and flow of the tide".

Hinman v. Warren has not been overruled and is the law of this state as far as I can find. In fact as recently as 1937 in the case of Winston Bros. Co. v. State Tax Commission, 156 Or, at page 510, our Supreme court in determining a tax question arising out

The Honorable Thomas McCall
Governor of Oregon
May 14, 1967
Page 2

of the South jetty construction near Fort Stevens, said:

"It is well settled that, upon admission of this state into the Union, the state acquired title in its proprietary capacity to all lands within its borders which are covered and uncovered by the tide, and also to all lands lying under the navigable waters of the state. As to those lands lying between the high and low water mark, commonly referred to as tidelands, the state became the absolute owner of them, subject only to the paramount right of navigation inherent in the public, and the lands became subject to its jurisdiction and disposal"

The Court makes no mention of "flood tide" (tide at its greatest height) or "spring tide" (which tides occur twice each synodic month around the times of new and full moon, every month in the year).

Our Supreme Court has reaffirmed the definition, all lands uncovered and covered by ebb and flow of the tide. That line is not difficult to determine along the beaches including the well defined dry sands area where debris from the ocean and the vegetation line meet. This is well defined in most places, abrupt banks being the exception.

The introduction of "ordinary tide" is a legislative innovation created by the 1947 legislature. Except only those tide lands which the state of Oregon has disposed of in its proprietary capacity still remain as a part of the sovereign state. (See Winston Bros. Co. vs. State Tax Com., 156 Or 510.

No person, group or corporation or legislation, can take them away by prescription or otherwise. This is exactly what was attempted by the U. S. government in Hinman v. Warren above cited and of this the Oregon Supreme Court said, at Page 412:

"In thus describing the land, the officers of the United States government acted without authority of law, and it is well settled that an unauthorized act binds no one."

The Honorable Thomas McCall
Governor of Oregon
May 14, 1967
Page 3

The introduction of "ordinary high tide" into our law is of later origin and in the 1965 legislature when 274.065 was amended to designate the beaches as a recreation area rather than a public highway it presented the problem of policing the areas and it was with this background in mind that H.B. 1601 was introduced and it is my feeling that a very general statement as expressed in the engrossed bill will not take private rights from the private owners but would assist in clarifying the right of the state to police and protect its sovereign property. Rather than see some detrimental legislation to the state's interest at this late hour in the session, I strongly feel that the people of Oregon would be better off to rise or fall on that which they already have by judicial decision.

I know you will accept this letter in the spirit I have written, as I only wish to give an assist if I can. I trust you will discuss it with Ed Branchfield, your legal advisor for whom I have great respect. I intend to contact George Rhode of the Highway department and call his attention to the matter.

Thursday I talked with George and we discussed a possible interim solution to the problem, should the present proposals reach an impasse, but neither of us felt it was timely.

Respectfully


Warren A. McMinimee

WAM:a

MAY 15 1967

Portland Oregon

May 14, 1967

My Dear Governor McCall

I fully support your views in HB 1601 in regard to Public beach use by all of the people.

I have contended and still do, that all beaches of Oregon belong to The people instead of a select few which are beach front owners. I am in favor that public use be, to what is commonly known by all of us as the vegetation line.

I have done shopping for beach front lots through Real Estate Agency's and they have all quoted prices to me on 50 X 100 foot lot or 100 X 100 foot lot as case may be without mention that you own the dry sand area in front of such lot, I am at loss now to hear that beach front owners now making claims that they also control dry sand area in front of such property.

I am property owner in Multnomah and Clatsop countys (not beach front porperty) but I still would like priveledge of using Oregon beaches as we have done in past.

I hope that you will pursue beach bill HB 1601 to conclusion without any compromise so that we can retain our Oregon beaches for public use.

Sincerely yours;

Paul A. Mead
13750 N. E. San Rafael St.
Portland Oregon (97230)

Paul a Mead
Mary Ann Mead

MAY 15 1967

Aleg Eischen
P.O. Box 213 - 97113
Cornelius Oregon

Hon. Governor of Oregon
Salem Oregon

I am writing you in regard to our beaches I have a home on roads. End the same as you only my home is on the ocean front.

I feel the home owners were the developers of our beaches so careful that they need some consideration in regard to our beaches. First calling our beach a highway it should never be called altho it certainly was used this way as a highway. I go on the beach a lot and saw with my own eyes small children playing with horse manure or call it litter which most of the people do don't it convincing that is a terrible situation. It shouldn't be considered a race track. I also experienced when I came between the string of horses the teals and got soaked. All the riders did is laugh of the states want to take over the beaches why then don't they do some thing to

Protect the property owners, also
like the banks from flooding and
endanger peoples homes roadways front
& access to beaches and other protecting the
home owners need. Lets call it a recreational
Area and parks.

Otherwise if this cannot be done, the
legislators & your governor better take a long
look before enacting any law or taking
over do not be to hasty and be sorry
later. I hope you give this issue very careful
consideration.

Respectfully Yours

Alex Eischer

MAY 15 1967

Gov. Tom McCall

State archives should have
original Donation Land Claims
survey. Or General Service adn
National archives & Records service
Wash DC 20408
Bureau of Land Management
Oregon Land Board

I know that property all ends
on a meander line on the
ocean side or any I ever help
ed run a survey on.

Counties should have recorded
plats on each piece of property
down there.

But they will still have to
be checked to be sure ~~some~~

someone didn't do a dry lot
job on them & have caught
2 or 3 county Eng. with these
up to 30 ft on one & remember as
it cut off that much of a park
out in Oak Grove in Clarkmas County

Make your Eng run coordinates
on that survey tie to coast &
Geodetic to start & tie back
in, they are on Lambert grid,

Willard McDaniel

Broke down S.I.

MAY 15 1967

That meander line on the coast
is set by elevation on the average
mean high tide, .

Doesn't say a damn thing about dry
sand, that is State land or out.

That is State Eng B.S.

Denise Ranger
505 SE 71 AVE.
Portland, Ore.

Dear Governor McCall,
My name is Denise Ranger.
I am 11 years old. In this
letter, these words are my
own and I am also very
serious because I have known
the beach almost all my life.

I think that the rich
people have no right to
take our beaches. I think
that the beaches belong to
everyone, and also I think
that we should have them
for the public because we
have the best beaches in the
country.

Everybody likes the beaches,
especially the children.

Thank you for helping
the people to try to keep
our beaches for everyone.

Sincerely yours,
Denise Ranger

F. F. MONTGOMERY
SPEAKER OF THE HOUSE
STATE HOUSE
SALEM

Copy

PROTECT OUR BEACHES AGAINST
PRIVATE OWNERSHIP. PUBLIC HOLDS
RIGHT BY LONG USE AND TRADITION
TO FULL USE OF DRY SAND, AT
LEAST TO VEGETATION LINE. NO
COMPROMISE ACCEPTIBLE. WE
WILL WORK AGAINST RE-ELECTION
OF ANY OFFICIAL WHO JEOPARDIZES
OUR ~~R~~ FREE ACCESS AND USE.
SIGNED BY REGISTERED VOTERS:

Sam H. Hunter
M. E. Ehlman
Charles S. Weisenberg

MRS. W. P. Hagstad
Bernice W. Crow
Kay Architect
Leeanne E. Scharpf
James A. Townsend
Bill Larson
Wesley Gerber

May 18, 1967

Mr. Bernard Kroner
12619 Southeast Salmon Court
Portland, Oregon

Dear Mr. Kroner:

I have received some 600 letters and petitions concerning the beach bill, which represents probably about 22,000 people, and they are still coming in. Your telegram was really outstanding, however, and I want you to know that I am profoundly grateful for your understanding and for the long-range thinking that led you to this decision.

Sincerely,

Governor

TM:wv

Dear Governor Mc Call:

I heartily endorse your brave stand on HB 1601, and your willingness to study the politics of working out a bill protecting the rights of the people. You've no idea of the relief I felt when I learned that yourself, Mr. Strand, & Mr. Meyer were courageous enough to step in and demand that our beach heritage be protected. I also applaud your work on pollution. At least we have a governor who is willing to battle for what he believes in. Thank you.

MAY 15 1987

Ronald R. Mackay, Ph.D.
Clinical Psychologist
13215 S.W. Oakwood
Beaverton, Ore.

May 10th 1967
734 N.E. 120th
Portland, Oregon 97220

Gov Tom McCall
State House
Salem, Oregon
Dear Sir:-

Lets leave the dry sand areas of Oregon's beaches free to the people. I for one like to take off some week-ends to go to the coast and forget for a time the trials and tribulations of the battle to make a living. How soothing it is to take nice long walks up and down the sands and then curl up for a restful nap on the soft dry sand before returning to the busy daily strife.

Is all this to become but a dream to Oregon's citizens because of the money greed of a few commercial developers? Are we to be confined to a few small areas here and there along the coast in spaces so small one cannot really get out and walk the shores as we have for many years?

Are we to be treated like cattle herded into a small specified area, confined by "STAY-OUT" signs all about us? Are we to be treated like prisoners to be allowed only a bit of recreation within legislative wrought walls that bruise our spirits and shatters our sense of freedom? What is the compelling force behind the actions of the legislators the people voted into office, who are now trying to force these same people into a degree of recreational bankruptcy? What do they gain personally by going against the will of the people?

The State of Washington took action in its just-ended legislature to reserve its beaches for public recreation. Both the Senate and the House passed the bill with only one dissenting vote. It is stated that the only opposition to the bill was from upland owners with "selfish" interests.

Who are the selfish interests in Oregon who selfishly are trying to deprive Oregon people of recreational advantages in Oregon. Are they trying to force our people onto Washington's free beaches, which, fortunately, are not too far from Portland to use, if we are to be denied access to our own beaches.

