

# Morning Oregonian.



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PORTLAND, OREGON, WEDNESDAY, JULY 30, 1913.

PRICE FIVE CENTS.

## SUIT IS FILED FOR 100,000-ACRE TRACT

### Southern Oregon Company Defendant.

## FRAUD CHARGED BY SETTLERS

### Return of Coos and Curry Land to State Is Sought.

## END OF LOGGING DEMANDED

### Collis P. Huntington, Leland Stanford and Charles Crocker Are Named as Participants in Alleged Fraudulent Acts.

The devious processes by which Federal timber lands passed from the ownership of the people to that of the Southern Oregon Company, a private corporation, is related in a bill of complaint filed yesterday in a suit in equity begun in United States District Court by T. S. Minot, a San Francisco attorney, for D. T. Bateman and 111 other complainants.

Besides the Southern Oregon Company, Oswald West, Governor, and A. M. Crawford, Attorney-General of Oregon, are named as defendants.

The complaint sets forth that state officers are named because the State of Oregon has been negligent in fulfilling a trust imposed in it by Congress, which in 1850 granted to the state a strip of land approximately 12 miles wide extending from Roseburg to Coos Bay, on condition that a military wagon road be constructed between those two places.

### Sale to Settlers Promised.

It was provided that the land granted, some of the best timber and agricultural land in Oregon, be sold to actual settlers in 1850, and that the title to each settler, for not more than \$250 an acre.

The complaint alleges that all terms of the grant have been violated and asks that the title to the land now held by the Southern Oregon Company be returned to the State of Oregon.

The complainants ask the court to settle the case definitely by ordering the Southern Oregon Company to quit claim to the land. It is also asked that an injunction be issued against the further cutting of timber from the land and that a receiver be appointed to collect for all the timber that has been cut.

### Suit Affects 100,000 Acres.

Approximately 100,000 acres are affected by the present suit. The original grant was larger than this, but part of the land was disposed of in the terms of the grant to actual settlers.

The complainants for the most part are residents of Coos and Curry counties. They have settled on the lands and have offered the Southern Oregon Company \$250 an acre, as well as reimbursement for taxes that have been paid, according to the complaint, which alleges that their offers have been "contemptuously refused."

The history of the grant as set forth in the complaint is as follows:

The grant was made by Congress March 3, 1850. The Oregon Legislature accepted the grant and October 22, 1850, passed an act transferring it to the Coos Bay Wagon Road Company.

### Large Parcel Conveyed.

Congress authorized patents to be issued June 18, 1854, and in 1873, 1874 and 1875 patents had been taken on 105,120.11 acres. The company attempted to convey in fee simple to John Miller, alias Ambrose Woodroof, 35,583.09 acres and executed a deed to him in another deed.

It is charged that Miller, or Woodroof, had no actual interest in the lands, but was acting simply as the agent of Collis P. Huntington, Charles Crocker, Leland Stanford and Mark Hopkins, and that there was a secret agreement between them and Miller, who afterward deeded the lands and the road to them.

### Other Transfers Follow.

There were more transfers, the land coming later into the hands of the Oregon Southern Improvement Company, a corporation organized, according to the complaint, for the sole purpose of taking over the lands.

What is termed by the complaint "a fraudulent and nugatory mortgage" was executed January 1, 1885, to the Boston Safe Deposit & Trust Company, on all property then owned or thereafter to be acquired by the Oregon Southern Improvement Company. This was to secure bonds which the company was to issue on the land.

The mortgage was transferred to William J. Rotch and Edward W. Mandell November 9, 1888, and in December of that year suit was begun in Circuit Court for the satisfaction of the mortgage. Judgment was rendered for \$1,516,666.66, with 6 per cent interest from the date of the decree, April 11, 1887, and the costs of the suit.

### Judicial Sale Is Charged.

The judgment was not paid and, on June 25, 1887, the land was sold to William J. Rotch and William W. Crapo, at Empire City, Coos County, for \$120,000, by order of the court.

