EXPECT REVERSAL IN S. P. CALIFORNIA LAND GRANT CASE

Legal Authorities Believe Ross' Decision Will Be Overturned —Ruling Must Hang on the Word "Expressly."

(Washington Bureau of The Journal.)

Washington, May 25.—Legal authorities here expect a reversal of Judge Ross' decision favoring the Southern Pacific railroad in the suit brought by George D. Roberts et al to cause that company to forfeit oil lands granted in California by the government, before the oil was discovered.

In view of the fact that Judge Ross based his opinion, delivered in March, on the lack of authority vested in the secretary of the interior to include in the patent to the railroad an exception against title to lands yielding minerals other than coal and iron, close observers of the case look upon the word "expressly," in the joint resolution of congress directing the secretary to issue this patent, as a probable vital point.

Judge Ross' Ruling.

Judge Ross, recognizing the jurisdiction of the land department to inquire into the mineral or nonmineral contents of lands, and that its determination is conclusive against collateral attack, contends that in this case, as in that of Shaw vs. Kellogg before the supreme court, the land should have been geologically surveyed; the decision should have been final, and the statutory limitation regarding minerals should not apply in cases of discovery after the date of the issuance of the patent.

In that case, Judge Ross says, the supreme court was undivided in the opinion that when title did pass from the United States—"and it passed unquestionably by the patent"—it passed free from the contingency of the future discovery of minerals.

Decisions Conflict.

The quoted parenthetical opinion of Judge Ross is directly opposed to that expressed by Judge Wolverton in the recent case of the United States vs. the Oregon & California railroad: "That there be, and hereby is, granted,' standing alone, unquestionably imports a transfer of present title. When read in connection with the terms of the grant, and in relation to the thing granted, they may or may not bear such signification."

A salient difference between the case of Shaw vs. Kellogg, and that which Judge Ross decided in favor of the Southern Pacific, is pointed to by government authorities: In the former case, the land office had no specific authority for the insertion of a saving clause. The congress, which has complete control of public land matters, in authorizing the issuance of a patent to the Southern Pacific, not only said it should be the duty of the secretary of the interior to save, but to "expressly" save and reserve all rights of actual settlers, together with the other conditions, etc.," thus, it is claimed, leaving no escape from the conclusion that, under no circumstances, should the secretary omit the saving clause in the granting of patent to the railroad.

Clause Is Admitted.

The practice of inserting the saving clause, it is asserted, was strictly adhered to until the administration of Hoke Smith as secretary of the interior, when it was omitted because the railroads claimed they could not sell their lands when the title was so impeded.

It has been reported that the railroad would raise the point that oil never has been adjudicated a mineral, but in view of the frequent acceptance by courts of the fact that oil is a mineral, officials here look upon the point practically settled.

Oil lands in California, valued at from $200,000,000 up, are involved. B. D. Townsend, who represented the government in Portland in the Southern Pacific land grant forfeiture cases, has been asked by Attorney General Wickersham to examine these cases in California and advise the department as to future action.

NAVY'S GREATEST

(Continued From Page One.)

resentatives of the state of Wyoming and other sections in the union.

As the battleship, with her coat of dull red and bleak gray, was poised high in the air, nose up, in the ways, she towered above everything else but the steel crane which had been used in her construction. She looked like a veritable mountain. The crowds, early in getting to the scene, had ample time to admire the curves, the splendid proportions of the huge ironclad. Bands from the other battleships enlivened the hours before the launching with brisk airs. Boats in the harbor sent out occasional salutes.

Signal for Launching.

As the throng watched the Wyoming, a fiery red flag was seen to mount to its topmast. This was a signal that the Wyoming was ready for its launching and that it might glide out of the ways at any moment. From then on the crowd was at feverish tension.

If one has never seen 9000 tons of steel on the ways, waiting to be shot into the water, it is impossible to describe the sensation that it gives. So there was visible nervousness among those close to the vessel when the workmen began to knock out the keep chocks. Apprehension was not lessened when some 500 men seized great battering rams, six men to a ram, and began to drive the wedges in, while others emptied the sand bags on which the bow rested. This operation simply allowed the iron and wood cradle forward, in which the Florida was resting, to settle into the greased ways. When it was over the great ship was all ready for the launching, except for knocking out the heavy beams which were shoring up her sides and sawing away the sole pieces forward.