Hawaii beaches have always been free to the people by Hawaiian law. At no point are the people denied access to all the sands, The big hotels and motels of Waikiki and other establishments even build sidewalks thru their property to provide access to the beaches for the general public.

Must Oregon's beaches be swallowed up by private interests with the assistance of some members of our newly elected legislators? Must I and hundreds like me have to give up our summer recreation at the beach? Must we give up our picnic basket and blanket on the beach and pay high motel rates in order to have the privilege of enjoying our beaches?

Leslie M. Lowell

Leslie M. Lowell

Governor Tom McCall.

I've read in our newspapers about the controversy over who owns Oregon beaches, the public or a few.

I feel that the Oregon coast should be preserved for every one, and not only the few who want to own it.

I was stationed in McCarroll while in the service. My friends couldn't believe me when I would tell them about Oregon! So I hope you won't let me and the rest of the people of Oregon

down. Don't let our beaches
and public parks become
commercialized and owned by
a few. Please keep all of our
beaches public for present and future
generations.

Sincerely
Larry W. Sieve
251 Remont ave
Medford, Ore.

Dear Sirs,

G. Elliott
1335 N.E. 110
PORTLAND, OREG.
97720

Dear Governor McCall,

Regardless of all the legal and political treachery that may exist in the giveaway of the public's rights to free access to Oregon's beaches, Gov Oswald West is known as the benevolent governor who fought to give this public asset to its rightful owner - The Public.

It is hoped that you don't wish to be identified with private and moneyed interest groups who again wish to thwart the social good of the whole society. The beaches in reality had ought to be a continuous State Park.

Are we going to allow Oregon to become, by encroachment, like other states with fences and no trespassing signs all over our beautiful scenic beaches, because those rich enough, and alienated from the public's interest, who can afford a house at the beach are greedy enough to deprive everyone else from beach enjoyment? If so I'll never vote for a republican again no matter what comes out of his mouth.

Gayle Elliott

Box 825
Corvallis, Oregon
May 15, 1967

Dear Sir:

This is late but still it may help in some regard. I write in regard to the beach contravercy.

1. Why not arrange that all dry sond areas of the ocean beach ^{are} ~~of~~ public thoughrowfares or raods. Compensate the land owners by a easment purchase say \$10, maybe more, or let the owner elect to sell out to the state. The state would buy the land only at what ever the assessor had had it listed as the true cash value. The house or building would remain with the present owner for as long as he lived and paid building tax.

2. The private owner may post his ^{area} ~~land~~/no picnicing and the state will help uphold this right. Would you picnic in the middle of the highway or county road?

3/ All motel, hotel and other kinds of public accomodations would be required to notifie their customers that no picnicing would be allowed except designated areas.

4. Up the no littering law so beach front owners could help inforce it especially in front of their own property. Maybe the conficted should have to pick up litter for one day.

5.

No signature

Albany Oregon

May 15th 1967

Mr Tom McCall
Governor of the
State of Oregon

Dear Sir!

Please watch out on that Beach property Bill
That was dedicated as a Public Highway to protect
the General Public's rights & believe by Gov West,
The public has definite rights also the Property
owners have very definite rights to what they own.
But I have ran across places that charged to cross a
spot on their Property to gain access to the Beach,
which is not legal.

But that property ends on a meander line on the
Ocean side the rest of it belongs to the State
On a dedicated Highway the Hwy Dept. should have
established their right of way years ago.

~~Or~~ Or is that another John Day Bridge or Mitchell flood,
Those Calif Motel owners would sue over a ft of

ground.

Must be careful on property.

Hold the dam Bill up until you know & set definite
right of way markers please.

Willard M^c Daniel
135 7th Denver St
Albany Oregon.

MAY 16 1937

F. J. ...

JOINT STATEMENT ON AMENDMENTS TO ENG. HB 1601

5/15/67

Governor Tom McCall
State Treasurer Robert W. Straub
Speaker F. F. (Monte) Montgomery
Representative Lee Johnson
House Minority Leader James A. Redden

We have today agreed upon amendments to Engrossed House Bill 1601 to be offered to the House Committee on Highways--amendments which in every way strengthen and in no way compromise the public interest with regard to Oregon's beaches.

Our purpose is to supply all the statutory authority needed to maintain Oregon's beaches as a permanent recreational and scenic resources open to the public, and to maintain the natural beauty of the seashore.

We believe that the Legislature can enact the measure as amended, with full confidence that it protects and preserves both public and private rights along the Oregon Coast, and that it actually will help to enhance the esthetic and economic value of this magnificent resource to the benefit of all.

The proposed amendments provide for:

1. Preserving the status quo with regard to public use of the beaches.

This can be accomplished by:

- A. Retaining the basic language and goals of Eng HB 1601, which declares legislative intent to protect and preserve any public easements that have been acquired on the Oregon Coast through dedication, prescription, grant or otherwise, and authorizes the State Highway Commission to serve as the public agency to carry out this responsibility.

*about
the
substantive*

--more--

H.C. take legal action whenever it appears public rights have been infringed upon

- B. Designating such easements as state recreation areas,
- C. Acquiring whatever additional rights might be needed to keep the beaches open to the public. This intent is carried out by a provision for acquiring property, or interests in property, by purchase, agreement, donation or condemnation.

*stronger:
can be it
wherever
it is nearly
beach on
publicly
for recreation*

2. Authorizing the State Highway Commission to police, protect and maintain the lands made available for public use. *Could be 4 provisions*

3. *strong* Zoning to prevent construction on the beach which would mar its recreational and scenic values. This provision includes a new, precise and easily located contour line as the shore boundary of the zoned area-- a line beyond the beach, striking the shore slightly above the point where the highest winter waves toss logs. - *16 feet - was suggested 11'*

*3 miles
Dune
SB 39*

4. Relieving private property owners by:

*removed all existing residences
above 16 - now between 18-20*

A. Exempting them from liability for personal injury or property damage occurring on property subject to public easement or zoning, unless they cause the injury or damage. *by digging holes*

B. Allowing them to make a simple declaration of their private property rights, to be filed with the county recorder. [This would preclude the necessity of posting their property with notices or of building barriers, and would let them allow public use of their property without losing private rights.

C. Exempting them from property taxes on land subject to public easement.

*Relation to entrance
point?
is as provided*

May 15, 1967

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL 1601

On page 2 of the printed engrossed bill, line 1, after "public" delete the rest of the line and insert "and private rights relating to land."

On page 2, delete lines 3 through 18 and insert:

"Section 1. The Legislative Assembly recognizes that over the years the public has made frequent and uninterrupted use of lands on and about the shore of the Pacific Ocean; and where such use has been sufficient to create easements in the public through dedication, prescription, grant or otherwise, the Legislative Assembly hereby declares that it is in the public interest to protect and preserve such public easements as a permanent part of Oregon's recreational resources. The Legislative Assembly further declares that it is in the public interest to acquire additional rights and to do whatever is necessary to preserve and protect scenic and recreational use of Oregon's beaches.

"Section 2. Ownership of public easements on or about the shore of the Pacific Ocean hereby is declared vested exclusively in the State of Oregon. Such easements are state

recreation areas to be held and administered in the same manner as state recreation areas declared in ORS 274.070.

"Section 3. The State Highway Commission is authorized to administer, protect and preserve public easements declared state recreation areas by section 2 of this Act and for that purpose, if necessary, to undertake appropriate court proceedings.

"Section 4. The State Highway Commission, in accordance with ORS 366.345, may acquire property, or interests in property, for use in connection with state recreation areas along the Pacific Coast.

"Section 5. (1) In order to promote the public health, safety and welfare, to protect the state recreation areas recognized and declared by section 2 of this Act and by ORS 274.070, to protect the safety of the public using such areas, and to preserve values adjacent to and adjoining such areas, the natural beauty of the seashore and the public recreational benefit derived therefrom, no person shall, except as provided by section 6 of this Act, erect, make or place any appurtenance, structure or improvement on any property that is within the area along the Pacific Ocean located between the extreme low tide and the elevation of 16.00 feet above the United States Coast and Geodetic Survey Sea-level Datum of 1929 through the Pacific N.W. Supplementary Adjustment of 1947, following natural topographic contour lines, excluding estuaries. The position of the landward

boundary line shall be interpolated to follow natural topographic contour lines whenever interrupted by man-made structures.

"(2) This section does not apply to appurtenances, structures or improvements existing on May 1, 1967.

"(3) This section and section 6 of this Act do not apply to appurtenances, structures or improvements subject to easement or license granted by the State Land Board under ORS 274.075 or to rule, regulation or permit of or from the State Land Board under ORS 274.080.

"Section 6. (1) Any person who desires a permit to erect, make or place an appurtenance, structure or improvement on any property subject to section 5 of this Act shall apply in writing to the State Highway Commission, on a form and in a manner prescribed by the commission, stating the kind of and reason for the appurtenance, structure or improvement. Prior to the next regular meeting of the commission held after the date of receipt of an application satisfactory to the commission, the commission shall cause notice of the application to be posted at or near the location of the proposed appurtenance, structure or improvement; and at the next regular meeting the commission shall announce the receipt of the application. The notice and announcement shall include the name of the applicant, a description of the appurtenance, structure or improvement and its proposed location and a statement that any interested person may file a request with the commission for a hearing on the application.

"(2) Within 30 days after the date of the regular meeting at which the commission announces the receipt of a satisfactory application, the applicant or any other interested person may file a written request with the commission for a hearing on the application. If such a request is filed, the commission shall cause a hearing to be held by the State Highway Engineer or his authorized representative. The commission shall cause notice of the hearing to be posted and announced in the manner provided in subsection (1) of this section. The notice shall include the time and place of the hearing.

