

SERVICE IN FAULT, BALLINGER SHOWS

Settlers Misled as to Costs Under Newell-Davis Reclamation System.

UNIT METHOD IS WRONG

Plain Contradiction Made by Garfield and Newell in Advocacy of Certificate Plan—Bond Issue Is Economical.

OREGONIAN NEWS BUREAU, Washington, May 9.—As showing the need for reorganization of the Reclamation Service, which Secretary Ballinger has announced will be accomplished as the result of his remaining in the cabinet, the Secretary's critics of the Reclamation Service made when on the witness stand are interesting.

Also Mr. Ballinger has made plain the duty of Congress to pass the \$30,000,000 bill to enable the Government to hasten the completion of projects which have been long delayed. He showed that the passage of this bill would be economy to the Government, for it would hasten the completion of the projects and hasten returns to the reclamation fund.

Settlers Are Misled.

Secretary Ballinger criticized the looseness with which the work of the Reclamation Service had been carried forward. In his judgment the projects must be built under contract, yet in many instances the work had been done by "force account," by labor hired directly by the Reclamation Service and supervised by the engineers. This method had been improper, as he also held the Garfield-Newell co-operative plan which was knocked out by the decision of Attorney-General Wickham. If projects had been constructed strictly under contract, the Secretary said, there would have been no misleading of settlers as to the cost of their water, whereas by contracting projects piecemeal and developing the plans as the work progresses, there has been a constant increase in estimates, and projects originally estimated to cost \$18 and \$20 an acre have run up to \$40 an acre and sometimes more.

Unit Method Wrong.

Instead, projects were built unit by unit, by "force account" and in the end the cost not only exceeded the estimates of the Reclamation Service, but the bids of competing contractors. This method worked a hardship on the settlers which the Secretary declared could have been avoided had the project been built in a business-like way.

The story of the co-operative certificates, inaugurated by Garfield and Newell, and dispensed with by Ballinger, was reviewed before the committee. Mr. Garfield, who had been in charge of the administration of the reclamation fund of more than \$2,000,000 in excess of all outstanding obligations, including the certificates, had testified that he also said that shortage of money was not the reason for taking up the co-operative plan, but rather that it was done to expedite the reclamation work. Mr. Newell was questioned as to the co-operative plan was favored because the reclamation fund was not adequate to permit the completion of such works as were to be constructed by the settlers. The Secretary then read from the annual reports of the Reclamation Service covering the period of Secretary Garfield's administration, and showed that instead of a \$2,000,000 surplus in the reclamation fund, as Garfield had testified, Secretary Garfield had by over-allocation, actually created a deficit of \$5,828,576.

Records Tell Story.

To disqualify the testimony of Garfield and Newell further, Secretary Ballinger said that after the certificates had been knocked out by the Attorney-General, he called in Newell and Davis to discuss means of redeeming outstanding certificates. "They gave me to understand there were no funds available unless we cut them off from other allotments already made," said the Secretary. "Thus it was established that Newell and Garfield, at the outset, favored the certificate plan, because they had no money and when the plan was knocked out, denied the shortage of funds. The official records told the story."

As to his cancellation of many withdrawals made by Secretary Garfield a month before his resignation, Secretary Ballinger testified that Garfield had withdrawn lands under the reclamation act which lands could not be irrigated or used for irrigation purposes inside of 15 or 20 years.

"I could not see any power in the Secretary of the Interior to withdraw lands arbitrarily, even under the reclamation act, and hold them for an indefinite period, and I do not now think that power exists under the law," he said. "Therefore the Secretary cancelled these withdrawals. Newell and Davis had testified that Secretary Ballinger ordered them to recommend the cancellation of many such withdrawals, but refused to reduce his orders to writing. This statement, Secretary Ballinger said, was a deliberate misrepresentation of the facts."

Tahoe Contract Explained.

Newell and Davis had testified that Secretary Ballinger had drawn up with his own hands what is known as the Lake Tahoe contract, recognizing the established rights of a power company that is using some of the water flowing from this lake. Newell had testified wildly excited over this contract, although he had not drawn the Lake Tahoe contract, but that it was recommended by the Reclamation Service, and substantially agreed upon by Secretary Garfield, and was left upon his desk by his predecessor when he came in March 5, 1909. That contract is now in the hands of the President, still unapproved.

