

NEW BLOW AT GRANT AND ACTION IS VAIN

Delegates at Large Retained on Resolutions Committee, as Named at First.

BREACH QUICKLY MENDED

C. E. Spence and E. J. Stack, After Resigning, Are "Perfectly Satisfied" and Accept Appointments Amid Applause.

STATE CAPITOL, Salem, Or., Sept. 17.—(Special).—Another attempt to oust I. N. Day, of Portland; W. W. Cardwell, of Roseburg, and E. V. Carter, of Ashland, from the committee on resolutions was defeated by the delegates to the land-grant conference this morning.

A similar effort had been made on Thursday night under the leadership of ex-President A. W. Lafferty, and when the meeting adjourned late last night the delegates thought the membership of the resolutions committee had been permanently settled.

But when the conference opened this morning the proceedings were interrupted by a communication to the chair from C. E. Spence, representative on the committee from the State Grants.

Mr. Spence stated that the conference, at the time it conferred on the chair the proposal to add to the committee from counties included in the land-grant district, was laboring under a misapprehension.

He pointed out that the original rules of the conference provided that each of the 18 land-grant counties should have one member on the committee and that five additional members should be appointed by the chairman from the state at large outside the land-grant counties.

He continued by explaining that at yesterday's convention A. E. Clark, of Portland, amended the rules by providing for the appointment of one member to represent the State Grants, and one to represent organized labor. The stenographer's record indicates that Mr. Clark did not intend to change the manner of making the appointments, but when Mr. Clark's motion appeared on the minutes it carried with it the authority for the chair to select the five committee members at large from land-grant counties if he so desired.

Chairman Appoints Committee. Accordingly, Chairman Vawter appointed Mr. Day, Mr. Cardwell and Mr. Carter, all of whom are land-grant counties, and Roy Ritter and E. Z. Kiddie, who live in Eastern Oregon. C. E. Spence and E. J. Stack were named to represent the grants and labor organizations respectively.

Accompanying Mr. Stack's oral explanation of the communication, signed by C. E. Spence and E. J. Stack, declining to serve further on the committee under these circumstances:

SALEM, Or., Sept. 17, 1915. To W. I. Vawter, Chairman of the Oregon and California Railroad Land Grant Conference and Gentlemen: After due consideration of the motion by which former President A. W. Lafferty and a committee of labor were designated for representation on the resolutions committee, we believe that the motion was committed with the belief that the organization of the committee was to be an advisory one and that the committee should be composed of one member from each of the 18 counties, and five members at large from outside the counties. It was our understanding that the committee should be composed of one member from each of the 18 counties, and five members at large from outside the counties.

Apparent Use Found Objectionable. We do not object personally to the gentlemen appointed from the counties having Oregon or California lands, but we do object to the apparent use of our organization as a cloak for the organization of a committee to be composed of one member from each of the 18 counties, and five members at large from outside the counties.

After this communication had been read Mr. Clark explained that his original intention was not to empower the chair to select the delegates at large from the land-grant counties, but that it was merely to provide a place on the committee from the grants and the labor organizations.

Motion to Reconsider Passed

He followed his utterances with a motion that his own motion of the day before be reconsidered. This motion was carried decisively.

Chairman Vawter then put the previous question providing for the appointment of the two special committee members and five from the state at large, including the land grant territory.

W. Lafferty promptly offered an amendment for the chair to select one member from the land grant counties in choosing the members at large. This would have been carried, but Mr. Cardwell and Mr. Carter from the committee.

After a spirited debate, in which a score of delegates participated, the Lafferty amendment carried by a vote of 53 to 50. Mr. Clark's original motion then was carried.

Original Members Reappointed.

The chair reappointed all the original members of the committee. Mr. Cardwell and Mr. Carter were reappointed. Mr. Spence and Mr. Stack were also reappointed to the same positions.

Portland Man Stricken

Dr. D. L. Kiehle Is Seriously Ill in New York State.

Dr. David L. Kiehle, of this city, who is visiting in Cortland, N. Y., has been stricken with paralysis and grave fear is felt for his recovery. Dr. Kiehle went East three months ago to give a series of three lectures at the Summer school of the University of Minnesota and then went to Cortland to visit his daughter, Mrs. Paul W. Souver, who is in excellent health until the stroke came and played golf daily in spite of his 78 years.