Some little time elapsed after this stage of the proceedings had been reached and before the actual launching took place, and in the meantime the interest of the crowd was taken up with the arrival of the official guests.

Only Half Completed.

The Wyoming, as she floats today, is only a little more than one half completed. When she is put into commission, she will be as powerful as any Dreadnaught on the seas, being of equal displacement and armament with her sister ship, the Arkansas, launched last January.

In 1900 the first Wyoming was launched. She was a monitor, and was built for coast defense in the Pacific ocean. The present Wyoming is one of a group of six first class battleships yet under construction. When the whole number is completed another fleet will be added to the American navy, and one stronger in fighting ability than the whole American navy at the close of the Spanish-American war.

The Wyoming is not only in the Dreadnaught class with respect to her batteries, but is in the "super-Dreadnaught" class. In her main battery there are twelve 12 inch guns. To supplement this there are two submerged torpedo tubes, from which torpedoes can be discharged without the knowledge of the enemy.

Secondary Battery Large.

The secondary battery is composed of more than twice the number of guns in the turrets. Two fighting masts rise more than 100 feet above the decks of the vessel. Observation towers surmount the two masts. The bridge and pilot house are behind the forward turrets and are protected from an onward attack by these turrets. The bridge and the two funnels, with the lifeboats, are the only parts of the vessel above deck when she is cleared for action.

The Wyoming will have a speed of 20½ knots an hour. She will have a bunker coal capacity of 2500 tons, but will not be dependent upon coal entirely for her power. Oil burners have been installed in the vessel, and the ship can resort to this fuel when in action if it is found advisable to do so.

The keel of the Wyoming was laid February 9, 1910. She is now a little more than 50 per cent complete, and is expected to be placed in commission within another year.

United States Ranks Third.

The United States now ranks third among the naval powers of the world, England comes first, Germany second, France fourth and Japan fifth.

The tonnage of the various navies, built and now under course of construction, is as follows:

England, 2,173,838; Germany, 963,845; United States, 824,152; France, 725,281; Japan, 493,671; Russia, 401,463; Italy, 327,059; Austria, 209,899.

England has eight Dreadnoughts and 49 first class battleships at present, with 10 additional Dreadnoughts building. Germany has four Dreadnoughts and 22 first class battleships, with nine Dreadnoughts in course of construction. The United States has six Dreadnaughts and 25 first class battleships, with six building. France has 17 first class battleships, with two Dreadnoughts and five battleships under construction, while Japan has 12 first class battleships, with three Dreadnoughts and one additional battleship authorized or under construction.

WALL STREET TRIES TO BUY MADERO OFF; NAMES HIGH PRICE

(Continued from Page One.)

has seen Diaz for several days and that for four days many heads of government departments have been wiring Madero to ask for instructions.

"IDEAL REPUBLIC" ALREADY WORKING, ASSERT LIBERALS

(United Press Leased Wire.)

San Diego, Cal., May 25.—That the "ideal republic," which has been the goal of the Mexican Liberal party, is already working, at least partially, in one part of Mexico was the assertion here today in a statement by Attorney E. E. Kirk for the Anti-Interference league, which took up the fight for the release of General Fryce, captor of Tia Juana, last week. He said that as a result of a proclamation issued in Spanish the storekeepers and residents have returned to Tia Juana, order has been restored, less liquor is sold than before and postal communication has been restored.

Kirk says, that far from enlisting known criminals, as has been charged, the rebels are very careful about the men they take.

The Liberal army, Kirk says, is acting under orders from the Los Angeles Junta and does not recognize Madero "except simply as a leader of forces who for the moment are under his command."

Attorney Kirk today received the following letter from President Ricardo Flores Magon of the Mexican Liberal Junta, dated Los Angeles:

"The Mexican Liberal party has no compromise to make, either with Diaz or Madero. The proposed peace treaty between Madero and Diaz will not stop the revolutionary activity of the rebels, nor the activity of the other revolutionary forces independent of Madero. At this very moment fighting is going on in all the states of the Mexican republic against the federal forces, regardless of any peace treaty signed by Diaz and Madero. Madero is not the revolution. Madero is simply a leader of the forces at present under his command.

"The Mexican Liberal party has armed forces in all the states of the Mexican republic and has the northern portion of lower California in complete control."

