

IDAHO FIGHTS FOR SCHOOL LANDS IN FOREST RESERVES

Million Acres Thus Lost, and Lieu Lands About to Be Selected Also Taken Away—Borah Versus Ballinger.

By John E. Lathrop.
Washington, Jan. 13.—Are state school lands sections which have been included within national forests subject to selection by the state, if the state's governor shall have filed an application for a survey before the lands were placed within the forest?

Upon this legal problem some big legal brains are at work, just now, with special reference to the status of the Idaho lands, and Senator Borah is attempting to develop such a brief as will prove to the satisfaction of the government that the secretary of the interior erred in his recent rulings.

The legal principles involved in it apply as well to Washington and Oregon as to Idaho.

In the act admitting Idaho to the Union, sections 16 and 35 were given to the state as school lands. When the national forests were created, 1,000,000 acres of these lands went into the forests.

The supposition was that this inclusion within the national forests would not affect the title of the state to the lands; but apparently the supreme court and the interior department had decided that title to these 16 and 35 sections did not vest in the state prior to their having been surveyed.

Can't Find Lands of Equal Value.
Therefore, when the surveys had not been made prior to the inclusion of the lands within the national forests, they remained as part of the national forests, and the state was compelled to select other lands in lieu of those originally granted to the state.

In selecting these lieu lands, it was found that much, if not most, of the valuable lands had been taken already, and it was difficult to find lands of value equal to those which the state would have had if it had retained the original sections granted it by the federal government. An immense area of the lands which would have been available was found to have been scribbled by the railroad companies, a chapter in the history of the federal land business

which it itself would supply the text of an eloquent treatise on land evils.
Selected Lands Sequestered Aways.
Governor Gooding on May 13, 1905, filed application with the interior department for the survey of certain sections with a view to selecting them for the state to make up for the loss to the state of the school sections which had been included within national forests.
But on May 29, 1905, President Roosevelt created another national forest, and in that forest he included the very lands for the survey of which Governor Gooding had made application. The national forest in question was created rather rapidly, just before the power of the president to create new national forests in the northwest states was taken away from him. There was no intention by him to include in it the lands Governor Gooding had desired surveyed, but the new forest was created hurriedly, and the lands were nevertheless included.

Ballinger Opposes State's Claim.
The law governing these matters was known as the act of August 18, 1891, and provided that the governor of a state might make application for survey of any lands he wanted to select, might deposit the money for the survey, and thereupon the federal government should proceed to the survey, and the state should have the preference right for 60 days from the date of the filing of the survey to select the lands. The dispute arose because the application of Governor Gooding was filed before the forest was created, and Secretary Ballinger denies the right of the state to select those lands, on the ground that the lands were included within the national forest before the actual survey, and insists that the state therefore loses its right to select those lands.

The Law That Is in Dispute.
The whole question turns on the meaning of a phrase. The law reads: "The lands which may be found to fall within the limits of such township or townships as ascertained by the survey shall be reserved upon the filing of application for a survey from any adverse appropriation by settlement or otherwise excepting under rights that may be found to exist of prior inception, for a period of 60 days."
Senator Borah contends that under the terms of this law the state of Idaho is entitled to select those lands, having filed its application according to the law, and filed it before any adverse appropriation had been made by anyone or by any interest.

Senator Borah has devoted an immense amount of time to this question, and is briefing it for the defense of the state of Idaho's right to select those lands which are in dispute.

Effie Sellsbury Exonerated.
(United Press Lead Wire.)
Terre Haute, Ind., Jan. 13.—A coroner's jury yesterday afternoon returned a verdict that William Hellman, the jeweler who died here last Monday, committed suicide. The verdict completely exonerates Miss Effie Sellsbury, whom Hellman accused, in a letter written before his death, of poisoning him. Hellman died in a local hotel shortly after he had returned from a trip to Chicago with Miss Sellsbury. In a letter he left for the police he declared the girl had given him poison in Chicago, seeking to kill him to cover her theft of jewelry from Hellman's store. The letter also stated that Miss Sellsbury had gone to New Orleans. She was arrested there Tuesday, but emphatically denied the charge made by Hellman's letter.

