VOL. XX, NO. 180.

ASTORIA, OREGON, TUESDAY, MAY 6, 1884

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ERADACER, TOOTELOSE,

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brandgrows more popular, the demand for it wider, and smokers more reputar, the demand for it wider, and smokers more enthusiastic over its

unpalatable. For 18 years this tobs

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THE RESERVE OF THE PARTY OF THE PARTY.

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THE ASTORIA LAND GRANT.

Mr. George's Plea for the Corporations as Against the People

IN THE BOUSE OF REPRESENTATIVES.

The following is the speech of Mr. George as delivered by him in the house entatives on April 5th, 1884, on the bill to declare forfeited certain lands granted to aid in the construction of a

road from Portland to Astoria and MoMinnville:

Mr. Sprakes: While I was anxious that
this bill should receive consideration, in
the belief that this house would amend
its defects, I must say that as it stands
reported by the committee it cannot releave my support. In order that this
house may fully understand its defects
and may amend and perfect the bill, I
shall endeavor to explain the situation.
Congress, by act passed fourteen years

sult in the end in a fraud upon the govto so vote. And when I think, as in the
present case, that lands are being forfoited that should not, I shall vote as I
believe to be just and right. I care not
what the consequences may be.
The committee claim that having the
power to forfeit, while it does not follow
that the power ought to so vote. And when I think, as in the
present case, that lands are being forfoited that should not, I shall vote as I
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The committee claim that having the
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that the power ought to so vote. And when I think, as in the
present case, that lands are being forfoited that should not, I shall vote as I
believe to be just and right. I care not
what the consequences may be.
The committee claim that having the
power to forfeit, while it does not follow
that the power ought to be exercised, yet
that the power ought is a case that
would justify a forfeiture. The reason
assigned is extraordinary. The reason
assigned is extraordinary. The reason
assigned is extraordinary assigned is extraordinary.

As to the value of the lands earned I
shall explain further on.

Nichols.—Will the gentleman permit
to so vote. And when I think, as in the
potential present case, that lands are being fortotal that it lands are being forthe did that should not, I shall vot

shall endeavor to explain the situation.

Congress, by act passed fourteen years ago, gave the Oregon Central Railroad company six years in which to build, and required that twenty miles or more should and required that twenty miles or more should are the attorneys here of this railroad portland to Astoria and McMinnville."

As to the value of the lands extract the land be constructed within two years, and that company. be constructed within two years, and that as often as twenty miles or more were completed patents for coterminous lands should be made to the company. Twenty miles or more were built within the first two years. These lands thus carned the bill proposes to forfeit in addition to the unearned part from Forest Grove to As-

section of the state immediately interested was restless on account of the noncompletion of the road, the fact that a
large section was tied up from settlement
and development; the fact that the cham
ber of commerce of Astoria, an enterprising and progressive city, directly interested, memorialized congress for a
forfeiture: the fact that prize the fact that progressive city of the province of the width of one hundred feet on each
time that the cham
is great in present on condition
subsequent. It was a grant limble to be
defeated in case the conditions were not
a forfeiture were pouring in from citizens
to fine width of one hundred feet on each
side of said road, and the right to take
this was a grant limble to be
defeated in case the conditions were not
a forfeiture were pouring in from citizens
to fine width of one hundred feet on each
side of said road, and the right to take
this was a grant limble to be
defeated in case the conditions were not
a performed. What were the conditions?

I differ entirely from this view, and
the right of way through the public lands
of the width of one hundred feet on each
side of said road, and also the necessary
lands for depots, stations, and other needful uses in operating the
road, not exceeding forty acres at any one
performed. forfeiture: the fact that petitions for a forfeiture were pouring in from citizens of my state along the line and elsewhere; the fact that the president of the company concerned had addressed a public letter to the Astoria chamber of commerce saying that his company "must abandon the project;" the fact that the legislature of my state at its lest session. That whenever and as one company shall complete any company shall complete any legislature of my state at its lest session memorialized congress to forfeit the grant for reasons stated in the memorial; the fact that no one whom I have the the fact that no one whom I have the honor to represent has ever expressed to me a wish to the contrary, I concluded to favor a forfeiture of the unearned part. It was with reluctance, however, that I felt that such must be the case—that sid to our development should be withdrawn. I had boped that the road would be built. and I was loath, as the only representa-tive of the three hundred and twenty-five

tive of the three hundred and twenty-five members on this floor directly interested, to raise my voice and vote for for-feiture; for I could not but feel that if we could not secure a road with the aid of a land grant, we could not readily expect one without it. However, some of our best citizens directly interested think other wise. It is claimed by them, and also by the committee on rubble lands, that if wise. It is claimed by them, and also by the committee on public lands, that if this grant is out of the way some other company will build the road. I hope so; that is all I can say. I tell you the man who gets up here on the floor and says that the road is to be built without any sid known a great deal worse shout the aid knows a great deal more about the situation than I do, who have lived there for thirty years. I hope, however, that he may be right.

Payson.—Will the gentleman allow me

unearned part from Forest Grove to Astoria.

