

O. & C. GRANT SALES HALTED

Supreme Court Reverses Forfeiture Decree.

CASE SENT TO CONGRESS

Highest Tribunal Refuses to Return Lands to Government.

6 MONTHS' DELAY ORDERED

Original Provision for Sale of Lands Held Enforceable "Covenants."

WHAT SUPREME COURT HOLDS IN LAND-GRANT CASE.

Government's petition that lands of Oregon & California Railroad grant be declared forfeit is denied, reversing Federal District Court for Oregon.

Pleas of intervenors for trusteeship rejected.

Southern Pacific Company as successor of Oregon & California Railroad Company, enjoined from disposing of unsold lands until Congress shall have time to legislate for their disposition.

If Congress fails to act within "a reasonable time" Southern Pacific Company may apply to Federal District Court for modification of that portion of injunction which forbids disposition of lands and timber.

Conditions of original grant respecting sale of lands held to be in nature of enforceable "covenants." Their non-enforcement not ground for forfeiture.

OREGONIAN NEWS BUREAU

Washington, June 21.—By a unanimous decision rendered by Justice McKenna the United States Supreme Court today rejected the contention of the Government and of cross-complainants and of intervenors in the Oregon & California land grant suit; declined to decree forfeiture; held the actual settlers' clause to be an enforceable "covenant" and not a "condition subsequent," and in reversing the decree of Judge Wolverson enjoined the railroad company against further violation of the covenants. Going further, however, the court says: "In view of such disregard of the covenants to gain illegal emolument, and in view of the Government's interest in exact observance of them, it might seem that restriction upon the future conduct of the railroad company and its various agencies is an imperfect relief; but the Government has not asked for more.

No Lands to Be Sold.

"We think, therefore, that the railroad company should not only be enjoined from sales in violation of the covenants, but enjoined from any disposition of the lands whatever or of the timber thereon and from cutting or authorizing the cutting or removal of any of the timber thereon until Congress shall have a reasonable opportunity to provide by legislation for their disposition in accordance with such policy as it may deem fitting under the circumstances and at the same time secure to the defendants all the value the granting acts conferred upon the railroads.

"If Congress does not make such provision the defendants may apply to the District Court within a reasonable time, not less than six months, from the entry of the decree herein, for a modification of so much of the injunction herein ordered as enjoins any disposition of the lands and timber until Congress shall act, and the court in its discretion may modify the decree accordingly."

Penalty Is Provided.

This last and unexpected feature of the decision, again throwing the land grant case into Congress, simply means that the court did not feel the railroad company should go unpunished for its deliberate and repeated violations of the granting act. While the court holds the railroad company is still entitled to receive \$2.50 for each unsold acre of its grant, Congress, having displayed its concern over violations of the granting act, is

MEDALS AWARDED OREGON SCHOOLS

UNSOUGHT HONORS ARE WON AT SAN FRANCISCO.

Gold Trophy Goes to Playgrounds and Silver to Individual Club and Exhibit as Whole.

EXPOSITION GROUNDS, San Francisco, June 21.—(Special.)—The Oregon school exhibit in the Palace of Education won the gold medal on playgrounds as portrayed in the official pamphlet, a silver medal on individual club work and the silver medal on its exhibit as a whole.

This recognition was gained in the face of the fact that the principal Oregon exhibit and all the exhibits of the Oregon school children are in the Oregon State building and were not entered for awards. Two-thirds of the states have elaborate exhibits, many spending as much as \$40,000 and none less than \$5000. Oregon's exhibit cost the state \$1000.

Miss Stuart, of the Lux Girls' School, San Francisco, says: "There is no exhibit of sewing on the grounds that equals that of the Oregon school children in the state building."

Great credit is given E. F. Carleton for the installation.

JITNEYS MUST GIVE SEATS

Arrests to Be Made for Overloading Cars, by Mayor's Order.

Overloaded jitneys are now under the ban. Mayor Albee yesterday instructed the police to take steps at once to prevent the jitney cars from carrying more than their seating capacity. This is in compliance with a provision of the jitney regulation ordinance adopted by the voters at the recent city election.

The jitney drivers will be notified not to take more passengers than they can seat, after which arrests will be made for violations. All other provisions of the jitney regulation ordinance will go into effect July 1.

SEATTLE FOLK WED HERE

Northern Pacific Railway Employees Choose Portland for Wedding.

A double wedding ceremony, with a brother and sister as participants in the two alliances, was performed at noon yesterday by the Rev. F. L. Loveland at the First M. E. Church. Benjamin A. Hendricks, of Seattle, was married to Miss Henrietta J. West, of Everett. At the same time Miss West's brother, William W. West, was married to Miss Bernice Blanchard, of Seattle. Both couples came to Portland from Seattle yesterday morning and registered at the Portland Hotel. The young men are electricians in the employ of the Northern Pacific Railway.

