

ATTEMPT TO TAKE GOVERNMENT LAND

Sixteen Claimants to Valuable Cedar and Fir Come to Grief.

WORTH MILLION DOLLARS

Locate in National Forest and Attempt to Secure Timber Under Cloak of Coal Laws—Held for Cancellation.

GRANTS PASS, Or., Nov. 28.—(Special.)—One of the most remarkable attempts to secure surveyed and unsurveyed Government land in Southern Oregon was recently brought to light through the trial of C. W. Anderson and 15 other defendants in an action by the Government against the claimants of coal lands on what is known as Eden Ridge of the Siskiyou National Forest in Southern Oregon. By this action, it is claimed, the United States Government has saved several townships of Port Orford cedar and fir that will run from 10,000,000 to 20,000,000 per quarter section.

In order to bring about these results many expert witnesses from different parts of the East were brought upon the stand in behalf of the Government and the defense. The Government spent thousands of dollars in gathering testimony and information in order to head off the claimants, but behind it all was involved at least \$1,000,000.

Takes Squatter's Rights. It seems that along in February, 1932, C. W. Anderson, a logger, in the employ of the Simpson Lumber Company, of South Bend, Wash., visited the timberlands on the south fork of the Coquille River for the purpose of selecting a timber and stone claim, as it was believed the region therein was coal-bearing. Part of the territory was newly surveyed, but the survey had been at that time unaccepted. Anderson's general knowledge of timber caused him to be at once elated over the prospects he had discovered. The value of the timber would run into high figures, and from 10,000,000 to 20,000,000 per quarter section was sufficient, it is alleged, to tempt him to decide means whereby he could quickly enrich himself with land holdings. He moved to this fine timber belt with his family under the pretense of obtaining squatter's rights on which eventually he would appropriate a homestead entry as soon as the Government would duly ratify and accept the survey.

Evades Government. Shortly after Anderson had arrived on the Coquille and was busy outlining his plans for the future, the Government saw fit to withdraw nearly all the land involved from entry for forest reserve, but this, at most, only temporarily checked the situation, for under the coal-land act, coal land can be taken in 160-acre tracts, and as such entries come under the mineral law, it would likewise be easy to still hold his claim, as it was subject to entry within the forest reserves as elsewhere.

About this time it was necessary to use extreme measures and Anderson who was backed by many associates, among whom were prominent timbermen and bankers from Washington, who had seen the necessity of gaining their point, began to run out lines and acquire a quarter township of Oregon's best timber among themselves.

In order to show good faith claims were secured hurriedly and with pick and shovel the men began to find traces of coal and as the work progressed and the methods came to the surface by which they were holding their claims led others to take up the adjoining townships in a similar way.

In 1935 the claimants were aggressively surprised by knowledge of the Government and they at once hastened to the United States Land Office to make and file their declaratory statements. Incidentally, at this stage of the proceedings it is noticeable that some paid at the rate of 10¢ per acre as required by law and others with a little more reservation tendered payment conditionally upon the issuance of certificates.

Use Divorce Laws. There is no doubt that Anderson had good legal advice for he was handicapped in that he had used his homestead right. Anderson had a mania for more of this valuable timber and to effect his desire he and Mrs. Anderson finally agreed that she should return to Washington and obtain a divorce from him as she had not the required time in Oregon.

MEN WHO FIGURED IN SOUTHERN OREGON TIMBERLAND INVESTIGATION AND ONE OF PROPERTIES INVOLVED



Top row—Charles McGuire, timber and coal expert for General Land Office; Dr. George F. Kay, professor of geology in University of Iowa, expert in witness on coal and formations; Andrew Kennedy, special agent and expert of Land Office.

Bottom row—J. S. Diller, of United States Geological Survey, expert witness; M. J. Anderson, Forest Supervisor at Grants Pass, expert witness on timber; C. O. Pollard, attorney for General Land Office; A. C. Shaw, chief of law, United States Forest Service, of Washington, D.C.

various claims and were sent to the Government testing stations in the East, and on the report of these tests all the claims in the district were held for cancellation and eight parties were made defendants with trials set for hearing at Roseburg Land Office about the middle of August.

While these trials slipped through without much attention the value of the timber at stake ran over a million dollar in value.

