RESPECT OF LAW IS BASIS OF FIGHT

Ballinger Wants to Do Things Legally, Pinchot Would Do Them Anyhow.

FORESTER HAS TO OBEY

Roosevelt Policies Are to Be Carried On According to Law and Pinchot Must Recognize This. Ranger Stations Casus Belli.

BY HARY J. BROWN. OREGONIAN NEWS BUREAL, Washington, Sept. 26.-The first round of the Pinchot-Ballinger fight has passed into history and it will be a one-round fight unless Gifford Pinchot decides to keep up the warfare. If Pinchot is willing to abide by the decision rendered by President Taft in his recent letter to Secretary Ballinger, peace will reign, and the Roosevelt conservation policies will conservation. Roosevelt conservation policies will continue to be carried out along Taft-Ballinger lines—the lines laid down by the law. If Pinchot is unwilling to abide by the dictates of the President, the Roosevelt policies will still be carried forward along Taft-Ballinger lines, but Mr. Pinchot will be eliminated as a factor. That much was made plain by the President before he started on his Western trip.

The whole trouble between Secretary Ballinger and Forester Pinchot grows out of the fact that the former has a profound respect for the law, as does President Taft, whereas Pinchot, fired by

Pinchot Objects to Law.

When Ballinger insisted that Pinchot, in dealing with the Interior Department, should respect the letter and meaning of the law, Mr. Pinchot chafed under the restraint placed upon him, forgetting en-tirely that it was only a few years ago

office as Secretary of the Interior. Con-flict arose over the creation of "ranger stations" within or near forest reservations. Over 4000 such stations had been created by Secretary Garfield at Mr. Pinchot's request; Mr. Ballinger was princhot's request, Mr. Ballings asked to create 800 more. The new Secretary, after examining the statutes, concluded that these stations could not legally be created by executive order, and Pinchot's request was denied. Then

What Ranger Stations Are. of explanation, are comparatively small tracts of land set apart for the exclusive use of employes of the forest service, and on them civilians are forbidden to trespass. They are more than forest reserves; they are subject to even the contraction of the contractions of the contraction of the contra greater restrictions. On forest reserves mineral exploration and development is permitted; the cutting of mature timber authorized: homesteading is possible the lands be agricultural in character grazing is authorized if the land be suit able, and water powers and rights of way may be acquired under proper regu-lation. On ranger stations none of these things are permissible. The stations are absolutely shut off from the use of any one except employes of the forest service. When Mr. Pinchot first requested the Interior Department in 1907 to set apart certain lands for reger stations, Mr. Ballinger, then Commissioner of the General Land Office, held that such segre-gations were not authorized by law; therefore, they could not be made. He maintained it was not within the power of the Interior Department to deny to of the Interior Department to deny to citizens those privileges within forest reserves which were guaranteed them by the statute. This did not coincide with Mr. Pincaot's idea, and he appealed direct to Secretary Garfield, who in turn submitted the question to George W. Woodruff, at that time Assistant Attorney-General for the Interior Department, but previously chief law officer in Mr. Pinchot's office, Mr. Woodruff, and office. Mr. Woodruff learned to construe the law to meet with Pinchot's indorsement, and be did so in this instance, being sustained by Secre-tary Garfield. Being thus overruled, Comnissioner Ballinger was powerless, and cas bound to abide by the decision of

More Stations Prohibited.

A little later Congress, by an amend-ment to the agricultural appropriation bill, prohibited the enlargement of for-est reserve areas in Oregon, Washington, Idaho, Montana, Wyoming and Colorado. In construing that statute, Commissioner Dennett, who had succeeded Ballinger in the Land Office, held it was unlawful to create ranger stations outside of forest reserves in those six states, inasmuch as the stations were in effect additions to the the stations were in effect additions to the forest-reserve system, and therefore pro-hibited. This ruling also was submitted to Woodruff, and Pinchot again was sus-