Rotch and Crapo sold the land on or about December 14, 1887, to the Southern Oregon Company, its present holder.

(Concluded on Page 3.)

## 2 SEVERE QUAKES SHAKE M.T. RAINIER

### SHOCKS COVERING 100 SQUARE MILES ALARM HUNDREDS.

### Mountain Climbers Tramping Over Glaciers but No One Hurt So Far as Known—Tremble Short.

TACOMA, July 29.—Two severe earthquake shocks, covering an area of more than 100 square miles, shook Mount Rainier about 11:15 this morning, rocked the gate houses of the immense concrete structure of Tacoma's \$2,000,000 power plant at La Grande, 30 miles south of Tacoma, and created alarm in hundreds of homes. The disturbance, lasting about half a minute, was most strongly felt at the National Park Inn, at Ashford and La Grande.

The telephone operator, Mrs. Scurry, at Ashford, was sitting at the switchboard and was thrown violently forward, the chair lurching toward the desk. Officials at the city's Nisqually power plant, after a speedy examination, reported at noon they had found no cracks.

Hundreds from Tacoma and elsewhere are on the mountain tramping over glaciers and following dangerous trails, but no reports of injuries have been received. Ethan Allen, superintendent of the National Park district, said there could be no doubt they were seismic disturbances.

The shocks were apparent at Elbe and Eastonville, in Pierce County, and at Lewis, in Lewis County, where the shock appeared to be the strongest.

SEATTLE, Wash., July 29.—No record of the earthquake reported from Mount Rainier was made by the seismograph at the University of Washington. It was said at the university tonight that a careful examination of the record failed to show the slightest trace of a shock. Professor Henry Landes, head of the department of geology, is out of town, and his office assistant, who made the examination, was unable to account for shocks being felt on Mount Rainier without a record being made by the seismograph.

## GARRISON DUE SATURDAY

### Plans for Entertainment of Secretary of War Completed Today.

Entertainment of Secretary of War Garrison and his party, which will arrive in Portland Saturday morning at 7:20, will be in the hands of the Portland Chamber of Commerce. Arrangements will not be made definitely until today, when it is expected to be a telegram dispatched yesterday afternoon to Secretary Garrison at Monterey, Cal.

Secretary Garrison will spend Saturday in Portland and on Sunday will go to Vancouver to inspect the barracks. Secretary Lane, who is to be the next Cabinet member entertained in Portland, will probably reach here about August 19 or 20, and Secretary Houston, of the Department of Agriculture, is due to spend a day in Portland and a day at the O. A. C. about the middle of September.

## FREIGHT TRAIN HELD UP

### Brakeman Dies as Result of Wounds Received in Fight.

HAMMOND, Ind., July 29.—A Lake Shore & Michigan Southern freight train passing through Pine last night was held up by robbers and cars filled with valuable merchandise were broken into and robbed. In the fight between the robbers and trainmen, J. S. Roy, a brakeman, was wounded so badly that he died later at a Chicago hospital.

Three men were arrested at Indiana Harbor this morning by railroad detectives, who declare that they have connected them with the crime.

## CROWD GREETS CONVICTS

### Thousands Out to See Sing Sing Rioters at Auburn.

AUBURN, N. Y., July 29.—The second division of Sing Sing prison rioters was met here tonight by a crowd of several thousand citizens.

Within ten minutes after their arrival the convicts were lined up in the prison, rid of shackles and ready for assignment to cells. They will be distributed gradually among the Auburn prison shops and every precaution taken to guard against incendiarism or other trouble.

## CITY KEEPS UP WEED WAR

### More Signs Ordered for Posting on Unightly Commons.

So busy has the weed-cutting rush become that the city engineering department yesterday was forced to order another installment of "cut weeds" signs to be posted on vacant property where weeds are growing in various parts of the city. The first installment of 1800 signs has been exhausted. The second order is for 1200.