"(3) After the hearing on an application or, if a hearing is not requested, after the time for requesting a hearing has expired, the commission shall grant the permit if approval would not be adverse to the public interest in preserving the recreational and scenic resources. If the commission does not act on a satisfactory application within 90 days after the date of receipt thereof or, if a hearing is held thereon, within 60 days after the date of the hearing, the application shall be considered denied.

"(4) Any person is entitled to appeal to the circuit court of the county where the property is located for judicial review of the action or failure to act by the commission under this section. Except as provided by this subsection, ORS 183.480 to 183.500 apply to proceedings under this subsection.

"Section 7. The State Highway Commission is hereby authorized to police, protect and maintain property that is subject to section 5 of this Act and property on or about the shore of the Pacific Ocean that is available for public use, whether such use is obtained by easement, condemnation or permission of a private owner.

"Section 8. The owner or person in control of any property subject to a public easement declared a state recreation area by section 2 of this Act or any property subject to section 5 of this Act shall not be liable for any injury to another person or damage to property of another resulting from a condition of the property within the easement or within the area subject to section 5 of this Act, unless the injury or damage results from a condition that he created or that he knew or, in the exercise of reasonable care, should have known was likely to cause injury to persons or damage to property.

"Section 9. (1) In any court proceedings involving prescriptive rights of the public over property on or about the shore of the Pacific Ocean, an instrument executed and filed as provided by subsection (2) of this section shall be an act and declaration admissible as evidence of the intent of the owner or person in control of property to exercise dominion and control over his property.

"(2) The declaration shall describe the property and shall be signed and witnessed as provided by ORS 93.410. It

shall state that the public is granted permission to use the property, or a specifically described portion of the property, that the public use may be for certain purposes which shall also be described, that the permission granted may be revoked at any time by the grantor, and that the permission granted shall terminate upon the assignment, grant, devise or other transfer or conveyance of the property or any interest therein by the owner or person in control of the property. The declaration shall be filed in the office of the county officer charged with the duty of filing and recording instruments or documents affecting title to real property.

"Section 10. For purposes of assessment and ad valorem taxation, whenever real property is held subject to a public easement declared a state recreation area by section 2 of this Act, the true cash value of the property shall be subject to deduction for the restricted use imposed on the servient property by the easement.

"Section 11. Section 10 of this Act is first operative on January 1, 1968."

FORMERLY
DEPARTMENT OF
Bill Hay, Inc.
WILLIAM G. HAY, PRESIDENT
3610 N. E. 82ND AVENUE
PORTLAND 20, OREGON
ALPINE 2-2411

Beach Properties



BUSINESS INVESTMENTS
INCOME PROPERTIES
MOTEL SPECIALISTS
VIEW LOTS
HOMES
PROPERTY MANAGEMENT
MORTGAGE LOANS
INSURANCE

P. O. BOX 273
OCEANLAKE, OREGON 97367
TELEPHONE 994-2121

May 15, 1967

*Governor Tom McCall
State House
Salem, Oregon*

Dear Governor,

*I am enclosing these clippings in
regard to (H.B. 1601). I believe these
statements are the feelings of a good
many tax payers and property owners,
including mine.*

*Yours very truly,
Gordon Bennett*

Portland, Oregon
May 15, 1967

The Hon. Tom Mc Call
Governor of Oregon
State House
Salem, Oregon
97310

Dear Governor Mc Call,

I am very concerned about the outcome of HB 1601 dealing with the status of Oregon's beaches. Although I agree that property rights are to be guaranteed, I feel that the people of Oregon have established a right to the use of the beaches by adverse possession at law if not by general belief of both the shore dweller and the inland dweller at equity. The state should help the shore dweller to police the area and by the same token the state should hold the beaches for all the people of Oregon.

Many of neighbors have circulated a petition so that we may show you the popular support behind this bill. Enclosed please find a few copies of this petition. Other copies have been sent to Clay Meyers and Robert Straub by my friends. In all I would estimate that we have collected nearly 500 signatures since yesterday morning.

Should this bill fail I would be displeased, but I would like to offer myself to you as a circulator of a referendum measure.

Sincerely,

Geo. Berkley Moss

Geo. Berkley Moss
1535 SE Elliott
Portland, Oregon
9 7 2 1 4

P.O. Box 427
Florence, Oregon 97139
May 15, 1967

Dear Governor McCall:

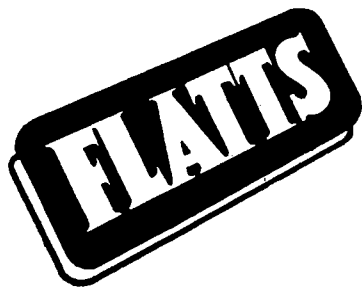
I am writing to encourage you to do everything in your power to save the Oregon beaches, from being owned by private business or individuals.

I have lived on the coast all my life and have enjoyed many hours on the beach. Because of this, I feel everyone should be allowed on all sections of the beach. Also, the scenic value, openness, and freedom of the beach should not be destroyed by fences.

Thank you very much for your time.

Yours truly,
Marilyn Starfield

MAY 17 1967



EARL FLATT, President

Carpets . . . Furniture

MAIN OFFICES:

3384 S. E. MILWAUKIE AVENUE

Portland 2, Oregon

May 15, 1967

The Honorable Governor
 Thomas L. McCall
 State of Oregon
 Salem, Oregon 97310

Dear Governor Tom:

Re: Beaches for the public --

I concur in your desire which I am certain will be a great mark for posterity in your behalf. I have owned beach front property for many years but my heart lies with the people who cannot afford a beach front home, and I have a suggestion (not knowing the legal ramifications maybe it will be of no value) which is as follows:

It is claimed by beach front owners that they pay taxes on this "no man's land" which I doubt is the case if the tax records are clearly examined, so why not use your formula as currently noted or the deeded and legally described boundaries for which they have actually paid taxes, and that if there is a conflict of boundaries, set up a condemnation program the same as is done for highways.

Sincerely,

Earl R. Flatt, president

FLATTS INC.

EF/hv

MAY 17 1967

Portland, Oregon

May 15, 1967

Dear Governor McCall,

I wish to express my appreciation as to your stand on the use of Oregon's beaches for the public. I have lived at the beach and hope that Oregon's most beautiful beaches will always be open to all. Yours - Mrs. Gladys Tonkin

Thos. M. Stevens.
Box 35. Seaside.
Oregon - 97147
May 15 - 67

Office of Liquor
Salem - Oregon

Gentlemen:

Please be advised that considerable alarm has been experienced by the people who live along the tide-water areas of the Oregon Coast's bays and rivers. In a strict sense of the word the 13.7 ft definition as now proposed in connection with H.B. 1001 would include many hundreds of miles of tide-lands away from the immediate beach area. It would directly affect many of the businesses that provide goods and services for the recreation areas involved.

It would seem practical and most essential that the area

effected by H.B. 1601 be clearly defined, and the limitations re all tide lands be adequately defined.

In the event it is the intent of the 13.7ft definition of H.B. 1601 to include all the tide-lands the bill should then spell out the exact provisions that are to be made for or against the hundreds of taxpayers who now reside in the tide lands.

In accordance with existing laws the people now living in tide-land areas would be forced to move their homes and businesses because they would be trespassing on State owned lands.

I feel sure there is an equitable and forthright solution to most of the problems arising from further pursuit of the 13.7ft definition

in H.B 1601 and that your office will give exacting and explicit consideration to the above outlined details. I am further assured that mine is but one voice of thousands who share my concern.

Thank you for the attentive interest shown our concern.

Thos M. Stevens
Bd 35. S. Peeler
Orejon - 97147

207 N
Johnson
McMinnville
Oregon

Governor Tom McCall
Oregon State Capitol Building
Salem Oregon

Dear Governor McCall

I would like to join in trying to conserve our beaches. In other words I don't think it's right. After all god made the seas for ever one in the world not for just a few people. I think we should preserve our beaches for every one not for just one person.

Because in the summer lots will want to go to the beach. but there will be nowhere to go.

over JULY 17 1967

Sincerely yours

May 17, 1967

Mr. and Mrs. Lester E. Filtz
Route 1, Box 79
Cloverdale, Oregon

Dear Mr. and Mrs. Filtz;

Thank you for your telegram about House Bill 1601. My staff and I have spent a considerable number of hours on this bill, together with many members of the legislature, to insure, as you so wisely state, that hasty legislation not be passed. We are striving for a fair and equitable bill for all, but one that will insure the public use of our beaches for generations to come.

I appreciate your interest in writing to me.

Sincerely,

Governor

TM:mm

CLASS OF SERVICE

This is a fast message unless its deferred character is indicated by the proper symbol.

WESTERN UNION TELEGRAM

W. P. MARSHALL
CHAIRMAN OF THE BOARD

R. W. MCFALL
PRESIDENT

SYMBOLS

DL=Day Letter

NL=Night Letter

LT=International Letter Telegram

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PRA011

PR LLF141 NL PD 6 EX=TDPR CLOVERDALE ORG 7= 1967 MAY 8 AM 7 38

GOVERNOR TOM MCCALL=

CAPITOL BLDG SALEM ORG=

REFERENCE HB 1601. DEAR GOVERNOR MCCALL. INTERESTS OF ALL PEOPLE IN OREGON NOT SERVED BY PASSAGE OF HASTILY PREPARED OR AMMENDED LEGISLATION WHICH DOES NOT THOROUGHLY CONSIDER ALL ASPECTS OF THE MATTER. STRONGLY URGE THE SUBJECT BILL BE GIVEN EXTENSIVE AND UNEMOTIONAL STUDY BY AN INTERIM COMMITTEE.=

LESTER E AND DONNA J FILTZ
ROUTE 1 BOX 79 CLOVERDALE ORG.