The creation of ranger stations thrived throughout the administration of Secretary Garfield. In all, 4078 stations were created, embracing a total area of 600,263 acres. Most of them were within the limits of forest reserves, but 101 stations were outside, and of this latter number 13 were located in the six states named. The 7s stations covered 10,216 acres. This was the situation when Mr. Ballinger became Secretary of the Interior.
On March 5, 1809. Mr. Pinchot recom-

mended the creation of another lot of ranger stations, and from that day to the present has asked for \$12 new stathe present has asked for 812 new sta-tions, embracing in the neighborhood of 171,000 acres. When the first recommen-dation reached him, on his second day in afface, Secretary Ballinger turned it down, convinced, as he had been when in the Land Office, that the law did not contemplate or authorize such segrega-tions of land. This made Pinchot mad, and be appealed to the President. At the White House he got no encourage-ment whatever, being informed that Secment whatever, being informed that Secretary Ballinger was entirely responsible for the conduct of the interior Department. So be called on Ballinger. The situation was canvassed pro and con, but no compromise was reached, because Mr. Ballinger insisted upon following the law. There was no common ground on which the two officials could compromise. Although satisfied in his own mind that he was right in his refusal to act, Secretary forms the ground. Just as the aviator from the ground. Just as the aviator was bringing his machine to a stop a break in the propeller caused it to fall to the ground. Fung was thrown out but escaped without injury. The Chinese and his helpers are now planning a larger model of the bi-plane.

If anything is wrong with your skin, try santiseptic Lotion—the result will surprise you. Any drugstore can supply the

tary Ballinger, as has been his habit, submitted the facts to Attorney-General Wickersham for an opinion. If his own interpretation of the law was faulty, he was willing to abide by the judgment of the chief law officer of the Government. the chief law officer of the Government. He has done that a dozen times since March 4, whenever important problems of interpretation of the law have arisen. Mr. Pinchot also took an appeal to the Attorney-General, submitting a brief in support of his contention. Up to the present time the Attorney-General has present to a provide on this disputed.

present time the Attorney-General has rendered no opinion on this disputed question, but, in view of the prominence given the Pinchot-Ballinger row, an interpretation of the statutes bearing on this point is expected very soon.

Mr. Pinchot has called on Secretary Ballinger but once since March 4—that was the occasion referred to. Since then he has shown his hostility by refusing personally to submit points of difference to the head of the Interior Department. Since that first call, all correspondence between Mr. Pinchot and Secretary Ballinger has been by letter, through the Secretary of Agriculture, Mr. Wilson.

Water Power Is Red Rag.

Water Power Is Red Rag.

Bitter as was Pinchot's resentment of Ballinger's course with regard to ranger stations, it was nothing as compared to his fury over Ballinger's interference with his (Pinchot's) scheme of conserving water powers on the public domain. In the good old Garfield days, when conservation agitation was at its helght, toward the close of the Roosevelt Administration, 16 enormous tracts of public land, along Western streams, were withdrawn from entry for the avowed purpose of preventing the gobbling up of water power sites by Mr. Pinchot's famous "Water Power Trust." Embraced in these various withdrawals was a total of 3,459,460 acres. These withdrawals were made hastliy, recklessly and carelessly. They were made arbitrarily, without author-Bitter as was Pinchot's resentment of were made arbitrarily, without author-

were made arbitrarily, without authority of any law, and many of them were made under false pretenses.

When Mr. Ballinger came into office he viewed the situation, saw the fallacy of the course of his predecessor and set about to correct it. Now the same identical streams that were covered, or unproceedly covered by the Pinchot supposedly covered by the Pinchot withfrawals, are more effectually protected by withfrawals that have segregated only 619,529 acres. In other The whole trouble between Secretary Ballinger and Forester Pinchot grows out of the fact that the former has a profound respect for the law, as does President Taft, whereas Pinchot, fired by Rocsevelt enthusiasm, has never been willing to admit that the law is a serious obstacle whenever it stood in the way of accomplishing some purpose which he believed to be for the good of all the people.

Pinchot Objects to Law. under the public land laws.

No Authority Found.

