THE MORNING OREGONIAN, SATURDAY, APRIL 6. 1907.

rould, in Mr. Bourne's opinion, be a good NO SQUARE DEAL IN LAND SURVEYS

Bourne Complains of Methods to the Secretary of the Interior.

DELAYS WRONG SETTLERS as soon as it has been examined and reported as correct.

Claims of Oregon Homemakers Held Up by Red Tape and Procrastination-How the Work Could be Expedited.

OREGONIAN NEWS BUREAU Washington, April 4 .- From informa tion that has come to him from relia sources, Senator Bourne has learned that Oregon has not been getting a "square deal" in the matter of public land surveys, but on the other hand has been greatly handicaped by reason of numerous adverse reports made by special agents and other field officers of the Interior Department. Surveys that were made ten years ago have never been approved or accepted; applications for surveys remain unacted upon, and many surveys that have been accepted have never been recorded in the local land offices, and in consequence the land covered by such sur-veys has never been thrown open to

From what he has been able to learn Mr. Bourne is satisfied that a grave in-justice has been done the state, and Mr Justice has been done the state, and he has accordingly written to Secre-tary Garfield and to Land Commission-er Ballinger, calling their attention to the facts, and strongly urging them to take up and dispose of all pending sur-veys and applications for surveys. In order that hundreds of bona fide home-ences may be committed to accurate seekers may be permitted to acquire title to farms on the public domain, receive pay for their work. He has followed up his letters with personal calls on both the Secretary and the Commissioner, and has reason to ex-pect a reform in the matter of public hand surveys in the State of Oregon.

How Surveys Are Held Up.

In his letter to Mr. Garfield, Mr. Rourne called attention to the fact that \$15,000 has been annually allotted for public land surveys in Oregon, but in recent years, not more than one-third that amount has been expended in any one year, because of the obstacles that have been interposed by inspecting officials.

For instance, when an application For instance, when an application is made for the survey of any town-ship, an inspector or special agent reports that one or more of the signers of that petition is attempting to ac-quire title to hand by some fraudulent method or for some improper purpose. That report has heretofore been ample to sidetrack the application: mean-while the bona fide settlers are denied the riskst of acountings title. In the

to sincerace the application, mean-while the bonn fide settlers are denied the right of acquiring title. In the same way similar reports have been made after surveys have been com-pleted, but before they have been re-corded. In such instances the delay injures not only the bons fide settlers, but the contractors as well, for they are not entitled to draw pay for their work from the Department. Another instance of injustice arises in cases where surveys are suspended because of alleged inaccuracies and the surveyors are not given oppor-tunity to make corrections and draw their pay. All these things Mr. Bourne belleves can be corrected by intelli-gent administration, and he also be-further facilitated by eliminating much tunity to make corrections and draw their pay. All these things Mr. Bourne pertone built and surveys could be further facilitated by eliminating much of the red tape that is now followed, at least in the State of Oregon. In his letter to Mr. Garfield, after calling attention, both upon surveys and appli-tunes. It would seem that a number of these sup-

would, in Mr. Bourne's opinion, be a good hing. After an application for survey is ap-proved, it requires a full season to make the survey. Before the survey can be accepted, it must be examined, and there again the red tape intervenes and causes another delay of a year; a delay that could be avoided under proper adminis-tration. .Mr. Bourne suggested to the Screttary the advisability of keeping the examiners of surveys on the ground, so that, without special instructions from Washington, he could follow up the con-tracting surveysor, check up any errors that might be found and, by permitting that might be found and, by permitting that might be found and by permitting that might be found and by permitting that might be found and by permitting the surveyor to accompany him, could have the corrections made while the ex-amination progressed. If this could be form, each survey could be examined the same season that it is made and each averye being corrected as it is being ex-amined, could be submitted to the Com-missioner of the Land Office for approval as soon as it has been examined and re-norted as correct. should be laid on such a remark. Harriman was not sneaking from a legal point of view, but was expressing an idea he had in his mind and which can-

Mr. Milburn replied:

"I don't think that too much stress

not be carried into practical operation ex-

through Government ownership-

Might Save Two Years.

