

CUT AND THRUST IN VERBAL DUEL

Debate on National Forests in House.

FIERCE ASSAULT IN BUREAU

Hepburn and Scott Contend With Western Men.

MONDELL LEADS ATTACK

Cushman and Bonyng Oppose Pinchot's Policy, Particularly in Extending Payment for Water. Smith Loses Temper.

WASHINGTON, March 31.—After having undergone many changes, the paragraph of the agricultural appropriation bill relating to the Bureau of Forestry was finally passed by the House of Representatives. Mondell of Wyoming and Smith of California continued their attacks on the bureau, and in this they were supported by Bonyng of Colorado and Cushman of Washington. These embraced charges that the bureau had created timber monopolies in favor of large corporations, illegally assumed jurisdiction over water rights belonging to the Western States, and juggled with figures in order to obtain large appropriations from Congress. The work of the bureau was vigorously defended by Hepburn of Iowa and Scott of Kansas.

Mondell Talks of Monopoly.
Mondell offered an amendment providing that no part of the appropriation shall be used to negotiate for the sale of timber from any National forest at a price above what would constitute a fair and reasonable price for such timber were it sold in competition with timber of like character in the locally on land of private ownership. He charged that the small millmen had been driven out of business by the Forestry Bureau, which, he said, creates a monopoly in establishing vast reserves, "and then," he said, "it uses the monopoly to raise the price of lumber."

Proposes Free Water Rights.
Bonyng offered an amendment providing that no part of the appropriation shall be used by either the Secretary of Agriculture or the Bureau of Forestry in the enforcement of any regulation which prohibits or attempts to prohibit the citizens of the states wherein the National forests are located from appropriating for beneficial uses the waters of the National streams thereon, according to the laws of said states and the statutes of the United States.

Bonyng read from a number of authorities to show that the Government did not own the waters of non-navigable streams. On the other hand, he declared, those waters were the property of the states, and the Government had no right to make a charge for them.

What Proposition Means.
This contention was combated by Scott, who said there was "nothing profound or unusual in the proposition. Stripped of its legal phraseology, the proposition of Bonyng, he said, was to allow any individual or corporation to use any land of the United States, to the exclusion of any other individual or corporation, without money and without price.

"The present conduct of the Forestry Service," said Scott, "in requiring a reasonable fee to be charged when a corporation carries its works over land owned by the United States, is only such conduct as every private citizen exercises in the management of his own business."

Bonyng's amendment was defeated. Mondell was by this time ready with another attack on the Forestry Bureau. He charged that by its administration citizens were in many instances denied right-of-way across forest reserves. He said:

"The proposition is whether the States of Maryland, Virginia, West Virginia, North Carolina, South Carolina and even the great State of New York are to become Federal provinces or remain a part of the sovereign states, and whether this Forestry Bureau shall persist in denying the citizens the rights granted by Congress. An amendment to meet this criticism was lost."

Mondell Swings Shillelagh.
Mondell next directed his attention to the committee on agriculture and said it had been in a reckless state of mind when it allowed the Forestry Bureau \$100,000 more than had been estimated for. He charged that, being a lump sum, it could be used for any purpose, "including advertising."

The statement was controverted by Scott, who read a letter from Secretary Wilson saying the \$100,000 was to cover unforeseen items. Scott defended his committee, declaring it had prepared a very conservative bill.

Charging that the Forestry Bureau had, contrary to its own statements, expended annually over \$1,000,000 more than it received, Mondell said that bureau goes on "year after year, juggling figures." He moved to strike out the paragraph: "For the proper and economical administration, protection and development of the National forests."

Hepburn, speaking with much fervor, criticized what he said were "the churlish" against economy. As to the Forestry Service, he said that the principal

objection had come from the committee on public lands, of which Mondell was the head. Twelve of its members were from the states involved. Every citizen, he contended, had "absolutely as much interest in the Government's movements for the preservation of our forests as those gentlemen have." He sarcastically remarked that members of the public lands committee had seen to it that every acre of land in their states was improved. "It is time," he asserted, "they should be content with what they have and not insist on grasping everything that still remains."