All the Pinchot water power withdraw-als were made through the Reclamation Service. About half of them were withthe law, Mr. Pinchot chafed under the restraint placed upon him, forgetting entirely that it was only a few years ago that he, by reason of well-understood conditions, was in a position to dictate to Mr. Ballinger, then Commissioner of the Land Office.

Secretary Ballinger favors carrying out the Roosevelt conservation policies wherever and whenever those policies was be promoted in accordance with the law. Forester Pinchot insists that the Roosevelt policies should be carried forward in the Roosevelt way, regardless of the law. President Taft approves the Ballinger method.

There had been considerable friction between Mr. Ballinger and Mr. Pinchot during the former's term as Commissioner of the General Land Office; therefore no surprise was occasioned when trouble broke, out anew within 24 hours after Mr. Ballinger took the oath of office as Secretary of the Interior. Conflict arose over the greatlor of "canyot conditions of the land withdrawn ostensibly for reclamation of water resources"; the remainder were withdrawn ostensibly for reclamation projects. Mr. Ballinger, in March lost, called upon the Reclamation Service for its legal authority for making withdrawals of public lands for "power sites" and for "conservation of water resources." The service could cite no such authority, and withdrawals so made were restored to entry during the last days of March and the early part of April.

The Reclamation Service was then asked for a statement showing how much of the land withdrawals so made were restored to entry during the instance of the early part of April.

The Reclamation of the early part of April.

The Reclamation Service was then asked for

much of this land, lying idle, would be reclaimed by private enterprise if it was thrown open to entry. A reply to this inquiry was shortly fortheoming, and as a result nearly 2,000,000 acres, which the Reclaimation Service could not irrigate, but which had been withdrawn from the reach of others, was restored to the public domain. This latter restoration included a number of Mr. Pinchot's power sites. He saw what had been done, and entered protest.

This is the first of a series of three articles dealing with the Ballinger-Pinchot controversy. The next will be published

LINN COUNTY BENCH RENDERS DECISION ON BUN.

Hurriedly Turns Down Petition for New School District While Waiting to Catch Train.

ALBANY, Or., Sept. 23,-(Special.)-Standing in the open air at the end of the Lebanon train, which stood on a sidetrack at the Union Depot, the members of the Linn County Court held a ses-sion of court at noon today. People who saw four men standing talking by the steps of the rear car did not realize that they were witnessing a formal and legal session of court. Incidentally this unique session killed the hopes of some residents of the country just south of Lebanon for a new school district.

It was necessary for the County Court to meet today as a County Boundary Board to decide upon the petition for the new school district, which has been pending for some time. County Commis-sioner Russell wished to leave for Lebanon at 12:30 and County Commission non at 12:30 and County Commissioner Butler, who is superintending the work at the Jefferson bridge, could not reach the city until noon. So in order for all members of the court to be present it was necessary to meet at the depot. County Judge Duncan, Commissioner Russell and County School Superintend-ent Jackson, who is clerk of the board, were waiting at the depot when Com-missioner Butler arrived on the south-bound noon train and court at once

The petition for the new school board has been thoroughly discussed at for-mer sessions and a decision was quickly reached. The board decided the change would weaken the districts from which a new one would be taken to such an ex-tent as to make it impracticable. It was proposed to create a new district out of portions of the Rock Hill, Crow-foot, Lebanon and Denny districts and all of these districts protested against

CHINAMAN INVENTS AIRSHIP

Oakland Oriental Filts Over Hills in Big Biplane.

SAN FRANCISCO, Sept. 22.—With a Chinese at the wheel, the first successful flight on the Pacific Coast of a chinese at the water, the first successful flight on the Pacific Coast of a heavier-than-air motor driven aeroplane was made near this city last night. The inventor of the new air craft is Pung Joey Guey, a young Chinese of Oakland, who aircady has secured a local reputation as a mechanical genuls. With only his three Chinese helpers as spectators, Fung made his flight in the dim light of the early evening among the hills of Piedmont. The big hi-plane salled around a hill for half a mile at a distance of 15 feet from the ground. Just as the aviator was bringing his machine to a stop a break in the propelier caused it to fall to the ground. Fung was thrown out but escaped without injury. The Chinese and his helpers are now planning a larger model of the bi-plane.

