OREGON WILL HAVE TO WAIT

Claim for Money Expended for Military Purposes During Civil War Held Up Because of Lack of Harmony in Delegation.

By John E. Lathrop.

Washington, July 31.—The full amount of Oregon's claim for money expended for military purposes during the civil war was $356,271.61. The amount allowed by the court of claims May 9, 1909, was $193,543.02. The amount allowed was less by $162,728.59 than the sum which the state expended.

This amount, $356,271.61, was reported December 9, 1889, to the congress by the secretary of war, with full statement of the moneys actually disbursed by the state on account of volunteers and state militia raised by the state at or about the time of the civil war. The secretary of war showed that that full sum had been so expended.

Status of Claims.

The court of claims adjudicated this claim, considering it purely as a matter of legality of claim on the federal treasury to reimburse the state of Oregon. The court, the counsel for the government and the counsel for the state—Ralston & Siddons—heard, prosecuted or resisted this claim, according to their several functions, and the court finally handed down the findings—not a judgment as erroneously stated by me hitherto, upon a statement made over the telephone by an attache of the court who labored under the misapprehension that it was a judgment rather than a finding.

From December 9, 1889, this claim of Oregon remained in statu quo, other states from time to time procuring appropriations from the congress to reimburse them for their expenditures of nature like that of Oregon involved in this claim. Congress failed to appropriate the sum named as the full claim, although several times the appropriation therefor was placed by the senate as an amendment on general appropriation bills, which amendments failed to carry.

Contrary to Senator Fulton's assertion, it has often been the practice to pay such claims upon various deficiency acts. In the deficiency act of March 3, 1905, congress authorized the secretary of war to report the amount actually expended by the state of Texas between February 28, 1855, and June 21, 1860, in raising and paying volunteers and state rangers in defense of the state. The secretary of war reported that the sum of $375,418.94 had been so expended.

Minnesota Case.

In the general deficiency act of June 30, 1906, an appopriation was made for the full amount reported, while Senator Fulton was chairman of the claims committee.

In this same deficiency act of June 30, 1906, the secretary of the treasury was authorized to examine and report the amount expended by the state of Minnesota in raising volunteers in connection with the Indian war in that state in 1862.

In the next deficiency act an appropriation was made for the amount so reported to congress by the secretary of the treasury.

Other deficiency bills making appropriations to pay state claims for raising volunteers for necessary service or upon calls of the war department, as the report of the court of claims shows that these volunteers were raised by the state of Oregon, are as follows:

July 1, 1902, more than $3,000,000 appropriated for Indiana, Michigan, Ohio, Illinois and Vermont.

February 14, 1904, more than $1,000,000 appropriated for Michigan, Pennsylvania, New Hampshire and Rhode Island.

March 3, 1903, more than $3,000,000 for Kentucky, Wisconsin, New Hampshire, Connecticut, New Jersey, Rhode Island and South Carolina.

April 27, 1904, nearly $2,000,000 for Massachusetts, Wisconsin, Maine and Texas.

March 3, 1905, more than $1,000,000 for Maine, New Jersey and Wisconsin.

Oregon Claim Reduced.

In some of these appropriations the amounts allowed were the full sums expended by the states, as shown by the accounting of the department. In the present instance, the claim of Oregon was reduced by nearly one half by the court of claims.

Careful inquiry reveals that the following statement contained in a previous letter from me to The Journal is true so far as it concerns the attribution to any present or past member of the Oregon delegation in house and senate of credit for the decision of the court of claims: "The cold blooded truth is that no member of the delegation as such did anything or could do anything up to the moment when the court recorded judgment (or rather its finding) in the case; for it was purely a matter for the court and counsel on the two sides."

This is quite self-evident, and to intimate to the contrary would not be complimentary to the court of claims, inasmuch as it would be equivalent to intimating that the court might be influenced by a politician in considering matters which go to pure legality of claim, and not to political pull and political influence.

So soon, however, as the court had adjudicated the Oregon claim, recording its finding in which it declared Oregon justly entitled to $193,543.02 of the full $356,271.61 claimed, the elements of political power, skill, industry and finesse became potential factors in the determination of whether or not Oregon should await a year for its money declared to be its just due; or whether, at the special session of the congress, that amount should be appropriated, as had been done in several recent instances in adopting deficiency bills, the recorded items whereof I have herein set forth.

Congressman Tawney of Minnesota is chairman of the house appropriation bill, which at this special session has drafted and passed through the house the deficiency bill, and which at this writing is before the senate.