Nowhere during his testimony did Secretary Ballinger show more feeling than when denouncing Director Newell for withholding from him a report from a retiring officer of the Reclamation Service in which he scathingly denounced the Secretary. The Secretary said that this "scurrilous and vicious report against me was filed away in the director's office, and the director never called it to my attention, apparently wilfully withholding it from me for my consideration, intending to let a report to my injury and detriment go upon the records of his office without letting me know anything about it. When I saw the report I felt indignant that any subordinate officer of mine should do such a thing as that."

The report was made by E. G. Lind, who retired with a grudge as fiscal agent on December 31, last.

Improvements Are Resisted.

In commenting on his proposed reorganization of the Reclamation Service, Secretary Ballinger said that the contemplated changes would have been made some time ago, but for the investigations that have been made at the direction of Congress. He said he submitted a plan of reorganization to Newell and Davis last December, the main feature of which was to bring the service directly under the control of the Secretary of the Interior where the law contemplated it should be.

"The Secretary has the whole responsibility of the enforcement and the carrying out of the act," he said, "and there is a trust fund of many millions of dollars which must be administered by him. Under the present organization the director of the Reclamation Service is practically the whole thing. The director, under this proposed plan, would be given a greatly subordinate position, which he did not like at all, and therefore he seriously objected to the plan."

"Mr. Newell and Mr. Davis both said



William H. Lake, prominent Chicago business man, foreman of Grand Jury investigating bribery charges against Senator Lorimer.

they thought it involved a duplication of work and additional expense. I did not agree with them on any point they raised, so the matter was dropped at the time being. Outside of the Reclamation Service," the Secretary added, "there has been complete and thorough co-operation in every bureau of the Interior Department, and I think considerable progress in administrative advancement has been made."

Absurd Offers Made.

Secretary Ballinger told the committee that many absurd administrative proposals were submitted to him by the Reclamation Service—propositions he had to reject. In the discussion of this subject, he said: "Some of the most absurd questions have come to me since I have been Secretary of the Interior as legal propositions that I have never seen. For instance, a proposition came to me to allow the entering into a contract with certain persons to go into the drainage basins of the Colorado, which has not yet been appropriated for reclamation purposes, and pay a percentage of the proceeds to the contractor. I drew that was then pending covering those lands might tomorrow be restored on the ground that the contractor was not a reclamation purpose. In case a contract was made, here would be that contractor company in there under contract with the Government for dredging gold upon the public land. Senator Root—what state was that in? Secretary Ballinger—Colorado. Senator Flint—It sounds like a Wall street proposition. Secretary Ballinger—No, it was a Colorado proposition as absolutely contrary to every theory of the public-land law. Mr. Vermead—Have you had to dredge any of these reservoirs out yet? Secretary Ballinger—No, sir; there has been no dredging in any of the reservoirs. The chairman—Have you any idea about what your predecessor would have done about such a proposition?—Well, I cannot answer your question. Mr. Ousted—There has been a good deal of gold gone into some of the projects, has it? Secretary Ballinger—Yes; there has been about \$50,000,000 spent in these projects. Mr. Ousted—Which can not be reached with a dredge, however, can it? Secretary Ballinger—No, sir."

WITNESSES SLOW TO TELL

not heard by the grand jury were E. C. Chamberlain, master-in-chancery; J. C. Loudon, revenue collector, and Charles Hertel, county superintendent of schools, all of St. Clair County. They told Mr. Burke they were at the Illinois Hotel in East St. Louis April 11 last and saw Representative White with a large roll of money and heard him bragging about selling his bribery charges to the Tribune.

