SIDELIGHTS ON THE RESOLUTION

Fulton Measure on Oregon & California Grant Provokes Much Debate.

HAWLEY TIRELESS WORKER

Together With Townsend, of Attorney-General's Office, Conducts Campaign of Education in the House-Two Others Help.

OREGONIAN NEWS BUREAU, Washington, April 27.—(Special Correspondence.)—Side lights on the debate incldent to the passage through the House of the Fulton resolution authorizing the Attorney-General to bring suit to secure forfeiture of the grant to the Oregon & California Railroad show up a number of interesting facts not here-

This resolution, after being considered very thoroughly in the public lands committee, where all parties were heard exhaustively, was reported to the House, but before it could be brought up for consideration the Democratic filibuster was inaugurated, and the resplution was sidetracked. The House and to devote its full time to appropri ation bills, which always have right of way. Time dragged on and the resolution did not come up. Its friends saw the end of the session approaching and were becoming slightly apprehensive. But, while delayed, they were not asleep. Representative Hawley, of Oregon, sponeor for the resolution in the House, worked casselessly in behalf of this piece of legislation, for he believed it to be just and proper and in the interest of his state. Day and night he was in conference with members, explaining to them the importance of the proposed suit and the necessity for the passage of the resolution. Never a day did he miss in the House, and scarcely a minute was he off the floor. With him every minute was valuable, and he made good use of his time. The result was that when the resolution dld come up for discussion the House generally was at least apprised of its importance, and a great many were convinced of its merit.

Townsend Works With Hawley.

With Mr. Hawley worked B. D. Townsend, of the Attorney-General's office, the man who made the investigation for the Government, and who discov-ered the necessity for the resolution. Townsend worked hardest before the committee getting a favorable report, but when the report came out he spent much time convincing members that they should vote for the resolution and against all amendments. Townsend and Hawley worked in entire har-mony, and to their quiet campaign of education is largely due the credit for

the final passage of the resolution.

While the resolution would probably have passed without material debate. this is one rare instance where discus-sion made votes. As stated, members senerally had become interested in the sion made votes. As stated, members generally had become interested in the subject, for it had become noised about that defeat of the resolution meant defeat of the suit, and this was equivalent to donating to Mr. Harriman \$35,600,000 worth of lands. Members wanted to know whether this was true or not. So they stayed to hear the debate. Mr. Fordney came forward with an amendment which sounded fairly reasonable to the unacquainted members, and he made a plea that satisfied many. But as the debate progressed and the iniquity and double meaning of that amendment was laid bare, those votes were changed. The amendment was defeated, 228 to 44. Had it not been for the protracted debate the vote would have been much nearer a tie. It is seldom that debate makes votes for any measure in Congress; members usually know how they will vote beforehand, or else divide on party lines. No party line was drawn on this resolution. It was supported and opposed by men of both partles.

Vote on Fordney's Amendment.

Vote on Fordney's Amendment.

An analysis of the vote in favor of the

Jersey 1, Utah 1, Ohio 1, South Dakota I, and Louisiana 1.

A great deal of credit is due Representative Mondell for the manner in which he handled the resolution before the House. He made a splendid opening statement, which set the House right on the proposition; then he gave opportunity to Republican and Democratic members of the public lands committee to voice their support, and also recognized Representative Hawley, the man most interested, and Representatives Jones and Humphrey, of Washington, both well acquainted and directly interested in the matter. Mondell himself, by reason of his position, was able to show the House why the resolution was necessary and why it should not be amended, and such words from the chairman of the committee in charge had very great weight. Had be opened the way for the amendment, or even compromisingly rejected all proposals of amendments, and made it plain that neither his committee nor the Department of Justice would stand for any change.

Mondell's Speech in Favor.

Mondell's Speech in Favor.