Hepburn refused to yield to Mondell for a question and, continuing, said the United States should follow the example of European nations in conserving its forests. But, he said, the members from the public-land states "are now putting up some most preposterous claims." He denied that the states owned the waters of the non-navigable



Representative F. W. Cushman, of Washington, one of the critics of Pinchot's Forestry Policy.

streams of the forests. The water, he contended, was nothing more than land with water flowing through it.

Incented at the statements regarding the public lands committee, Smith of California sought to interrupt Hepburn, who, however, refused to yield.

"You don't dare do it!" Smith remarked. "Oh," said he, "I don't know that there is any power the gentleman possesses to make me fear any question he may ask."

Cushman Joins in Attack.
Cushman of Washington made a vigorous reply to Hepburn. He held up a map showing that the states involved were all located in the Far West, and said:

"I think the gentleman would not look with such complacency on the 'Forest Service' if that service would go into his state and take 12 or 15 counties out of the middle of Iowa and build a Federal fence around it." He said, he said, crying out against a reasonable extension of the Forest Service, but charged that it has been carried far beyond the point where it ought to go.

Mondell's motion was lost, whereupon Smith apologized for his remark to Hepburn, which, he said, was a slip of the tongue. Taking one more shot at the Forestry Service, he declared that "this is not a government by legislation, but it is a government by strangulation."

Largesse of Uncle Sam.
Replying to Cushman, Hepburn said there was no propriety in such a question or such a comparison. In Iowa, he said, the agricultural land was being improved by a separation of its title from the Government. "Not so with this great West," he said. "It was an act of largesse upon the part of the Government to improve the waste places and make them blossom into fertile land for the benefit of all the people."

The reading of the bill was resumed. An amendment by Humphreys of Wisconsin to increase by \$163,450 the appropriation for soil investigations "requested a long debate. After many minute speeches had been made for and against the proposition, it was carried, 169 to 88.

The bill was laid aside less than half completed, and the House adjourned.

DEMOCRATS DEFEAT BILLS

INSURE ADVERSE REPORT ON NEGRO SOLDIERS.

Five Members of Senate Military Affairs Committee Secure Defeat of Foraker and Warner Measures.

WASHINGTON, March 31.—The five Democratic members of the Senate committee on military affairs today succeeded in defeating both the Warner and Foraker bills for restoration to duty of the negro soldiers of the Twenty-fifth Infantry, who were discharged without hearing for the Brownsville, Tex., affair. The success of the minority was accomplished by voting as a unit against the divided majority. The effect will be to cause both bills to be reported adversely.

A majority vote of the Senate would enact one of the bills, however, and Senator Warner is hopeful that his measure will yet become law.

The essential point of difference between the two bills is that the Warner measure provides that the President may reinstate any soldier upon becoming satisfied that he is innocent of the charge against him, while the Foraker bill compels the reinstatement of such soldiers if they take oath of their innocence.

When the committee met today, Senator Warner moved to report his bill favorably, whereupon Senator Foraker moved to substitute his bill. The latter motion was defeated, the five Democrats, Messrs. Tallaferrro, Foster, Overman, Frazier and McCrery, joining with Messrs. Warren, Lodge, Warner and Dupont in opposing it. A vote was taken

PUT THE SCREWS ON VENEZUELA

Patience With Castro Is Exhausted.

LONG COURSE OF INJUSTICE

Root Reports Refusal to Negotiate Further.

SCORN OF ARBITRATION

Property of Americans Confiscated and Our Citizens Expelled—Senators Propose Prohibitive Tariff, Full Power to President.