MAY 8 - 1967

L. STANLEY GLARUM

6843 S. W. Raleighwood Way Portland, Oregon 97225

May 17, 1967

The Honorable Tom McCall, Governor
State of Oregon
Salem, Oregon

Dear Governor McCall:

As the owner of a small cottage at Cannon Beach, not on the beach front, I must say that I have been very distressed by your stand about use of the beach by the public.

No property owner with whom I am acquainted has any idea of denying the use of the beach to the public. In fact, those of us who own property have purchased it because we have regard for the beauty of the Oregon Coast. Naturally we want to maintain it in its beauty for all to enjoy. We have enough concern that we constantly police the beach, picking up milk cartons, beer bottles, broken pieces of bottles, etc.

Nowhere in your proposals have I noticed your concern for maintaining the beaches for the use by the public. With privilege comes responsibility. The so called public must police its own waste or the State must provide the funds to do this. Evidently these funds are not available now as a casual view of our beaches will prove.

In last evening's Oregon Journal an article said the State could not clean up private property littered by the public. If the property owners want their property cleaned up they must do it themselves. Thus under your proposal the public may litter and the property owners must clean it up. If this is true, I have little regard for someone's sense of justice. Can you do something about this?

Further, if you really mean what you say about saving the beaches for use by the public you will include in your proposal that all motor vehicles and horses be barred from the beaches. (Rescue vehicles excepted). A car on the beach is like a motorcycle on a mountain trail. I am sure it is unnecessary for me to mention the danger to pedestrians and especially children. How can anyone enjoy the beach with constant need to watch for vehicles.

Also, if really want to control "crass commercialism" you will move to make the entire coastline under State control including the beaches within cities. Local city councils often feel "they" own the beaches within their jurisdiction and create local laws good for business, not what might be in the best interests of the public.

Lastly, I am very concerned that the news reports seem to say that you are willing to arbitrarily take the control of property from owners and give free use of it to the general public. Personally, I feel your knowledge of our coast situation has been too hastily acquired and so far, your actions do not seem soundly based. You may find yourself in a considerable backfire if a calm, due process of law is not used.

Very sincerely,

L. Stanley Glarum

MAY 18 1967

Mr. George Gregory Welsh
POB 11523
Portland, Or. 97211
17th May '67

The Honorable Tom McCall,
Governor of The State of Oregon,
State Capitol,
Salem, Oregon 97310

Dear Sir,

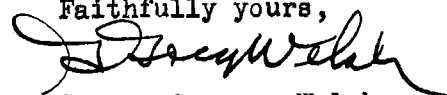
LIKE BURNING FLAGS and toppling monuments this seems to be open season on memorials to the individuality of man . . . with the big-league beach boys kicking surfsand into the faces of the 97 pound weaklings, shortened by a beach head/ high and dry as a clam at low tide - - with about as much to say about it - - - retiring from the field, returning to walk softly carrying a big H B 1601, while we are busy reading which we may be sinking slowly into West's quicksand or foundering on the rocks-and-shoals of a highway department power grab . . . in which case we may ask: who's the victim, and who the aggressor?

THIS DOOMS DAY declaration, while paved with good intentions, may prove to be a monumental epitaph to the deathless individuality of the vanishing American.

THAT'S THE WAY IT LOOKS FROM HERE . . .

With sincerest regards,

Copies: The Oregonian
The Journal

Faithfully yours,

George Gregory Welsh

MAY 19 1967

May 17, 1967

Hon. Tom McCall, Governor
State of Oregon
State Capitol Bldg.
Salem, Oregon

Governor McCall:

We are sincerely grateful for your efforts to establish an equitable line of public access and use of Oregon's famous beaches. One of the last remaining natural resources of this state that is not exploited or plundered by those looking for an "immediate buck" and the devil take the future generations.

I was born in this state of Oregon as my mother before me also, and it has been with a great deal of pride I could travel the length and breadth of this country and "brag" about how we did things legislatively, tax wise and the scenic grandeur that was ours ~~for~~ by right of birth. Now we have the last massive assault by money and people from other states that would have us conform to the modes and mores of California, Washington, etc.

From what I read in the papers, Mr. Montgomery does not have much control or represent the majority thinking for his Highway Committee, otherwise he certainly could get his Republican confreres to think about the welfare of the public before the alledge greedy representations of a few motel and hostelry owners of Clatsop, Tillamook and Lincoln counties. I have a summer home in Lincoln county near Road's End and it certainly doesn't seem right that I will be foreclosed from wandering this beach as I have done all my life.

It is the one thing that makes life bearable in our smog choked cities, that we work here to produce the economic fiber for this state, do have a chance in a couple hours drive, to get to the beach and fill our lungs and eyes with the fresh washed air and scenery of the Oregon beaches.

As a suggestion to take your plan away from a Committee that is determined to scuttle it, why not have your idea introduced in the Senate, assigned to a friendly committee and then if it is adopted by the Senate, Mr. Montgomery, if he is sympathetic to your line of demarcation for the beaches, he could assign it to a committee over which he has more control ?

This beach sand business should not be referred to an interim committee, while the "beach-grabbers" solidify their legal hold on all of the beaches before the next session and then demand a king's ransom for their holdings.

Here is wishing you every success in your efforts to preserve our birthright in our Oregon beaches.

Sincerely,



P.C. Leineweber
4305 NE Glisan St.
Portland, Oregon

MAY 18 1967

W. D. LESHER

774-1730

CHEMICAL — MECHANICAL ENGINEER

7407 S. E. 105TH AVENUE
PORTLAND, OREGON 97266

Govenor Tom McCall
State of Oregon
Salem, Oregon

May, 17, 1967

Dear Govenor:

I respectfully implore you not to bend under pressure and yield to the Highway committee on the Beach Bill. To me it is obvious that the men who are trying to wreck this bill have interests other than the peoples. In trying to be a good Republican, it often seems to me that these men are usually of this party.

I want commend you on your conduct in office and to say that I believe you are under no influence other than to make this a better State. Please do not let us down on this beach bill. Anything below 16' is paying homage to private greed.

I would also like to say that I think there should be a limitation on installment buying of 12% , banks or large stores.

Thank You,



W.D. Leshner

MAY 18 1967

normally be vacation homes only.

Furthermore those who can buy land on the edge of the sand are usually wealthy and could locate vacation sites elsewhere without undue hardships. I noticed, as did others with whom I work, that your opposition was of the well-to-do; and it is probable that all of them, directly or indirectly, have a financial interest or ownership in beach property on the sandline.

Another very important thing is this: small children can no longer scramble play among the logs, and are required to stay nearer the water line, what can be done to protect them from the ever increasing volume of scooters, motorbikes, cars, & horses? As Rep. Bozette has requested, the logs and driftwood are a vital part of the sand & beach playground area. In the daytime they are the forts and houses of small children & windbreaks for mothers of infants and old persons — in the evening they are congregate areas for young people and family groups. And up to the present the logs and

5/17/67

Dear Governor McCall:

This noon a group of my fellow employees were saying how much they appreciated your efforts to save Oregon's beaches for the general public. One woman said that she was tempted to write to you, but that you must have received ten thousand letters of thanks. So here is another to add to the pile.

I am the owner of beach property, with a future retirement home located about a block from the ocean. But "my" beach is extremely fortunate — it is Manzanita where much of the sand is bounded by a County road or a bluff.

Owning a place near the coast has acquainted me with the fact that year-round residents do not build right on the edge of the sand; so if houses had to be removed to protect the public's beach rights, they would

the driftwood have belonged to all of us. (There are driftwood collectors, like rockhounds.)

It seems odd that if a highway is being planned, homes are condemned and moved or demolished as need be to serve the community. Are vacation houses (used for only a fraction of the year) more important when another need of the public is being planned or considered?

Anyway, Governor McCall, many thanks to you, and to Representatives Sidney Bazell, Norman Howard, and Jack Amerser.

Gratefully yours,
(Mrs) Linda Johnson

5020 SE 42 Ave
Portland, Ore 97206

CHARLES R. CATER

ATTORNEY AT LAW

CATER BUILDING

LA GRANDE, OREGON 97850

17 May 1967

TELEPHONE 963-4531

P. O. Box 221

Hon. Tom McCall
Governor
Salem, Oregon 97301

Dear Governor McCall:

We appreciate your efforts on behalf of the public in the beach matter. And we also admire your courage in the face of the forces of greed and exploitation. We believe that the compromise plan worked out by yourself recently was a good one and a fair solution. The refusal of the legislature to adopt it is regrettable. I hope that they will change their mind.

We are ready to go ahead with an initiative if the legislature does not do the right thing. We are not about to turn the beaches over to the real estate lobby and California resort promoters. It might be a good idea for you to let the people know who is behind the effort to take the beaches away from the people.

Thank you. With kindest regards.

Sincerely yours,

Charles R. Cater

CRC/ba

cc: Dr. Robert L. Bacon
University of Oregon
Medical School
Portland, Oregon

MAY 18 1967

Lincoln City, Ore.

May 17, 1967.

Governor Tom McCall,
Salem, Oregon.

Dear Governor:

I am deeply concerned over the controversy about the public's right to have access to the beaches of Oregon. I feel that Oregon has an unexcelled coast line and that it should be preserved for the enjoyment of all the people of Oregon as well as thousands of tourists who visit our state from all states as well as the foreign countries. At different times I have ridden on the bus with a group from South Africa, Canada, New Zealand, Australia and one from Laos. Shall the cupidity of a few beach property owners bar the enjoyment of thousands of visitors and destroy our tourist mecca?