Many interesting passages occurred during the debate, some of them illustrating the feeling that was injected into the discussion as the subject became better understood. The House began to sit up and take notice when Chairman Mondell, of the public lands committee, having charge of the resolution, pointed out that the adoption of the Fordney amendment would virtually nullify the Fulton resolution and render suit impracticable. In this connection Mr. Mondell said:

My ophion is that nothing could occur

In this connection Mr. Mondell said:

My ophnion is that nothing could occur which would be so harmful or disastrous to the interests of the Government, of the people of the United States, and of innocent bons fide purchasers themselves as the adoption of this amendment. The probability is that the court would hold it to be unconstitutional, as being discriminatory, as being class legislation; and so at the end of long and tedious litigation, the court of lass resort having declared the whole resolution unconstitutional, the titles of the so-called "innocent purchasers" would be in the same position they are today—challenged and insecure. If the court did not hold this amendment unconstitutional, it is altogether probable that the Attorney-General would find it utterly impossible to assert the right and the remedies of the Government and people if this amendment is adopted. If it is contended that limitations contained in this grant constitute a condition subsequent, then the conditions subsequent the companies, and other rise men that have appeared before our committee.

Mr. Fordney Jumped up to assy if the public lands committee had not rejected all amendments. Fordney soon says the spoke, for

iation of those conditions; and if the Congress, at the same time that it authorized the institution of the suits, provides that we shall forgive and condone the very breathers on which our suit must be founded, any suit undertaken by the Government would be altogether futile and useless, and in that event the tilins of the so-called "bona fide purchassers" would still be in their present unsatisfactory and insecure condition.

The rights of all bona fide purchassers from the railroad companies will be fully preserved under this resolution without amendment. A court of equity which must pass upon these matters will and must take into consideration the equity of these purchassers, and all innocent purchassers will unquestionably be protected. But if now, in the maintuition of the suit, in authorizing the Aftorney-General to proceed and assert all the rights and remedies of the Government, we condone the very acts, the very breaches, upon which we are proposing to assert this forfeiture, what use will it be for the Attorney-General to institute any suit? So in the interest of the people, in the interest of the grassed, and passed without a word or line of amendment.

"Greatly Scared Innocents."

this amendment was framed by the rail-read company?

Mr. Howland—Because they have been working on these amendments for the last two months.

Humphrey Gets Applause.

Early in the debate John Wesley Gaines called Representative Humphrey to his feet and questioned him to know whether his constituents favored the resolution amended or unamended. Humphrey said that could hardly be so, as the amendment had only been drawn the night before. Laiter Himphrey, in his for the lower of the favored the resolution should be passed, and passed without a word or line of amendment was not made by him to oppose the Fordney amendment. Fordney said that could hardly be so, as the amendment had only been drawn the night before. Laiter Himphrey, in his own time, sent home a hot shot that got the loudest application of the debate. He said:

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"Greatly Scared Innocents."

Representative Craig, Alabama, Demoerat, was contending that the Fordney amendment was loaded, and was criti-cising the protection it would give to large lumber companies that bought ex-tensively contrary to the terms of the law. Fordney declared these lumber companies were bona fide purchasers. Mr. Craig came back with this hot one: Are they bona fide purchasers? That is the question we want to submit to the court. The gentleman from Michigan has

THE VANCOUVER TRI-CITY LEAGUE TEAM HAS DEAF MUTE PLAYER.



W. S. Hunter.

W. S. Hunter, one of the new recruits added to the Vancouver, Wash., Tri-City League team, is the only deaf mute player in the league. He played four years at shortstop for the Gallaudet College, of Washington, D. C., before coming to Vancouver, and is rated a speedy, reliable player. He is a 10-second man on the bases, and played with the Sand Point, Idaho, team for a short time at the latter end of the last

any of the equifies which the general any of the equifies any really exist, he ought from Michigan says really exist, he ought not to fear to go into the courts of this country, (Loud applause.) But, Mr. Speaker, they are the worst scared innocent people I ever saw in my life. (Laughter.)