CAPITAL PRACTICALLY AT MOB'S MERCY; PALACE THREATENED

(United Press Leased Wire.)

Mexico City, May 25.—A volley of shots was fired by the police into a crowd of rioters here just before noon today. One man was killed and a number wounded. At noon the streets were still crowded with people shouting for Madero and the revolution.

Mexico City, May 25.—After a sleepless night, President Diaz found scattered crowds about the palace this morning, all of them demanding his immediate resignation. Despite a steady drizzle of rain big groups of men and women paraded the streets in the vicinity of the palace, under the watchful eyes of the federal troops. The crowds carried banners inscribed with "Viva Madero" and other revolutionary mottoes, and have apparently thrown off all disguise and come out openly against the Diaz regime.

It is believed that only the assurances of Alfredo Dominguez that Diaz soon would resign prevented an assault by the mob on the palace and the governmental buildings last night. As a result of the tumult which raged all about the palace, seven persons are known to day to have perished; 36 were seriously wounded; windows of the palace were smashed, and there was great damage wrought throughout all that section of the city.

Both the Chinese and Japanese legations here have protested to the Mexican government against the slaying of their countrymen at Torreon, but there is no certain assurance that the tragedies will be investigated or reparation made.

It is reported that, despite the known fact that he has arranged for passage to Europe, Diaz, after his resignation, will not at once leave the country. In government circles, it is said, he is too ill to stand an ocean voyage, and that he will retire to a hacienda in northern Mexico to recuperate his health before going abroad.

500 Japanese Idle.

(United Press Leased Wire.)

Monclova, Mexico, May 25. — Five hundred Japanese are out of employment here today as a result of the closing of the coal mines at Las Esperanzas on account of the disturbed condition in this section. The laborers probably will be returned to Japan by the Oriental Immigration company, which brought them to Mexico under contract.

BALLOT TO BE LONG ONE; 40 CANDIDATES FOR COUNCIL NAMED

One of the longest ballots ever prepared in this state was filed this morning in the city auditor's office by Deputy City Auditor C. F. Weigand.

Sample ballots for the perusal of the public will be distributed at the city hall as soon as they can be had from the printing office.

There are no less than forty candidates for the council to be voted on, including the aspirants from the ranks of the Socialist and Prohibition parties. There are 23 initiative and referendum amendments also to be considered by the electorate.

Journal Want Ads bring results.

You Pay Rent on the West Side

Usually for a crowded apartment or flat, because—you can't afford to own a home in a desirable part of the city and you won't have one in a cheap district.

Now, if you only knew how easy and simple it is to own a home in LAURELHURST, Portland's most desirable and most exclusive residence addition, you would lose no time in getting out of the cramped apartment or flat. Think of it! You can buy a lot in LAURELHURST, which has every modern improvement that any residence addition can possibly have, for as little as $900.

When you have bought your lot in LAURELHURST, talk to MEAD & MURPHY, selling agents, 522 Corbett building, and they will explain their plan for helping you to build a home. Their plan means a saving of half your rent money.

Call up by phone and make an appointment to see Laurelhurst. Phones—Main 1503, A-1515. J. H. Delahunty, agent at tract. Phone East 989.

We Would Urge You

to consult us if for any reason you suspect your sight is failing.

Putting it off merely prolongs the discomfort; getting glasses now will prove to be perhaps the saving of your eyesight.

Our knowledge, gained by fitting many cases just like yours, prompts us to say that a personal visit will result in your being one of our permanent patrons.

I employ a registered optometrist.

STAPLES, the Jeweler 162 FIRST ST. Near Morrison

Merchandise Purchased on Credit Tomorrow and Rest of Month Will Be Charged on June Account, Payable July 1

"Men's Week"—$5.00 Off Price of All Men's Suits Sold at $20 or More--Principal Portland Agents Vudor Porch Shades

85c Ribbons for 37c
35c Ribbons for 23c

In the ribbon store, main floor, sale of thousands of yards of best grade Silk Ribbons in many desirable patterns for trimming the Summer Dresses. Dresdens, plaids, stripes, etc., in all wanted colors and combinations; worth to 85c a yard, special for this sale at only **37c**

5000 PIECES of 6-inch corded edge Taffeta Ribbons, in every wanted color; good, fine quality; worth 35c yard, special at, yard **23c**