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LIDLAW LAND DEAL CREATES NEW TOWN

(Special Dispatch to The Journal.)
Laidlaw, Or., Jan. 13.—H. J. Humphrey of Kennebec, Wash., and Mrs. Carra Kirkham-Swafford of this place have bought the two Aubrey falls and the B. F. Nichols falls on the Deschutes river, close to Laidlaw, and contracted for the purchase of nearly 1900 acres of land adjoining the present townsite of Laidlaw. The consideration for the water power sites was \$50,000. The land has a frontage of three miles on the Deschutes river.

Work on the power project at the falls will begin immediately, it is said, and he rushed forward as rapidly as possible. There is possible development an estimated horsepower of between 40,000 and 50,000. It is the purpose to generate power for trolley lines, manufacturing, lighting, heating and other domestic uses.

The land will be laid out into townsite and orchard tracts. It is the intention to plant the new townsite and orchard tracts on the boulevard system. No name has yet been decided on for the new townsite. The owners have decided to give a prize of \$25 to the person submitting the name that will be accepted by the board of judges, who will choose the names the first of March. Each person is entitled to submit one name. The name must be mailed to the Chronicle at Laidlaw.

Laidlaw Farmers Nurture Land.
(Special Dispatch to The Journal.)
Laidlaw, Or., Jan. 13.—At a meeting of farmers and ranchers to consider the purchase of a carload of land plaster to fertilize the soil, nearly 70,000 pounds was contracted for, and the plaster will be ordered shipped at once. The farmers and ranchers in the Laidlaw district are going into the fertilization of the land quite extensively the coming season. It is claimed that an increase of nearly 100 per cent in crop has resulted by the use of the plaster.

Alms Bell Not Insane.
(United Press Lead Wire.)
Willow, Jan. 13.—Alma Bell, who was acquitted of a charge of murder preferred against her when she killed her false lover, Joe Armes, at Auburn, Cal., and who was recently reported to be going insane, appears perfectly well. There is no sign of insanity in Alma Bell's condition or actions, local physicians say. She was discouraged by not being able to find work here.

PETALUMA'S HENS AND THEIR GREAT RECORD FOR 1909

(United Press Lead Wire.)
Petaluma, Cal., Jan. 13.—The 1,500,000 Hens that populate the poultry yards of Petaluma laid 7,155,481 dozen eggs during the year 1909, according to figures announced today by Frank H. Snow, editor of a local poultry journal. This is stated to be a record and is regarded as practical proof that the poultry centers of Nebraska and Kansas are falling behind Petaluma in the production of eggs.
It was estimated that \$1,789,870 was paid for the Petaluma output, assuming an average of 25 cents a dozen for eggs. Besides this, nearly \$500,000 was paid for Petaluma live poultry during the year. The production for 1909 was greater by 1,500,000 eggs than that of 1908. March was the banner month, with 1,046,232 dozen eggs.

THE STRANGER WITHIN OUR GATES

George A. Gaskin, Fond du Lac, Wis.—I want some one to tell me why, since Portland is surrounded by forests and since there is timber in immense quantities in the state, that the price of fuel is so high. I know of several men who are getting rich selling wood to the consumers at \$2 a cord in Fond du Lac. Here, I understand, the prices are all the way from \$6 to \$9 a cord. I would like to own a wood yard in this town.

Frank C. Clements, Aberdeen, Wash.—It is the fault of Aberdeen's citizens themselves that the city is not growing as it should. The city has hundreds of advantages and there is no doubt that the population could be materially increased by a little advertising. The Commercial club has been reorganized, however, and it has started out with the determination of doing things for 1910.

T. A. Mullholland, Wells, Nev.—There have been eight deaths in eastern Nevada caused by the cold weather this winter. The desert cold is the worst there is, and all those who died were tramps but one, a shepherd. This winter has been a hard one for the hobos. It is estimated that over 300 have died from cold and exposure in the states west of the Mississippi this winter.

IMPOSSIBLE FOR MAYOR TO RESIGN

(Special Dispatch to The Journal.)
Salem, Or., Jan. 13.—If Mayor Rodgers resigns, which is his avowed intention, Salem will be without an executive officer until January 1, 1911, for there is no provision in the city charter for the filling of the position of mayor, according to City Attorney Grant Corby, therefore Mayor Rodgers will not be allowed to resign.