cept from which God save on. His ambition The suggestions of Mr. Bourne, if carried out, would, in a great many in-stances, result in the surveying of public land the same year that their survey is requested by petition. The petition, for instance, might be filed in January. If was a mere dream." In further answer to the question, he elaborated the views already outlined, and with an appeal to the Commissio instance, might be hied in Jahuary. It turned over at once to the examiner, he could, in two or three weeks; ascertain whether or not the petitioners were act-ing in good faith, and, if so, could recom-mend that the survey be authorized. Two weeks more and the Commissioner of the Lard Office wild exting the survey of the not to go too far in disturbing existing business relations, closed the case for Mr. Harriman Decisions Are Against Milburn. weeks more and the commissioner of the Land Office could authorize the survey; the contract could be made in another two weeks, or a month at the outside, and the whole thing completed during the en-suing Summer. That would be a clear Mr. Severance made the first address for the Government, giving his first attention to the contention that the Sher man anti-trust law does not cover the suring of two years over the present sys-tem: that is, where cases are now passed through in record time. But the great through in record time. But the great through at present is that surveys and applications now find their way into a pigeon-hole in the General Land Office in Washington and argument to show that it is not necessary that roads should Union Pacific-Southern Pacific deal, be Washington and may not be acted on for half a dozen or a dozen years, simply be-cause of a report that some would-be entryman is suspected of being a grafter. be parallel as well as competing in orde to render the law applicable. He said that the principle involved in the pending matter had been definitely determined by the Supreme Court in the case of Harri

Mr. Bourne does not believe in punish-ing honset settlers merely because of a suspicion raised against maybe one man in a hundred. He would punish those who are perpetrating fraud, frustrate the ef-forts of those who are attempting fraud, but lend every assistance to the man who is honsethy truing to acquire a honse man vs. the Northern Securities Company in which the court had unanimously held that the exercise of power, whether as owner or trustee, which would give one In closing his letter to the Secretary, Mr. Bourne enumerated surveying con-tracts that have been hanging fire for mpany control over another to the end that competition is restrained, is in con travention of the Sherman act. Other decisions to the same effect were cited, and Mr. Severance expressed the cars for the reasons above stated. Some

years for the reasons above stated. Some date back to 1897; others are not so old, but all have been suspended far too long and much longer than is really necessary to take proper precautions against graft. The Senator urged that these cases be given immediate consideration and wher-over upon further investigation to that they fully determined the point that a mere purchase can remove : transaction between railroads from the operation of the Sherman law. ver, upon further investigation, the ca are found regular, has urged their speely adjustment. If his suggestions are carried out, a considerable area of land in Oregon will be thrown open to entry early in the coming Summer, and several con-tract surveyors will get money that has long been due them.



BECAUSE HE CAN'T GO HOME.

Arises From Death Bed and Then Dashes Out Brains as He Was

About to Sign His Will.

SAN FRANCISCO, April 5. — Almost with his last breath, Percy L. Wells, a civil engineer of Waltham, Mass., arose from his death bed at the Grand Cen-tral Hotel this afternoon just as he was

trai Hotel this afternoon just as he was about to sign his will, and dashed his head against the wall with such force that he died in a few moments. Wells was about 24 years of age dad had been in Guatemala for two years engaged in railroad work. He arrived in San Francisco April 2 in the last stages of consumption. He became crazed with grief when told he could not live to reach his home and see his mother and sister before dying. He

HARRIMAN'S RIGHT (Continued from First Page.)

Mr

Harriman's connection with it. He said the liabilities of that road had been in-creased \$30,000, for which, he deniared, "the syndicate did not give the company one dollar aside from a moderate equip-ment." To say it was necessary to make this increase in capitalization in view of the excellent credit of the road was to his mind incredible. Mr, Harriman had said that \$22,000,000 had been expended on the road, but if that was true not all the money had been a part of the ex-panded capital. He would not say that othey roads had not made similar ex-panded capital. He would not say that othey roads had not made similar ex-pandences but this was an example to be brought to the attention of Congress. All the improvements could have been made by a comparatively slight increase in the road's interest account. Mr. Kellogg said he did not hold Mr. Hariman more responsible than Mr. and that he would get control of the Northern Pacific. Suppose he had carried out this plan and siso controlled the Illinois Central; he would thus control all lines running into Oregon and Callfornia. Does he not acknowledge that he was checked by the restraint of the law?"