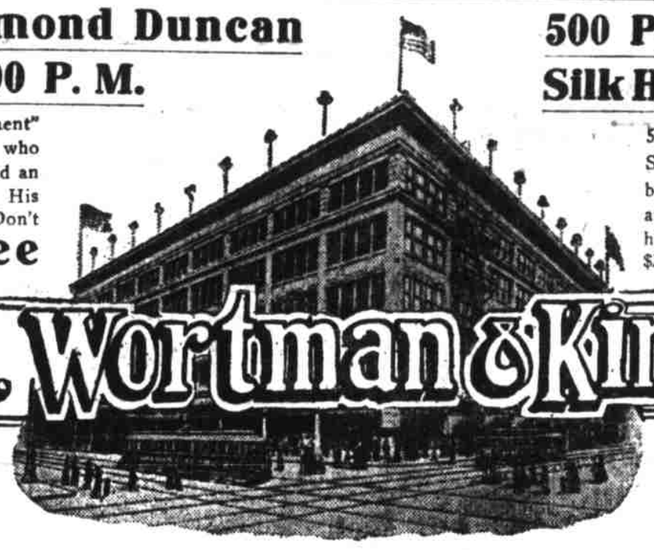
15,000 PIECES of Wash Ribbon, 5 yards to bolt; in white, blue, pink and lilac; pure silk. For beading, fancy work; 15c grade 7c, 19c grade **9c**

50c Neckwear for 25c

Thousands of dainty styles in women's fancy Neckwear. Net, lawn, lace and linen materials, in stocks, Dutch and sailor effects, jabots, etc.; regular $1.25 values 67c, reg. 50c vals. **25c**

Lecture by Raymond Duncan Tomorrow at 3:00 P. M.

A search for "The Ideal Government" (Liberty, Ability, Progress). Those who have not heard Mr. Duncan have missed an opportunity which cannot be regained. His talks are interesting and instructive. Don't fail to hear him in this discourse—4th floor. Admission **Free**



The Greater Olds, Wortman & King Store

Sale of Cemetery Vases Japanned--Won't Rust AT 10c AND 15c EACH

Sale Decorative Flags and Carnival Bunting AT the LOWEST PRICES

500 Pairs Women's $2 Silk Hose for Only $1.00

500 pairs of mill ends in women's fine Silk Stockings. Some are supposed to be slightly imperfect, but it would take an expert to detect it. They are very high grade. Values up to $2.00, special price, a pair **$1.00**

$2.25 Handbag $1.27
$5.50 Handbag $3.98

In the bag department on the main floor, a sale of 500 satin and moire bags with long cordelier handles, with gilt, silver or gunmetal frames; come in black or white. The ideal bag for summer; reg. $2.25 values, special **$1.27**

150 HANDBAGS, with imported novelty frames; suede bags, lined with silk, fitted with coin purse, long effects, with cordelier handles; colors are black, navy, brown, gray, etc. Splendid $5.50 values, offered special this sale **$3.98**

15c Linen Lace for 5c

Main floor, in the lace store, sale of 10,000 yards of pure Linen Torchon Lace in widths to 3½ ins.; edges or insertions in very attractive patterns; worth up to 15c yard, special at **5c**

Send order by mail. We'll make good selection.

Our 1135th Friday Surprise and 60th Anniversary

Women's Suits
$40 Values at $17.95

300 on Sale

Here's a lot of women's fine Tailored Suits full of style and character, and the best values shown this season—Thrifty women will take advantage, for it is not likely that such good styles will be shown again this season at a price like this—The materials employed are French and English serges, cheviots, mannish mixtures, black and white, gray and white, brown and white checks, etc.—Jackets are the new semi-fitting styles in medioum length with collars of same material as suit; also satin or moire collars—Skirts are medium width, plain gored or with box plait in back—Splendid values up $40.00, special at **$17.95**

$1.00 Brides' Silks at 79c
$4.50 Brides' Silks $3.63

June Bride Days. Now, the pretty brides of June are selecting their trousseaus. We have every fabric for the brides' or bridesmaids' gowns, such as messalines, peau de cygnes, satins, crystal crepes, crepe de cygnes, marquisettes, satin crepes, etc., in every new evening shade, with linings to match, all reduced. Prices follow:

$1.00 Silks at only 79¢	$2.50 Silks at only $1.79
$1.25 Silks at only 98¢	$3.50 Silks at only $2.69
$2.00 Silks at only $1.52	$4.50 Silks at only $3.63

Sale Children's Dresses To $15 Values Fourth Off
$3.00 Dresses for 98c

In the children's store, 2d floor, a sale of Dresses, made of white lawns, nets and marquisettes, in all the latest and prettiest styles for confirmation, for Decoration day dresses and for carnival wear. Sizes 6 to 14 years; regular $5.85 to $15 values, reduced **¼**

DRESSES of white lawn and linons, daintily trimmed; sizes 6 to 14 years; our regular stock values up to $5.00, offered special for this sale, each **$2.85**

DRESSES of fine quality gingham in neat plaid patterns, plain colored chambray and dark blue percales; sizes 6 to 14 years; splendid street dresses, school or play dresses; values to $3.00, for **98c**

BONNETS for children; our entire stock; made of good quality straw; ranging in price from $1.98 to $7, now reduced just **½**

Household Needs
$2.75 Teapots for $1.79
$2.00 Percolators $1.38

Tea-Ball Tea Pots, nickel-plated—a neat looking article for the table, and insures a sanitary tea steeper. The $2.75 size is priced at $1.79; $3 size priced at $2.09, and regular $3.25 values for only **$2.19**

COFFEE PERCOLATORS save one-third of the coffee. They are handy and quicker than a coffee pot. Our $2.00 size, special at $1.38; regular $2.40 size priced at $1.63, and $2.75 values for only **$1.79**

$1.15 Gas Plates for 87c
$5.00 Dinner Sets $3.95

Make Summer cooking easy and economical by using a Gas Plate. For this sale, 1-burner Gas Plates worth $1.15, for 87c; regular 2-burner, worth $1.80, special at $1.40, and 3-burner size, $2.70 value **$2.10**

DINNER SETS—English semi-porcelain ware, 100-piece set, worth regular $9.95, special at $7.87; 60-piece set, worth regular $6.40, special for $4.98, and 50-piece set, worth $5, on sale at, the set **$3.95**

Haviland Sets for $23.95

High-grade Haviland China Dinner Sets in three different decorations to select from; dainty gold-line handles and knobs; 100 pieces to the set, offered special during this sale at only, set **$23.95**

60-piece regular $39.50 Haviland set, special	$31.65
100-piece regular $58.75 Haviland set, special	$46.95
112-piece regular $65.40 Haviland set, special	$52.75

Bohemian Butter, Two Pounds only 55c
Clover Leaf Butter, Two Pounds at 53c

$12 Hat Shape $6.95
Flowers Half Price

Be your own Milliner or have us make the hat to your particular liking

This sale offers unusual saving opportunities to women who wish exclusive styles in headgear; 500 Hat Shapes of the very best quality imported Leghorns, English hemps bound with velvet, plain hems, finest English Milan, Neapolitans, etc., in black, white, burnt, blue, green, coral, cerise, lavender, coronation, gray and pink, in an endless variety of latest shapes and sizes; regular values to $12.00 each, on special sale at only **$6.95**

FLOWERS, suitable for trimming the above shapes; our entire stock of handsome roses, moss roses, moss buds, marguerites, pansies, carnations, hyacinths, sweet peas, nasturtiums, violets, forget-me-nots, lilies of the valley, poppies, primroses, geraniums, thistles, chrysanthemums, wistaria, cowslips, lilacs, etc. The most popular trimmings for hats. Values from 25c up to $5.00, during this sale all at a reduction of **½**

PLUMES—The largest and best stock in all Portland to choose from. French Plumes, Willow Plumes and ostrich novelties of every quality, color and size. Carefully selected by expert. Finest made stock goods.

$ 5.00 Plumes for $3.49	$15.00 Plumes for $ 9.98
$ 6.00 Plumes for $3.98	$17.50 Plumes for $11.98
$ 7.50 Plumes for $4.98	$20.00 Plumes for $13.98
$ 8.00 Plumes for $5.49	$25.00 Plumes for $15.98
$ 9.00 Plumes for $5.98	$30.00 Plumes for $19.98
$10.00 Plumes for $6.98	$40.00 Plumes for $26.98
$12.00 Plumes for $7.98	$50.00 Plumes for $32.98
$13.50 Plumes for $8.98	Mail Orders Filled