Many Truants at La Grande.
(Special Dispatch to The Journal.)
La Grande, Or., Jan. 13.—Following out the precepts of the Oregon school compulsory attendance laws, legal truant officers have announced that there are to be wholesale arrests of parents in this city if the children are not kept in school. A list of 30 children regularly out of school is now in the hands of the truant officer.

Want Trail on Government Reserve.
(Special Dispatch to The Journal.)
Newport, Or., Jan. 13.—The department of forestry has offered to give \$1000 toward the building of a trail from the government reserve in Lincoln county to intersect with the Drift creek and Toledo road, provided this county will give a like sum. The trail is to be four feet wide, on a wagon road basis.

SAWMILL VANISHES; COLUMBIA'S SHERIFF CLEARS UP MYSTERY

(Special Dispatch to The Journal.)
Dayton, Wash., Jan. 13.—The mysterious disappearance of a sawmill on the upper Touchet river, resulted yesterday in the arrest of N. A. and B. A. Daniels, woodcutters employed by Wheelon and Alexander. Three months ago the plant shut down for the winter. Soon after, parts of the machinery commenced to disappear mysteriously and on visiting the plant a few days ago, E. E. Eager, one of the mill owners, found little left at the mill site.
The Daniels brothers were suspected and yesterday Sheriff Daniels and deputies drove to the mill site armed with search warrants. The cabin of the Daniels brothers is located near the mill. A search through the deep timber and ravines resulted in the location of the mill equipment.

Pacific Improves Roads.
(Special Dispatch to The Journal.)
South Bend, Wash., Jan. 13.—According to the annual report of County Engineer Gibbs, the commissioners of Pacific county during the past year awarded road and bridge contracts amounting to over \$44,956. This sum is in addition to the money spent by the 13 road districts, which will foot up to nearly \$40,000 additional, making a grand total of road work during the year of nearly \$100,000.

Hank Cashiers Re-elected.
(Special Dispatch to The Journal.)
La Grande, Or., Jan. 13.—F. L. Meyers was re-elected cashier of the La Grande National, and T. J. Scroggin cashier of the United States National bank in this city last evening at the stockholders' and directors' meetings of the two banks. The United States National sprang into existence at the time the Farmers & Traders National bank went out of existence.

Twelve Hours Portland to Spokane.
Via the Spokane, Portland & Seattle Railway—Two Trains Daily.
Leave passenger station at Eleventh and Hoyt streets, 9 a. m. and 7 p. m. Morning train provided splendid daylight trip through the scenic Columbia River gorge. New equipment. All trains carry dining cars, observation cars, standard and tourist sleepers and first class coaches. Try "The North Bank Road."

Wedding at Dayton.
(Special Dispatch to The Journal.)
Dayton, Wash., Jan. 13.—The marriage of Flos Billups and Fred Sparks, both members of pioneer families, took place last evening at the home of the bride's mother, Mrs. C. Stadfeld, Sr., in Brooklyn.

PINCHOT MEN SAY WILSON TRAITOR

Gave Forester Leave on DOLLIVER Letter, Then Advised His Dismissal.
(Washington Bureau of The Journal.)
Washington, Jan. 13.—That Pinchot in sending his celebrated letter to Senator Dolliver did not violate the executive order against the divulging of department affairs without authorization from superior officials, will be one of the developments of the near future. The fact is, so Pinchot's friends assert, that Secretary Wilson knew the letter was going and was consenting thereto, and that hence, when the secretary turned against Pinchot, advising his dismissal "for insubordination," he earned the hearty roasts that are coming from the Pinchot contingent for what they denominate treachery.

Wilson, one of the Pinchotites said, "to hold his job was willing to do this thing, which amounted to treachery."

Newport Commercial Club Elects Officers.
(Special Dispatch to The Journal.)
Newport, Or., Jan. 13.—The Newport Commercial club elected the following officers last night for the ensuing year: President, Thomas Leeger; first vice president, M. Wygant; second vice president, Elmer Patrick; secretary, S. G. Irwin; treasurer, L. C. Smith; executive board, Captain Wellender, Jacobson and Ben Sell.

Texas Corn Show at Dallas.
Dallas, Texas, Jan. 13.—The possibilities of Texas as a corn producing state are strikingly illustrated by the Texas corn show, which opened in Dallas today and will continue through the remainder of the week. Louisiana, Oklahoma and Arkansas are also represented among the exhibits, which include wheat and oats as well as the various varieties of corn. During the week a program of addresses by noted agricultural experts will be carried out under the auspices of the Texas Corn Growers' association.