WASHINGTON, March 31.—The long-expected correspondence between America and Venezuela respecting pending American claims against the latter country was submitted to the Senate today, and is almost certain to create a profound impression. It will be difficult to digest the mass of material which Secretary Root has placed before Congress, but even a cursory inspection of the documents makes it evident that negotiations have reached a critical phase. The President's realization of the fact is shown by his transmission of the matter to the Senate without any comment regarding the correspondence, and especially Secretary Root's strong presentation of the American case, as sufficient instantly to enlist the attention of Congress.

All the correspondence and documents were referred to the Senate committee on foreign relations. Mr. Root will appear before the committee tomorrow, ostensibly to discuss some of the treaties negotiated at the Hague, but it is expected he will take up the Venezuelan affair and suggest some action.

Plans of Retaliation.
Those members of the committee who have already familiarized themselves with the situation have arranged tentatively a programme which consists of three propositions, as follows:

Place a prohibitive tariff on Venezuelan coffee, the exports of which constitute 45 per cent of the entire foreign trade, and 90 per cent of the coffee being taken by the United States.

Exclude all importations of asphalt from Lake Bermudez, the product of which is taken almost entirely by the United States.

Authorize the President to exercise the general power vested in him to take whatever steps he may consider necessary to treat with Venezuela in the future.

The most interesting features of the correspondence are those in which Mr. Root figured. Various attempts had been made by preceding administrations to effect a settlement of the American claims. Secretary Hay having gone so far as to lay down what was regarded as almost an ultimatum. But all of these attempts failed of success, and after a lapse of many months, Secretary Root felt bound again to strive to reach an agreement. In a letter to Minister Russell on February 28, 1907, Mr. Root reviewed the difficulties encountered by the various

American claimants, and instructed Mr. Russell to demand remedy and redress. In issuing general instructions to the American Minister, Mr. Root said:

American Claims Scorned.
You will call the attention of the Government of Venezuela to the fact that, notwithstanding the repeated and unbroken friendship manifested by the United States for Venezuela, notwithstanding the repeated occasions upon which the United States has intervened as a friend in need to relieve Venezuela from disagreeable and dangerous complications with other powers, notwithstanding the patience and consideration which has always characterized the attitude of this Government toward Venezuela, the Government of Venezuela has within the past few years practically confiscated the property of Americans in that country. This has been done sometimes in accordance with the forms of law and contrary to the spirit of the law, sometimes without even forms of law, and in some instances by the direct action of the government apparently hostile to American interests, until of the many millions of dollars invested by American citizens in that country practically nothing remains.

All Consideration Refused.
The claims as outlined by Mr. Root were presented to Venezuela by Mr. Russell, and the correspondence shows they received scant consideration. On that account Mr. Root addressed another letter to Mr. Russell on February 27, 1907, calling attention to the demands for an amicable adjustment of the controversies by means of requests made in February. Commenting upon Venezuela's failure to take cognizance of the American claims, Mr. Root in his letter said:

"The Venezuelan government's answer to these demands practically refuses consideration. It is practically confined to a simple denial of the correctness of the attitude of this Government. The curt and contemptuous way in which it ignores or discounts the serious and repeated representations of the United States produces a painful impression of indifference and scorn. With the patience, however, which has characterized the actions of the Government of the United States in the past in all its relations to Venezuela, the Department of State again instructs you to reiterate the views expressed in the instructions of February 28, last, and to make the following brief reply to each of the points raised by the memorandum of Venezuela:

Root Offers Arbitration.
As in each and every one of the aforesaid cases, you will express your prompt and favorable reply from the Government of Venezuela, you will expressly state that the claims against that government in respect thereof be submitted to arbitration in accordance with the provisions of the Hague, or, if Venezuela should prefer, to the permanent court of arbitration, not members of the Hague tribunal, to be selected in the usual manner.