Harriman more responsible than Mr. Schiff or any other purchaser of the stock

stock. "We are only interested in him in con-nection with the transaction," he said. "He is only an incident and I will say he has not shirked responsibility." He said the Alton bonds had been sold to Mr. Harriman and friends at 55 cents on the dollar when they could have been made to bring par.

Bonds Only Brought 49 Cents.

"No one can say that that is conservative financing," he said the declared that the proceeds of this sale had been used in paying dividends to the stockholders, the usen who had bought the bonds. De-ducting the dividends, the bonds really had been issued for about 49 cents.

had been issued for about 49 cents. The great railroads should not be shin-ing marks of manipulation in Wall street. There could be "no excuse for expanding a railroad's securities merely for the pur-pose of making a profit out of them." He also charged that the system of book-keeping was calculated to make obscure the operations to the owners of the Alton. He said that in the recapitalization of the road the losses of the original stockhold-ers, which had inured to the benefit of the company to the extent of \$11,000.000. the company to the extent of \$11,000,000, had been utilized as the starting point of that transaction. Those losses had been sustained as far back as 1563 and H

been sustained as far back as 1863 and it looked to Mr. Kellogg like "robbing a graveyard." He denied the right of the directors to take this sum and capitalize it and pay it out as dividends. "I deny the necessity and the morality of such a course," he said, and expressed the opinion that a restriction should be placed upon such transactions. He did not helieve in unreasonable restrictions, but it was not in the interest of the roads themselves that they should be largely utilized for investment. The hearing was then concluded and the announcement was made by Mr. Clements that the Commission would take the ques-tion under advisement.

Order Its Payment.

terstate Commerce Commission is with-out authority to prescribe rules and reg-ulations for reciprocal demurrage be-tween shippers and carriers of interstate

tween shippers and carriers of interstate freight is the gist of an opinion rèn-dered today by Commissioner Clark. The deciaion was based on the complaint of James B. Mason against the Chicago. Rock Island & Pacific Railroad Company. Mason asked for the appointment of re-ceivers of interstate freight for all in-terstate roads who should deduct from

freight charges a reasonable sum per day as demurrage in all cases of delay in

Fight for Chicago Terminals.

CHICAGO, April 5.-The fight for the roperties of the Chicago Terminal Rall-

way Company is now on. The property has been in the hands of a receiver for some time, and measures were adopted recently for foreclosing the mortgage of

\$15,000,000, which is the bonded indebted

advertised to be sold May 3, 1907. March 30 the company. The property is advertised to be sold May 3, 1907. March 30 the B, & O. and the Chicago Railway Company filed a petition in the United States Circuit Court asking leave

NO RECIPROCAL DEMURRAGE Consider Effect, Not Purpose,

Mr. Severance also entered into an ar Interstate Board Has No Power gument to demonstrate that the motive of a consolidation, could not be held properly to affect a transaction; only the WASHINGTON. April 5 .- That the In-

effect could receive recognition under the law. He detailed the transaction under which Senator Clark's Salt Lake road had been brought into the Harriman system, saying it was through a threat of a parallel road. He had no doubt that the case falls within the Sherman act, if it could be shown that the Union Pacific and Southern Pacific are competing lines. He entered upon an argument to show that they do compete, both starting at Oregon and one terminating at the Missioni River, and the other at the Mississippi River, and both having connecting lines into

hleago. In this connection Mr. Severance spoke In this connection Mr. Severance spoke of the Union Pacific as controlling the Illinois Central, and Mr. Loveit took ex-ception to the remark. Mr. Severance ad-hered to his position, saying that it had been shown that the Union Pacific owns 29% per cent of the stock of the Illinois Central, and that under ordinary condi-tions this is sufficient to give a substan-tial control.

tial control. that control. Mr. Severance declared that the consoli-dation of the two roads had had the ef-fect of destroying computition between the various steamship lines upon the Pa-cific, and he quoted statistics to show that much of the business of Oregon, which had been influenced by formes competition, does not now enjoy that ad-vantage. competition, does not now enjoy that ad-vantage. He contended that there is not much

to assume the bonded indebtedness of the company and accrued interest for two years. This would give the B. & O. inter-est complete control of the property, and

Health Broken Down

Appetite Gone, Nerves Unstrung, Sleepless, Thin, Pale, Tired all the Time,

Hood's Sarsaparilla Cave Nerve, Mental and Digestive Strength.