RENO GETS JOLTED

Divorce Obtained There by Default Set Aside.

BECOMES BIGAMIST

Roy Howard Is Given Decree and Marries Chorus Girl, but First Wife Intimates Fraud and Important Ruling Is Made.

RENO, Nev., Sept. 23. — (Special.)— Florence S. Howard, daughter of a wealthy vineyard-owner of California. appeared with her attorneys today to begin a legal battle against the final issuance of a decree of divorce to her husband, Roy Howard, who secured a judgment by default in his suit last February.

The defendant is an attractive young

In the document filed this morning Mrs. Howard declares her husband knew where she was at the time of the filing of his complaint, and that he the filing of his complaint, and that he and she were in communication constantly. She says she was in Detroit at an address known to him at the time he secured the judgment by default. She declares he pretended not to know her address and came to Nevada from California in order that she might be prevented from gaining any knowledge of his action.

Judge Pike today set aside the judg-ment and ordered the case reopened. Howard is president of the Howard Iron Works of San Diego. Soon after fron Works of San Diego. Soon after the secured the decree through alleged false testimony, it is said he married Maude Armstrong, a 15-year-old chorus girl playing at San Diego.

The action of the court today makes him a bigamlst, and sensational developments are expected.

him a bigamist, and sensational developments are expected.

This decision, which establishes a new feature in Nevada divorce proceedings, says "unless the defendant in a divorce action receives personal summons, or by letter, and through false showings a decree is received by default, defendant at any time within all months may have the decree set six months may have the decree set

NORMAN LANG. DEFENDANT

Paper Mill Manager Accused of Polluting Water Source.

LEBANON, Or., Sept. 23.—(Special.)—Accused of turning waste water from the paper mills into a channel of the South Santiam, a warrant was issued out of the Justice Court in this city this afternoon for the arrest of Norman R Lang, manager of the Lebanon Paper Company, whose home is at Oregon City. The complaint is made by L. L. Evans, well-known farmer living two miles below the plant of the paper mills company at plant of the paper mills company at

The case has its origin in the paper mills turning a waste ditch into an old channel of the South Santiam which runs through the farm of Mr. Evans and other ranchers below the paper mill. The waste from the chemicals used in paper making is run into the channel, and the farmers claim that the water is rendered unfit for domestic purposes and even their wells within several hundred yards. mail service and become directly interested in all movements looking to the
improvement of that service.

Principal among the speakers was P.
J. Schardt, of Milwaukee, Wis., vicepaper mill people claim the chemiis used are not injurious, sulphur beg the predominating one, though they
styrice out unpleasant odors. of the channel are polluted, they say. The paper mill people claim the chemi-cals used are not injurious, sulphur be-

may give out unpleasant odors.

The matter will be fought out in the ourts and means a long-drawn out litti-gation. The mills have been using the old channel for a waste ditch for some 18 years, and Mr. Evans is representing an organized effort of a number of farmers to prevent its use for that purpose.

JUAREZ BOMB HARMLESS

No Plot to Kill Presidents in Mexico-Tramp Arrested.

EL PASO, Tex., Sept. 23.—It developed today that there was no plot connected with the finding of a supposed bomb in with the finding of a supposed bomb in Juarez, Mex., last night.

The "bomb" proved to be a small pep-per box, three inches long, an inch and a half in diameter, and containing a sub-stance like parraffine poured over the top. Even had it been exploded it would

have done no harm. The police have arrested an American tramp who had been sleeping on the premises of Senor Arguelles and been ordered away. The tramp had made threats that Arguelles would be sorry. American Consul Edwards examined the "bomb" today and found it harmless,

DELEGATES ARE NAMED

Fifteen Oregonians Appointed to Dry Farming Congress.

