

The Light is Breaking

The Eugene Register in an editorial on Tuesday gets at the solution of the forest reserve plea in the following article. The unfortunate thing is that it is too true.—Ed.

At last the people of Oregon, Washington and California are beginning to see the light of day on the question of "timber frauds," a cry emanating from the interior department at Washington in a "stop thief" style, branding the Coast as a hotbed of corruption, fraud and general cussedness in timber land matters.

The animus of this movement is now becoming pretty generally known. The trouble does not lie in the fact that private individuals have sought to better their condition by paying Uncle Sam the price he asked for 80 or 160 acres of timber land, exercising their timber rights in getting it. No that is not the real trouble after all; the cry of fraud is chiefly a sham to hide the real purpose of the department.

There are big syndicates in this country that have bought up and control enough script to cover every acre of government timber land in the three states mentioned. These syndicates bought this script for speculative purposes. They got it for little or nothing and now it is worth \$50 and upward per acre and they want to unload. They have fought vigorously against the policy which has allowed \$2.50 an acre for government land when script is worth twice or three times as much.

For this reason the interior department has had to change its policy and it has done so to protect the scrippers, and in doing so has placed a new interpretation upon the word "speculation," which puts every honest individual citizen, who would exercise his right under the law in taking a timber claim, clear out of business, for if he is not willing to perjure himself, it will be impossible for him to get a claim.

If he says he expects to profit by getting the timber under his rights by paying the government the fixed price, he is a "speculator," and is shut out. But if he has script he needs no particular right under the law, but can plaster it over with Uncle Sam's timber as he pleases, or as long as the script holds out. This of course is not speculation. The department interprets this as business. It interprets this as not playing into the hands of corporate interests as against the individual.

The cry of fraud in Oregon timber seems to have been ostensibly an excuse for changing the policy of the interior department from protecting the rights of individuals to serving the interests of big corporations, allowing them to gobble up timber lands by use of script.

There have been instances reported where special agents, in putting questions to timber applicants in making proof, have asked the applicant why he did not use script instead of money. This leads us to ask what relation exists between the interior department and holders of script?

No one will object to proper use of government script but the reversal of policy toward the settler in the interest of the scripper cannot be too severely condemned.

The policy being pursued at Washington in Oregon, Washington, Idaho and California.

RIGHT TO SELL TIMBER CLAIMS.

A Former Decision Cited in Which a Case was Carried Up to the U. S. Supreme Court at Washington.

Timber land claimants, who have proved up and paid for their lands, but have not yet received patents, are feeling much easier, says the Medford Southern Oregonian. The general opinion seems to be that the harsh interpretation of the word speculation being made by the land department will not stand. This is further strengthened by the fact that there is a decision of the United States supreme court bearing directly upon the point at issue. In effect, the decision states that the claimant is at liberty to sell the land at any time, and in this case it was mentioned that land was sold for which payment had not yet been made to the government.

The decision follows the evident common sense view of the matter, that unless there is a conclusive arrangement to turn over the land for a certain consideration for the right, the claimant is acting entirely within the law and within his rights.

The decision was rendered in the case of the United States vs. Montgomery and Budd, and was carried up from the state of Washington. It appears in the U. S. supreme court, volume 144, page 154. It reads in part as follows:

"The particular charge is that Budd before his application had unlawfully and fraudulently made an agreement with his co-defendant, Montgomery,