Other Claims Included.

In this bill of previous sessions, as I have shown, war and militia claims of several states have been included, and, although sometimes these appropriations are procured by one method and sometimes by another, it is one of the axioms here in both houses that if the committee drafting a general appropriation bill refuse to include any item of whatever nature, the committee's refusal operates as a deterrent on that item's journey through the congress.

To induce the chairman of the appropriation committee of the house to include a given item in a bill, is where a congressman may get in his skillful work. Sometimes he can do so, sometimes he cannot. Sometimes failure to do so results from sloth; sometimes it would be impossible for anyone to induce him.

Whether or not Mr. Tawney could have been induced in this instance will remain a never-solved question. I am disposed to believe, however, that had the Oregon delegation worked with that harmony which is recognized here as essential when purely state business matters are involved, there was quite as good chance for the inclusion of this item in this deficiency bill as there was on former occasions in recent years which, as shown herein, such items were included.

No Harmony.

The "cold-blooded truth," however, is that the delegation did not work with any harmony of action. May 12, three days after the court of claims recorded its finding in the Oregon case, Senator Chamberlain wrote to Congressmen Ellis and Hawley, citing the finding of the court, and suggesting that "it is possible if we make combined effort we may be able to have this item included in the deficiency appropriation bill at the present session of congress, covering the amount of the claim."

This suggestion as to the inclusion of the item in the deficiency bill was based on the brief of Ralston & Siddons, Oregon's counsel before the court of claims in this case, in which they set forth the recent specific instances of the inclusion of these very items in several deficiency bills.

Neither Mr. Ellis nor Mr. Hawley answered Senator Chamberlain's letter; but Mr. Hawley immediately introduced a bill to appropriate the amount of the claim.

As previously asserted, this bill will not be acted on prior to some time late in 1910. Everyone in Washington knows this. And, too, everyone here perfectly well understands the practice of members of senate and house introducing bills whenever asked to do so by a constituent, or whenever it might operate to make the uninformed constituency believe that something impressively effective has been done for them. To introduce this bill was all right; but to claim that it will have any effect on the ultimate action of the congress would cause smiles, audible, indeed, to pass over the countenances of people here who "know the game" of introducing bills and then writing to constituents saying, "I have introduced this or that bill, and will work with might and main to pass it."

Means Long Wait.

These claims, such as Oregon's war claim, either are included in a deficiency or other general appropriation bill, or are included in the omnibus claim bill. To await the omnibus claims bill meant in this instance to wait till late next year, for the simple reason that there will be no omnibus claims bill at this special sesion; whereas there is a deficiency bill.

I do not assert that success would have attended harmonious efforts of the delegation in this instance; but I do assert that there was no harmony of action, and that apparently the house members regarded it as "butting in" when Senator Chamberlain suggested combined effort.

Senator Chamberlain, when he was governor, had negotiated the original contract with Ralston & Siddons to prosecute the claim; he was informed on it, therefore, and states that he simply wrote suggesting harmony of action in the carrying out of his determination when he came here to work on all state business matters with other delegation members, regardless of differences political on other subjects.

I know absolutely that Senator Fulton knows as well as does everyone here that Oregon never will get $1 of its $194,000 a moment sooner or later because Congressman Hawley introduced his bill, after his attention had been called to it by Ralston & Siddons, after the finding was handed down by the court; Ralston & Siddons having gone to Mr. Hawley armed with Senator Chamberlain's letter urging effort of all the delegation to include the item in the deficiency bill.

Oregon Left Out.

I find that Senator Fulton was chairman of the senate committee on claims from December, 1905, to March 4, 1909. In several recent years, war claims were attached to deficiency bills and the states concerned got their due, without waiting the passage of later laws. No essential difference existed between the war claims of Oregon and any one of the dozen or more other states which got their claims through in deficiency bills. At any rate, those states got their money, and Oregon has not yet got hers. And Oregon will not get hers at the best prior to late in the session during 1910, if then.

Oregon will be much more likely to get it if the delegation works together in senate and house. Likewise, Oregon will be much more liable to get some other things if the delegation works in harmony, in business matters concerning the state.

Railway Men in Klickitat.

(Special Dispatch to The Journal.)