"Last spring my health was completely broken down through prolonged watching at a sick bed. My appetite was gone and I was in the unstrung nervous condition where I was unable to find sleep, but would toss and turn through the long weary nights. I be-came thin, pale and looked 10 years older. Was languid and tired all the time, and seemed unable to recover, though the doctor tried different rem-edies. I could not keep food on my stomach, and through the physical weakness my mental condition became affected so that I lost my memory and was unable to collect and hold my



Is the specific to purify, vitalize and enrich impoverished blood, build new, healthy tissues, make the weak strong. It is The Spring Medicine.

From Southern Alabama.

Sarsatabs For those who prefer medicine in tablet form, Hood's Sarsaparilla is now put same curative properties as the liquid form, besides ac-curacy of dose, convenience and economy. There is no up in chocolated tablets called Sarsatabs, as well as in the usual liquid form. Sarsatabs have identically the

column entered Moorish territory. lost the lightweight wrestling champion The energetic action of France caused constarnation among the court entourage at Fez and it is expected to result in a prompt reply, but no official notification of any nature has yet arrived here. was a desperate struggic, the purse and championship going to Tremblay in 29 minutes.

Severe Storm at Naples. NAPLES, April 5.-A severe storm is blowing here and causing serious damage

to the shipping. Several vessels have been wrecked. The steamer Lightia has had to postpone her departure for New York. DEATH IN STORM'S PATH Reports of Heavy Damage Come

Carpenters Go on Strike.

MINNEAPOLIS, April 5.—The Minne-apolis Carpenters' Union voted tonight to strike to enforce demands for an increase in wages. Seventeen hundred men are involved. MONTGOMERY, Ala., April 5.—Specials from various parts of Alabama tell of death and devastation from the tornado which swept through the southern and

Tremblay Is Champion. MONTREAL, April 5.-George Gothner

MISS MADELINE CLUTTER

western portions of the state today. The most serious damage is reported at Brad-leytown. The home of Hugh Parrier, a prominent planter, was blown down, in-are involved. Made in New York TANDARD Time measures the difference between New York and Buffalo as one hour. But it takes six months for tailors in cities nearer New York than Buffalo to reflect Alfred Benjamin & C MAKERS. New York Style. Why wait six months? Wear



curacy of dose, convenience and economy. There is no

loss by evaporation, breakage or leakage. 100 doses \$1. Of druggists or by mail. C. I. Hood, Co., Lowell, Mass. Guaranteed under the Food and Drugs Act, June 20, 1908. No. 224

an hour

this city

stantly killing Mr. Farrier and his

Stantly killing Mr. Farrier and his 5-year-old son and fatally injuring Mrs. Farrier. Great property loss and loss of life is reported from North Percico, where, in the plantation of J. D. Moore, a row of houses was blown down. A special fom Pensacola, Fia., says the wind is blowing at the rate of 45 miles an hour

Invites National Convention.

KANSAS CITY, Mo., April 5 .- The Tiger

Republican Club, of Kansas City, Mo., to-day appointed a committee of prominent citizens to raise a fund to secure the Re-publican National Convention of 1998 for

All German Tailors Strike.

It would seem that a number of these sup-petitions have been unnecessarily prolonged and that sufficient time has elapsed to ap-certain the merits of the respective surveys and applications. This policy of delay has worked great hardship upon the surveyors holding Government contracts, and has at the same time proved embarrassing to bona fide settlers on unsurveyed land in Oregon.

Present Red Tape System.