One of the most interesting speeches made on the resolution, and in defense of the Fordney amendment, was that of Representative Jenkins, of Wisconsin, chairman of the committee on judiciary, the man who wanted to get hold of the Fulton resolution when it came over from the Senate, and who would have killed it beyond all doubt. Jenkins had had letters from some of the poor "widows" in the case, and he got up on the floor, and with "tears in his voice" said it was the purpose of the Attorney-General to "proceed against the little homes out there" and force the poor settlers to spend all their money defending their rights. He had the effrontery to declare that the actual settlers, those who bought strictly according to law, and those who slightly exceeded the law either as to quantity of land or price One of the most interesting speeches An analysis of the vote in favor of the Fordney amendment shows nine from New York, where the railroad mortgage bonds are held; nine in Pennsylvania, where reside some of the large stock-holders in the affected lumber companies; seven in Michigan and four in Wisconsin, where other stockholders wield great political influence, and the other scattering votes came from Representatives all of whom had been appealed to by constituents who had bought lands from the railroad company—Iowa 4, Minnesota 1, Missonri 1, North Carolina 3, Idaho I, New Jersey 1, Utah 1, Ohlo 1, South Dakota 1, and Loulsiana 1. ing the truth. But Jenkins was mid. He was mad because the resolution had gone to the public lands committee instead of to his committee; mad because the public lands committee allowed it to come before the House, when he could be applied by the public lands committee allowed in the could be applied by the public lands committee allowed in the could be applied by the public lands of the land of the

opposition to a resolution, which he de-clared was inoperative. "The Attorney-General is just as helpless after To-passage of this resolution as though it

lution amended or unamended. Humph-rey said they wanted it unamended, and had written and telegraphed him to op-pose the Fordney amendment. Fordney said that could hardly be so, as the amendment had only been drawn the night before. Later Humphrey, in his own time, sent home a hot shot that got the loudest applause of any part of the debate. He said:

Mr. Seaker, the rentleman from Michigan

got the loudest applause of any part of the debate. He said:

Mr. Speaker, the gentleman from Michigan (Mr. Fordney) asked how it was that I was abis to state that I had received dispatches and letters opposing this amendment, when hie amendment was not made public until last evening. I will tell the gentleman with a great deal of pleusure. I received letters and dispatches and resolutions, saying that the centleman from Michigan (Mr. Fordney) would offer an amendment intended to protect the railroads and the lumber inferests from prosecution.

And the moment I read the amendment offered by the gentleman I recognized it from that description. (Applause.) I deny that any bona fide purchaser from the Pacific Conet is insisting on this amendment. The tearful plea of the gentleman from Michigan has been wasted. If the bona fide purchaser is in fear of this resolution, why were not the members from the Pacific Coast told of that fact? His any protest come to the gentleman from Gregon CMr. Hawley), in whose district most of this land is situated, upon this proposition? None whatever.

It is not a remarkable fact that these innocent purchasers have to go so far from home to find come one to defend them. I will tell you who is opposing this resolution; those who are here urging this amendment.

After describing the big lumber companies which beaught layers.

After describing the big lumber companies which bought large tracts, Mr. Humphrey added:

These are the people who want us to de-clare their innocence in advance; these are the poor innocent purchasers who want us to throw some obstruction between them and the prosecution of the Government. These are the men that want this amendment. If you pass this resolution no innocent person will be injured, and I ask you to vote down the amendment so that no guilty person may escape. (Applause.)

Jones' Argument Is Strong.

A very strong argument for the resolution and against the Fordney amendment was made by Representative Jones, of Washington. In part he said:

Washington. In part he said:

Mr. Speaker, I desire to say when this proposition first came up for consideration I received some telegrams from people in my state urging me to insist that some amendment should be inserted in the resolution protecting bona fide purchasers. That sounded very good to me, but when I began to look into the matter further the difficulties became greater, and I appeared before the public lands committee and listened to the representative of the Attorney-General's office, and became satisfied from his statement before that committee that the insertion, of any amendment of this character upon this resolution would very greatly injure the proceedings desired to be instituted by the Government of the United States, and it has seemed to me that the interest of the few in this case must be subservient to the interest of the people of the entire country. (Applance.)

There is no doubt but that many of these

parse; of the people of the entire country. (Applianse.)

There is no doubt but that many of these purchasers were acting in perfect good faith and supposed that they were acquiring a good title. Their interests should be protected, but we should not sacrifies the far greater interests of the public in order that these should be protected in their equitable rights. There can be no question anyhow but that they will be fully protected in their equitable rights by the courts and by Congress by such legislation as may be necessary in order to do full justice.

The plain letter of the law has been grossly violated by the company, and it must have been done knowingly. The law has been violated by the purchasers, possibly unwittingly.

there would be no difficulty in dealing with the situation.