Goldendale, Wash., July 31.—A party of railroad men representing the Chicago, Burlington & Quincy railroad were visiting Klickitat county this week. The party was in charge of J. Russell, superintendent of the Spokane, Portland & Seattle railroad. E. D. Northam, claim agent, and Alfred E. Russell, counsel for the C., B. & Q., were in the party. The C., B. & Q. is a joint owner of the North Bank road with the Great Northern and Northern Pacific.

The party took a ride over the valley and examined the grain crop. The apple district in the foothills of the Simcoes, northwest of Goldendale, was visited.

CURRY COUNTY PRIMITIVE SPOT

Natural Resources, Forests, Climate and Soil, Offer Unusual Inducements, but Lack of Transportation Detrimental.

(Special Dispatch to The Journal.)

Gold Beach, Or., July 31.—Nowhere in the country is there a spot where resources are so unlimited, conditions so primitive, opportunities so inviting and the people so few, so law abiding and hospitable as in Curry county, Oregon.

To Curry county belongs the distinction of not having an incorporated town, not a mile of railroad, not a mile of telegraph line, not a bank, not a college, not a high school, not a theatre, but one barber, not a policeman, none of the embellishments and but few of the conveniences, real or imaginary, that usually attend the more advanced stages of organized civilization.

And these conditions, unusual as they may seem, present opportunities not found elsewhere. Nowhere else in Oregon can land be had so cheap; nowhere else in the state can a man set up a home on less capital; nowhere else is there soil of greater productivity; nowhere else is a living more easily made and nowhere else can investment be made with great assurance of stability. Opportunity sticks out in mountain peaks; lies in ledges beneath the ground; points skyward in fir and cedar. It flows in the unharnessed water power; lies in sheep raising, cattle raising, hog raising; in dairying, fruit growing, market gardening, in fishing and even in hunting.

Wonderful Natural Resources.

With an area of a little less than 1,000,000 acres of mountain and ocean grandeur, wild game, pure water, mild and delightful climate, immense timber and mineral wealth, its evergreen pastures and fat stock, Curry county's population does not exceed 2500. The total vote cast at the last general election was 543. There is for every man, woman and child in the county more than a half section of land and for every legal voter, more than 1600 acres. This land can be had at $7 to $10 per acre. Some sells for even less, while some of the improved bottom lands sell for more.

While it is distinctly a county of mountains, Curry is also a county of numerous streams, and the soil along the river and creek bottoms, especially near the coast, is exceptionally fertile. Emptying into the Pacific ocean along Curry county's shore are the Sixes river, Elk river, Floras creek, Mussel creek, Brushy creek, Euchre creek, Rogue river, Pistol river, Hunter's creek, Chetco river and Winchuck river. These and their many tributaries, and including the Illinois river, Shasta Costa river, Lobster creek, Two Mile creek, Foster creek, Mule creek, Casadin creek and Big Windy river, flowing into Rogue river, together with the many smaller streams, form a perfect system of pure mountain water. It is along their courses that lie the thousands of acres of rich meadow and garden lands that in quality ranks with that bringing the top market price in Oregon today.

Stock Raising Profitable.

Stock raising has been demonstrated to be a profitable industry in Curry but the business has not been worked to the limit by any means. In the south end of the county are some fair-sized flocks of sheep, and in the northern portion are some well stocked dairy ranches as well as herds of beef cattle which are kept "rolling" fat the year round. It is said that a steer on a Curry county range, like a buck deer in the mountains, is always ready for the butcher's block. A good breed of stock is maintained in Curry county. The Cotswold sheep is adapted to the Rogue river section and yields from seven to 15 pounds of wool for clip. The Jersey, Hereford and Short Horn breeds of cattle are represented. The blue grass region of Kentucky can furnish no prettier picture of grazing herds than is to be seen in the vicinity of Dairyville and Floras lake.

Washing Sands for Gold.

A few miners, with packs on their backs, and mineral surveyors are in the mountains of Curry this summer, and a showing is being made at washing the black sands along the shore; but there has been nothing like a revival of mining activity in Curry since the uprising of the Rogue River Indians drove the black sand washers from the beach, and the whites drove the Chinamen from the rich placer diggings. Yet that section of the state is known to be highly mineralized. The forthcoming report of government officials, which will include the Coos Bay, Port Orford and Grants Pass quadrangle will reveal that three distinct ore ledges cross Coos and Curry counties. A government employe who has been assigned to that section the past three years, is authority for the statements that Coos, Curry and a portion of Josephine county, is to be scene of the greatest mining activity ever known in the Pacific northwest. Gold and copper float, plentiful and rich, can be picked up on the surface and it is confidently believed that rich ledges will be unearthed when the formation of the Devonian age is sought rather than surface diggings, which has been the policy of the past. Besides the more precious metals, Curry has mountains of fine building and marble granite, and coal that will become a valuable asset the day railroad transportation is furnished.