I believe a beach front property owner buys the view and not what extends one iota westward to the limit of the property to which he holds the deed. He has no more legal right to what extends westward than the resort owner eastward across the street from him has, nor should he rope off part of the beach in front of his legal property line. Last spring I was in Port Orford. I walked north and then west toward the beach. I came to a rope barrier across the path. When the man asked 25 cents access to the beach I said, "I thought the beaches in Oregon belonged to the people. He said, "Only 85% does. That from where I stood north to the cape was in private hands." Should such things be? Also should Salishan have been permitted to close all access to that long sand spit—except by going away around by Gleneden? I think the state should condemn and buy an access route through such private holdings. Little by little the Oregon Sands are being closed off from the use of the public. I appreciate your stand in trying to save the beaches for the enjoyment of all the people in Oregon.

Sincerely yours,

Inez Makino

Why not let the beach line be determined by the high tide line except in flat areas like Coos Bay, which could have a limit set? Then the tourists could have access to drift wood, Japanese floats, and agates—for which most tourists come to the beach.

P.O. Box 2126 Salem, Oregon

May 17, 1967

Hon. Tom McCall,
Governor of Oregon,
Salem, Oregon

Dear Governor:

It is becoming increasingly unlikely, as I indicated in my letter of May 14, that an acceptable bill to preserve the Oregon beaches will come out of this legislature. The calibre of the legislators is such that few of them will put the public interest first. They will be guided by their own selfish interests or the interests of a few of their constituents or clients, well represented in the lobby.

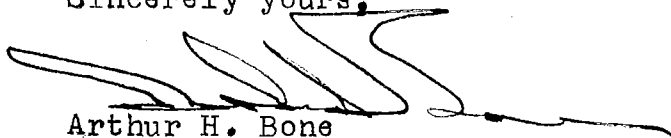
As our beaches become more valuable, the efforts of private interests to take them over will become more intense. I reiterate what I wrote in my letter of ~~March~~^{May} 14- that only a carefully drawn constitutional amendment will preserve these beaches for all time. This should be initiated after the legislators go home.

I would like to suggest that you appoint a bi-partisan committee of distinguished Oregonians as a Committee to Preserve the Oregon Beaches, and that this committee be charged with the task of studying what needs to be done, and then initiating an amendment to accomplish it. Such a committee, headed by a man of the calibre of the late E. B. MacNaughton, would rally all Oregonians to the defense of their beaches against the raids of predatory interests.

The officials and the residents and the business interests of the beach counties have shown no understanding of the need to preserve this great public asset, and little or no attention should be paid to their protests. They had their chance and miffed it. The "20 miserable miles" is an example of what we could expect on our beaches if they have their way.

The people of Oregon are looking to you for leadership in this great cause and we are sure you will not fail us.

Sincerely yours,



Arthur H. Bone

MAY 19 1967

Darrell W. Long
442 S.E. 33rd Ave.
Portland, Oregon

Gov. Tom Mc Call
State Capital Bldg.
Salem, Oregon

Dear Sir,

As I began following the progress of the beach bill legislation through the available news in our papers, I was distressed to note that the committee was holding the bill back and not working for its passage to the legislative body. I made an effort therefore to attend the meet- of May 11th at Salem. I found then, I thought, that in actuality it was being held back because of the great amount of confusion as to what the people of Oregon wanted and how our committee could most correctly obtain it.

I came out of that meeting sympathizing with the committee and looking forward to the next one which was shortly announced as being ready and in accord to give the people their wishes.

This does not appear to be so. With the exception of the committee chair- man, and one or two other members this is, or more so has become, a complete giveaway of our rights to the enjoyment of our beaches. Please tell me and thousands of Oregonians like me how do we get representation on this committee as equals with that of the private property owners. Get us some action, not reams of amendments !!!

MAY 10 1967

May 18, 1967

Mr. and Mrs. J. R. Byrne
1925 Northeast 25th Avenue
Portland, Oregon 97212

Dear Mr. and Mrs. Byrne:

Just a wee note to thank you for your telegram.

I just want you to know that I am deeply appreciative of your
thought.

Sincerely,

Governor

TM:wv

CLASS OF SERVICE

This is a fast message unless its deferred character is indicated by the proper symbol.

WESTERN UNION TELEGRAM

W. P. MARSHALL
CHAIRMAN OF THE BOARD

R. W. MCFALL
PRESIDENT

SYMBOLS

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NL=Night Letter

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(33)

PRA 171

PR LLH180 POM=PORTLAND ORG 16

1967 MAY 16 PM 1 39

GOVERNOR MCCALL=

SALEM ORG

STATE PARK SHOULD BE NAMED HONORING OUR GREAT GOVERNOR FOR PRESERVING OREGONS DRY SAND BEACHES=

MR AND MRS J R BYRNE 1925 NORTHEAST 25 AVE
PORTLAND ORG 97212

MAY 16 1967

13995 SE Matilda St.
Milwaukie, Oregon
May 18, 1967

Governor McCall
Oregon Capital Building
Salem, Oregon

Dear Governor McCall,

As a proud Oregon citizen who has enjoyed our lovely beaches many times, I must say 'thank you' to you and your colleagues for your efforts in trying to preserve our beaches for public use. Not just for now but for the years to come when places of recreation will be so desperately needed.

I hope that more of our government people will consider the many people to come and not just the lucky dune owners.

Thank you,
Mrs. D. J. McCullough

MAY 22 1967

5/18/67

Dear Governor McCall

This is to let you know that all of us on the coast do not agree with Rep. Tom Holmstrom.

Please continue the fight to retain public interests on the beach.

I feel this is essential to the long range goals of the state tourist industry.

I will support any compromise you feel will not shut change the public.

Sincerely

Mrs Dorothy Eberhardt

Box 49

Seaside Oregon 97138

MAY 19 1967

May 18, 1967
1734 N. W. Hoyt St.
Portland, Oregon

Dear Governor McCall,

I hate to voice disapproval at this late stage, but it is difficult to believe that such a thing would stand a chance of passing.

I find the "beach bill" a most deplorable "easement" regulation. It is a matter of principle vs. expediency.

If this thing passes, the people of Oregon will lose a lot more than they will gain - an exchange comparable to selling one's soul to gain the world.

There is nothing wrong with the use of normal condemnation proceedings whereby the landowner gets paid for easements. After all, he paid for the rights when he purchased the property. And the full rights to private property can't rightfully be taken away by the State or anyone else without first due process and payment.

IF THE IDEA ISN'T TO TAKE AWAY THE PROPERTY RIGHTS OF BEACH OWNERS, THEN WHY INTRODUCE SUCH A LAW? The very fact belies its purpose, no matter how sophisticated it is expressed to the contrary.

I think the advocates of this law ought to go hide their heads in shame.

I am not a beach owner, and I know no beach owners - but I want no part of any new and blanket procedures for easements of any kind, or under misleading titles.

Yours truly,



Chas. McManama

P.S. Such things reduce anything we fought for in W.W. II, the Korean conflict, and now in Viet Nam to almost nothing.

If Washington did it, that doesn't make it right.

MAY 23 1967



First Congregational Church

S. W. PARK AVE. AT MADISON ST.
PORTLAND, OREGON 97205

ROYALD V. CALDWELL, PASTOR

228-7219

May 18, 1967


Gov. Tom McCall
State Capitol Building
Salem, Oregon.

My dear Governor McCall:

I hope that you will use every possible means to conserve the Oregon beaches for the general people.

I would be terribly disappointed if we ever found the Oregon beaches usurped by private people as has been done in Miami, Florida.

Yours sincerely,



Royald V. Caldwell, D.D.
Pastor

rvc:ls

MAY 22

JOHN F. CUSHMAN

~~XXXXXXXXXX~~

P.O. BOX 516

HOOD RIVER, OREGON 97031

386-3788

DISTRICT ~~XXXXXXXX~~ Judge
HOOD RIVER COUNTY

May 18, 1967

The Honorable Tom McCall
Governor
State of Oregon
Capitol
Salem, Oregon 97310

Dear Governor McCall:

Thank you for your letter and support of the Oregon Beach bill.

After reading yesterday's newspapers, we are shocked at the committee action to reduce beach areas. As a former practicing attorney, I feel that the existing law was very fair, and that the proposed law, in its original form, was nothing more than a further statement of position and procedure to guide the State and its citizens, but giving an effective remedy to the citizens to assure public rights. I believe that many persons have not clearly understood this basic premise.


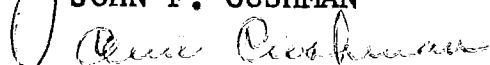
As a former District Attorney for Hood River County, our whole county faced a near hopeless legal situation with respect to alleged, private, "constitutional" rights after tax foreclosures. We feel that Hood River County's position is vindicated in Hood River v Dabney, 84 Advance Sheets 179, dated March 1, 1967, and this beach business is very similar in legal constitutional questions. To give the public a sound remedy is our urgent need.

As a frequent visitor to the beaches of Oregon, and to Cape Cod on the Atlantic, we just do not see what "rights" are being taken by the original bill or your proposals. Sooner or later, you will be vindicated completely. In addition, this legislation is the perfect example of sound state or local action which has been too often abdicated by the local citizens in favor of "Federal action", good or bad.

We urge and support your strong positive stand on this action. We are gratified by your efforts.

CC: Senator Wayne Morse
Representative Ken Jernstedt

Very truly yours,


JOHN F. CUSHMAN

ANN CUSHMAN

MAY 22 1967

WJ

Clockmass, Ore
May 22, 1967

Mr. Tom McCall
Governor of the State of Oregon
State Capitol, Salem Oregon

Dear Sir:

Recent articles in the newspaper
and news on the T.V. in regards
to our Beaches has prompted
me to write you a few lines

I doubt if any elevation
you may decide to use will
solve the problem. a 16'
elevation at the town of
Rockaway will place the
public use line well up
against the Coast Range

and well to the East of Highway
101. The same condition
will apply to Manhattan Beach,
Redona Beach, Manzanita,
and Nehalem, from what
I have read the property in
question if privately owned,
would be taken by easement
with the owner still paying
taxes on something he has
absolutely no control over.