"UPPERS" MAY BE MADE UP

Court Rules That Berth Must Not Be Engaged Before Bed Is Fixed.

WASHINGTON, June 21.—The Wisconsin statute prohibiting the making up of an upper berth on a sleeping car until the berth is engaged, was annulled as an unconstitutional taking of private property without compensation today by the Supreme Court.

Justice Lamar, for the court, added that there was evidence to show that the law interfered with interstate commerce in that it was an inconvenience for a man or woman to have the upper made up after he or she had gotten into the lower. Justices McKenna and Holmes dissented.

SUNSPOTS PRESAGE STORM

Remarkable Activity on Old Sol's Disc Seen at Observatory.

ST. LOUIS, Mo., June 21.—Remarkable sunspot activity was witnessed by astronomers at Christian Brothers' College Sunday. One hundred and fifty spots were seen by Brother Hubert, 23 more than were visible on Friday and Saturday.

Records kept at the college show that unusual weather disturbances have been followed by great sunspot activity and that a waning of sunspots has been followed by clear weather.

ANTI-CATHOLIC CASE FAILS

Texas Man Charged With Killing Lecturer Is Acquitted.

MARSHALL, Tex., June 21.—Frank O'Leary, one of five Marshall men indicted for the murder here, February 3, 1915, of William Black, an anti-Catholic lecturer, was acquitted in District Court here today on an instructed verdict.

The state previously had sought dismissal of the case on the ground that there was not sufficient evidence to convict O'Leary. The defense insisted on a formal acquittal by a jury.

CANADIAN AIR FLEET READY

Flocks of Airmen to Be Sent to European War Zone.

OTTAWA, Ont., June 21.—The first flock of Canadian aviators to do duty over the battlefields of Europe will cross the Atlantic next month. The date of their sailing, it is believed, will be soon. More than 1300 Canadians have applied for permission to enter the aerial service.

Some of those who are to sail soon, unable to obtain instructions at Toronto, went to the United States to learn the art of flying.

BLANK CHECK GIVEN FOR WAR EXPENSES

Commons Votes Credit Without Limit.

TOTAL MAY BE 5 BILLIONS

Official Says it Would Be Dangerous to Tell Needs.

INTEREST 41-2 PER CENT

Chancellor McKenna Appeals to All to Invest, Showing it Will Aid Them and Nation at Same Time—Amounts to Vary.

LONDON, June 21.—The House of Commons adjourned tonight after unanimously giving a first reading to the bill providing the new Chancellor of the Exchequer, Reginald McKenna, with a blank check which may amount, at a maximum, to £1,000,000,000 (\$5,000,000,000).

The vote of credit for £250,000,000 (\$1,250,000,000), passed last week by the House, simply authorized the government to spend that much for war purposes, but did not provide for the manner in which this sum should be raised. Tonight's enactment was in the form of a resolution which empowers McKenna to raise not only the £250,000,000 deemed necessary to pay the cost of the war, at the rate of £3,000,000 sterling daily, for a limited period, but as much more as may be needed.

Former Loans to Be Covered.

The Chancellor of the Exchequer made a long explanation of the proposed loan, and in closing said that on the technical question as to the limit of the new loan it would be dangerous to disclose the necessity for not fixing any definite sum, and he added that the only figures he could put in the bill would be a maximum which would cover all requirements of the new loan, including provisions enabling the subscribers to previous war loans and the holders of consols to participate.

This maximum would not fall far short of a thousand million pounds sterling.

Loan to Be Issued at Par.

The new loan which as now provided for is of an indefinite amount, will be issued at par, will bear interest at the rate of 4½ per cent, and will be redeemed at the option of the government between 1928 and 1945. While the Chancellor of the Exchequer is to receive a blank check for £1,000,000,000, he explained in his speech that he did not expect to get that amount, nor did he really want it.

He deemed it advisable, however, to fix on a sum to meet adequately the necessities of the situation. The Chancellor said he wished to appeal to the

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MAN HOLDS UP STRETCAR

Conductor on Woodstock Line Is Robbed of Eight Dollars.

Woodstock car No. 718 was held up at Fifty-seventh street and Sixth street this morning about 1 o'clock by a lone robber who relieved the conductor, A. R. Keiser, of about \$8 in change.

The robber rode to the end of the line and then held up the car and escaped. He is said to have been a dark, heavy-built man.

ITALY ARRESTS 15 MONKS

Unpatriotic Relations With Austria Is Charged.