Forests Worth Millions.

To its other resources, is to be added timber, which alone is equal in value to the assessed valuation of some counties, and with all its wealth and possibilities, with all its resources and potentialities, there is no county in the state in a more latent, undeveloped, untouched condition. Aside from a strip along the coast, Curry county looks little different from what it was when Lewis and Clark came down the Columbia. Few changes have been wrought since Oregon was admitted to the Union. The oft repeated claim that there are no such chances to make money in Oregon as there were 40 years ago, is disproved by Curry county. The same opportunities exist there as were to be found in the earlier days of the state. There is cheap land to be had and raw material.

Transportation Lacking.

The one thing that has held the progress of the county in check is the lack of railroad transportation. And the means for supplying this agency of advancement is one of the most valuable assets of the county. The Rogue river carries water power for all the transportation the county can ever need. For natural water power, no river in Oregon, save the Deschutes, compares with the Rogue. The Rogue, the oldest river in the United States, carrying evidences of being a running stream back to the Jesuit age, presents power opportunities that are worth the attention of the keenest and most enterprising representatives of capital seeking investment on the Pacific slope.

For exploitation, Curry county is the choicest section left in Oregon, and, transportation assured, it will at once jump to the front as one of the richest and most desirable counties in which one may cast his lot.

A Permanent Job.

From the Chicago Record-Herald.

The man who limits himself to hoping for the best has an everlasting job.

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A Great Bunch of Bargains!

$3.50 Value at $1.75

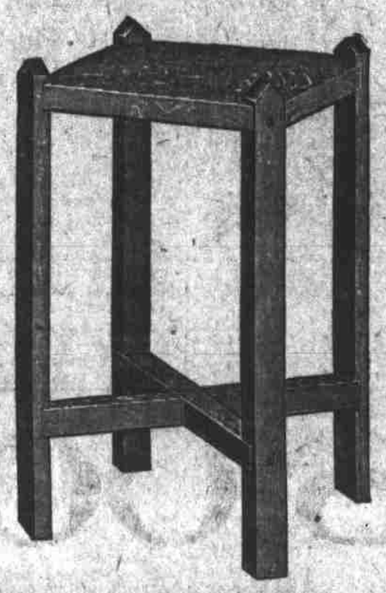
A Magazine Stand and Book Shelf, solid oak, mission finish, 42 inches high, shelves 10x12 inches, exactly like illustration, only $1.75

$15.00 Brussels Room Rug $9.90

Size 9 feet by 12 feet, in three elegant new patterns. High-grade Smith's Tapestry Brussels goods. Only 25 in this lot, so come early.

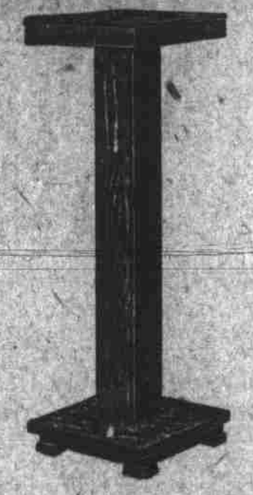
$11 Library Table, $7.45

Solid oak, mission finish, exactly like illustration, one drawer, top 42 inches long, 24 inches wide. Only a limited number in stock.



$1.50 Tabourette 75c

Exactly like illustration, solid oak, weathered finish, 17 inches high, top 12 inches square, only ..... 75¢



$5.00 Values at $2.50

Solid Oak Mission Pedestal, 35 inches high, top 12 inches square, pillar 4 inches square, worth $5. Special price $2.50

Refrigerators at Cost

The purchase of a large wholesale stock at 25 per cent discount enables us to retail Refrigerators at jobbers' cost.

REFRIGERATOR, 25 pounds ice capacity $7.20

REFRIGERATOR, 200 pounds ice capacity $37.16

Others in Proportion.

WHITNEY AGAIN LOCKED IN JAIL

Supreme Court Recalls Mandate and Dentist Faces Manslaughter Charge.

