

DENNETT CHANGES
GARFIELD POLICY

Natural Resources Should Be
Used, as Well as Conserved,
Is Keynote of Report.

LAW IS TO BE HIS GUIDE

Theory That Administrative Officer
Can Do Anything Not Specifi-
cally Prohibited by Statute
Is Contested.

OREGONIAN NEWS BUREAU, Wash-
ington, Dec. 4.—In considering the en-
forcement of legislation for the purpose
of controlling the natural resources of
the United States, it must be borne in
mind that it is of great importance
that every encouragement should be
given to their proper development. To
prevent by unwise legislation their use
would be as pernicious to the public
as to permit existing resources to pass
into the hands of monopolies.

This, in effect, is the broad view of
the conservation subject held by Land
Commissioner Dennett and expressed
in his annual report, made public to-
day. In that report, Commissioner Den-
nett lays down a comprehensive plan
for carrying out legally and practical-
ly the so-called Roosevelt conservation
policy.

Law to Be His Guide.

In this respect Mr. Dennett places
himself far ahead of many conserva-
tionists who, in point of fact,
are no more than faddists and theo-
rists, having no practical idea of what
they seek or how to seek it. Mr. Den-
nett throughout emphasizes the impor-
tance of proceeding in accordance with
the law, and in this respect he reflects
not only the views of Secretary Ballin-
ger, but of President Taft as well.

Discussing the conservation question,
Commissioner Dennett says:

"The increase of population in the West has
brought forward the possibility of the use
of its great water powers.

That it is the duty of the Government,
either acting directly or by intrusting it
to individuals, to utilize these vast forces, there
can be no question. It has not heretofore
been the policy of this Government to under-
take that which might be more advantage-
ously accomplished by the citizen.

Any policy which would restrict the ac-
tivities of the Government for those of the
private citizen, except in the performance
of those larger affairs where the individual
means of the Government are necessary,
refuses to act, would be a mistake.

These forces, which are now held in
common ownership, should not pass into
the control of private individuals or
trusts, nor should they be withheld from
use.

The public lands of the United States lying
between the navigable and non-navigable
streams or lakes and such streams or lakes
and underneath such bodies of water, or
public land valuable as power sites, or for
the location of reservoirs, the construction
of dams and other works necessary or in-
cidental to the utilization of these lands, or
the various streams and bodies of water,
should be reserved for the use and control
of the Government.

Mineral Land Law Needed.
The enactment of a provision of law of
reservation similar to that found in section
2318, revised statutes, applicable to mineral
lands, is suggested. Such a law would pre-
vent the appropriation of these lands under
the public land laws, except as expressly
provided. To protect and to conserve the
rights of the Government, the law declaring
the reservation should be made a condition,
and should be followed, if provision is not
made concurrently therewith, by a statute
which shall declare expressly the manner in
which the right to these lands may be ob-
tained.

Congress certainly should declare its in-
tention in an unmistakable manner in re-
gard to the conservation of the water power
and reservation. The officers of the Government
are entitled to receive from Congress a clear
and explicit declaration of its intention, so
that there can be no ambiguity as to the
method and manner in which they are to
carry out the law.

It was a pet theory of Secretary Garfield
that a Government official, such as the
Secretary of the Interior or Commissioner
of the General Land Office, could do
nothing not specifically forbidden by law.
Commissioner Dennett—and, in fact, the entire present Adminis-
tration—takes the other view. There-
fore, Commissioner Dennett urges that
Congress be thorough in framing con-
servancy legislation, so that all neces-
sary authority shall be granted to the
officers who are to carry out the new
laws after they become operative.

On this topic he says:
Commissioner Dennett's discussion
of Alaska coal land affairs is adequate
refutation of much that has been said
by the deposed Mr. Glavis and others,
and while the merits of the Cunningham
cases are not discussed, much in-
formation is given of a character to
reassure public confidence in the In-
terior Department. President Roose-
velt is quoted in a way that removes
all doubt of his belief in the very ideas
advanced by Secretary Ballinger with
regard to the development of coal
lands, both in Alaska and in the United
States, yet the charge is frequently
made that this administration is not
in favor of the development of land policies.
The record speaks for itself.

No Alaska Land Patented.

