

REVESTMENT OF COOS WAGON ROAD GRANT LANDS AIM OF BILL

Former Governor West Has Drafted Measure to Authorize Their Sale.

WORTH FULLY \$3,000,000

As to Ownership, Are in Relatively Same Position as the O. & C. Grant Lands Which Have Been Revested.

Efforts to secure the revestment of the lands of the Coos bay wagon road grant in the United States and their sale according to the terms of the grant are being put in motion by Oswald West, who has drafted a bill in tentative form for submission to Senator Chamberlain and presentation to congress.

The Coos bay grant lands are very valuable, being worth by conservative estimates, not less than \$3,000,000. They stand in the same relative position, so far as ownership is concerned, as the Oregon-California grant lands, which have been revested in the government and will be opened to entry and settlement provided the supreme court of the United States holds the Chamberlain-Ferris act to be constitutional and valid.

Terms of Coos Bay Grant. Congress, by an act of March 2, 1859, granted alternate sections of land reaching from the navigable waters of Coos bay to Roseburg, extending three sections on each side of a road then planned to be constructed between those two points. The grant was made to the state of Oregon, and provided, in general terms, that the lands were to be sold to actual settlers, at a price not to exceed \$250 an acre, and in tracts not to exceed 160 acres, to any settler. The purpose of the grant was to procure sufficient funds with which to construct wagon road from Coos bay to Roseburg.

The grant provided that the lands should be sold at the work of constructing the road progressed, for the purpose of construction and for no other use.

The state, on October 22, 1870, passed a special law granting the Coos Bay Wagon Road company, all of its interest in the lands, and the company assumed all of the terms and conditions of the original granting act.

Non-Observance of Terms. On February 4, 1908, the government brought suit against the Coos Bay Wagon Road company, or its successor in interest, the Southern Oregon company, to forfeit the lands because of the non-observance of the terms of the grant. The contentions of the government were sustained by the United States district court at Portland, and the company appealed to the circuit court of appeals in San Francisco, which tribunal has recently rendered a decision in favor of the government on appeal.

The Oregon & California grant case, soon to be argued on rehearing by the United States supreme court, and the Coos bay case are, practically speaking, parallel cases. The principal points argued in the first case are also involved in the second, so that the final decision of the high court on the Oregon & California grant case will, in large part, be compelling in the second.

One Decision Rules Both. In other words, if the supreme court sustains the Chamberlain-Ferris act, as to the power of congress to enact such a law and administer the Oregon & California grant as provided by its terms, the decision will settle, to all practical intents and purposes, the

power of congress to enact a similar statute as applied to the Coos bay wagon road grant lands. It is the contention of Governor West that the common schools of the state will be adequately cared for through the additions to the irreducible school fund coming from the proceeds of the Oregon & California grant lands, as allotted under the terms of the Chamberlain-Ferris act. He is suggesting, therefore, that in any bill introduced in congress to provide for the revestment and administration of the Coos bay lands, provision be made that the proceeds be divided between the Oregon Agricultural college, University of Oregon and normal schools. He recently has held a conference with President Kerr of the Oregon Agricultural college, President Campbell of the University of Oregon and President Ackerman of the Monmouth Normal school at which it was agreed that it would be a fair provision to apportion 50 per cent of the proceeds derived from the lands to the Oregon Agricultural college, 40 per cent to the University of Oregon and 10 per cent to the normal school.

Division Among Schools. A bill is being drawn by ex-Governor West providing for this division, and also providing that all taxes that have been paid by the Coos Bay Wagon Road company, and its successor the Southern Oregon company, together with other necessary and lawful expenditures, which have been made by them, be refunded, that the lands be revested in the government and then sold to actual settlers at a price not exceeding \$250 an acre, and in tracts not exceeding 160 acres to any purchaser, as provided under the terms of the granting act.

A bill, similar in terms but providing for the repeal of the legislative act of October 22, 1870, and the administration of the grant by the state land board, was introduced in the 1913 session of the legislature by Senator Neuner.

Fate of Similar Bill in Oregon. This bill was referred to the judicial committee of the senate, at that time composed of Gus C. Moser (chairman), L. E. Bean, R. R. Butler, John A. Carson, W. Lair Thompson, Claude McCulloch and W. Dimick. The measure was adversely reported by the majority of the committee consisting of Moser, Bean, Butler, Carson and McCulloch, while Dimick and Dimick signed a minority report in favor of the passage of the bill. Moser fought for the adoption of the majority report while Dimick failed by a vote of 17 to 11, the bill then being indefinitely postponed.