Dr. Kiehle is professor emeritus of the department of pedagogy of the University of Minnesota, and is one of the most distinguished ministers of the West.

During the latter years of George III's reign all performances of Shakespeare's "King Lear" were forbidden as a consequence of the madness of the king.

MEMBERS OF SUBCOMMITTEE WHICH DRAFTED LAND GRANT CONFERENCE RESOLUTIONS.



(1) Judge H. H. Hewitt, of Albany, Chairman. (2) Judge Charles L. McNary, of Salem. (3) W. W. Cardwell, of Roseburg. (4) Bonnie G. Calvert, of Portland, who brought minority report. (5) Walter A. Dimick, of Oregon City.

LAND CLOSING OPPOSED

MR. MCARTHUR THINKS "CONSERVATION" POLICY OVERDOSE.

Support in Congress Promised of Legislation to Bring About Agricultural Development.

STATE CAPITOL, Salem, Sept. 17. (Special).—While the committee on resolutions was deliberating this afternoon, C. N. McArthur, Representative from the Third Oregon district, was called upon and addressed the conference briefly.

"I shall give your recommendation due consideration," said Mr. McArthur. "I do not think that some plan should be evolved whereby these lands may be opened to settlement without further delay or litigation. We need more farms and factories, more producers and fewer speculators and a general program of development that will permit Oregon to enjoy her own resources."

"I feel that the sentiment of this conference is decidedly against foresting the lands embraced in the Oregon & California grant back into a forest reserve. I trust that such a plan will be rejected."

RESOLUTIONS ADOPTED BY LAND GRANT CONFERENCE.

Whereas, The people of the State of Oregon by their representatives, duly assembled at Salem, Or., September 16 and 17, 1915, have been brought together by a common inspiration to consider the material welfare of Oregon made imperative by the rendition of the opinion of the Supreme Court of the United States in the case of the Oregon-California Railroad Company, et al. vs. the United States, popularly known as the land grant case, and

Whereas, In said case the Supreme Court has construed the acts of Congress of the United States, approved July 25, 1866, as amended by the act approved June 25, 1868, and April 10, 1869, and the act of May 4, 1870, to be not only laws but enforceable and continuing covenants, and

Whereas, Said acts contain conditions for the sale of the lands granted thereunder, requiring the said lands to be sold to actual settlers in quantities not greater than 160 acres and for sums not exceeding \$250 per acre, and

Whereas, The said conditions plainly imply an obligation upon the grantees in said grant to sell said lands to actual settlers who comply with the conditions of said grant, and bring themselves within the conditions of said grant as actual settlers, and

Whereas, It is apparent that the grantees in said grant by the acceptance of said grant plainly agreed to convey the said lands according to the terms of said grant to such settlers upon the payment of the amount specified in said grant, and to make such conveyance upon the full performance of the terms of said grant by said actual settlers, and

Whereas, The Supreme Court in its opinion of June 15, 1915, held that Congress should have a reasonable opportunity to provide by legislation for the disposition of said lands in accordance with such policy as it might deem fitting under the circumstances and at the same time to secure the defendants, at all times keeping in view the policy which will insure actual settlement of the lands rather than speculation, and

Resolved, That it is the sense of this conference that the Congress of the United States should enact laws defining and settling who shall be considered an actual settler under the terms of said acts, and that shall be considered an actual settlement, and requiring the grantees under said act to perform the terms and conditions of said act, and sell and dispose of said lands according to the true intent and purpose of said acts to such actual settlers, and, be it further

Resolved, That we are unalterably opposed to any further increase of forest reserves in the State of Oregon; and, lastly, be it Resolved, That we urge upon Congress the enactment of legislation which shall provide for the immediate sale of said grant lands in areas of not greater than 160 acres to any one person and to actual settlers at a price not in excess of \$250 per acre, and to provide against all fraud in the settlement and disposition of said lands.

VISION WIDE IN GRANT CONFERENCE

Resolutions Adopted After Warm Debate, Extension of Reserve Fought.

Minority Report is Made

Mr. Dunne Denounces Theory That Immediate Sale Can Be Forced and Warns of Speculation Danger—Senator Dimick Aroused.

(Continued From First Page.)