On February 18, 1908, Mr. Root dispatched a cablegram to Mr. Russell instructing him to ascertain "whether the refusal of Venezuela to accept our proposal of arbitration is designed to apply to each and every one of the five claims, and if she is ready to arbitrate any of those claims, and which one she is willing to arbitrate. The reply of Mr. Russell to this cablegram is the final paper in the mass of correspondence relating to the whole subject of the efforts of the United States Government to secure an amicable adjustment of the claims of American citizens. Mr. Russell's cablegram sent from Wilhelmstadt, February 29, 1908, is as follows:

Venezuela Ends Negotiation.
The Venezuelan Government answered to my note sent in accordance with your cable instruction of February 18. The Minister of Foreign Affairs states that Venezuela refrains from considering for the present the question of arbitration because the United States has not yet refused the arguments in the notes of July 9 and September 20, in which notes Venezuela plainly stated the grounds for refusing to arbitrate.

The note concludes as follows: "Consequently as the cases referred to can't be considered as being requested among those which call for diplomatic action, the Government of Venezuela would view it with satisfaction if the Government of the United States would consider this question as closed, the parties interested always having the right of recourse to the tribunals of the courts of justice of the republic, should they deem it expedient."

American Summarily Expelled.
In treating the various claims, Mr. Root comments upon the expulsion of A. F. Jansette from Venezuelan territory after the closing of hours of business. Mr. Root says that the United States neither questions nor denies the exercise of the sovereign right to expel an undesirable resident, but the justification must be great and convincing.

"Otherwise," he said, "residence in a foreign country would be neither safe nor secure." (Concluded on Page 4.)

BREAKS FAMILY TIES FOR PRINCE

Anna Gould to Accept Helie de Sagan.

RELATIVES MAKE NO DENIAL

Oppose Her Desire, However, as Long as Possible.

FIGHT FOR HER ESTATE

Has Removed From Sister's Home to Hotel and Engaged Counsel to Defend Property—Prince Admits Their Engagement.

NEW YORK, March 31.—(Special.)—Despite bitter opposition on the part of certain of her relatives and though a family breach was precipitated by her act, Mme. Anna Gould tonight finally declared her intention of accepting the hand of Prince de Sagan. That her decision to this end had been firmly announced to members of her family was attested by Mme. Gould's intimate friends and advisers. It was not denied by George J. Gould nor by Miss Helen Gould, the brother and sister who have been most determined in their opposition to the Prince's suit.

Breaking finally with those relatives, who had opposed her will, Mme. Gould took up her temporary residence at the Hotel St. Regis, occupying a large suite adjoining the apartments of Mr. and Mrs. Tyler Morse, through whose agency she and the Prince have been enabled to meet on previous occasions. Her three children and all the personal servants accompanied her upon her removal to the St. Regis from the home of Miss Helen Gould.

Prince Gives Out Statements.
Mme. Gould was confined to her bed tonight by a severe attack of bronchitis. Her illness was admitted by the Prince de Sagan. The Prince asserts further that Mme. Gould had engaged Couder Brothers as personal counsel and was prepared to contest in the courts any attempt to deprive her of her share of the fortune of Jay Gould. Legal advice had been received, he asserted, which held that the codicil in the latter's will relative to depriving any of his children who should marry without the consent of the majority of the executors of the estate of one-half of their shares, would not withstand an attack in the courts.

Fight for Her Estate.
If any attempt is made by the executors to deprive Mme. Gould of any portion of her share of the estate under that instrument, the legality of the will, in accordance with plans already made, will be assailed by legal action. Mme. Gould's former marriage, so the Prince states, she has been advised by expert lawyers, abrogates that provision. It is said the other members of the Gould family plan to reduce Mme. Anna Gould's income, which is now \$50,000. Part of this sum, however, is doled out to Count Boni and his creditors.

For the first time, too, the Prince de Sagan tonight declared himself a formal suitor for the hand of Mme. Gould. In the same breath he admitted the existence of an engagement.

DENIES ALREADY MARRIED

Prince Says He Cannot Speak for the Future, However.