Under the present policy, surveys are made by direction of the Commissioner of the General Land Office, upon ap-plication of at least three settlers on any given township. The order is not issued until the Commissioner is sat-lated that the signers of the petition are acting in good faith. The policy has been for settlers to file their ap-plication with the Surveyor-General, who has been under orders to forward every such application to Washington, the General Land Office has then re-turned it to an examiner in the field, and at his leisure the examiner has gone upon the land to investigate the early as January have not been exam-ined until the following Winter, and Under the present policy, surveys are Francisco, se ined until the following Winter, and the report has not been made until the ensuing Spring, about 15 months after the original films.

Plan to Expedite Action.

Mr. Bourne has urged the Secretary, in the interest of economy of time and in justice to settlers, to allow the Surtions over to the examiner of surveys and to direct him to make his exami-nation on the ground, without waiting for instructions from Washington. This would save a whole year, and would be just as efficient and far more practical

just as efficient and far more practical than the system now in vogne. To further facilitate matters, Mr. Bourne recommends that a special ex-aminer of surveys be detailed to duty in Oregon. There is work enough in In Oregou. There is work enough in that state to keep one examiner busy from one year's end to the other. Under the present system. Oregon gets an examiner at odd times, when he is not busy elsewhere, and this has also con-tributed greatly to the delay in action on applications as well as on surveys.

Examiners Too Severe,

Examiners Too Severe. The first semantic of the second several that some of the Broadway Central Hotel, died yes-terary of understanding of Western conditions for several detailed by the several detailed by the several detailed of the several detailed of the properties of the p

Large Area Near Cascade Reserve Again Open to Settlers.

OREGONIAN NEWS BUREAU, Wash-OREGONIAN NEWS BUREAU, Wash-ington, April 5.-Forester Pinchot today recommended the restoration to entry of 350,000 acres of land that had been tem-porarily withdrawn adjacent to the Cas-cade forest reserve, but which was not i added to that reserve prior to March 4 last. The land becomes subject to settle-ment immediately and becomes subject to entry after 90 days. Under the act of last session this land could not be per-manently reserved except by act of Con-gress. ness brought to this country in the Santa Fe ships. The fruit transportation of Cal-ifornia is no longer the subject of compe-tition. Mr. Severance claimed. This fact was evidence of the lack of competition. Referring to the purchase of the stocks of Eastern roads by the Union Pacific, he expressed the opinion that there should be legislation prohibiting an interstate railroad from engaging in stock spe

great empire?

Competing and Parallel Lines.

Captain Young Gges to Fort Gibbon.

Shall One Man Rule Empire? OREGONIAN NEWS RUPEAU Wash Frank C. Kellogg also spoke for the igton, April 5.-Captain John S. Young, r., Tenth Infantry, is designated as speovernment, first replying to Mr. Mil-urn's suggestion that a general inquiry Jr., Tenth Infahry, is designated as appr-cial disbursing officer of the pay depart-ment for the post of Fort Gibbon, Alaska, relieving Colonel Edwin R. Bolton, Fourth Infantry, who will proceed to San Francisco, settle his accounts with the pay department and then proceed to join burn's suggestion that a general inquiry into railroad combinations and a general verdict against them would be disastrous. Mr. Kellogg did not accept this view and instanced the dissolution of the Northern Securities Company in support of his contention. He believed that any plan which would place the railroads of one-third of the country under one control would be in violation of the law. He average with Mr. Milburg instants with the

Northwest Postal Affairs.

agreed with Mr. Milburn that the problem was an important one; it must be of su OREGONIAN NEWS BUREAU, Wash-ington, April 5.—Henry Nordahl has been appointed rogular, Peter O. Johnson aub-stitute, rural free delivery carrier route No. 1 at Paulsboro, Wash. A postoffice is established at Green Bank, Island Connty, Washington, Jacob Pussey Post-master. preme importance, so long as we adhe to the principle of competition in busi-ness. Was it an unimportant fact that Mr. Harriman should use his ambition to control the Santa Fe and the Northern Pacific or that the Union Pacific, with 2009 miles of road, should seek to control the Southern Pacific, with 7000 miles.

THE DAY'S DEATH RECORD

E. C. Hausman, Bicycle Racer.

NEW HAVEN, Conn., April 5.-Edward C. Hausman, widely known as a racer upon the National bicycle circuit and aft-erward a promoter of paced races, died today after a long liness.