by which the title he was to acquire from the United States should inure to the benefit of such co-defendant. Upon this question the fact that stands out prominently is that there is no direct testimony that Budd made an agreement with Montgomery, or even that they ever met, or either knew of the existence of the other until Budd had fully paid for the land. No witness ever knew or heard of any agreement. What, then, is the evidence upon which the government relies? It appears that Montgomery purchased quite a number of tracts of timber lands in that vicinity, some 10,000 acres, as claimed by one of the witnesses; that the title to 21 of these tracts was obtained from the government within one year, by various parties, but with the same two witnesses to the application in each case; that the purchase by Montgomery were made shortly after the payment to the government, and in two instances a day or two before such payment; that these various deeds recite only a nominal consideration of one dollar; that Budd and Montgomery were residents of the same city, Portland, Ore.; that one of the two witnesses to these applications was examining the lands in that vicinity and reporting to Montgomery, and that the patentee, Budd, years after his conveyance to Montgomery, stated to a government agent who was making inquiry into the transaction that he still held the land and had not sold it, but that it was "in soak." But surely this amounts to little or nothing. It simply shows that Montgomery wanted to purchase a large body of timber land, and did purchase them. This was perfectly legitimate, and implies or suggests no wrong.

"The act does not, in any respect, limit the dominion which the purchaser has over the land after its purchase from the government, or restrict, in the slightest, his power of alienation. All that it denounces is a prior agreement—the acting for another in the purchase. If when the title passed from the government no one else save the purchaser had any claim upon it, or any contract or agreement for it, the act is satisfied, Montgomery might rightfully go or send into that vicinity, or to individuals, a willingness to buy timber land at a price in the excess of that which it cost to obtain it from the government; and any person knowing of that offer might rightfully go to the land office and make application and purchase a timber tract from the government, and the fact above stated point as naturally to such a state of affairs as to a violation of the law by the definite agreement prior to any purchase from the government—point to it even more naturally; for no man is presumed to do wrong or to violate the law, and every man is presumed to know the law."

NEW HOTEL OPENS TODAY.

Hotel Corvallis—Finest Hotel in Willamette Valley.

Corvallis, Oct. 6.—The Hotel Corvallis opened to the public Monday evening, when dinner was served for the first time. All of the arrangements about the hostelry will not be finally completed, but it is certain that the public can be satisfactorily entertained by that time. During the evening a reception committee will be in waiting to show visitors through the building.

The new hotel is described by travelers who have seen it, as one of the best in the Willamette valley, outside of Portland. Many say in its furnishings and appointments, that it is superior to anything in Portland outside of Hotel Portland. It is certain that the place is a hotel to which Corvallis can point with pride.

The building contains in all 62 sleeping rooms. Of these four on the second floor and five on the third floor are suites. There is an office, a writing room and three large sample rooms, besides dining room and kitchen.

Does It Pay to Buy Cheap? A cheap remedy for coughs and colds is all right, but you want something that will relieve and cure the more severe and dangerous results of throat and lung troubles. What shall you do? Go to a warmer and more regular climate? Yes, if possible; if not possible for you, then in either case take the ONLY remedy that has been introduced in all civilized countries with success; in severe throat and lung troubles, "Boashee's German Syrup." It not only heals and stimulates the tissues to destroy the germ disease, but allays inflammation, causes easy expectoration, gives a good night's rest, and cures.

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Asylum Report

The board of trustees for the insane asylum met in regular monthly session yesterday afternoon to receive Superintendent Calbreath's report for the month of September. The report was audited and filed.

The board re-elected Dr. Calbreath as superintendent of the asylum for another term of four years, beginning with January 1st, next, there being no opposition to that gentleman's reelection.

In the letter of transmission, accompanying Dr. Calbreath's report, that officer says:

"The general health of the patients for September has been good. There has been no 'confectious' or contagious diseases, and the death rate for the month has been low.

"Work on the new barns has been completed by the contractor. These buildings are now being filled with grain, hay and ensilage, and we expect to move the stock into them in October. The buildings at the farm will not be completed before the first or middle of November, and the probability is that we shall be very much in need of the room by that time.

"The work on the new laboratories is being delayed by the rains, but we expect to finish two of them yet this fall.

"The farm and garden work is well up, and the teams are in fine condition for the heavy fall work. I have bought six milk cows, but will need at least four more to furnish the necessary supply of milk."

The report shows there are now at the asylum 1332 patients, an increase of one for the month.

There are 168 officers and employes, and the expense for the month was \$6797.28.