I feel that you are being
very unjust to these private
owners, and I am sure that
if this bill should become law
the State of Oregon will have
a number of law suits on
~~their~~ its hands

If this bill does pass it
will be the largest land
grab in our time.

Can't you do anything the
simple way - Zone the
beaches so that there can
be no construction towards
the ocean beyond the high
log line, this would include
any types for construction
including fences

Please give the property
owner some consideration
as well as the General Public.

Sincerely yours
Arthur D. Berner
10212 S.E. Sunnyside Rd
Clackamas, Ore. 97015

MAY 23 1989

YOUR HOSTS - Don and Donna Buffington

Gard'n Sea Motel

1040 SO. ELLENSBURG • GOLD BEACH, OREGON • PHONE CH 7-9012

5-19-67

Hon Gov. Tom McCall
STATE HOUSE
SALEM, ORE.

Dear Gov. McCall:

My beach area has always been open for public enjoyment subject to proper use and treatment of it; however, if the public gives me the same consideration as the ranchers of Eastern Ore, it will be closed fast.

Your 16' line is only going to take two-thirds of my property, some motel units, the County fair arena, high school track and our airport. Your agents should have their heads stuck in the same sand you are attempting to steal. I welcome a personal inspection of the forgotten south coast and my area in particular. I would personally meet your airplane and conduct you on a county tour.

Yours truly,
Donald K Buffington

MAY 22 1967



TOM McCALL
GOVERNOR

OFFICE OF THE GOVERNOR
STATE CAPITOL
SALEM 97310

May 22, 1967

Mr. Ermal Stromberg
Sandy
Oregon

Dear Bull Run Club:

I have pledged my every effort to preserve Oregon's beaches for the public and I am very appreciative of your expression of agreement. With your support and the cooperation of other Oregonians, I am confident the Legislature will enact meaningful legislation that will protect our beaches for the use of all future generations.

Your backing will help make this possible.

Sincerely,


Governor

TM:mm

5

May 22, 1967

Honorable Tom McCall,
Oregon State Capital,
Salem, Oregon

Dear Governor:

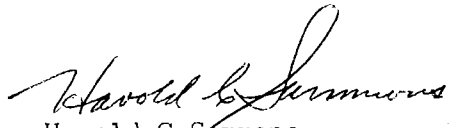
I wish to take this opportunity to convey to you my appreciation of your stand on the Oregon Beaches question.

It has always been my opinion that the beaches were the property of the public and were administered by the Oregon State Highway Department. It now appears that we have been under a misapprehension for the past fifty-five years.

Please dont allow the Highway Department Legislative Committee or the Senate Judiciary Committee to sit on H.B. 1601 until adjournment and thereby give away our beaches by default. Such conditions have been found in other states Mrs Sammons and I have visited, and it is appalling to see fences and "no trespassing" signs posted down to the waters edge.

Incidentally Tom, keep up the good work, and **you** will not only be a great governor, but a wonderful senator as well.

If ever Mrs Sammons or I can be of service to you in any of your campaigns, or on any committee or in any manner, please feel free to call on us, your old friend---the ex-Portland detective and now Airport Policeman.


Harold C Sammons
1927A NE 66th,
Portland, Oregon

HW 24 1967

Brian Adams
1346 S.E. Marier
Portland, Oregon 97202

Dear Governor;

I am just one of the people willing to you to get the beach problems straightened out. I hear the land owners that live right next door to the beach are trying to make these beaches their private property. Now, Mr. Governor put yourself in the situation we're going to be in pretty soon if this passes. Say you're a boy in a family that wants to go to a beach. You're down by Seaside and Depoe Bay or any place where a beach is looking for a beach you can have fun on. You'll find the same thing we're going to find pretty soon if it does pass you'll find that'll be owned by different people and they won't let you on their private property. I hear you not for passing this beach thing and I'm sure on your side.

The beaches are supposed to be loved by all people and enjoy the water and the nice brown sand and the scenery. So please if you really fight this I'm sure it will come through okay. I hope I'm not borrowing your time with letters but I think it's worth it for a problem like this. I know your real good governor and to keep me thinking this please help this not pass so we can go on enjoying beaches. I'll never for this and neither will anybody else, I hope.

NOV 22 1977

Thank You
Sincerely Yours
Brian Adams

Beach

May 23, 1967

Honorable Robert L. Miller
District Attorney
Curry County Courthouse
Gold Beach, Oregon

Dear Mr. Miller:

I appreciate your sending me copies of your letters to Representative McKenzie and Senator Chapman. I certainly respect your concern about the 16-foot elevation, and assure you that numerous safeguards have been built into HB 1601 as passed by the House Committee.

It has never been my desire to inhibit the useful development of private property. Our only concern in this bill has been to protect what is commonly known as the dry sands area. HB 1601, as passed by the House Committee, will do just that. It also instructs the Highway Commission to specifically survey the entire Coast so that any possible inequities may be removed within the next two years.

Sincerely,

Governor

TM:wa

cc: Senator Chapman
Representative McKenzie

6W
May 18, 1967

Senator Dick Chapman
Senate Chambers
State Capitol
Salem, Oregon

Dear Senator Chapman:

The Curry County Court has asked me to write you a letter setting forth their opinions on the controversial legislation regarding beach property. They feel that it would be wiser, in the first instance, if the legislature could wait until the next session to handle this problem and in the interim make further studies so that they would be more sure of what the effect of certain elevations would have on the properties involved.

They feel that the bill, if allowed to go through in a form containing a set elevation of 16 feet, would jeopardize property in Curry County. As an example in this regard, the Port of Brookings property in the main port area of Brookings is below 16 feet, Wilbur Moore's pasture in the Ophir area is below 16 feet, and Knox's subdivision at the mouth of the Rogue River is partially below 16 feet. Many other properties in the area would also be in the same condition. The properties we mentioned are not actually beach sand areas and possibly would not be included in the bill, but you should be sure that the bill clearly defines beach areas regardless of the elevation height so as to not include properties such as these and other low-lying ground adjacent to the ocean shore.

The County Court wishes to further indicate that they do not in principal oppose the bill but feel that further time is needed to study the impact of the proposed legislation before acting thereon.

Some data for your consideration on the effect of blanket elevations in Curry County has been furnished by the Curry County Surveyor and is included herein.

Very truly yours,

Robert L. Miller
District Attorney

RLM:vjd
Enc.

cc: Honorable Tom L. McCall
Governor of the State of Oregon
State Capitol
Salem, Oregon

COPY

MAY 19 1967

May 18, 1967

Representative Rod McKenzie
House of Representatives
State Capitol
Salem, Oregon

Dear Representative McKenzie:

The Curry County Court has asked me to write you a letter setting forth their opinions on the controversial legislation regarding beach property. They feel that it would be wiser, in the first instance, if the legislature could wait until the next session to handle this problem and in the interim make further studies so that they would be more sure of what the effect of certain elevations would have on the properties involved.

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Robert L. Miller
District Attorney

RLM:vjd
Enc.

cc: Honorable Thom. L. McCall
Governor of the State of Oregon
State Capitol
Salem, Oregon

COPY

Curry County Elevations

USGS Datum

Wilbur Moore pasture between old and new highway 101 at Ophir, Oregon	14.9
Toe of slope West of new highway 101 at Ophir, Oregon dry sand area	9.6
Water elevation Euchre Creek West of new 101 at Ophir, Oregon.	7.1
Sand dune elevation West of 101 at Ophir Oregon	11.1
Beach elevation South of Wedderburn sewer lagoon	14.0
County Road at Best's cannery Wedderburn, Oregon	10.0
Floor Gold Beach airport building	17.4
Coast Guard floor elevation, Harbor, Ore.	14.2
Floor at Sporthaven Inn, Harbor, Oregon	13.5
Floor at Brooking Fisheries (Cannery)	8.5
Top of North Jetty Brookings, Ore.	12
Ostenberg bar 3.5 mi. up Chetco River	18
State Highway Bridge Deck on Winchuck River	20

REGISTERED
OREGON
LAND SURVEYOR

H. J. Newhouse
MAY 10, 1957
H. J. NEWHOUSE
402

6
HENRY J. MORTON / 1350 S.W. Orinda Way / Portland, Oregon 97225

May 23, 1967

Governor Thomas L. McCall
Salem, Oregon

Dear Tom:

The people of Oregon owe you a great debt for
your actions relative to House Bill 1601. Keep
up the good work.

Best regards,



Henry J. Morton

May 24, 1967
Rt. 3 Box 638
Salem, Ore.

Governor Tom McCall
Secretary of State
Salem, Ore.

Dear Governor:

Everyone seems to have placed their finger in this beach controversy so thought it time to include my two-bid worth in brief: -

Side of Ownership.

1. Owners should be entitled to some recompense for taxes paid on the property during their personal tenancy.
2. They should not be compelled to pick up debris left by unthoughtful people.
3. They should not be subject to suit brought against them by people whose children get injured on property which they own but public uses.

Public's Side

1. They should be entitled to the dry beach areas as they have been accustomed to.
2. They are entitled to protection from litterbugs and damage suits.
3. The dry beach areas should not be fenced.