As he walked out of the Macleay building yesterday afternoon, Dr. G. B. Whitney, released the day before from the county jail by Circuit Judge Gatens on his own recognizance, was rearrested by Deputy Sheriff Bulger, and will be held to await action of the grand jury on a charge of manslaughter. On this charge he was once convicted, it being alleged that he administered mercurial poisoning to Miss Mabel Wirtz, but the supreme court reversed the case by sustaining the demurrer.

Whitney's attorneys will now go to the supreme court with the contention that it was too late for the court to recall its mandate, in which the court reversed the judgment of the circuit court but gave no direction for a new trial. District Attorney Cameron secured the order recalling the mandate from the supreme court in order to move for a modification of the judgment. He will ask that a new trial be ordered.

Yesterday afternoon Whitney's attorneys argued long with Judge Gatens to persuade him to again order the release of the prisoner, but the court could not see the case in that light, and advised them to carry their fight to the supreme court. He suggested that if they so desire they may apply to Judge Cleland next week to reduce the bond, or to release Whitney on his own recognizance, but he would not interfere.

As the matter now stands, all depends on the view taken by the supreme court on the new phase of the case. If the court rules that it has power to modify the decree, and does so, Whitney will again have to face trial on a new indictment.

PINCHOT TO EXPLORE SAN CLEMENTE ISLAND

(United Press Leased Wire.)

Pasadena, Cal., July 31.—Forester Pinchot, accompanied by a party of scientists, will arrive at Los Angeles early in September to prepare for an exploring trip to San Clemente island, according to a statement by Professor Charles Frederick Holder. Among the members of the party will be a geologist, an ethnologist and other scientists. Professor Holder is already making arrangements for the trip. Pinchot's fishing tackle has been received by members of the Tuna club at Catalina island, for which the forester qualified on a previous visit. After the San Clemente trip the party will spend a week fishing on the island.

Hopes for Prize.

Calais, July 31.—Hubert Latham, the aviator, who made two unsuccessful attempts to cross the English channel, has determined to attempt to win the Deutsche prize of $5000 for the first aeroplanist to cross the channel with a passenger.

OLD CUSTOMS OF LONDON ABOLISHED

London, July 31.—One by one the old customs of mediaeval London are swept away. Only a few years ago the last of the tollgates was abolished, although in many parts of the country pedestrians and others are compelled to pay toll when they cross certain rivers or property.

The last surviving night watchman—that is, the mediaeval sort—has just received notice to quit and also a handsome pension. He was a quaint old man in an equally quaint uniform and his particular duty was to guard the gates of the parish of St. Bartholomew the Great Smithfield, and to cry at intervals, "All's well." The whole of this parish has been completely enclosed by gates since the twelfth century.

A large number of parishes in London used to preserve this custom, but one by one their barriers have been swept away. St. Bartholomew's has only been spared so long because of its famous church, which is visited by hundreds of Americans every year, and which was originally connected with a still more ancient priory. Now the old gates are to be taken down because they obstruct the traffic in the meat market, and the city corporation has offered to compensate the bereaved parish to the extent of £7500.

O. R. & N. IMPROVEMENTS IN UMATILLA COUNTY

(Special Dispatch to The Journal.)

Pendleton, Or., July 31.—The O. R. & N. company is ballasting their track from Pendleton to Umatilla, so that the dust may be kept down. It is an improvement that has been needed and one that will be appreciated by the traveling public. The dust along the track between these points is very heavy and passengers dreaded to make the trip heretofore. Another improvement in this vicinity was th laying of 15 miles of track between Umatilla and Coyote with 75 pound rails. This work has just been completed.

A number of the old rails have been shipped to Buckley, Wash., where they will be used on the Lake Creek and Coeur d'Alene branch.

COLORED MEN TO INSURE OWN LIVES

New York, July 31.—The Ethiopian Life Insurance company has been incorporated at Albany with a capital of $100,000. Its incorporators say it is the first stock corporation of its kind in the history of the state, and the first corporation of colored men with a capital of its size in the history of the United States.

The incorporators also claim there is such a prejudice against colored people being admitted to insurance companies managed by whites, that their company will be patronized by their race all over the country.

El Paso in Mexico.

Mexico, July 31.—At the state department last night it was said that an old map had been discovered showing that the present site of the city of El Paso was on Mexican soil. Senor Beltran is now in Washington conferring with Anson Mills, a member of the International Boundary commission, over the matter.

MAGNET DRAWS STEEL FROM EYE

Serious Accident to Marcus Selgar May Result in Loss of Sight.