The city's weed-cutting force is working in three divisions. One division is looking up weed patches, another is posting "cut weeds" notices, and the third is cutting the weeds.

## BIG FORECLOSURES ASKED

### Heirless of R. A. Proudfoot Defendant in Suit to Collect \$24,000.

SALLEM, Or., July 29.—(Special.)—Helen L. Stratton, Crede W. Stratton and Milton A. Stratton today filed suit in the Circuit Court against Tassie M. Proudfoot, an heirless of R. A. Proudfoot, of Portland, to collect \$24,000 on a mortgage secured by 600 acres of Marion County farm land, executed by Mr. Proudfoot shortly before his death. Foreclosure is asked.

## MINERS IN COPPER DISTRICT BATTLE

### Governor Makes Offer to Mediate.

## OWNERS ASKED TO CONFER

### Calumet & Hecla Pumps Start Under Heavy Guard.

## MANY WORKMEN SLUGGED

### Visit of Union Official to State Executive Credited With Causing Action—Companies Are to Make Decision Today.

CALUMET, Mich., July 29.—Serious fighting between factions of miners in the copper region occurred today. There was an outbreak on the South Range and there were many sluggings at various points.

On receipt of news of these occurrences Governor Ferris gave an intimation, through General Abbey, in command of the State troops, that he was willing to use his good offices in bringing order out of the industrial chaos which has kept 15,000 men idle for a week.

### Operators Asked to Confer.

Operators of the Lake Superior copper mines will be asked officially tomorrow whether they will send five of their number to Lansing to confer in Governor Ferris' office with five representatives of the striking miners.

The initial arrests of the strike resulted today from the Superior fight, in which two men of a party of ten were so badly beaten that there is little chance for their recovery.

At North Kearsarge mine Gust Olsen, a fireman, was beaten on his way home from work and required hospital treatment. A squad of militia chased the attacking party, but made no arrests.

Further north there were numerous arrests, especially about the Mohawk location, where ten men who had been conferring with the mine management were set upon as they left the mine office. None of them was seriously injured.

### Pumps Start Under Heavy Guard.

Starting of pumps in the Calumet & Hecla conglomerate properties of Calumet was accomplished today under a heavy guard of Detroit troops.

The visit of C. E. Mahoney, vice-president of the Western Federation of Miners, to Governor Ferris was credited with causing the state executive to express willingness to take a hand in the situation by speakers at union (Concluded on Page 2.)

## INDEX OF TODAY'S NEWS

The Weather. YESTERDAY'S—Maximum temperature, 73 degrees; minimum, 53 degrees. TODAY'S—Fair, with rising temperature; northwesterly wind.

National. Demands made that McAdoo give details of honest campaign charge. Page 1. Administration further delays formulating Mexican policy. Page 2. Republicans will not hasten tariff action if currency bill is to be passed. Page 2. General Blaby returns to give Colonel Ross well chance for promotion. Page 2. Clark and Cederwood vigorously deny stories by Mulhall. Page 2.

Domestic. Hariman's daughter loses jewels worth \$25,000 in robbery. Page 3. Maury Diggs calls habitues of beach resort as witnesses in "white slave" case. Page 3. Michigan miners battle; Governor offers to mediate. Page 1. Roosevelt reported to be organizing in secret brigade to invade Mexico. Page 1. Weather in the East again not; many persons suffer. Page 7.

Sport. Pacific Coast League results: Portland 7, Los Angeles 2; Oakland 4, San Francisco 3; Sacramento 2, Venice 7. Page 6. Northwestern League results: Portland 1, Tacoma 0; Seattle 7, Spokane 0; Vancouver 4, Victoria 2. Page 6. Pacific Coast tennis stars shining in Chicago play. Page 7. Leach's Cross wins 50-round decision over Matty Baldwin. Page 7. Johnston wins Eastern tennis championship. Page 7.

Pacific Northwest. Severe earthquake shocks shake Mount Rainier. Page 1. Court again restrains Seattle I. W. W. Page 5. Initiative to have no place in November election, holds Supreme Court. Page 5.