If the litle of these purchasers is good now, if the litle of these purchasers is good now, if it is not good, then they are not entitled to confirmation by act of Congress, and that seems to be what they decire. If the grant to the company is forfeited, these purchasers will still have the right to present their equities for the consideration of the courts, and it legislation is necessary to do full justice, there is no doubt it will be enacted.

This amendment is unfair in its very terms. It proposes to except bona fide purchasers other than railroads. Why this exception? If there is a bona fide railroad purchaser, it is just as much entified to protection as anyone else. This simply erophasizes the real purpose of this amendment and the lengths to which those interested will go in order to secure their own selfish ends.

Gaines Arouses the Speaker.

An interesting feature of the preliminary debate is found in the talk of Representative Gaines, of Tennesses. Speaking of the attitude of the public lands committee, Mr. Gaines made the following statement which led to exciting col-

loquy:

Mr. Gaines—They do not approve of any amendment, and this morning they voted is to 1 to instruct the chairman of the committee to insist on the passage of the Senate resolution 48 without amendment. The Department of Justice—General Bonaparte—and its special counsel, Mr. Townsend, have been before that great committee and insisted uppartment of Justice General Bonaparts and its special counsel, Mr. Townsend, have been before that great committee and insisted upon this resolution being passed exactly as it was saint here by the Senate of the United States last February, and it has been under consideration by that committee down until this morning at 11:39 o'clock, when they were called here to vote on another public land hill. As I say, this morning, by a vote of 15 to I, the chairman of the committee was directed to insist upon the Senate resolution and that alone.

The Speaker—The gentleman from Tennessee will suspend. The chair will state that it is not in order to refer in the House to what passed in the committee.

Mr. Mondell—I want to call the gentleman's attention to the fact that the committee has offered no amendment; that the committee is opposed to all amendments. The gentleman from Tennessee knows that it is impossible to get on the floor for consideration of these matters unless we give an epportunity to the House to consider an amendment.

ment.

Mr. Gaines of Tennessee—I am informed here and elsewhere concerning this matter that the Speaker absolutely refused recognition to bring up Senate resolution 48 without

Fordney-The gentleman is mistaken that. about that.

Mr. Gaines of Tennessee—That is what I am informed by members of the public lands committee, who have the matter in charge, and I say it without reflecting at all upon the Speaker. The Speaker has the right to

The Speaker—If the House will induige the Speaker—and this is not to be taken out of the time of the scutleman from Tennesseche Speaker desires to say that this is a motion to suspend the rules, and the Speaker did, in the performance of his duty as a member of the House and as Speaker, propose that the motion to suspend the rules should give the House a chance to vote upon the amendment. (Applaisse.)

Cannon After Delegates.

Thus did John Wesley Gaines "smoke out" the Speaker, and make him admit full responsibility for forcing considera-Gaines did not relate the peculiar friendly feelings existing between the Speaker
and Mr. Fordney-relations which may or
may not have influenced the Speaker in
giving the Fordney amendment a show.
Gaines knew of these facts, but they were
hardly a proper subject for discussion on
the floor. It seems that Fordney, according to Michigan men, is a Cannon man,
and is booming Cannon for President. At
the premature convention heid in Fordney's district, two delegates were instructed for Cannon. The unfeeling National ed for Cannon. The unfeeling National Committee declared those delegates ircommittee declared those delegates frregular, they having been chosen prematurely, and at the second convention two
new delegates were named, neither instructed, but one of them is Mr. Fordney. It is stated by a member of the
Michigan delegation that "Uncle Joe" is
looking for delegates, and saw his opportunity to get one, and possibly two from
Michigan. Whether this surmise is correct or otherwise, is for no uninformed
man to say. man to say.