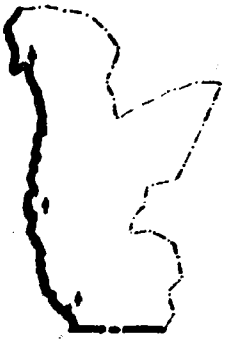
Solutions

1. Reimburse owners for taxes paid during their tenancy and State purchase the property, or have easement.
2. Establish strict and stiff penalties for litterbugs especially against those breaking bottles or leaving hot ashes from fires, or other dangerous debris.
3. Prohibit auto driving on the beaches at all times and places. They do not belong on the beaches in this age.
4. Establish beach patrols during the summer months to enforce items 2 & 3. College students or retirees to supplement their social security could be employed for say 6 months of the year at a small salary.

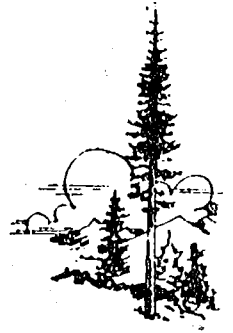
Maybe out of the above may come a clue
for the solution to suit all concerns and provide
protection to the children playing on the beaches.
I do not own a beach lot.

Respectfully yours.

E. A. Meola



T CURRY COUNTY
Timber
OPERATORS, INC.
Gold Beach, Oregon 97444



The Honorable Tom McCall
Governor of Oregon
State Capitol Building
Salem, Oregon.

Dear Sir:

The Curry County Timber Operators have voted against the current beach access bill which would expand the Oswald West interpretation of public rights and are against further expansion of public ownership.

Respectfully,

A handwritten signature in cursive script that reads "Paul Stallard". The signature is written in black ink and is positioned above the typed name.

Paul Stallard, Pres.

PS/lw

REC-24-100

CLASS OF SERVICE

This is a fast message unless its deferred character is indicated by the proper symbol.

WESTERN UNION

W. P. MARSHALL
CHAIRMAN OF THE BOARD

TELEGRAM

R. W. McFALL
PRESIDENT

SYMBOLS

DL=Day Letter

NL=Night Letter

LT=International Letter Telegram

The filing time shown in the date line on domestic telegrams is LOCAL TIME at point of origin. Time of receipt is LOCAL TIME at point of destination

PRA019 SSB062

:(59).

PR LLE090 PD 4 EXTRA=PORTLAND ORG 26 2 35A ~~PD~~ MAY 26 AM 7 4

:HONORABLE TOM MC CALL=

GOVERNOR OF OREGON SALEM ORG=

DEAR SIR YOUR TRASH'S BEACH PROBLEM IS IN THE BAG--| INSTALL
ALONG THE WAY A FREQUENT INTERVALS BARRELS BIG ENOUGH
TO ENCOURAGE THEIR USE BY PEOPLE WHO COME THER TO BE LAZY=

GEORGE GREGORY WELSH PO BOX 11523 TOUCHSTONE=

MAY 26 1967

Governor

May 26, 1967

Miss Dorothy R. Anderson
c/o United States National Bank of Oregon
1709 S. W. Morrison
Portland, Oregon

Dear Dorothy:

My only wish is that your opening sentence could be true for every Oregonian. It is a real pleasure to have people only disagree with me on one issue and, of course, I understand your position perfectly regarding income versus sales tax.

I was interested in receiving Speaker Montgomery's letter to you and agree that it is a little off base in that each of us agreed to jointly support the improved bill without claiming the credit. I guess it is up to some to be more humble than others and it is pretty easy for those who feel righteous to be the humblest of all. On this one I feel pretty righteous.

I do appreciate your kind comments as well as the many hours of work you have contributed to my several campaigns. Keep up the advisory comment and, hopefully, I will keep up the record of having your support on all issues except taxes.

Sincerely,

Governor

TM:ws



UNITED STATES NATIONAL BANK OF OREGON

May 22, 1967

The Honorable Tom Lawson McCall, Governor
The State of Oregon
Salem, Oregon

Dear Tom:

I have been watching with interest your fight for the public beach bill, and your handling of the other problems confronting your office. The only thing on which I don't see eye to eye with you is the tax situation. Of course, being single has something to do with this, as I pay a larger slice than does someone with two or three dependents.

However, with regard to the beach bill, when the controversy arose, and I saw public support was required, I sent a wire to Speaker Montgomery asking that no compromise be made, which at that time was important. Following that you went to the beaches with experts and the following day recommended certain amendments which were agreed to by Mr. Straub, Mr. Montgomery, and you, and I saw you on television that evening stating that all three of you had worked out a compromise and that none of you were going to take credit for these changes.

With this in mind, I was somewhat surprised to receive the enclosed letter from Speaker Montgomery. I wonder if he thinks the people of the state are "stupid" and do not pay attention to what is going on. Thought you would be interested in seeing his "propaganda".

Best wishes.

Sincerely,

Dorothy R. Anderson

1709
SW

Lawson
MAY 23 1967

XERO COPY

XERO COPY

XERO COPY

XERO COPY



STATE OF OREGON
HOUSE OF REPRESENTATIVES
SALEM

Dear Friend,

Thank you for taking the time to send me your views on House Bill 1601. Because of the broad public interest in this measure I simply am unable to write you a personally typed letter. I do, however, want to make my position on HB 1601 abundantly clear.

First, I should explain that currently much of Oregon's dry sand beaches is in private ownership. The part of the beaches clearly owned by the public is the "wet sands" area -- that is, the area between high and low tides.

The public, however, may have acquired a "prescriptive right" to at least some of the dry sand area. Under common law this right is acquired if the public has used private land "openly, notoriously and continuously" for ten years without consent of the owner. Under prescriptive rights the landowner is not reimbursed for the loss of the use of his land if a department of State Government assumes jurisdiction.

I feel that HB 1601 both in its original and engrossed form is inadequate protection of the legitimate public interest in our dry sand beaches. Its use of the frequently indefinable term "natural vegetation line" and the fact it might be construed by the courts as an unconstitutional expropriation of private property were major objections.

Consequently, in cooperation with several lawyers, oceanographers and others, I prepared a set of amendments to HB 1601 which were presented to the House Committee on Highways by Representative Lee Johnson on May 11.

Although subject to some misunderstanding, these amendments in fact substantially broaden protection of public use of our beaches.

The amendments I presented would (1) eliminate the "natural vegetation line" as the area for which the Highway Commission would have authority and would give the Highway Commission authority to protect the public's access to and enjoyment of Oregon's beaches; (2) introduce a new concept, not included in HB 1601, of zoning the private property on the coast. This prevents structures and barricades that disrupt the scenic or recreational use of the beaches on property that clearly is in private ownership; (3) provide for a legal and orderly process of determining

public and private rights on the beaches; (4) remove the liability from the private property owner for an injury to a member of the public exercising a prescriptive right on private property; (5) clarify the property taxation of land on which the public's prescriptive right is determined to exist; (6) seek to eliminate signs and posting of private beach property in the future by suspending future prescriptive rights.

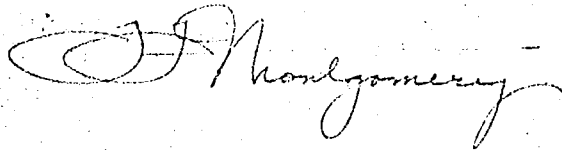
While some of the language has been changed, I am pleased to tell you that the concepts proposed in these amendments were later endorsed by our Governor, our State Treasurer and others concerned with protecting the public on Oregon's beaches.

Enclosed for your information is a copy of HB 1601 as the House Committee on Highways has amended it. I am sure you will agree with me that it is a greatly strengthened and improved bill.

We are pleased to have prepared legislation which gives the State every right to step in and take over use of land they are entitled to by the Constitution and insure forevermore public use of this great material resource. The original HB 1601 without compromise would not have done so. We are grateful others have now agreed.

I do appreciate your interest and concern in this matter and thank you for writing.

Yours very truly,



FFM:ss
Encl. (1)

Beach

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1709
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Lawson
MAY 22 1967



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HOUSE OF REPRESENTATIVES
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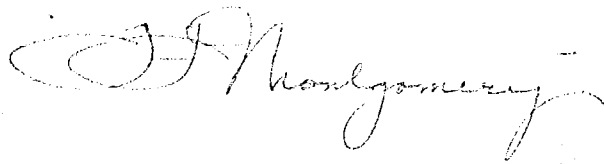
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I do appreciate your interest and concern in this matter and thank you for writing.

Yours very truly,

A handwritten signature in cursive script, appearing to read "J. H. Montgomery". The signature is written in dark ink and is positioned to the right of the typed name "J. H. Montgomery".

FFM:ss
Encl. (1)

May 29, 1967

Mr. Ernest C. Gillard
3665 S.E. Glenwood
Portland, Oregon

Dear Mr. Gillard:

The beach bill, House Bill 1601, has not as yet completed its passage through the legislature. I have been assured, however, by the chairman of the Senate Judiciary Committee, which now has the bill, and by the President of the Senate, that the bill would be passed. When it reaches my desk I intend to sign the bill. It presently has an emergency clause so that it will become effective immediately upon signing. Until that time, however, the attorneys for the Highway Department have advised that they think the department has no authority to spend money in protecting the beaches. Whether the particular motel you mentioned has the legal right to block off a beach as it is doing, I do not know. The beach bill will not deprive anyone of his property without just compensation. It will give the Highway Department authority to enter court and establish just what right the state has. I assure you that the Highway Department intends to proceed as vigorously as possible as soon as it receives the necessary statutory support.

Thank you for expressing your interest.

Sincerely,

Governor

TM:bp

aw
Portland, May 25, 1967

Dear Governor McCall:

I thought the Legislature had stopped the desecration and our heritage of the beaches. (See enclosed clipping of May 25).