Commercial and Marine. Hop market quiet but strong at 29 cents. Page 17. Sharp bulge in Eastern corn markets on poor crop outlook. Page 17. Upward movement in stocks temporarily checked. Page 17. The Dalles, Portland and Astoria lines may change hands. Page 18.

Portland and Vicinity. Fraud charged in suit for recovery of 100,000 acres of Oregon land. Page 1. Silverton farmers beg for 90 more "fresh air" buses. Page 1. Ladd-Buehler wedding attendants chosen. Page 10. Moller says Union Pacific doesn't want to control Baltimore & Ohio. Page 16. Japanese diplomat to pass several days in Portland. Page 16. Secretary of Interior Lane to be busy while in Oregon. Page 12. Business men enthusiastic over plans for buyers' excursion. Page 7. Big attendance promised for Central Oregon convention. Page 12. Power company's report shows millions ride on cars. Page 10.

## BOTTLE TELLS SHIP'S FATE

### Message From Captain of "Christmas" Vessel Found on Beach.

STURGEON BAY, Wis., July 29.—A message in a bottle supposed to have been written by Captain Charles Nelson, of the house Simmons, the "Christmas ship," which went down with all on board in Lake Michigan last November, was found today by Frank Lauscher, the son of a fisherman. The message is dated November 23 and reads as follows:

"These lines were written at 10:20 P. M. Schooner Rouse Simmons ready to go down, about 20 miles southeast of Twin River point, between 13 and 20 miles off shore. All hands lashed to one line. Good-bye.

"CAPTAIN CHARLES NELSON."

Young Lauscher was playing on the beach, several miles north of Sturgeon Bay, when he found the bottle.

## DEMAND MADE THAT M'ADOO TELL ALL

### Both Houses Aroused by Charges.

## WEEKS ALLEGES BAD FAITH

### Administration Accused of Discrediting Opponents.

## HENRY, TOO, ASKS ACTION

### Chairman Glass Says Committee Is Too Busy to Investigate Charge That Bankers Are Conspiring Against Bonds.

WASHINGTON, July 29.—Demand for an investigation of Secretary McAdoo's charge that New York bankers had conspired to depress the price of Government bonds was demanded in the House today by Representative Henry.

In the Senate there was a demand by Senator Weeks that Mr. McAdoo make public the information on which he based his charges.

Mr. Henry is one of the so-called "insurgent" Democrats on the House currency committee. He made a statement calling on Mr. McAdoo to appear before the House committee and give all the facts in the case.

"The Secretary of the Treasury should be summoned before the committee on banking and currency instantly and reveal the facts to the American people as their agent," said Henry's statement, "and the head of every great bank in New York should be sent for at the earliest possible moment, placed on the stand before the committee and grilled most thoroughly in order that the American people may know the exact facts about this controversy. The Secretary can and doubtless will demonstrate exactly how these men manipulate the market, put up and down prices of United States bonds and control the financial destinies of the American people."

Senator Weeks, who comes from Massachusetts, is a Republican member of the Senate committee on banking and currency. His statement attacked Secretary McAdoo for his charge.

"If he does not furnish the public with this evidence and do so at once," said Senator Weeks, "it will be construed, and properly so, as another step in the propaganda which this Administration stands for; that is to discredit anyone who opposes it by attaching sinister, malign and interested reasons for so doing.

"Unless the Secretary has the evi-

(Concluded on Page 2.)

## T. R. IS ORGANIZING BRIGADE IS REPORT

### COLONEL SAID TO BE PREPARING TO INVADE MEXICO.

## News Reaches Governor Colquhoun of Secret Move—War Department Denies Knowledge of Action.

AUSTIN, Tex., July 29.—(Special.)—Governor Colquhoun was today provided with what purports to be reliable and inside information that Colonel Theodore Roosevelt has quietly organized four regiments of volunteer cavalry of the Rough Rider type, composed of trained riders and marksmen of Arizona, New Mexico and Western Texas.