Rev. Rufus W. Frost. New York.

NEW YORK, April 5 .- Rev. Rufus W. Prost, for the past 14 years manager of the Broadway Central Hotel, died yes-terday of bronchial pneumonia.

peting line, while the Central Pacific was only a connecting line. Mr. Kellogg contended that parallelism was not essential to competition and urged that the fact that the Santa Fe traverses the country lying between the Union Pacific and the "Sunset" route did not stand in the way of competition between these two lines. Competition could not be confined to local business nor so narrowed as to exclude transcon-tinental business.



Also Establishes Pension Fund for Employes-Had Already Given \$4,000,000 in Lump Sum.

PITTSBURG, Pa., April 5. - W. N. Frew, president of the board of trustees of the Carnegie Institute, made public a letter today received from Andrew Carnegie announcing that Mr. Carnegle has made an endowment of \$5,000,000 to the institute. This gift is in addition to the \$4,000,006 given by

In addition to the \$4,000.000 given by Mr. Carnegie some time ago. Mr. Carnegie also establishes a pen-sion fund for the rellef of those con-nected with the institute. The gift to-day consists of -45,000,000 of United States Steel Corporation 5 per cent bonds and \$1,000,000 in cash.

GAS COMPANY IN TROUBLE

Ex-Secretary Charged With Embezzling Portion of Slush Funds.

DAYTON, April &-The grand jury which has been investigating the short-age in the accounts of the Dayton Gas Company returned 18 indictments this afternoon against George M. Smart, ex-secretary of the concern, charging him with embergling \$33,340. It is alleged that part of this money was used to buy out rival concerns and that large sums were given to politicians and others who were influential in hav-ing passed certain ordinances beneficial to the company. Were the people prepared to allow one man, through purchase or agreement, to tie up the transportation facilities of a

VANDALS ENTER LIBRARY

Books Worth Thousands of Dollars

Damaged in Waterloo.

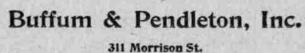
WATERLOO, Ia., April 5.-Vandals entered the West Side Carnegie Library last night and damaged the furnishings and books to the extent of thousands of

dollars. The only theory of the police is that opposition to the acceptance of the gift from Andrew Carnegie inspired the act.

Consternation at Moorish Capital.

nor so narrowed as to exclude transcon-timental business. Put \$\$0,000,000 Water in Alton. Mr. Kellogg then turned his attention to the Chicago & Alton Road and Mr.



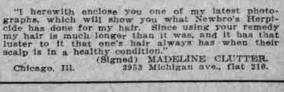


Have YOU Heard of

NEWBRO'S HERPICIDE

The New Scalp Prophylactic

Newbro's Herpicide is the first Prophylactic for the hair and scalp. Its formula harmonizes with the theory (now a recognized fact) that dandruff, itching scalp and failing hair are of microbic origin. Herpicide defends the hair and sculp against disease and by destroying the scalp microbe or dandruff germ (a tiny vegetable growth), it eradicates dandruff, stops falling hair and permits the hair to grow as Nature intended. Almost marvelous results sometimes follow its use. Miss Clut-ter's letter and photograph certainly speak for them-selves.



Herpicide is delightfully fragrant and refreshing. It is free from oil and makes the hair light and fluffy.

AT DRUGSTORES.

Send 10c in Stamps to the Herpicide Co., Dept. N., Detroit, Mich., for a Sample,

TWO SIZES, 50c and \$1.00 FOR SALE AT ALL DRUGSTORES

He took the broad position that any re-

The took the broad position that any re-straint upon competition is important and that the means, whether by purchase of otherwise, is subordinate, the end to be accomplished being the important con-sideration. Any such impression of com-petition comes within the inhibitions of the anti-trust law, sold Mr. Kellogg, and he declared that such a structure more the anti-trust law, said Mr. Actingg, and he declared that such a statement was in line with the decisions of the courts. No one would deny that the Union Pacific might acquire the old Central Pacific line; the inhibition was against the acquisition of the Southern Pacific. That was a com-peting line, while the Central Pacific was not a connecting line.