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Women's and Misses' Suits Reduced

No one can contemplate these wonderful Suit offerings without becoming deeply impressed with the money-saving opportunities prevalent at Roberts Bros.



Fourteen dollars by no means signifies the actual worth of these garments, for there is not a Suit in the lot worth less than \$18.50, and most of them regularly priced sell from \$19.50 to \$25.00. Styles are the latest; medium length, tailored coats and the pleated skirts. Materials are several, including plain and striped serges, panama and worsted suitings; colors are black, navy, brown, green, gray, red and mixtures. The stylishness and superior excellence of these Suits will greatly surprise you. Original prices \$18.50 to \$25.00, Bargain Friday clearance sale price..... \$14.00

Women's and Misses' Long Coats Reduced

The season's greatest reductions in women's and misses' Long Coats. Never before have such stylish and high-priced garments as these been offered at such an extremely low price. The most popular styles, including the plainly tailored, the sorority coat and the pleated skirt effect. Materials are kersey cloth and heavy cheviot coatings, in plain black, brown, green, dark red, light and dark blue and mixtures. Perfect workmanship displayed in every garment. Regular prices range from \$12.50 to \$19.50, Bargain Friday at..... \$7.50

Silk Raincoats \$8.75

Such Raincoat bargains as you have never seen before. The most up-to-date styles in Silk Raincoats radically reduced. Full length, semi-fitting and loose-fitting garments, with the new style rubber-lined storm collar. Made of the best quality rubberized silk and absolutely waterproof. For style and serviceability they can't be beat. Regular prices from \$12.50 to \$15, clearance sale price..... \$8.75

Dress Skirts at \$3.50

Emphasized reductions in Skirts, of serge, panama and worsted, all colors. We are showing the very latest styled styles, as well as some neat gored effects; plainly tailored or finished, with bands. Regular values up to \$6.50, Bargain Friday sale price only..... \$3.50

The Most in Value **Roberts Bros.** The Best in Quality
THIRD AND MORRISON

Our 531st Bargain Friday

Stimulating Bargains for Friday Another Busy Day Here Tomorrow
For tomorrow our bargains are of the stimulating sort—stimulating to you—because they will inspire you to fresh attempts at money saving—stimulating to our business, because they will enliven and invigorate our trade. Every department has been called upon to contribute to the list—and every one of them has responded with unmatchable values.

Our busy day—your busy day. It mutually benefits us—we sell and you save. Every nook and corner of this helpful store will be in bargain day trim, overwhelming and irresistible in its selling prices. We won't talk much about it—just come—see—save. You can't help saving, because you CAN'T HELP BUYING. THE DETAILS:

FRIDAY BARGAINS

Great Stationery Sale

A Manufacturer's Sample Line At Less Than Wholesale Prices
Tomorrow—Bargain Friday—we've arranged this extraordinary sale of Stationery. The offerings consist of a special purchase of a prominent manufacturer's entire sample line at one-third less than regular wholesale prices, and tomorrow you may purchase at the same great saving—JUDGE THE VALUES BY THESE ITEMS:
About 500 Tablets, 12c to 15c Kinds, 7½c
This lot consists of about 500 Tablets, consisting of all kinds of fine lawn, poplin, Irish linen and fabric paper, both ruled and unruled. Regular 12c to 15c kinds, your choice at this sale..... 7½c
Over 400 Boxes 20c to 25c Kinds 10c
Over 400 boxes of Paper in this lot—Juvenile and Standard sizes; fine quality writing paper, with envelopes to match, in both ruled and unruled. Regular 20c to 25c kinds, your choice at this sale..... 10c
Fine Box Paper, 25c to 35c Kinds, 15c
About 350 of all-linen Poplin and Fabric Paper, in white and shades of blue, with envelopes to match; all new shapes, in all sizes. Regular 25c to 35c kinds, your choice at this sale..... 15c
Fine Box Paper, 40c to 50c Kinds, 19c
Over 300 boxes of extra quality heavy linen and fabric finished Paper, with envelopes to match, in white and colors; neat, fancy boxes, with drawer attachment. Regular 40c to 50c kinds, your choice at this sale..... 19c