It is alleged that the real purpose of the Colonel's present visit to the Southwest is to direct the selection of the men for the military division and that he will soon have it in readiness to enter Mexico in event of hostilities with that country.

The report says further that Colonel Roosevelt is carrying on this work with the knowledge and sanction of the United States War Department. He will be placed in command of the brigade if war should come, it is said.

WASHINGTON, July 29.—(Special.)—Major-General William W. Witherspoon, assistant to the chief of staff, tonight declared in the report that Colonel Roosevelt was organizing four regiments of rough riders in the Southwest. General Witherspoon said he was not inclined to believe the report.

## YOUNG RECRUIT IS GIANT

### Scion of Wealthy St. Louis Family Enters Service of Uncle Sam.

SPOKANE, Wash., July 29.—(Special.)—Six feet six inches in his stockings, a scion of a wealthy St. Louis family, well educated and refined, Alexander D. Grant, Jr., 19 years old, today applied at the United States Army recruiting station for admission into the Army, thereby breaking the record of the local office. Never before in its history has a man of similar height attempted to become one of Uncle Sam's fighters.

Dressed in a tailor-made suit, young Grant appeared at the recruiting office and made known his desire to enter the Army. After convincing the officers he was in earnest, he was given a physical examination and passed one of the most perfect examinations ever recorded here.

"Grant is the tallest recruit I have ever enlisted," stated Sergeant Watson. "I think that he is now the tallest soldier in the Army."

## CLAIMS MUST BE PRESSED

### Commerce Commission Rules Against Delays in Prosecution.

WASHINGTON, July 29.—Shippers who file informal complaints with the Interstate Commerce Commission in the future will be called to prosecute their claims on the commission's formal docket, and those who abandon such claims will not be allowed, until after five years have elapsed, to revive the complaint.

The commission laid down this rule today in dismissing the claim of the Dillon Coal & Transfer Company of Dillon, Mont., against the Oregon Short Line Railroad and other lines for reparation on coal shipments. In September, 1907, the coal company abandoned its claim, after the commission's refusal to consider it informally, and recently sought to have it adjudicated.

## STEEL EARNINGS GROWING

### Quarterly Report Makes Satisfactory Business Showing.

NEW YORK, July 29.—The quarterly statement of the United States Steel Corporation for the three months ended June 30, issued today, was altogether satisfactory. In that earnings, amounting to \$11,219,812, and net income of \$21,020,611, were well in excess of the most favorable estimates.

The quarter shows a gain in total earnings over the preceding period of \$6,024,256 and in net income of \$6,135,485, while the surplus is increased by \$6,280,636.

Compared with the corresponding quarter of 1912, total earnings are increased by \$10,117,548, net income by \$12,491,217 and the quarterly surplus by the unusually large sum of \$13,562,882.

## STANDARD POLICY WANTED

### Insurance Commissioners Urge That All States Have Same Plan.

BURLINGTON, Vt., July 29.—An argument for the adoption by all states of a standard insurance policy was made at the opening session today of the convention of the National Association of Insurance Commissioners, presided by F. H. Hardison, Insurance Commissioner of Massachusetts.

Such a policy, he said, "would be devoid of uncertain or ambiguous language and would compel competition along the lines of measurable benefit." More than 30 states are represented by their insurance commissioners.

## CONFISCATED EGGS GOOD

### Frozen Produce Taken by Government Released by State.

TRENTON, N. J., July 29.—The frozen eggs seized by Federal authorities as unfit for food, which have been the subject of litigation, were released for sale today by the State Board of Health. Members of the Board ate foodstuffs made from the eggs and gave the product a clean bill of health.