The call of the chairman, and for the purpose of considering and acting upon this conference report, the resolutions go to Congress.

Just previous to adjournment, W. I. Vawter, chairman of the conference, appointed Mr. Penn, Senator Samuel L. Garland, of Linn County, and C. E. Spence, master of the State Grants, as members of the committee to serve with the Governor, the Secretary of State, the Treasurer and Mr. Vawter. Meanwhile, the Governor, under authority granted him by the conference, advised the Governor of the State of the resolutions expressing the desire of the people of Oregon in the disposition of these lands.

The resolutions committee adopted in the exact language in which they came from the resolutions committee, where they had been adopted by a vote of 13 to 7.

The resolutions committee earlier in the day had named a sub-committee of five members composed of Judge H. H. Hewitt, of Linn County, and C. E. Spence, of Marion; Senator W. A. Dimick, of Clackamas; W. W. Cardwell, of Douglas; and Bonnie G. Calvert, of Multnomah for the purpose of drafting the final report of the committee.

Resolutions Launch Debate. The report of the committee on resolutions was read to the floor of the conference just before the close of the afternoon session.

As soon as this report was read by the secretary it precipitated a long debate. Judge H. H. Hewitt, of Linn County, who had been chairman of the sub-committee that drafted the resolutions, explaining that it was the intention of the committee to follow, as clearly as possible, the intentions expressed in the Supreme Court's decision.

He was followed quickly by Walter Toomey, Jr., of Polk County, who seconded the committee's report, and by Mr. Dimick, who also seconded the report. Mr. Dimick declared, "but I feel like most people in my county feel, that our interests are not being protected. Their property is being sold, and we are not in control of it. We can do all we can in settling and developing this land we will be in control of the settlement and development of the state."

Company Attorney Objects. He made it plain that he does not propose to grant to the Southern Pacific a right more than it is entitled to under the law.

Promptly then the chair recognized P. F. Dunne, of San Francisco, attorney for the railroad, who said he was disappointed in the conference on the previous day. Mr. Dunne explained that he was about to leave on a train for the West coast, but he felt compelled to attend the conference on the previous day.

"There are two principal provisions in the report of the committee which interest me," he declared. "The first is that the report proceeds on the theory that the lands should be sold to the land and compulsion may be forced immediately. Now, that theory is in the teeth of the decision of the Supreme Court in the case of the Oregon-California Railroad Company, et al. vs. the United States."

The second objection is that this document seems to assume that Congress has the power to throw the land open to settlement. The Supreme Court has ruled that the land is to be sold to actual settlers, and that the railroad company could be forced to sell the land, and declared that such a theory is advanced in the report of the committee.

Conference is Suggested. He branded the resolutions "one of the most curious infidelities I ever have heard of."

He suggested that the committee be organized to look up the situation and to see what can be done to settle this thing.

Previously in the afternoon Mr. Dunne, upon invitation of one of the members, voiced his views on the status of the case and declared that the railroad is "willing to go more than half way."

He was followed on the subject by Senator W. A. Dimick, of Clackamas County, who urged the delegates not to be misled by the statements of the railroad attorney into the belief that the sale of the lands could not be enforced. Senator Dimick was a member of the sub-committee that drafted the resolutions.

"When the Supreme Court said that the terms of the grant would be enforced," insisted Mr. Dimick. "The court expected Congress to take some action for disposing of the original grant. Now then at this late day the railroad comes along with a suggestion that we compromise."

Statements Called "Bunk." "I certainly take off my hat to Mr. Dunne as being the finished product. He certainly is a smooth article. They didn't have anyone in Oregon smooth enough to put their case to you so they had to import this chap from San Francisco."

Senator Dimick quoted from Mr. Dunne's remarks and declared his statements "more of a lie than the Southern Pacific has been feeding you people of Oregon for the last 40 years."

He then suggested that the committee be organized to look over the situation.

"A bunch of faddists, conservationists who have bottled up the state and kept nearly half our property off the tax rolls," he declared. "They come here and will they see? They'll go around and see some highbrows at the Commercial Club, and then go back to their homes and tell the people that the lands are not fit for settlement."

Committee is Not Unanimous. The conference recessed following Senator Dimick's speech.