NEW YORK, March 31.—(Special.)—Prince Helie de Sagan announced tonight that he will sail for France April 8, and that Madame Gould and her children will return to Europe just as soon as she recovers from an attack of bronchitis, with which she was overcome while visiting Mr. and Mrs. Tyler Morse, at the Hotel St. Regis on Monday. It was stated tonight that Madame Gould's condition was in no way alarming.

Prince de Sagan said at the Waldorf-Astoria:

"I want to deny emphatically the reports that we have already been married. That is false. I cannot speak for the future."



Madame Anna Gould, whose Declaration to Marry Prince Helie de Sagan Has Caused a Quarrel With Her Family.

RAIDS TACOMA CARD JOINT
Deputy Prosecutor Marches 45 Men to Jail for Playing Poker.

TACOMA, Wash., March 31.—(Special.)—In a smoke-filled room in the second story of the building occupied by the Pullman saloon on Pacific avenue, 20 men of various ages and professions were arrested tonight while playing poker. The raid was made by Assistant Prosecuting Attorney Dow and two constables. While awaiting reinforcements from outside, the raiders for ten minutes allowed the gamblers to proceed. In the meantime, others in the room had an opportunity to try their luck at the gambling tables, opened the door with their private keys and walked in. There were 19 at play when the invaders entered and there were nearly 25 who went to jail when it was all over. None escaped. The place has been running for several months. A thousand poker chips, several scores of decks of cards and three poker tables were confiscated.

Riley Grannon Will Recover.
RENO, Nev., March 31.—A special to the Journal from Rawhide says Riley Grannon, noted turf plunger, was pronounced by physicians this afternoon to be out of danger. He had been reported dying from pneumonia.

Contents Today's Paper.
The Weather.
YESTERDAY'S—Maximum temperature, 63 degrees; minimum, 38.
TODAY'S—Fair and warmer; Northwesterly.
National.
Root reports on Venezuelan dispute and Senators propose retaliatory duties.
Page 1.
Another stormy debate in House on forestry policy. Page 1.
Roosevelt appoints Hill Ambassador to Berlin. Page 4.
Democratic Senators defeat bill to reinstate Brownsville rioters. Page 1.
President of Electric Boat Company denies all Lillie's charges. Page 2.
Politics.
Hearst may not get decision on majority contest before term ends. Page 1.
Congressmen forced actually to deliver campaign speeches. Page 10.
Indiana Republican leaders agree on platform. Page 4.
Parsons defeats Odell in New York Republican primaries. Page 4.
Domestic.
Shut-down of coal mines makes 250,000 men idle. Page 4.
Anna Gould determined to marry de Sagan and quarrels with family. Page 1.
Sport.
Bloody fight between Nelson and Attell ends in draw. Page 5.
Portland baseball team reaches San Francisco today. Page 10.
Pacific Coast.
Judge Dunn denies promises of immunity to Root. Page 5.
Evans to arrive at San Diego Wednesday. Page 5.
Los Angeles horseman's divorced wife kills rival. Page 5.
Westworth and son found guilty of murder in second degree by Jacksonville jury. Page 6.
Washington applicants to legislative honors await Senate action. Page 6.
Railroad Commission orders rates reduced on O. R. & N. Page 6.
Commercial and Marine.
First session of Portland Board of Trade today. Page 17.
Slump in stock market. Page 17.
Wheat prices break sharply at Chicago. Page 17.
Wool falling in American and foreign wool trade. Page 17.
Regular line steamship companies reduce rates on wheat and flour to the Orient. Page 15.
Portland and vicinity.
Dr. J. B. Whitney arrested for causing death of Miss Rachel White. Page 10.
Mondell's land-grant resolution contains joker. Page 11.
Members of Executive Board favor subway. Page 11.
Portland churches to treble donations to foreign missions. Page 7.
Bar Association favors amendment changing judicial system. Page 10.
J. M. C. A. physical directors win fight at Seattle. Page 12.
Mayor suggests purchase of street-lighting system. Page 11.