SALEM, Or., Sept. 23.—(Special.)—The Governor today appointed the following delegates to the National Dry Farming

Congress, which meets at Billings, Mon-tana, October 28-28: tana, October 28-28:

I. S. Geer, Burns; A. V. Swift, Baker
City; William T. Campbell, Lexington; C.
A. Danneman, Clent; L. L. Mann, Pendleton; Albion Kahler, Fossil; J. N. Burgess, Pilot Rock; Jack Edwards, Hay Creek; J. M. Patterson, The Dalles; T. M. Baldwin, Prineville; C. T. Oliver, Klamath Falls; C. E. Bradley, Corvallis, J. P. Stump, Monmouth, and V. A. McAllister, La Grande.

Cases Set in Supreme Court.

SALEM, Or., Sept. 22.—(Special.)—Clerk J. C. Moreland, of the Supreme Court, has set the following cases for hearing: October 5-State vs. La Ross, 10 A. M.; State vs. C. Sam Smith, motion to dis-miss; State vs. Atwood, rehearing, 10 A. M.

A. M.
October 5-O'Sullivan; vs. Blakely, 10 A.
M.; State vs. McDonald, 2 P. M.
October 7-Barnes vs. Long, 10 A. M.;
Nevada Ditch Company vs. Canyon &
Sand Hollow Ditch Company.

Hillsboro Fair Opens.

HILLSBORO, Or., Sept. 23 .- (Special.) -The Hillsboro Street Fair and Carnival opened yesterday with beautiful weather and a good attendance. The livestock show was about the same as inst year, although cash prizes were offered as an inducement. The fruit and vegetable exhibits are the best ever seen in Washington County. The apples shown were exceedingly fine.

Two Salem Residents Die.

SALEM, Or., Sept. 33 .- (Special.) -- James B. Day, an Gregon pioneer, formerly a resident of Portland, died today, aged 77. He haves a widow and six children. W. F. Binder, 37 years old, formerly of Astoria, is dead of paresis.

Your Hart Schaffner & Marx



Fall Suit Overcoat Are Now Ready

They're all-wool, made in the best, correct style, perfectly tailored—the highest class clothes made. No higher in price than the indifferent kind.

\$20 to \$40

FREE-200 Nickel Plated Savings Banks, while they last, with Boy's Suit or Overcoat,

Sam'l Rosenblatt & Co.

Corner Third and Morrison Sts

TELL BUSINESS MEN OF NEEDS OF FEDERAL SERVICE.

Importance to Public of Efficient Work Is Emphasized by Vice-President of Organization.

Several prominent Portland business men were guests last night at the sec-ond annual banquet given by the clerks of the Thirteenth Division of the United of the Thirteeath Division of the United States Railway Mail Service at the Perkins Grill. As was the case of the initial dinner a year age, the purpose of the banquet was to effect a meeting between the representatives of the business interests of the city and the mail clerks, that the former might have a better understanding of the railway mail service and become directly inter-

WEAR

FURS.

MERIT MADE

THEM FAMOUS.

of its work in the business and social

of its work in the business and social life of the country was not to be discounted. This department of the railway mail service comes under the direct supervision of the Second Assistant to the Postmaster-General.

W. C. Hawley, of Salem, Representative from the First Congressional District, was the first speaker. Representative Hawley referred briefly to the work of the railway mail employes, who, he said, were not paid in proportion to the service rendered. He remarked that there existed a general demand that the salary of all such employes be advanced, and he promised the members of the organization that he would do all in his power to secure the increased remuneration to which he would do all in his power to secure the increased remuneration to which they were entitled. Any policy proposing retrenchment and reform in the postal service, he insisted, should be confined to other departments of the service and not be applied to the earnings of the particular branch of the service whose guest he was.

Among others to address the gathering were: C. H. Chapman, W. F. Woodward, of Woodard, Clarke & Co.: A. H. Devers, of Closset & Devers; C. T. Whitney, vice-president of the Portland Chamber of Commerce, and C. N.

land Chamber of Commerce, and C. N. McArthur, private secretary to Governor Benson

Drops From Ranks of Pioneers. on the organization of which he was an official representative, said it included; a membership of 250,000, and that the service rendered represented as expenditure of \$200,000,000 annually by the Government. He referred to the fact that the service affected the daily life of every citizen of the land, and that in proportion as the usefulness and efficiency of the postal service is increased, to that extent is the public service bettered.