While working on the dredge Columbia yesterday afternoon Marcus Selgar, a laborer, aged about 35, and a comparative stranger in Portland, suffered an accident which will probably result in the loss of one of his eyes. He was striking with a hammer on a cold chisel when a bit of steel flew off the corner penetrating the eyeball and cutting a gaping gash about a half inch long in th eyeball.

The injured man was removed to St. Vincent's hospital, where a delicate operation was performed in an effort to save the sight of the eye. A large quantity of the humid matter had escaped from the eyeball, leaving it in a flaccid condition and rendering the operation especially difficult, but the injured man was placed under an anaesthetic and a magnet applied to his eye to remove the piece of steel. The gaping opening was then stitched, and there is a chance of saving the sight, although if the operation is not successful the entire eyeball will have to be removed. The success or failure of the operation cannot be known for several days.

RICE SUSPECTED OF MURDER AT FRESNO

(United Press Leased Wire.)

San Bernardino, Cal., July 31.—That Chester Rice, the prisoner who was seriously wounded while trying to escape from officers at Needles yesterday, is James Richardson, who was alleged to have killed B. D. Price in Fresno, March 13, 1907, is the opinion of Sheriff Ralph of this county.

Rice was brought to this city today and according to the sheriff three men called at the jail and positively identified him as Richardson. Ralph has communicated with the Fresno authorities. Rice escaped from the New Mexico officers on a train at Needles after stealing their guns and watches. He wounded an Indian traveler who pursued him, but was captured by the foreman of a railroad bridge gang. He was being taken to New Mexico for arraignment on charges pending against him there.

Mail Carrier Buys Automobile.

(Special Dispatch to The Journal.)

Eugene, Or., July 31.—In order to better serve the patrons of the route, J. H. Maxwell, United States mail carrier on rural route No. 2, out of Eugene, has purchased an automobile and will hereafter carry the mail in the machine. He will be able to make his route in about two hours and a half, whereas with his horse and mail cart he was making good time if he covered it in five hours, and in the winter time it often took from six to seven hours.

CUSTOMS COURT SALARIES REDUCED

Washington, July 31.—The senate this afternoon adopted an amendment to the urgent deficiency bill reducing the salaries of the five judges of the customs court from $10,000 to $7000 each.

Borah's amendment reducing the salaries of additional assistants of the department of justice on account of the customs court was also adopted.

Culberson's amendment, striking out the item of $25,000 for the president's traveling expenses was defeated by a vote of 36 to 11. La Follette was the only Republican who voted for the motion.

The bill was then passed and the senate adjourned to Monday.

TAFT IN PORTLAND OCTOBER 2 AND [illegible]

Washington, July 31.—President Taft has arranged the itinerary for the northwestern part of his autumn trip as follows: Arrive Salt Lake City September 25, leave at noon September 27, spend twenty-eighth at Butte and Helena, twenty-ninth at Spokane, thirtieth and October 1 at Seattle. He will arrive at Portland Saturday morning, October 2, and remain there Saturday and Sunday, leaving late Sunday night for Sacramento. While in Portland the president will be the guest of Senator Bourne.

From Bulkiness to Beauty

A Priceless Prescription.

To be growing fatter every day without discovering anything will diminish the humiliating growth is a very distressing experience, especially for a woman of refinement and taste. Dieting appears to be of no avail; exercising is generally an added danger. And, after all, the true remedy is a very simple and inexpensive affair, and involves no sacrifices of any sort.

The fame of the remedy of which we now give the exact recipe is becoming world-wide, and no stout person should neglect it one moment longer. The prescription is indeed a priceless one to those who have groaned for years under the burden of excessive stoutness: ½ oz. Marmola, ½ oz. Fluid Extract Cascara Aromatic and 3½ oz. Peppermint Water. The regular dose is of one teaspoonful after each meal and at bedtime. Any druggist will fill this prescription complete, or you can obtain the ingredients separately and mix yourself.

The change which this treatment brings about is little short of marvelous. There is no necessity to worry about food. Appetite and digestion are greatly stimulated, and to good feeding the recovery of strength and vitality may be in a great measure attributed. In the severer cases of excessive stoutness the person under treatment will lose pounds of superfluous fat in a week. The blood is purified, and the skin and complexion are freed from impurities and sallowness. It is altogether a rejuvenating treatment and does lasting good in every way.

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A production of national fame and celebrated for its exquisite blending of colors. The designs and shapes must be seen to be appreciated, as there are NO TWO PIECES ALIKE

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