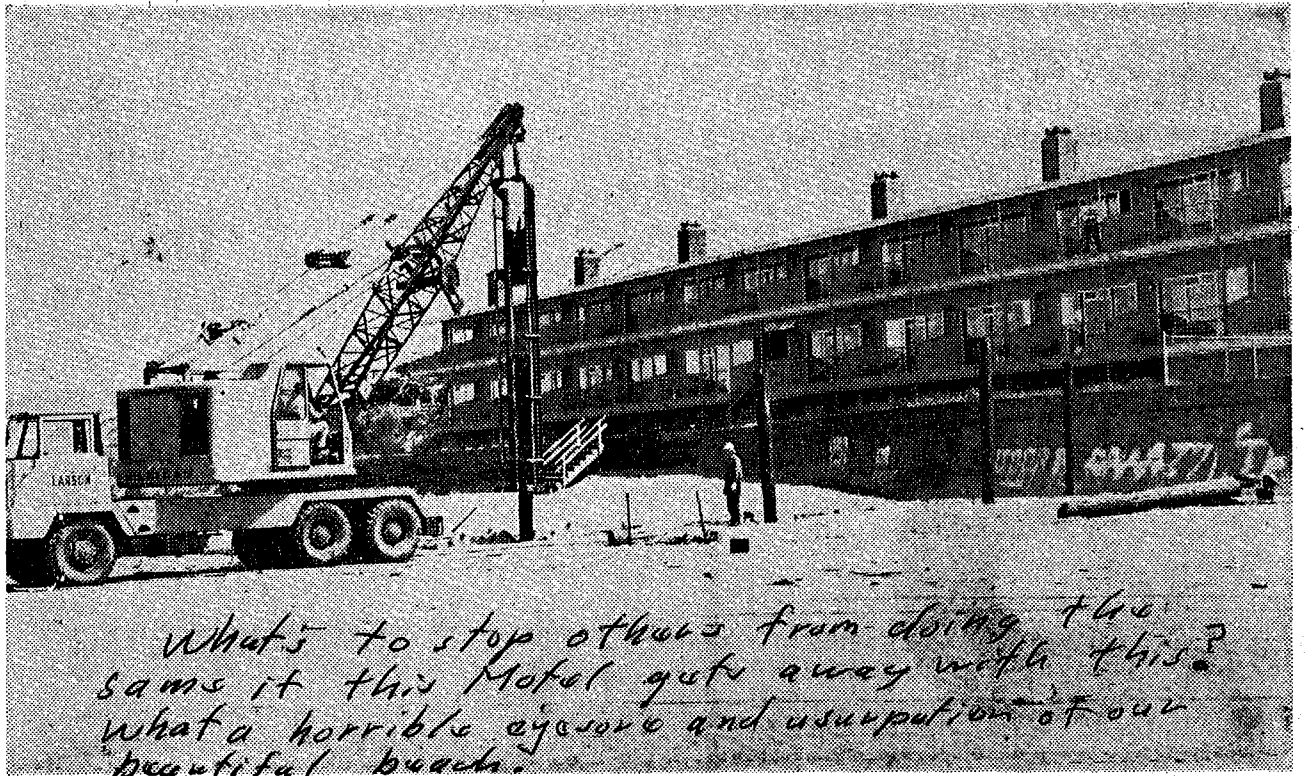
Your courageous action so far is much appreciated. Remember if it wasn't for Governor Arnold West our beaches would have been lost forever.

Keep up the fight and stop this action at Cannon Beach immediately.

Sincerely,

Ernest C. Gillard
3665 S. E. Glenwood
Portland

MAY 26 1967



SURFSAND MOTEL in Cannon Beach put piledriver to work Wednesday erecting row of logs 20 feet apart around 60-foot wide perimeter of dry sand in front

of building. Owner Billy Hay said area would be strictly for motel guests. (Sam Foster Photo)

Beach

May 29, 1967

Mr. George D. Dysart
7010 S.W. Raleighwood Lane
Portland, Oregon 97225

Dear George:

Thanks for your letter concerning House Bill 1601. I think your comments are very apropos and I have forwarded your letter to Senator Mahoney, chairman of the committee studying the bill. I have been very disturbed about the inadequacy of the savings clause in the bill and have now been assured that it will be broadened. Even the draftsman in the House agreed that the clause was limited.

Your comment about section 8 of the bill is also correct. The draftsman in the office of the Legislative Counsel followed the usual language and changed the word "and" to "or", thus creating the loophole. The draftsman cannot be criticized for this since it's the usual and customary language, although all of us working on the bill had agreed that "and" would be better. A proposal has been made to Senate Judiciary Committee, which will probably be adopted, limiting the owner's liability to conditions which he creates.

I am very appreciative of your suggestions as well as the many other suggestions and helpful comments which you have given to me during this current legislative session.

Sincerely,

Edward Branchfield
Administrative Assistant

EB:lp

cc: Kenneth Johnson

7010 S.W. Raleighwood Lane
Portland, Oregon 97225
May 25, 1967

Mr. Ed Branchfield
Mr. Ken Johnson
State Capitol
Salem, Oregon 97310

Dear Ed and Ken:

I don't propose that the beach bill (HB 1601) be further amended this late in the session if that would jeopardize passage. But if the Senate plans any amendments, I'd feel much better if two areas were covered by a more specifically worded safeguard than is presently in the bill. These are:

1. Assurance that no state agency--and to the extent the state can restrict them, no political subdivision--can alienate any of the beach or beach rights that are now or may become publicly owned. E.g., by selling an upland tract that extends down to "ordinary high water", ORS 274.070 now prohibits alienation of the area below ordinary high water. The last sentence of section 2 of HB 1601 may or may not extend this to the dry sands. I'd prefer one of the following additional provisions (the first one is more inclusive and therefore much the better):

(a) A new section reading: "No portion of the beach (including the area covered only by extreme high tides) or any interest therein now or hereafter owned by the State of Oregon or any political subdivision thereof may be alienated except as expressly provided by state law."

or

(b) Amend section 2 by adding: "and are subject to the same restrictions against alienation."

2. The savings clause--section 10 of the bill--sounds too limited. I'd prefer:

"Nothing in this Act shall be construed to relinquish, impair, or limit any rights or title of the state or of the public, heretofore established by prescription or otherwise, to any part of the beach on or adjacent to the shore of the Pacific Ocean, or to any access thereto."

I have these additional comments:

3. Is section 6 sufficient to allow installation of lifeguard towers, public notice signs, picnic tables (such as at Hug Point State Park), etc.? Maybe subsection 6(3) should be amended by adding:

"or to publicly-owned appurtenances, structures, or improvements made with approval of the State Highway Engineer for the safety or convenience of the public."

4. Is it necessary to amend ORS 274.100 (deposit of rubbish, etc., on the recreation area) by adding either "or to section 2 of this 1967 Act" or "or upon any property which is subject to section 7 of this 1967 Act"? Either that or amend section 7 by adding "and the provisions of ORS 274.100 shall apply to all such property."

5. Section 8 sounds like it has a loophole which would not exempt the owner from liability for injury resulting from a condition created by the public if he knew the condition was likely to cause injury--e.g. broken glass in the sand where children (or adults) walk barefooted. Must he clean up after the public? I hope not. One way of being sure on this would be to insert after "another" in line 28, page 6: "(a) caused by acts resulting from public use of the property, or (b) * * * ."

I think all Oregonians--and our posterity--owe both of you and your respective bosses an immeasurable debt of gratitude for the magnificent result you and they have achieved in protecting this priceless public heritage. As one such person, I say "thank you."

Sincerely,



George D. Dysart

Beach

May 29, 1967

Mr. James Chancey
4505 East Amazon Drive
Eugene, Oregon

Dear Mr. Chancey:

You are misinformed on a number of points, and I will discuss them in sequence. First, the State is not taking land away from private citizens, but is reaffirming concern for that land that has been under State responsibility for some years. Two--lands will be kept in the natural state. Your suggestion of setting up communes has never been suggested by anyone, nor considered.

Three--little, if any, of the land under discussion has been taxed. Four--provision is being made for maintenance of these lands (incidentally, we are only discussing the dry sand area) by the State Highway Department. More importantly, all of this must be approved by the courts and go through normal judicial review, thereby protecting majorities, minorities, and individuals.

Rapid reference to color terms, such as socialism and communes, as has been done in your letter, is not necessarily constructive and certainly is not in keeping with the point raised in the whole dry sand issue, that of protecting this heritage for our future generations. Be assured that my efforts as Governor will be consistent in one direction and that is of protecting for all Oregonians our rights.

Sincerely,

Governor

TM:wc

May 23, 1967
4505 East Amazon Drive
Eugene, Oregon

Governor Thomas McCall
State Of Oregon
Salem, Oregon

Dear Governor:

After reading the various discussions in the papers and in local groups on the so-called 'dry-sands' bill, I have but two things to say: 1) What right have you (and the state government) got to take away land from private citizens, and 2) What are you going to do with the lands, set up communes?

As for my first question, I feel that it is rather self-explanatory. Already we have the majority of the coastlands in state-owned groups, and this area is rather unnecessary to recreational facilities. Furthermore, the people who own this land pay taxes, and people pay to use the land owned by motels, etc., and they would experience a (most probably) tax raise as a result of government purchase (?) and upkeep of these lands. Moreover, the government has no right to take away land of a minority, and it would violate one of the basic fundamentals of our system of government to, just to appease a majority (?), violate the rights, and basically harm the minority.

The second question is a reference to the increased socialism that our government has been practicing lately. If one classifies coast landowners as a minority, then in the same sense Lane County or Douglas County landowners are minorities, and therefore as apt to have their lands 'nationalized' by the government, just as coast landowners are. If this is the case, we may wind up giving everything to the state.

I rest my case.

Sincerely,

James Lane

MAY 26 1967