Legal Point at Issue. From a legal standpoint the case was fought out over what constitutes a workable mine. C. O. Pollard represented the Interior Department, and A. C. Shaw, of Washington, D. C., was chief counsel. The claimants were represented by Pullerton and Groust and S. D. Buford, a defendant. The trial of the several defendants ran over a period of one month. Hearings were held in Grants Pass, Marshfield and Roseburg.

The defense's theory was to disprove the value of the timber as claimed by the Government's experts and, to support their contention, they held that the Coquille River was not a logging stream.

While the theory may have been good, in a civil case, it is alleged that C. W. Anderson by this testimony incriminated himself to further liabilities. The evidence shows that he had cut several hundred thousand feet of timber and attempted to float it out and upon this testimony the Government later brought an indictment against him, cutting timber upon Government lands.

A sequel to the trials is that T. R. Billings, a homesteader, living adjacent to the supposed coal lands and who was an important witness for the Government, suffered the loss of his barn by fire last month. The building was set afire during his absence and may have been set on fire by Anderson, who was a motive to burr his home, but owing to circumstances the blaze did not reach the lateral building. It is believed from circumstantial evidence that this crime can be directly connected with the coal land trials.

Appeal From Decision. The decision rendered by the Roseburg Land Office sets up that the claimants of the land had possession for a long time but made no attempt to develop the coal mines. From this decree the defendants have given notice of an appeal on the ground that the Government had not sufficiently explored the coal traces to show that the veins were not workable.

This last position of the defense as a cause for appeal will be watched with interest by miners, for if it holds, it is alleged that it will only be necessary for the miner to stake out his coal claim and make the Government do the prospecting.

TO GRAYS HARBOR



FALLS 240 FEET AND LIVES

William Batts, Timber Cruiser, Plunges Over Steep Hillside. Between Vancouver and Washougal 150 new insulators had to be put in. The insulators have been wantonly smashed by boys throwing stones at them.

GETTING RIGHT OF WAY

Grays Harbor & Columbia River Road Brings Suit in Condemnation, Saying It Will Build West From Kalama.

WILL CLAIM EXTRA PAY

Matt Piles Entitled to Increased Salary by Technicality. OLYMPIA, Wash., Nov. 28.—(Special.)—The story that the North Bank line of the Northern Pacific and the Great Northern is to be extended to Grays Harbor has become widely known.

WILL CALL ON PRESIDENT

Governor Invited to Talk on Deep Waterways With Roosevelt. SALEM, Or., Nov. 28.—(Special.)—Governor Chamberlain has accepted an appointment as member of a committee of 100 composed of representatives of all the states to call upon the President, the President of the Senate and the Speaker of the House of Representatives about December 9 and notify these officials of the action taken by the "Lakes to the Gulf Deep Waterways Association."

REPLACE BROKEN INSULATORS

VANCOUVER, Wash., Nov. 28.—(Special.)—H. S. Parker, wire chief for the Pacific Telephone & Telegraph Company, has been busy for several days with a force of men in the country replacing broken glass insulators along the lines. Near La Center 30 insulators were found broken on a line 19 miles long.

INAUGURATE NEW FORTIFICATIONS

VALPARAISO, Nov. 28.—The new fortifications of Talcahuano were inaugurated yesterday by President Monet. With the completion of these works Talcahuano is the strongest port on the Pacific coast of South America.

DRAWS BIG CROWD

Eugene Good Roads Meeting Is Largely Attended.

BUSINESS HOUSES CLOSE

At Noon, Trumpeter Rides Through City's Streets Announcing Meeting and Calling People to Courthouse.

EUGENE, Or., Nov. 28.—(Special.)—The largest and most enthusiastic mass meetings ever held in this county in favor of good roads took place here this afternoon, filling the Courthouse to overflowing.

The meeting was held under the auspices of the Eugene Commercial Club and Merchants' Protective Association. The latter closing its stores during the hours of the meeting in order to give everybody a chance to attend.

At noon a trumpeter rode through the business streets on a gaily caparisoned horse, announcing the meeting and returning to the Commercial Club, led by the Eugene Military Band to the place of meeting.