The developments in the Oregon & California case and in the Coos bay litigation since then have so changed conditions that it is now considered more feasible to have the legislation structing the road progressed, for the purpose of construction and for no other use.

San Francisco Will Have Novel Election

San Francisco, March 3.—(P. N. S.)—No other election in the whole country will be as unique as the one to be held here next November—the first biennial preferential municipal election.

There are some of the features: No primary election of any kind will precede it; each voter has three choices for every office; each candidate will stand on a par with every other contestant; no party names or party designations will appear on the ballot; all the ballots will be counted in the city hall under the direction of a single man.

These new rules are the result of an amendment to the city and county charter adopted at the election last November.

Jail for Conscientious Objectors. London, March 3.—(U. P.)—Calls in Dartmoor prison await conscientious objectors and others who refuse to fight for king and country from now on. The government heretofore has dealt leniently with the objectors, but after March 1 they must either fight or be locked up. Dartmoor is the convict prison built in 1806 to hold French prisoners.

New Senate Democratic; House Control Rests With 5 Members

Upper House of Sixty-fifth Congress Gives Democrats a Majority of 12—In Lower House Democrats and Republicans Each Have 215, Leaving Balance of Power With Small Group.

Washington, March 3.—In the new legal talent, has been one of the most consistent supporters of the president during the last four years.

Republican candidates for senator were far more popular than Charles E. Hughes at the last election, while in a few states did Democratic candidates for senator run ahead of President Wilson. This serves to strengthen the hands of the president, who received a remarkable tribute in the higher vote given him in states where popular and able candidates for senator were on the ticket with him.

At the date when the president and the new senators are entering upon their terms an analysis of the vote in these particulars becomes interesting. Republican senators were elected in 16 states, with aggregate pluralities of 1,313,275 votes. In those same states the lead for Hughes over Wilson amounted only to 464,411. In these 16 states the Republican candidates for senator ran 848,864 votes ahead of Hughes.

Hughes Ran Behind Senators. Even after subtracting the enormous Johnson vote in California, which was exceptional, and leaving California out of consideration, the senatorial candidates for Hughes were regarded as particular winners at the beginning. Frank B. Kellogg of Minnesota, famous at one time as a "trust buster," is one. Philander C. Knox, who served many years with distinction in the senate from Pennsylvania, and later was secretary of state, is the other. Kellogg is ranked as a half-way progressive, while Knox will rejoin the old guard with which he formerly acted.

The new blood on the Democratic side contains fewer names of national distinction as comparatively small number of changes are being made among the Democrats. John B. Kendrick, who comes from Wyoming, has made a strong record as a progressive governor, and Kenneth D. McKellar, the new member from Tennessee, who has served several terms as a congressman, makes one more in the progressive contingent from the old south.

Clark of Wyoming Retires. Clark of Wyoming, who was defeated by Kendrick and becomes an ex-senator, has served since 1895 and is the third oldest senator in point of service in the expiring congress. He has through all these years faithfully served the old guard leadership.

Probably the greatest loss to the Republicans comes in the retirement of Sutherland of Utah. He is yet in the vigor of life and is conceded to be one of the ablest lawyers who has served in the senate in recent years. He fell a victim to the Wilson wave in Utah.

Works of California, who is sometimes called "Grandma" Works, has been one of the most industrious and time-consuming members of the senate. A strong exponent of Christian Science, he has often entertained the senate on the subject of his faith. He gives way to Hiram W. Johnson.

The most conspicuous Democrat to suffer defeat was Kern of Indiana, the floor leader of his party, and once nominee for vice-president by Bryan. Kern has not been a leader in debate in recent years, but he has been one of the strongest influences in Democratic circles.

Other retiring Democrats of more than usual ability are O'Gorman of New York, who quit voluntarily, and Johnson of Maine, who was forced out by a Republican. O'Gorman has not always supported the administration measures, but Johnson, a man of high

dates had 559,990 votes more than Hughes. Seventeen states elected Democratic senators, with aggregate pluralities of 733,292. Wilson's pluralities over Hughes in the same states ran up to 739,367. Wilson's vote in comparison with the senatorial candidates would have been larger except for the fact that in two states, Mississippi and Virginia, the Republicans nominated no candidate for senator. Because of this, Wilson had 53,486 plurality in Virginia, unopposed, received 133,056 votes. In Mississippi, however, the president with a Republican ticket in the field against him, achieved the feat of receiving a greater vote than Senator Williams, who had no opposition whatsoever.