Other witnesses subpoenaed, some of whom are expected to appear tomorrow, are:

- Jacob Groves, Camp Point, Adams County; Henry A. Shepard, Jerseyville, Jersey County; Michael S. Link, Mitchell, Madison County; Joseph S. Clark, Vandalia, Payette County; H. J. Beckemeyer, Carlisle, Clinton County; Charles A. White, O'Fallon, St. Clair County; James J. Ely, Chicago Tribune; Otis and Sidney Yarbrough, O'Fallon; Thomas Tippitt, Olney, Richland County; William C. Blair, Mount Vernon, Jefferson County; J. W. Gibson, Mount Vernon; Banker Albert B. Elder, Newforn, Jasper County and John Lawrence, Polo, Ogle County.

LIBERALS CONTROL SPAIN

But Republicans and Socialists Are in Majority in Madrid.

MADRID, May 9.—Partial returns from yesterday's elections in 22 provinces show the following results: Liberals, 94; Conservatives, 34; Republicans, 25; Socialists, 1; Carlists, 6. There are exclusive of 114 uncounted seats. According to the newspaper A. B. C., Premier Canalejas will have 235 supporters in the Cortes and heard him say that the Conservatives will hold 88 seats, Republicans 46, Carlists 8, Catalists 8 and Independents 11. In this city the Republicans and Socialists cast 42,500 votes, against 20,500 polled by the Monarchists.

RUSSELL'S FIRM

Manager Says Shuberts Must Use His Theaters.

CONTRACT IS EXCLUSIVE

If Independents Desert Him He Will Seek Injunction to Sustain His Rights to Attractions in Portland and Seattle.

Reiterating his former statement, W. M. ("Dad") Russell, owner of a half interest in the Portland Theater, declared last night that Shuberts could not send a single show to the Pacific Coast that was sent to his theaters in Portland and Seattle.

"I have an exclusive contract drawn up by Judge Lindsey," he said. "This contract has been declared unbreakable in New York. This contract provides that we are to have all shows booked by the Shuberts."

On the other hand, Calvin Hellig declared that the new syndicate, announced by dispatches in The Oregonian yesterday, would be able to evade this contract. "We shall book each show independently with the individual managers," he said. "The Shuberts' name will not even appear on the contracts. It will be the same with Kilow & Briarley shows; the individual manager alone will be the man with whom we deal. It does not seem to be realized that the new syndicate is in a position to dictate terms."

Mr. Hellig showed the following telegram he received from John Cort: "The big battle is over. See Oregonian Associated Press dispatch." Mr. Cort telegraphed to his Seattle agent as follows: "The battle is over and the game is in our bag."

"Dad" Russell alleges that if the Shuberts attempt to show in any local theater but his, either in Portland or Seattle, he will obtain an injunction. He talked of some years ago when he had an agent in New York who booked 15 shows for him one season. Of these shows, he said, 10 fell by the wayside and would not cross the mountains.

The Shuberts' agreement refers only to the Shubert attractions in Portland, Seattle, Tacoma, Vancouver and Victoria, B. C., Mr. Russell declared. The other towns could have an open-door policy.

"It's all right to talk of booking the shows for you can 'wild-cat' the one-night stands," he said, "but you can't 'wild-cat' the big cities. The shows will come half way and then turn back unless some big agency such as J. & E. or the Shuberts forces them to keep on."

Mr. Russell discussed the early days when the Northern Pacific Railway booked the shows and later when Star & Havelly handled them up to the time of K. & E. and Star S. and Lee Shubert. He believes the big agencies are a necessity.

MANY WRITE FOR PEACE

NEW ENGLAND CONGRESS HOLDS ENTHUSIASTIC SESSION.

Letters From President Taft, Knox and Bryan Read, All Desiring Peace.

HARTFORD, Conn., May 9.—Much enthusiasm was injected into tonight's session of the New England Arbitration and Peace Congress by the reading of letters from President Taft and Secretary of State Bryan, expressing their sentiments toward the peace movement. The letter from President Taft was as follows:

"Dear Mr. Call: I have your letter of April 22 and am glad to know that the New England Arbitration and Peace Congress is to hold an important meeting from May 8 to 11. I have on more than one occasion expressed myself as being in favor of international peace and in favor of arbitration to secure it, and I also dwell on the subject in my inaugural address. That I am in favor of a country giving up that which we now use for the purpose of securing peace—to wit: Our Army and our Navy, because I believe that the expense of armament is working toward peace."