Mr. Schardt further said that while the branch of the postal service he represented did not come in close touch with the general public, the importance

SORROWFUL STATE MOURNS AS EXECUTIVE IS BURIED.

Solemn Services Held and Body Is Escorted to Governor's Old Home With Pomp.

ST. PAUL. Sept. 33.—In keeping with the dignity of the office he filled as Governor of Minnesota, and to the accompaniment of tolling bells, the body of John A Johnson was excorted from the rotunda of the State Capitol today, with military pomp, to the train which was to carry it to St. Peter, Minn., and its last resting place.

The pallbearers, F. A. Day, F. B. Lynch, T. D. O'Brien, E. T. Young, A. C. Welss and J. C. Wise, carried the oasket to the hearse through a double line of bonorary pallbearers composed of for-

ket to the hearse through a double line of honorary pallbearers composed of for-mer Governors L. F. Hubbard, John Lind, S. R. Vansant, Knute Nelson and Governor Eberhart, Chief Justice Start, Governor John Burke, of North Dakota, and President Cyrus Northrup. A volunteer band of 169 pieces sounded

heart of the rotall district to the Union Station, where a special train was stand-The casket was placed in the bag-

While the procession was passing through the streets business was practi-cally suspended. The sidewalks were jammed with a silent throng.



Rent a Piano You will want a Piano in your home this Fall and Winter. It will live you much pleasure. Perhaps you feel that you are not ready to purchase the Piano you destre to own. Most musicians look forward to the time when they will

own a Steinway.

Rent a Piano from us and all money paid as rent, up to six months, will be applied toward the purchase price of a Steinway or other first-class Plano.

We have the largest stock of We have the largest stock of

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VALUES

TO \$40

STORE CLOSED SATURDAY-OPEN FROM 6 TO 9:30 P. M. AGENTS FAY HOSIERY FOR CHILDREN

MAIL ORDERS PROMPTLY FILLED

SILVERFIELD

Cor. Fourth and Morrison.

NEW FALL STYLE BOOK MAILED FREE UPON REQUEST

\$15.00 to \$20.00 Shawls and Stoles

We offer for Friday only an extraordinary special on fur stoles and shawls of the season's latest creations, made in all furs and beautifully lined in brocaded and Skinner's satins. Values to \$15.00 and \$20.00, your choice . \$10.50

Muffs to Match at Special Reduced Prices

Remodeling and repairing done at a a great saving. All work guaranteed.

NEW TAILORED WAISTS

FOR FRIDAY ONLY

98c **REGULAR \$1.50 AND \$1.75**

A grand offering of beautiful tailored Waists for Fall; all sizes; an exceptional value. FRIDAY ONLY98¢

SUMMER KNIT UNDER-WEAR FOURTH OFF

All Summer Knit Underwear in separate garments and Union Suits, fine lisle Keyser silk ribbed and plain cottons at 1/4 off the regular

NEW MILLINERY for FALL \$10 HATS \$6.85

An exceptional offering of new Fall Hats, in all the new shapes, from Eastern designers and our own large shop. A large variety to select from; all the popular colors and materials, for Friday only, values up to \$10.00 each\$6.85

EXTRA SPECIAL FOR FRIDAY ONLY

LADIES' AND MISSES' SIZES

NEW

A quick decision by our New York buyer and paying spot cash for a large lot is the explanation of this extraordinary offer for Friday. They are all this season's styles and you will find all the newest materials in the lot, all-wool homespuns, diagonals, broadcloths, worsteds, cheviots, serges, etc., and a large range of colors; the coats are extra long, some as long as 50 inches, semi and tight-fitting, in fact, every one a perfect model. Your choice of these suits, Friday only \$19.65