The resolutions as they came from the committee, did not bear the unanimous approval of the members. They were adopted, after some fiery debate, in committee by a vote of 13 to 7.

Neither was there unanimous approval among the members of the sub-committee of five that drew up the resolutions.

Judge Hewitt, W. W. Cardwell, C. L. McNary and Senator Dimick supported the measure as drafted. R. G. Calvert, in a minority communication, expressed

the view that the resolutions placed the conference in the position of presuming too much authority in its suggestions to Congress.

The resolutions were unchanged, however, from the time they came from the sub-committee until they were brought in to the floor of the convention.

"KIDNAPED" BOY ACCUSED

Lad Says Men in Auto Carried Him to Mysterious House on River.

NEW YORK, Sept. 11.—That he had been kidnaped by emissaries of the Black Hand lurked into an automobile in New Britain, Conn., beaten black and blue and then brought to this city and taken to a mysterious house on the waterfront, because he refused to pay a sum of money which had been demanded, are features of a remarkable story told recently to detectives at police headquarters by a youth who said he was Sol Gubernick. Gubernick, who is 15 years old, said he was a song writer and lived at No. 122 Willow street, New Britain. Later Max Schwartz, tailor, of No. 88 Rivington street, accused Gubernick of assault and robbery.

Gubernick said two men in an automobile asked him to guide them to Berlin, Conn., and promised to take him back to New Britain. When the automobile reached the outskirts of the town, Gubernick said, the men set upon him and beat him severely. They reached this city they blindfolded him and drove him to a house on the riverfront.

Schwartz, in his part of the narrative, said Gubernick, who entered his shop and looked at some goods, pulled out a small labeled chloroform bottle and put a handkerchief and threw it into his face. Patrolman Lebach saw from the floor the tailor shop unconscious, with bills scattered on the floor. Magistrate Krotel, in Essex Market Court, held Gubernick for trial.

JOY RIDE ENDS IN DEATH

One Young Man Killed Instantly and Four Others Hurt in Crash.

BRIDGTON, N. J., Sept. 12.—Tragedy resulted to a party of Salem young men who were on a joy ride for the night. James Kelly, a young athlete, is dead; James Lounsbury and Charles Coulson, two other young men, are seriously injured, while James Beatty and Furgus Lloyd are slightly hurt. The party left Salem last night about 10 o'clock in a hired automobile belonging to Frank Gibson, with C. E. Spence, driver. The party drove to Pennville, and then came to Bridgton.

At 2 o'clock in the morning the young men were in a Bridgton restaurant and shortly afterward left for Salem, driving through Shiloh. About 4 o'clock the car was dashing through the village at high speed. A rear tire blew out, causing the driver to lose control of the steering gear. The car struck a telephone pole and crashed into a large tree.

All five occupants were hurled from the machine, which was smashed into an almost unrecognizable mass. A few minutes later residents of Shiloh, aroused by the noise, found the five young men scattered about the roadway. Kelly was instantly killed, and was instantly killed, being thrown headlong against the tree and his brain dashed to pieces. Lounsbury was killed by suffering from concussion and broken ribs. The other two were but slightly hurt.

LIBRARY MEETING IS HELD

State Women's Press Club Gives Interesting Program.

With several brief but spicy addresses and with a programme of readings and music, the State Women's Press Club held its regular meeting at the Central Library last night, there being a good attendance.

Among the speakers of the evening all of whom took up subjects of interest to the members of the club were: George E. Hardy, the new executive secretary of the Chamber of Commerce; Mrs. Eva Lee Stephens, president of the Portland Parent-Teacher Association; and Mrs. Mary Stevens, president of the Oregon Political Science Club.

The music, which was in charge of Mrs. L. B. Downey-Bartlett, was good. Mrs. Frances Marion Hawkes presided during the evening.

"NECKTIE" PROVES SNAKE

Negro Faints When He Learns Mistake, Due to Joker.

DARBY, Pa., Sept. 12.—"Gee! Somebody must have put a nice little rattle in my coat pocket," said James Wilson, a Darby negro, employed by Kelly, a contractor. "I'll see what it is."

When Wilson drew his hand out of his pocket to see what color the supposed necktie was he found that instead of being a tie it was a two-foot white-and-black-striped snake. With a loud yell Wilson fell over in a faint and did not come to for 15 minutes.