"I earnestly hope that your meeting will be productive of much good in the promotion of permanent peace. I wish you every success in your efforts in this direction. Sincerely yours, 'W. H. TAFT.'"

"Should a permanent tribunal of arbitration be organized and be permanently in session at The Hague, a great step would be taken for the settlement of international differences."

W. J. Bryan sent a letter expressing regret at being unable to attend in person. Mr. Bryan said: "I hope that your meeting will endorse a proposition which I introduced at the London conference four years ago and which was afterward endorsed by the New York peace conference. It was a declaration that all questions in dispute between nations should be submitted to an impartial international tribunal for investigation and report before any declaration of war or commencement of hostilities. This leaves the party free to act independently after the report, but if we can secure time for investigation and report on the facts, a peaceful settlement of the difficulty is almost certain."

GLORY GIVEN TO DELMAS

Double Pay to Solace Gleason, Says Thaw Lawyer, Pressing Claim.

PITTSBURGH, May 9.—Referee in Bankruptcy Blair today held a hearing on the claims against the bankrupt estate of Harry K. Thaw, to which exceptions have been filed by Thaw's trustees. Attorney John B. Gleason, of New York, said that by agreement between Thaw and himself at the time of the latter's trial he was to receive "twice as much money as Attorney Delmas, who was to have the glory of the trial," while Gleason did the work.

JOKE IS ALMOST SERIOUS

School Principal and Pupils Narrowly Escape Drowning.

ALBANY, Or., May 9.—(Special.)—A picnic of Albany public school children came near terminating seriously Saturday, when five of the pleasure seekers were thrown out of a boat into Second



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Gentlemen's Hats Buffum & Pendleton Ladies' Hats Olds, Wortman & King

Lake and reached shore with difficulty. They were Professor Lloyd Marquam, principal of the Madison-street school; Miss Mona Nagle, teacher of the sixth grade of the Madison school, and Miles McKee, Willie Ellis and Nettie Snyder, pupils of the school.

Professor Marquam had taken the eighth grade on a picnic to the lakes and several of the crowd had gone down the lake in a rowboat and a scow. After the boating parties had landed, Professor Marquam and the four others thought to play a joke on those who had been riding in the skiff by taking the good boat and letting them paddle back in the scow. When they were from 35 to 40 feet out in the lake the boat capsized and all were thrown into the deep water.

The young women could not swim, but the boy, though weighed down by their clothes, assisted them in keeping above water until others of the party could come to the rescue. All reached shore after some of the party had gone down more than once.

MRS. SUTTON ANNOYED

PORTLAND WOMAN CHAFES AT LEGISLATORS' INACTION.

"I Will Have Justice if I Have to Be Elected to Congress to Get It," Says Officer's Mother.

OREGONIAN NEWS BUREAU, Washington, D. C., May 9.—"I will have justice at the hands of Congress if I have to be elected to Congress to get it," declared Mrs. James N. Sutton, of Portland, today in discussing the failure of both Houses to take action on a resolution introduced by Senator Chamberlain and Representative McCredie, calling for an investigation into the death of her son.

Mrs. Sutton has been haunting the corridors of the Capitol throughout this entire session, hoping that sooner or later a special committee would be appointed to again review the circumstances attending the death of Lieutenant Sutton, an Annapolis cadet three years ago. She is becoming discouraged at repeated delays, but persists that she will get another investigation, if it becomes necessary to enter Congress to force it.

"There is nothing in the Constitution to prevent my election to Congress," said Mrs. Sutton, "and if this Congress does not give me justice I will be strongly tempted to run against Representative Ellis."

On second thought, however, Mrs. Sutton said that possibly a Democratic House might pass her resolution if a Republican House does not. Mrs. McCredie's resolution is now at the Navy Department awaiting report by Secretary Meyer.

ALBANY WILL GET ARMOY

City and State Each Raise Half of Additional Cost.