Extraordinary Sale of Men's Shoes

\$3.50 and \$4.00 Kinds, Pair \$2.50
There is not a single pair in the entire lot but what cost more than \$2.50 at the factory. The assortment consists of our regular Fall and Winter lines, shown in all leathers—vici kid, velour calf, box calf, gunmetal calf, patent calf and oil grain calf, both lined and unlined, in light, medium and heavy weights; all good styles, for both dress and everyday wear. Regular \$3.50 and \$4.00 values, clearance sale price..... \$2.50



Women's Shoes in patent, gunmetal calf and vici kid, straight lace, button or blucher styles, low or medium heels. Regular \$3.00 values, Bargain Friday sale price, pair..... \$2.37
Women's hand-turned Comforts, lace or congress, also Oxfords, with or without tips. You have full and unrestricted choice from all our regular \$1.75 values, Bargain Friday sale price..... \$1.19
Women's fur-trimmed Juliets, 1-strap and 3-point kid slippers; regular \$1.50 values; also a line of children's Shoes, satin calf or kid. Regular \$1.50 values, Bargain Friday sale price..... 99c

Second Great Shipment Just Received Manufacturer's Clean-up Sale Fine Embroideries

Beautiful Assortments With Prices One-Third to One-Half Below Regular
This great annual sale contains the finest assortments of new and exclusive Embroideries ever shown by this store. Embroideries suitable for every purpose, from the neat small edges to the elaborately embroidered skirtings—all fresh, clean and desirable in every way. The following special values will give you some idea of how the entire purchase is selling. This great sale starts the second week with refilled lots, renewed interest and just as many and just as big bargains as were here on the opening day. This great sale is passing on to our patrons these remarkable savings:

- 4 to 8-inch Cambric Embroideries, in values to 20c, at 9c
- 2 to 4-inch Swiss Embroideries, in values to 25c at 15c
- 6 to 12-inch Cambric Edges, in values to 35c, at 23c
- 3 to 5-inch Swiss Edges, in values to 35c, at 15c
- 18-inch Flouncings and Corset Emb., 45c kinds, at 23c
- 6 to 12-inch Match Sets, in values to 60c, at 33c
- 8 to 14-inch Match Sets, in values to 85c, at 48c
- 18-inch Flouncings and Corset Cover Emb., \$1.25 val., at 59c
- 10 to 16-inch Matched Sets, in values to \$1.25, at 48c
- 27-inch Swiss and Nainsook Flouncings, \$1.50 val., at 59c
- 18-inch fine Swiss Corset Cover Emb., \$1.50 kinds, at 59c

Waist Fronts, \$1.25 Values at 65c
New Waist Fronts, 24 by 24 inches, embroidered in all the popular new panel designs, on the best grade of swiss; the kind that sell regularly at \$1.25, priced for this sale at..... 65c
Waist Fronts, \$2.50 Values \$1.19
New Waist Fronts, 24 by 24 inches, embroidered in the latest and best patterns on fine quality shamrock lawn; the kind that sell regularly at \$2.50, priced for this sale at..... \$1.19

Fancy Goods at Clearance Prices
Specially reduced prices prevail throughout the entire department. Just a hint as to the values:
Women's Neckwear in all styles, 25c values, on sale at..... 15c
Women's Neckwear in all styles, 50c values, on sale at..... 23c
Women's Handkerchiefs in 20c to 35c values, on sale at..... 12½c
Knit Mufflers, regular 35c values, on sale at..... 20c

Tomorrow, Bargain Friday, Will Be REMNANT DAY

In the Domestic Section
Thousands of Cotton Goods Remnants on Sale Friday While They Last at Half Reg. Remnant Prices

Short lengths, running from 2 up to 5 1/2 and to 12 yards each, of the best selling cotton goods of the season. It's a determined January clearance of all remnants left from the greatest business this section has enjoyed for years. An immense variety to select from, embracing: FLANNELLETTES, VELOUR FLANNELS, IDEAL FLANNEL, SERPENTINE CREPE, PERCALES, DUCK, CURTAIN MATERIALS, WOOL-FINISHED SUITINGS, WHITE GOODS, QUILT COVERINGS AND MANY OTHER KINDS.
While the assortment is a large one, the choicest selection is offered, of course, to those who come first. We predict the quickest selling in the history of this section, for never have greater bargains been offered. Sale starts when the doors open at 8 o'clock. Why not be here then?