The speaker of the day was ex-Judge John H. Scott, of Salem, President of the Good Roads Association. He was accompanied by Dr. Withycombe, of Corvallis, and after their addresses several of the business men and farmers of the county, surrounding Eugene were called upon to speak.

Scott Outlines Plans. Judge Scott related the action of the Good Roads Convention, held some time ago in Portland, the principal point of his argument being in favor of a liberal state appropriation to be divided among the counties, provided the latter would appropriate equal amounts for the building of good roads.

The business men of Eugene are fully alive to the importance of better roads, realizing that this would not only be of inestimable benefit to the farmer, but to themselves as well, both directly and indirectly.

Between speeches music was furnished by the Eugene Military Band and a local juvenile orchestra of 20 pieces.

COMMITTEE IN CHARGE

The meeting was in charge of a committee of 12 selected by President Whitson of the Eugene Commercial Club Promotion Department, and consisted of M. Svarverud, chairman; G. R. Chapman, H. M. Price, H. D. Edwards, Frank W. Osburn, A. C. Jennings, F. M. Wilkins, Jack Rodman, J. Beebe, Eli Bangs, J. O. Holt and John H. Hartog, secretary.

Short talks were given by Judge Christman, President P. L. Campbell, Senator Bingham, Senator Booth, J. L. Atkinson, George A. Dorris, John H. Hartog, A. C. Woodcock and I. N. Edwards. The convention adopted a resolution in favor of the proposed plan of sharing the cost of road-building between state, county and district.

LEAGUE STARTS WITH 112 MEMBERS

An association was formed and named the Lane County Good Roads League. The following officers were elected: M. Svarverud, president; L. N. Edwards, of Junction City, vice-president; Jack Rodman, secretary; and F. M. Wilkins, treasurer. One hundred and twelve signatures were secured at the meeting as a starter.

Judge Scott after the meeting, said: "This has been one of the best good roads meetings I have seen yet. It is wonderful the way your farmers turned out, and bodes well for the future."

NOMINEES AT HILLSBORO

HILLSBORO, Or., Nov. 28.—(Special.)—At a mass meeting held in the City Hall last evening the following nominees were selected to be voted upon at the city election on the first Monday in December: For Mayor, John W. Connell; for Councilmen for two years, A. M. Carille, Ed Schulmerich and J. B. Trullinger; for Recorder, George Sulmasy; for Treasurer, G. W. Barnes.

TO START TRAINING SCHOOL

ASTORIA, Or., Nov. 28.—(Special.)—

WISE PEOPLE KNOW

The last chapter in the case of George Clark Summers, alias George Clark, Methodist minister of Gardiner, this county, was closed, as far as the officials of this county are concerned today, when Sheriff Spurlock, of Throckmorton, Tex., started on the return trip with Summers in custody.

They went as far as Drain today, where they will be joined by Miss Beasley, Summers' wife, and together they will return, and together they will be joined by Summers' wife and three children. The father of Miss Massey has offered her a home with him if she would return, and together with her two children, she will accept his offer.

In the face of the confession of Beasley, Summers, and the positive identification by several other responsible parties, Summers still denies his guilt and says he will prove his innocence.

At the request of officials of the Methodist Church, Summers has signed a statement severing his connection with that church.

OUR SALE OF MEN'S FURNISHINGS AND HATS. Was concluded Saturday. Stock of Furnishings and Hats sold in bulk. Now we are going to proceed on our work for the greatest exclusive Wardrobe Clothes Shop in America. The new home of Chesterfield will be one of the show places in Portland. In the meantime we wish you to call and permit us to show you how handsome Chesterfield Suits and Overcoats are this season. Priced \$20 to \$60.00.

R. M. GRAY 269-271 MORRISON STREET. The announcement was made today that Sister Andrew, who established the nurses' training school at St. Vincent's Hospital in Portland, but who is now Sister Superior of St. Mary's Hospital in this city, will about the first of the coming year start a training school in connection with the local institution.

DEC 25 CHRISTMAS DAY. —and now comes Xmas —and with it The Gift Problem. VERILY ours is "The Ideal Gift Store"—a treasure house of Christmas goods—this season. Hundreds of Gift Things—everything for everybody appropriate for the Holidays is here.

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