## FARMERS WANT 90 'FRESH-AIR' GUESTS

### Silverton Still Begs for City's Poor.

## PATHETIC SITUATION ARISES

### Diseased Children, Barred, Soon to Have Outing Also.

## FOREST GROVE INTERESTED

### Women Arrange to Organize Movement to Entertain Youngsters. Second Party to Leave for Country Tomorrow.

## CONTRIBUTIONS TO THE FRESH AIR FUND.

Previously reported	\$114,053
Mrs. F. A. Nitchey	10.00
Mrs. Clara C. Pechelmer	25.00
Mrs. A. B. Garlock	25.00
Mrs. Maud Alenworth	25.00
L. H. Ainsworth	25.00
Peninsula Lumber Company	4.00
John H. Burgard	2.00
F. Ban Company	2.00
John H. Burgard	2.00
Helian Beyerle	2.00
Helian Buggy	2.00
Cash	2.00
Mrs. W. R. Merzereau	10.00
Mr. and Mrs. C. S. Judd	1.00
Cash	10.00
James H. Murphy	10.00
Miss Mabel A. Beck	2.00
Miss Mabel A. Beck	2.00
Mrs. E. L. Devereaux	5.00
Hugh Burns	2.00
W. R. Shively	5.00
M. and Mrs. J. H. ...	2.00
Knapp & Mackay	2.00
H. Heuser	2.00
Edwin Caswell	6.00
Robert Whittemore	2.00
L. Samuel	10.00
Total	\$136,253

Contributions are sent to H. S. Howard, at Ladd & Tilton Bank, or to V. R. Manning, 411 Commercial block.

"How many 'fresh air' children can you give us for the party to come Thursday?" telephoned Mrs. G. W. Hubbs, chairman of the committee in Silverton, to the Associated Charities in Portland yesterday.

"Forty" was the reply.

"Forty? I can take care of at least 90, and more applications are coming in from all sides every minute," she said.

### Plans Suddenly Enlarged.

It was intended to send only 18 on the trip tomorrow, but applications from mothers and children in Portland came in so thickly and assurances from Silverton's committee were so encouraging that the limit was raised to 40, and that number of happy children and mothers were gathered up and taken to the Associated Charities headquarters to be outfitted for the trip, by the young women of the junior league committee.

There were, in fact, 59 applicants brought in, but 19 of them were disqualified from the party because of tuberculosis or other sickness that made it inadvisable to send them with the rest.

### Disappointment Is Pathetic.

The most pathetic part of the day's occurrences was the bitter disappointment of these little unfortunates, who, at the last moment, found the door to the open country closed to them.

They probably will not be obliged to suffer disappointment long, for efforts are being made to arrange for them to be sent somewhere where they can receive the care and treatment made necessary by their sickness.

The United Lutheran Church has already raised a fund to care for one little tuberculosis patient who was disqualified from the general party.

Arrangements are being made by the tender-hearted members of the committee, and others, whereby it is hoped to arrange for all of the disqualified ones.

### Physicians Give Services.

The examination of the children before they were taken up to the headquarters to be outfitted for the vacation trip, was done by the following physicians, who donated their services: Dr. Norman Pease, Dr. A. L. Berkley, Dr. J. P. Dixon, Dr. E. J. Labbe, Dr. Ralph Fenton and Dr. J. L. Manion.

All forenoon and for a large part of the afternoon, there was a continual throng of children and women in the rooms of the Associated Charities. The members of the committee of the Junior League had their hands full, not only with the task of fitting them out with clothing for the trip, but with the task of gathering them in automobiles to bring them to the headquarters and the work of distributing them at their homes after they were supplied with clothing.

### Chauffeurs Aid Enthusiastically.

Chauffeurs of several of the machines that have been loaned by women who were unable to join the work in person, early caught the enthusiasm of the fresh air movement, and at all times have been working willingly and eagerly to help out the committee in every way possible in dealing with the "rounding up" problem.

Much clothing has been donated, but it is still found necessary to purchase considerable supplies in this line properly to outfit all of the "fresh air" people for their two weeks in the country, although the wants of some of the children are elemental in the extreme. One boy refused to consider a supply of underwear, declaring that the Sun-gave the product a clean bill of health.

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