ALBANY, Or., May 9.—(Special.)—Work on the \$2,000,000 armory to be erected in Albany for the Oregon National Guard will begin at once. Final arrangements were completed at a meeting of Adjutant-General W. E. Finer with the executive board of the Albany Commercial Club and city and county officers 1 1/2 miles city.

The original estimated cost of the site and building was \$24,000. But after advertising for bid twice, General Finer found that to meet the terms of the lowest bidder an additional \$900 would have to be secured.

General Finer announced that the state, which will furnish half of the cost of the structure, would appropriate its half of the additional \$900 if Albany would raise its \$900. This amount was read a portion of Secretary Knox's letter of regret.

CORONER'S INQUEST WAITS

Blame for Fatality at Bridwell Station Not Yet Fixed.

MINNIVILLE, Or., May 9.—(Special.)—The jury empaneled by the coroner to investigate the railroad accident last night at Bridwell Station, viewed the remains of Miss Alia Leighton at her home here today and was then excused, pending the call of the coroner. The investigation will be resumed as soon as the surviving members of the party are able to give their testimony, when the trainmen will also be summoned. Advice received here today announce

Hunyadi Janos Water advertisement. Features a bottle of the product and text: 'Speedy Sure Gentle', 'NATURAL LAXATIVE', 'Recommended by Physicians', 'Refuse Substitutes', 'Glass on arising for CONSTIPATION'.

GRAY'S SPECIAL SALE OF LADIES' TAILORED SUITS. Lists prices for suits from \$22.50 to \$66.50. Includes address: Ladies' Entrance 148 Fourth St. R. M. GRAY. 273-275 Morrison at Fourth.

Women's Secrets advertisement. Text: 'There is one man in the United States who has perhaps heard more women's secrets than any other man or woman in the country. These secrets are not secrets of guilt or shame, but the secrets of suffering, and they have been confided to Dr. R. V. Pierce in the hope and expectation of advice and help. That few of these women have been disappointed in their expectations is proved by the fact that ninety-eight per cent. of all women treated by Dr. Pierce have been absolutely and altogether cured. Such a record would be remarkable if the cases treated were numbered by hundreds only. But when that record applies to the treatment of more than half-a-million women, in a practice of over 40 years, it is phenomenal, and entitles Dr. Pierce to the gratitude accorded him by women, as the first of specialists in the treatment of women's diseases. Every sick woman may consult Dr. Pierce by letter, absolutely without charge. All replies are mailed, sealed in perfectly plain envelopes, without any printing or advertising whatever, upon them. Write without fear as without fee, to World's Dispensary Medical Association, Dr. R. V. Pierce, Pres., Buffalo, N. Y.' Includes 'DR. PIERCE'S FAVORITE PRESCRIPTION' and 'Make's Weak Women Strong, Sick Women Well.'

Arrow Collar advertisement. Features an arrow logo and text: 'BELMONT AN ARROW COLLAR with the Ara-Notch in place of the bothersome buttonhole 15c. each—2 for 25c.' Includes 'Curet, Peabody & Co., Makers' and 'ARROW CUFFS, 25c. a Pair.'

Rock Island Lines advertisement. Text: 'Going East?' Includes a list of routes and fares: Chicago and return \$72.50, Kansas City and return \$60.00, St. Louis and return \$67.50, Omaha and return \$60.00, New York and return \$108.50, Pittsburg and return \$15.00, Boston and return \$110.00, Buffalo and return \$91.50. On Sale MAY 9TH, JUNE 2D, 17TH AND 24TH, JULY 5TH AND 22D, AUGUST 3D AND SEPTEMBER 8TH. The Rock Island Lines. Offer exceptional advantages in the way of routes and train service. We operate the world's famous ROCKY MOUNTAIN LIMITED between Colorado and Chicago, GOLDEN STATE LIMITED between California and Chicago, and TWIN CITIES SPECIAL between St. Paul-Minneapolis and Chicago and St. Louis, and offer a choice of routes going and returning. Literature Sent on Request. M. J. GEARY, Gen'l Agt. Pass. Dept. Phones, A 2666, Main 334. 140 Third St., Portland, Or.