Kelly, a well-known practical joker, put the reptile, which was harmless, in Wilson's coat as a joke.

Three Cle Elum Buildings Burn.

CLE ELUM, Wash., Sept. 17.—(Special).—Fire about 2:30 yesterday morning destroyed two three-story frame buildings and one large residence. A high wind made fire fighting extremely difficult. These blocks were occupied by the Cle Elum Bakery and the Deschamps Bros. Company department store. The stock and contents were insured for \$50,000. A narrow escape was experienced by the family of A. P. Deschamps, whose home is in the upper story of the department store. The fire is believed to have been of incendiary origin.

Okanogan Rancher D'es.

WENATCHEE, Wash., Sept. 17.—(Special).—C. F. Thorp, well-known rancher of Winthrop and prominent in Democratic politics in Okanogan County, died Wednesday night in the Deaconess Hospital from typhoid fever, contracted three weeks ago while at Mansfield. Mr. Thorp was 44 years of age; he leaves a widow and three small children. He was a member in good standing of the Yeoman and Oddfellow lodges.

Estacada Resources to Be Shown.

ESTACADA, Or., Sept. 18.—(Special).—The Portland Railway, Light & Power Company has arranged for an agricultural exhibit showing the resources of Eastern Clackamas County at the coming Manufacturers' and Land Products Show. This exhibit will contain hundreds of photographs, maps and views of livestock, with other information of value to those seeking locations along the Estacada line. R. M. Standish, of Estacada, is in charge of the arrangements.

Second Degree Verdict Returned.

KELSO, Wash., Sept. 17.—(Special).—Pete Savol, accused of murdering a fellow laborer at Castle Rock June 12, was found guilty of second degree murder by the jury at Kalama Wednesday.

The case occupied two days, and Savol's attorneys notified the court that an appeal would be taken. He made a plea of self-defense. George Ferguson was on trial all day yesterday

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MANY OFFER PLANS

Resolutions on Grant Lands Filed at Salem.

ONE FAVORS STATE OPTION

Joint Conference with Railroad and Triangular Meeting at Which Congress Would Be Represented Are Suggested.

SALEM, Or., Sept. 17.—(Special).—Effort to adjust the land grant question with the railroad by means of a conference with officials of the road and a committee today by Chairman Vawter was suggested today by Judge Cleeton, of Portland.

Judge Cleeton submitted a resolution to this effect, which is in accordance with the plan advanced by P. F. Dunne, attorney for the Southern Pacific, in his address before the conference yesterday. Mr. Dunne intimated that if the people of Oregon would approach the railroad in a spirit of friendliness that he was confident that a satisfactory solution of the problem of disposing of the lands could be reached.

To this end, the resolution of Judge Cleeton proposes that Chairman Vawter appoint a committee consisting of seven members, the Governor to be an ex-officio member to confer with the Southern Pacific Company relative to its "express desire to compromise the controversy between the people of the State of Oregon and said company."

Pending the proposed conference, and until it shall report the results of the discussion, Judge Cleeton urges that the grant conference adjourn to meet again at the call of the chairman when the committee is ready to report.

State Option Proposed. A second resolution introduced by Judge Cleeton plans that the conference shall request Congress to give the State of Oregon the optional right to purchase from the Southern Pacific Company the unsold land remaining in the California-Oregon land grant for \$2.50 an acre. Judge Cleeton then would have the state sell the lands to actual settlers under such rules and regulations as the state might provide.

BAKER PHYSICIAN ACCUSED

Violation of Drug Act Is Charge Against Dr. H. E. Currey.

BAKER, Or., Sept. 17.—Dr. H. E. Currey was arrested today by Deputy United States Marshal Fuller, charged with the violation of the Harrison drug act. It is charged he failed to file a proper record with the authorities of the amount of cocaine, morphine, etc. in his stock. At a hearing before United States Commissioner Patterson, Dr. Currey was held to the Federal grand jury on \$100 bail. A quantity of drugs was confiscated.

Dr. Currey a year ago was found guilty in the Federal Court for the misuse of the mails in marketing drug products. He paid a \$10,000 fine at that time.

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SOUTHERN PACIFIC

John M. Scott, General Passenger Agent, Portland, Oregon.