BRESCIA, Italy, via Paris, June 21.—The military authorities have arrested 15 monks in a monastery near here. They are accused of maintaining unpatriotic relations with Austria.

The monastery has been closed and the monks will be put on trial.

RECLAMATION NEED IS HAMMERED HOME

Views Impressed on Congressional Party.

VISITORS' INTEREST AROUSED

Portland Delegation Reviews Oregon's History.

SESSION LASTS ALL DAY

Senator Chamberlain, Ex-Governor West, J. N. Teal and Others Bring Out Fact That State Spends Generously for Development.

Perhaps nothing has so emphasized the intense interest of the whole State of Oregon in reclamation projects east of the Cascade Mountains as the action of the Portland Chamber of Commerce in sending a representative delegation of Oregonians to board the Congressional train when it arrived at Grants Pass yesterday to impress the appropriations committee of Congress with the great needs of the arid belt.

Where an air of lethargy prevailed, because of the committee having viewed project after project while en route west, until a more or less mechanical manner of looking at things had been acquired, the committee reached Portland with a keen interest in Oregon and a comprehensive knowledge of what the Government can do through the appropriations committee to make the sagebrush of the Eastern and Central Oregon country give way to fields of alfalfa, and to change the habitat of the jackrabbit to communities of prosperous homes.

Data Are Provided.

All yesterday the Portlanders poured information into the ears of the members of the committee, and it was of a character that would be borne in mind. Senator Chamberlain began the proceedings by announcing to Chairman Fitzgerald that the delegation wanted to discuss reclamation matters and had been at considerable expense to offer information from the best sources the state possessed, and soon after the train left Grants Pass the session began.

Ex-Governor West briefly reviewed the history of reclamation in Oregon and pointed out that of the 750,000 acres of land which it was originally desired to irrigate by Government aid but 350,000 were now withdrawn for such purposes. He showed the part that Oregon had played in furnishing money from the sale of public lands and where it had been applied to the reclamation of lands in other states.

Na "Claims" Recognized.

Chairman Fitzgerald then interjected the remark that the appropriations committee was beginning the handling of funds for reclamation purposes with the idea that no state was "entitled" to anything. His intimation was that it would be the policy of the committee.

LANSING IS LIKELY TO GET PORTFOLIO

WILSON VIRTUALLY DECIDES ON SECRETARY OF STATE.

Department Counselor's Appointment to Cabinet May Be Announced Today.

WASHINGTON, June 21.—President Wilson was understood tonight to have virtually decided on the appointment of Robert Lansing as Secretary of State to succeed William Jennings Bryan. It was said in well-informed quarters that while the President had not finally made up his mind, it was almost a certainty that Mr. Lansing, counselor and Secretary ad interim, of the State Department, would receive the portfolio.

Mr. Lansing was at the White House during the day and had a long talk with Secretary Taft. He would not discuss his visit, and later left for Hamilton, N. Y., to attend commencement exercises at Colgate University and receive an honorary degree.

The President plans to leave here Wednesday night for New York, where he will spend Thursday with Colonel E. M. House before going to the "Summer White House" at Cornish, N. H. It has been considered likely that he would discuss the question of Mr. Bryan's succession with Colonel House before making an announcement, but tonight there was said to be a possibility that the appointment might be made tomorrow.

VALUATION IS 21 MILLIONS

Sum Is Total Assessed on Land Grant in 18 Counties.

The assessed valuation of the Oregon & California land grant is more than \$21,000,000 in the 18 Oregon counties, according to the State Tax Commission's annual report for 1915.

The Tax Commission, in its report, raised the question as to whether or not the counties could collect taxes on the lands in the grant in the event the Supreme Court upheld the railroad company in the suit brought by the Government.

MISSING WOMAN RETURNS

Actions of Grace Stewart Potter, Concert Pianist, Unexplained.

CHICAGO, June 21.—Miss Grace Stewart Potter, concert pianist, protegee of Mrs. George M. Pullman, who vanished a week ago Sunday and who, the police feared, might have been drowned, walked into the home of Mrs. Scott Durand in Lake Bluff tonight.

Friends of the young woman refused to give any information as to the reason for her disappearance or where she had been during the absence.

LADS FLEE VACCINATION

Boys Escape From Institution in Night Clothes and Disappear.

LOS ANGELES, June 21.—Javin Sain, aged 14, and Walter Kerr, 16, inmates exposed to diphtheria contagion at Juvenile Hall, escaped from the institution today in their night clothes and are being sought by officers.

After getting out of the hall the boys, who decided to avoid a diphtheria vaccination, went to Sain's home, where they procured clothing and then disappeared.