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A DANGEROUS LICENSE. In most respects we have more than laws enough. We as a city and In most respects we have more than laws enough. We as a city and state are burdened with fool measures adopted in a hurry, and never enforced except for the persecution of some person or party or organization or But in some matters we are woefully rural, and our laws are inadequate. In no direction is this more true than in the license given irresponsible men in their attacks on the character and business standing of responsible men in their attacks on the enaracter and ousness standing of reputable citizens. Just now Portland has a sample of what a man may do, in the fight being made against Louis J. Wilde. Some folks have sugdo, in the light being made against Louis J. Wilde. Some folks have suggested that Mr. Wilde has been writing wild replies to the attacks made on him; in the opinion of the Peoples Press any man with red blood in his veins would be wild who had the provocation Mr. Wilde had. Mr. Wilde's record in this town is well known; more than that, it is most favorably known. The true inside story of his fight to save the

depositors in the Oregon Trust Company their money has never been told. Some day when it is written Portland will understand just how much Mr. Some day when it is written Portiand will understand just now much arr.
Wilde did to save her commercial credit and the happiness of thousands of Mr. Wilde has brought new capital and new methods of enterprise, and interested new agencies of vast importance in the progress of Portland. So interested new agencies of vast importance in the progress of Fortland. So long as mere personal spite indites attacks against him, he or any other

man of his standing and power for good to the community need not worry man of his standing and power for good to the community need not worry about the feeling all Portland will have in the matter, or the credence Portabout the feeling all Portland will have in the matter, or the credence Portland will give to the character assassins.—Editorial Peoples Press, May 2.

CAUCUS OF REPUBLICANS!

HOUSE MEMBERS TO CONSIDER FINANCIAL QUESTIONS.

Majority Hopes Second Vreeland Bill Will Pass-Another Conference on Anti-Trust Legislation.

WASHINGTON, May 2-It has prac ically been decided to hold the longtalked-of conference of Republican mem ers of the House to consider financial tion bill will be disposed of by that time and the House will be free to enter upon the consideration of any bill on the currency question which the conference may recommend. The leaders

to force any measure upon the which is not generally acceptable. which is not generally acceptable.

Most of them are hopeful that the second Vreeland bill will receive approval, but there will be an effort to confine legislation to the appointment of a commission which may be the outcome of the conference. Soon after the financial caucus, but possibly not until the end of the week, weather conference. another conference will be held to con-sider the advisability of legislation for the modification of the anti-trust law and the regulation of the issuance of injunction.

There is a growing belief that something may be accomplished in this line, and if anything is done it will be along the lines of the recommendation of the Civic Fed-

Cholera Kills Philippine Soldier.

WASHINGTON, May 2 .- Private Willam F. McGue, Company G, First Batquestions next Thursday evening. It is talion of Engineers, died of Asiatic believed that the sundry civil appropria- cholera at Camp Commel in Samara on April 22. So far as known at the War Department, there has been no other cases of cholera in the Army in the Philippines for several months

declare they have no purpose of trying | Metzger fits glasses for \$1.00.

ENGLISH TEMPERANCE BEVER-AGES NOT TRUE TO NAME.

Many Popular Tipples Are Stronger Than Ordinary Hock or Claret. Makers Unaware of Fact.

LONDON, April 25 .- Mr. Asquith has given the following list of government analyses of beverages sold as temperance

Samples over Samples 2 P.C. 2-3 taken. epirit. P.C. 1,011 361 233 924 349 248 1,133 422 306 1,079 417 298 Year— taken. 1904.... 1,011 1905.... 924 1906... 1,133 1907.... 1,079 Totals.. 4,147 1,549 1,085 288 146

per cent of alcohol allowed:

"These high percentages are, of course, accidental, and are due presumably to natural fermentation taking place after "Alconol," said Dr. T. D. Lister to drinks which contained more than the 2 the Stepney Council of Public Welfare yesterday, "is still considered by the

masses as a necessity instead of a luxury, and ten is regarded as a life-giving food instead of a drug of the same con-temptible value as alcohol." He found as much illness among female workers from tea drinking as from taking alcohol in "It is a grave danger to the public excess

health," writes a medical correspondent.

"that so-called temperance drinks should

in any circumstances contain such a high percentage of alcohol. Herb beer con-taining 8 per cent of proof spirit is as

intoxicating as ordinary claret or hock. More than one-third of the samples test-ed in the last four years have been as

highly alcoholic as ordinary beer or por

ter, which contains from 2 per cent to 5 per cent of alcohol. "These 'temperance' drinks are largely

consumed by children, and the thought that the boy who drinks a pint bottle of one of these overproof temperance bev-

erages is taking more than the alcoholi equivalent of half a pint of champagne is startling.

THE COMING OF THE FLEET

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