HEARST IS STILL FAR FROM MAYOR

Legal Battle Dragging Slow Course.

BALLOT BOXES OPENED SOON

Votes Will Be Recounted Before Supreme Court.

TROUBLE NOT THEN OVER

McClellan's Attorneys Can Still Hold Up Matter by Objections and Claims—Suit May Not Be Ended Before May, 1909.

BY LLOYD P. LONERGAN.
NEW YORK, March 30.—(Special.)—Within a month or six weeks, the 1943 ballot boxes, containing the votes cast at the Mayorality election of 1905, will be dragged into the Supreme Court and there recounted in the presence of a jury. After the bitter end of a fight, in the Legislature and in the courts, the controversy has finally reached a stage where the matter can be threshed out.

In November, 1905, George R. McClellan received a certificate of election as Mayor by a scant 3900 votes over William Randolph Hearst. It was a mighty small margin, because the three leading candidates, McClellan, Hearst and Ivins (the last-named the Republican nominee, divided 400,000 ballots among them).

Hearst contested the election on the ground of fraud, and the legal proceedings that followed demonstrated the remarkable amount of law, and the small amount of quick justice, that can be secured in New York State.

Ballot Boxes Kept by Law.
Senator John Raines drafted the present ballot law. One of its provisions is that, at the conclusion of the count, the ballots shall be returned to the boxes by the inspectors in each election district, sealed and kept inviolate in the custody of the Board of Elections for six months.

Raines is a lawyer of repute. He has always insisted that this provision was designed for use when a defeated candidate alleged fraud. Otherwise, as he points out, why should not the ballots be destroyed as soon as the count is completed? Why should the city be forced to pay the expense of storing for six months if nobody could ever examine the ballots again?

Hearst applied to the courts for permission to open the boxes and have a recount. He offered to pay all expenses himself. A Justice of the Supreme Court granted an order along the lines he had asked. A second gave McClellan a stay of proceedings, which tied everything up again. The matter went to the Appellate Division of the Supreme Court and thence to the Court of Appeals. This latter tribunal, the highest in the state, ruled that the law did not provide for a recount, except under the slow, cumbersome quo warranto proceedings, which required the consent of the Attorney-General.

Hearst's Bill is Killed.
Whereupon the bill aimed to meet objections raised by the Court of Appeals was introduced at Albany. A poll of the Legislature showed a big majority for it in both houses. It looked as if Hearst had won out. That was in March, 1906.

In the meantime a legislative committee had been plying on the merits of a contested seat in the Assembly. The members calmly opened a number of ballot-boxes and recounted the votes. No person or court prevented them. The result in the few districts demonstrated that Hearst had been defrauded of about 70 votes. Had anything like this ratio kept up, McClellan's 3900 plurality would have been wiped out and a majority of 10,000 shown for Hearst.

The legislative committee opened no more boxes. The members went back to Albany. A few days later the recount bill was killed, many Republican members who had openly pledged their support voting against it.

This was in April, 1906. A few days later Attorney-General Julius Mayer was asked to begin quo warranto proceedings. McClellan, through his representatives, protested, just as they had fought the original count proceedings and the recount bill. The matter dragged along for nearly two months and then the Attorney-General rendered his decision.

He decided against Hearst. That was in June, 1906.

Fighting in the Papers.
During the remainder of the year the courts and the Legislature had a row, the only fighting by the Hearst men being confined to long newspaper walls of anguish. With the beginning of the new year the feud sprang into life again.

Governor Hughes in his inaugural message called upon the Legislature to pass a recount bill. A few months later this was done. Almost simultaneously Attorney-General Jackson, who had succeeded Mayer, began quo warranto proceedings to oust McClellan, acting on a petition submitted by Hearst.

This naturally put McClellan's lawyers upon their mettle. They had two ad-