Every one of the 16 states electing Republican senators gave them larger votes than were given Hughes. Of the 17 states electing Democratic senators, 11 gave Wilson a better vote than the candidate for senator received. States in which Democrats were elected to the new senate, with comparison of pluralities for senator and president, are given below:

As the States Went. Rhode Island—Hughes' plurality, 4464. Peter G. Gerry, Democrat, was elected to the senate over Henry F. Lippitt, the Republican incumbent, by 7337.

Delaware—Hughes' plurality, 1258. A factional fight in the Republican party aided in the defeat of Senator du Pont, who was a candidate for another term. Josiah O. Wolcott, Democrat, had a plurality of 2509.

Ohio—Wilson's plurality, 89,502. Senator Atlee Pomeroy, Democrat, was chosen for another term over Myron T. Herrick by 96,522.

Nebraska—Wilson's plurality, 41,056.

The Democrats returned Gilbert M. Hitchcock to the senate by 11,323. Missouri—Wilson's plurality, 28,686. James A. Reed, Democrat, was returned to the senate by 24,451. Montana—Wilson's plurality, 24,313. The Democrats reelected Senator Myers by a plurality of 12,972. Wyoming—Wilson's plurality, 6618. Senator Clarence D. Clark was defeated for another term by John B. Kendrick, Democrat, by 3086.

Nevada—Wilson's plurality, 5549. Senator Key Pittman, Democrat, was chosen for another term by 2418. Utah—Wilson's plurality, 30,008. Will H. King, Democrat, triumphed over Senator George Sutherland by 24,195.

Arizona—Wilson's plurality, 12,648. Senator Ashurst, Democrat, was awarded another term by 8612 plurality. New Mexico—Wilson's plurality, 2530. Andrew A. Jones, Democrat, was elected to the senate by 2531, the only instance where a Democratic candidate for the senate exceeded Wilson's vote in states of the west.

Texas—Wilson's plurality, 221,397. Senator Charles A. Culberson was elected again by the Democrats by 253,040, one of three instances in the south where the candidate for senator secured a greater vote than Wilson.

Arkansas—Wilson's plurality, 65,147. William F. Kirby, Democrat, was elected senator by 61,371.

Mississippi—Wilson's plurality, 76,169. Senator John Sharp Williams, who ran without opposition, was able to secure only 74,290.

Tennessee—Wilson's plurality, 36,698. Congressman McKellar was elected senator by the Democrats by 25,552.

Florida—Wilson's plurality, 41,373. Governor Park Trammell was elected senator by 49,617.

Virginia—Wilson's plurality, 55,466. The Republicans made no nomination

against Senator Swanson, which accounts for his plurality of 133,056. Where Republicans Were Named. States electing Republican senators, with the pluralities and presidential pluralities in each case, are as follows: Maine—Hughes' plurality, 6338. Frederick Hale, Republican, elected senator by 13,599.

Vermont—Hughes' plurality, 17,742. Senator Page, Republican, reelected by 27,474.

Massachusetts—Hughes' plurality, 20,899. Senator Lodge was returned by 32,939.

Connecticut—Hughes' plurality, 6728. Senator McLean, Republican, won another term in the senate by a plurality of 3271.

New York—Hughes' plurality, 118,812. The Republicans elected William M. Calder to the senate by 235,251, over William F. McCombs, Democrat.

New Jersey—Hughes' plurality, 57,964. Senator Martine, Democratic incumbent, was defeated by Joseph S. Frelinghuysen, Republican, by 74,847.

Pennsylvania—Hughes' plurality, 81,950. Philander C. Knox, Republican, was chosen for the senate by 230,245.

India—Hughes' plurality, 6942. Harry S. New, Republican, defeated Senator W. Kern for reelection by 11,961. James E. Watson, Republican, was elected for an unexpired term by practically the same vote.

Michigan—Hughes' plurality, 53,959. Senator Charles E. Townsend, Republican, won another term by 106,701.

Wisconsin—Hughes' plurality, 28,291. Senator Robert M. La Follette headed the Republican ticket with a plurality of 116,159.

Minnesota—Hughes' plurality, 392. Frank B. Kellogg won the senatorship for the Republicans by 67,623.

Washington—Wilson's plurality, 11,812.

594. Senator Miles Poindexter was elected as a Republican for another term by 64,948. California—Wilson's plurality, 1666. Hiram W. Johnson smashed in for senator on the Republican ticket by 298,315.

North Dakota—Wilson's plurality, 1736. Senator McCumber, Republican, had a plurality of 16,726.

West Virginia—Hughes' plurality, 2721. The Republicans elected Howard Sutherland senator by 668.

Maryland—Wilson's plurality, 21,912. The Republican candidate, Joseph I. France, was elected senator by 3923.

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