Medicos Will Play Football.

The Willamette Medical College has opened with 50 students in attendance this year. There are new students from all sections of the state, and both Idaho and Washington are represented.

The medis will put out a football team this year, which, they believe, will be a winner. The team will begin practice today.

The manager is enthusiastic over the prospects, and thinks he will be able to defeat Portland's medical and dental college team.

Portland's medical college played U. of O. last year with only a touch-down in the 'varsity's favor. The dentals also are a strong team.

The boys of Salem's school believe they have as thorough a school as there is on the coast, and say they will show the people they can play football.

Some of the members of the team will be as follows: C. L. Snyder, quarter. Snyder was quarter on Albany teams last year, and made an All-Oregon quarter. O. B. Long, full, former principal of Brownsville high school. Hinkle, from Philomath college. Lucas, of local fame.

The first game will be played at Salem October 24th, with the dental teams.

State of Ohio, City of Toledo, Lucas County, ss.

Frank J. Cheney makes oath that he is senior partner of the firm of F. J. Cheney & Co., doing business in the city of Toledo, county and state aforesaid, and that said firm will pay the sum of ONE HUNDRED DOLLARS for each and every case of Catarrh that cannot be cured by the use of Hall's Catarrh Cure.

FRANK J. CHENEY, Sworn to before me and subscribed in my presence this 6th day of December, A. D. 1886. A. W. GLEASON, (Seal) Notary Public.

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LET THE CARNIVAL CRAZE SUBSIDE.

The Albany Herald Dishes Up a Dose for the Dirty Doras.

It is a little curious that the carnival proposition still holds in Oregon towns. Portland, the mother city, is guilty twice in a season. Albany will probably not be thus caught again. The Dalles and other bunchgrass towns are having their turn. The opportunity of legitimate amusement is always welcome. But these carnival people are usually learned in all the learning of the Egyptians, with special teaching in the school of graft. Fraternal orders having the confidence of the community used to stand back of this sort of thing. After a more or less doubtful experience the higher fraternal courts frowned on carnivals. In result, financially, a carnival is equal in effect to a Portland holiday. Morally—but the moral part of such things

is another story. How in the name of decency can the American people be interested in the doings of a filthy snake-eater, or the jam or dirt-eating of a tribe of dirty Doras? It is all one if Dirty Doras is Easau in disguise, it would serve them both right if Dirty Doras is Mrs. Easau, or if Easau is Mrs. Dirty Doras. It is contrary to all the articles of war and all the declarations of independence for the public to be amused with exhibitions of people diving from great heights into tanks of water, or looping loops on foot or horseback. If people feel the need of strenuous experiences such as this, let them try acquaintance of the hangman. The latter functionary should also deal with this hoodlum confetti business. We can't suitably ape Creole customs even a little bit. And the confetti nuisance calls for burning a rag, or even a little hot tar and some imitation feathers.

N. H. Looney is Selected.

Yesterday afternoon the trustees for the reform school met and elected Hon. N. H. Looney, of Jefferson, to succeed H. E. Bickers, the present superintendent of the reform school, for the term of four years, beginning January 1st, next. Secretary of State Dunbar and Treasurer Moore voted for Mr. Looney, which action elected that gentleman.

Governor Chamberlain filed a protest against the election, saying that he was opposed to the change, unless it was to increase the efficiency of the service, and that, though he had the highest respect for Mr. Looney, he did not consider him as good a man for the place as Mr. Bickers, owing to the long experience of the latter, and the experience that the new man could not have for some time to come. If the change contemplated the selection of a man who was better fitted by experience for the place, such as W. T. Gardner or H. H. Hawley, superintendent and assistant superintendent, respectively, of the Boys' and Girls' Aid Society, of Portland, he would favor it, as he considered these two to be the only men in his acquaintance who were better fitted for the position than was Mr. Bickers, and he could cheerfully vote for them, but he must protest against the change as made.

There were no other changes in the personnel of the school, and the board adjourned.

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