Speaking strictly of Alaska, Commis-
sioner Dennett says:
"At the time of writing this report
no patents have been issued on applica-
tions under the coal land laws for
coal lands in Alaska. No applications
are on file in the Interior Department
under the act of May 28, 1908. Thirty-
three entries (the Cunningham group)
have been made for coal lands, and are
now pending under the act of June 6,
1909, and the act of April 22, 1904.
He then states that hearings on these
suspended entries are now in progress.
It is shown that on November 12,
1909, the Secretary of the Interior
withdrew from further entry all coal
lands in Alaska, and they remain so
withdrawn today. Effort is being
made, he says, to determine the facts
in all Alaska cases. Continuing, he
says:

"The fact that 160 acres for an individual
and 640 acres for a corporation of coal
lands are entirely inadequate to warrant
the expenditure of the sums of money nec-
essary to successfully open up a coal mine
has been generally recognized. That which
is true in the states is certainly still more
true of lands in remote regions like Alaska.
This being so, it is hardly probable that
any man would take up 160 acres of land
in Alaska with the honest purpose of ex-
ploiting it himself, if the withdrawal of
November 12, 1909, were revoked under pre-
sent conditions. It is practically certain that
lands would be entered for the sole purpose
of speculation and for sale to the highest
bidder.

Any legislation which provides for a sale
or lease of larger areas of the coal lands
should contain an anti-monopoly clause sim-

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MRS. DOXEY RETALIATES

ACCUSED POISONER SAYS THAT
MONEY IS MOTIVE OF CHARGE.

Declares Erder's Sister Seeks to Re-
cover Insurance—She Pre-
tends Collapse.

ST. LOUIS, Dec. 4.—With Mrs. Dora
B. Doxey in the St. Louis city jail under
the care of jail physicians, announcement
was made by the coroner late today that
the inquest into the death of William J.
Erder will be begun Monday.

The woman, who is accused of having
killed Erder by administering arsenic in
his food; her husband, Dr. Loren B.
Doxey, of Columbus, Neb., and Miss Kate
Erder, a sister of the dead man, will be
called to testify.

Mrs. Doxey is held practically incom-
municado. The police declare that her
supposed physical collapse is a sham and
in this they are supported by the jail
physician.

Mrs. Doxey's defense to the charges of
murder and poisoning was indicated to-
day. It will be urged that the real animus
of the prosecution is the desire of Miss
Erder to recover \$500 insurance collected
on Erder's policies and on the life of
his sister, Elizabeth, who died the day
he became ill last July; that Mrs. Doxey
was not married to Erder, but only nursed
him; that there is no evidence that Mrs.
Doxey obtained arsenic while she was in
St. Louis, or gave it to Erder, and that

scientists have stated that a certain
amount of arsenic is found in every
corpse.

CAR STRIKES DOWN TWO

Blinded by Snow, Man and Girl Fall
to See Their Danger.

While walking along the streetcar
tracks through Laurelhurst last night in
the blinding storm, Pearl Chaney, 1375
East Gilsen street, and F. G. Whitsett, 1449
East Hoyt street, were struck down by
a Montavilla car. Both were hurled
several feet from the tracks. The train
crew immediately hurried to them and
Miss Chaney was found to be badly
bruised about the lower extremities and
her left arm was fractured. Whitsett
was unconscious. Both were placed
aboard the car and taken to the Good
Samaritan Hospital.

An examination revealed the fact that
Whitsett was badly bruised about the
head and that his skull is possibly frac-
tured. Besides a number of painful con-
cussions about the body, his left leg was
fractured above the knee. He had not
regained consciousness late last night.

According to Miss Chaney, who is a
seamstress, neither Whitsett or herself
observed the approaching car. The swirl-
ing snow and the stiff wind blowing
caused them to conceal their faces. The
motorist of the car sounded his horn
after he saw them but the storm drowned
the alarm. Both were struck with ter-
rific force by the front vestibule.
Miss Chaney is 18 years of age. Whit-
sett is four years her senior. Both were
homeward bound from work.

FOOTE TO BREAK ROCK

PORTLAND MAN MUST LABOR AT
SPOKANE.

Visiting Socialists to Receive Same
Treatment as Other I. W.
W. Prisoners.

SPOKANE, Wash., Dec. 4.—(Special).—
E. J. Foote, of Portland, and James Wil-
son, both Socialists, convicted yesterday
in Justice Stocker's court on the charge
of conspiracy, will be made to work on
the county rockpile, the same as all other
prisoners. Sheriff Fugh announced this
morning that these two men would go
out with the chaingangs Monday to toil
for the county for six months. John
Pauker, who was sentenced to six
months by Judge Mann in police court on
the same charge, has been a member of
the county chaingangs for three days and
will continue until his sentence is worked
out or the decision reversed in the Su-
preme Court, to which he has appealed.

Deputy Prosecutor C. A. McMillan said
the authorities may require them to sub-
mit to all jail rules the same as other
prisoners, even though their cases were
on appeal.
Frank Leslie, convicted Friday in police
court for speaking on the street, asked
permission this morning to go to work
on the rockpile. He said he was disgusted
and was ready to "cut it out."
"If I had known they were such a
bunch of tramps I would never have come

here to join them," is the way the re-
cruit put it.
According to his story, the other
prisoners at the Franklin School tried to
make him wash his face when he did
the chaingangs.

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tinue the treatment, full-sized packages may
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