FIRE HITS ST. JOHNS FERRY

Craft Loses Pilot-House and Engine-Room Is Damaged.

Fire which threatened for a time to spread to the docks on shore damaged the St. Johns ferryboat shortly before midnight last night. The fire destroyed one of the pilot-houses and burned the boat badly around the boiler.

When discovered the boat seemed to be a sheet of flames and lighted up the city of St. Johns. The entire St. Johns fire equipment was rushed to the scene.

RUSSIANS HOLD JOHN REED

Portland Man in War Zone Arrested by Military Authorities.

WASHINGTON, June 21.—John Reed, of Portland, Or., an American war correspondent, and Boardman Robinson, an artist, are under arrest at Kholm, Russia, for having entered the military zone without permission.

Ambassador Marye at Petrograd reported their detention today, and asked for information which would establish their status and obtain their release.

NOTED GOLFER IS KILLED

Captain John Graham Falls in Battle of Ypres.

LIVERPOOL, June 21.—Captain John Graham, famous as an amateur golfer, has been killed at Ypres during a charge against the Germans by the Liverpool Scottish Brigade.

Captain Graham last year, playing for the Royal Liverpool Golf Club, won the St. George's grand challenge cup at Sandwich.

DIPLOMAT IS HELD UNFIT

Temperamental Weakness Found in Minister to Santo Domingo.

WASHINGTON, June 21.—James M. Sullivan, American Minister to the Dominican Republic, is held to be temperamentally unfit for his office by the report of Senator Phelan, who conducted an investigation into charges

MILITIA HALTS GEORGIA MOB

Missiles Hit Troops at Governor's Home.

MARTIAL LAW IS DECLARED

Crowd Dispersed Without Shot Being Fired, but Trouble Is Feared at Prison Farm.

SPARING FRANK RESENTED

Prisoner Beginning Life Sentence May Be in Danger of Mob Violence.

ATLANTA, Ga., June 21.—With several hundred men and boys clamoring to get in the front gates of his country home, which had been barricaded with barbed wire entanglements, and threatening to overpower 20 country policemen, armed with riot guns, Governor Slaton called out the militia late tonight for protection.

Upon the arrival of four companies of state guardsmen, which had been held under arms and rushed to the estate in automobiles, the Governor proclaimed martial law in a district extending half a mile in front of his home, half a mile back and for a distance of about a quarter of a mile on either side.

Bricks and Stones Thrown.

When the soldiers lined up with fixed bayonets to disperse the crowd, stones, bricks and bottles were thrown at them. A brick struck Lieutenant Arnold Parker in the stomach and rendered him unconscious for a short time. A bottle, thrown at Private W. W. Foose, cut his hand.

The commanding officer, Major Catron, was struck by a stone, as were several of the men.

The Governor proclaimed martial law at exactly 11 o'clock and by midnight the crowd had virtually been dispersed. There was no firing.

Frank May Be in Danger.

A telephone message from Milledgeville, where the state prison farm is located and where Leo M. Frank was taken today after Governor Slaton had commuted his death sentence to life imprisonment, said that trouble was feared there tonight and asked that the Governor order out the Milledgeville company of militia.

The Governor told his informant that such a request would have to come from the Sheriff of Baldwin County. At midnight the Sheriff had not requested troops.

The Governor was surrounded at his home by about a dozen friends, nearly every one of whom was armed with a rifle or pistol. The unexpected appearance of a member of the family at a dark corner of the front porch caused the Governor himself hastily to pick up a large pistol.

Auto Owners Defy Militia.

In front of the Governor's home were more than 100 automobiles filled with persons evidently there to see what the crowd would do. The troops had great difficulty in clearing the road of these machines, and many of their orders were met with the retort of "shoot."

Late today crowds that had been demonstrating on downtown streets had disappeared, but shortly after dark the main business thoroughfares became thronged. Later in the night the police had their hands full, and when the order was given to march to Governor Slaton's home, four miles from the center of the city, no effort was made to halt the procession.

It was reported at the Governor's home that the crowd numbering some 700 was on its way and the executive immediately got in touch with Sheriff Mangum and state militia officers. The Sheriff hurried to the place and swore in as special deputies each of the Governor's friends who had gone to his home to aid in any emergency that might arise.

Police Are Barred.

When the throng reached the Governor's place the Sheriff had several country policemen on guard behind the gates, which had been barricaded with barbed wire. The throng became noisy. Lights in the house were extinguished and the Governor's friends took stations about the front veranda, arming themselves with rifles.

The militia arrived shortly afterwards.

Frank, whose death sentence for the murder of Mary Phagan was commuted