New, Mr. Speaker, I have prepared here a rough map which will show in a general way to the house the situation and geographical location. It will be seen from this map which I hold up in view of the house the location of the points named.

Nichols.—The gentleman from Oregon does not himself represent this road?

George.—I disclaim any idea or intention of representing this or any other company. I have never in may life been and south about twenty-seven miles to Astoria, and south about twenty-miles, and from there north north-order proposed to remain a south about twenty-miles, and from there are proposed to remain any idea or intention of representing this or any other company. I have never in may life been only a south about twenty-miles, and from there are proposed to remain a south about twenty-miles, and south about interty seven miles to Astoria, and south about twenty-miles, and south about twenty-miles, and south about interty and south about twenty-miles, and south about interty and south about menty-seven miles to onpany. I have never in may life been only a south about menty-seven miles to a south about menty-seven miles to onpany. I have never in may life been on party and south about menty-seven miles to onpany. I have never in may life

tention again to the situation.

The whole of the upper and lower vntley is interested in the extension to Astoria of this road. Many of the reasons state day that prompted congress to extent this aid in the first instance.

Giascock.—What is the distance from Represt Grows to Astoria?

In amendment providing for the retention in the treasury of the United States Mr. Speaker, I know that corporate power has hitherto been swollen by state states during the next ten years for lands and national legislation to questionable are of the control of the providence of the upper and lower vntStates during the next ten years for lands and national legislation to questionable are of the upper and lower vntStates during the next ten years for lands and national legislation to questionable are of the control of all moneys collected by the United States

Mr. Speaker, I know that corporate power has hitherto been swollen by state and national legislation to questionable are of the control of all moneys collected by the United States during the united States during the next ten years for lands and national legislation to any degree legislation completing the road. It did not provide that the lands should be sold at any precertain the united States Mr. Speaker, I know that corporate power has hitherto been swollen by state and national legislation to questionable are of the united States during the next ten years for lands and national legislation to questionable are of the united States during the unite Glascock.—What is the distance from Forest Grove to Astoria?
George,—The distance from Forest Grove to Astoria is ninety-seven miles. The road between those points has never been built, and the land is unearned.
Taylor.—Why was not that built?
George.—It is a road difficult of construction, and although it runs through valuable timber lands, with excellent prospects for coal development and soil of great richness, yet the country is much broken and with lands largely covered with underbrush and not generally set.

Taylor.—Why was not the land is unearned.
Taylor.—Why was not that built?
George.—It is a road difficult of construction, and although it runs through the land would go as homestoeds, thus property rights. This great and good government is too great, too good, too government is too great, too good, too must be respected and justice and equity and have made the forfeiture absolute.

There is enother objectionable feature in the bill as reported. The original act of the land would go as homesteeds, thus property rights. This great and good probably not insuring much of a fund, government is too great, too good, too powerful to afford to do wrong. We must not forget that property rights its welfare. But our committee having charge of such matters have ignored this provision, and in fact ignored our bill and have made the forfeiture absolute.

company has applied for patents or has tion. At least they are entitled to as received them, I do not understand that much consideration as the bill gives to they have ever been refused.

(Concluded on 2rd page.) The legal minds on the committee claim that congress has a right to forfeit these carned lands, and the question then

arises whether we chould.

I know that the Halman resolutions, a mixture of grains with much chaff con-cealed and apparent—which passed this house almost unanimously, aside from objectional features which meant a reobjectional features which meant a re-peal instead of ameadment of the desert-land act, timber-culture act, timber act for Oregon, Washington, California, and Nevada, as well as the pre-emption act, in compliance with public clamor in the east, said that every acre of land subject to forfeiture in every land grant aver-

George.—Yes, air.

Payson.—Does the gentleman not know from the names of citizens I have given him while this matter was pending that prominent citizens of Astoria whom he endorage as truthful men make the statement to me which I have made in the house?

George.—I have already stated in my remarks that estimable and enterprising citizens of my own state believe that if this grant was out of the way the road would be built, and I have said that I only hoped that they were correct in their faith; that is all. I know they are worthy and well-meaning, and generally know that they are about.

Nevatia, as were as the proclamor in the in compliance with public clamor in the in compliance with public clamor in the east, said that every sere of land subject to forfeiture in every land grant ever made ought to be forfeited without any examination or investigation and irrespective of all equities, yet I thought then as I now think that they were has tily considered, entirely too sweeping as well as useless. For the resolutions forfeited nothing, being merely a bombastic declaration; for every case must necessarily be considered on its merits when it arises. I believed then as I now believe that it would be unjust to take advantage of more technically the properties.

and well-meaning, and generally know what they are about.

Bay, of New York.—I desire to ask the gentleman from Oregon a question, in order if possible to remove a doubt that exists in my own mind. Is it not to be presumed that when the government made this grant it did so for the purpose of encouraging the building of this entire line of road in order to open up all this country?

George.—I think it is presumable that congues meant exactly what it said in this grant and in every other similar grant. It proposed that the lend should be deficient to be completion of the entire disregard of all equities. I thought then as I now think that the deliberations of fifty other committees were and are entitled to some consideration as well as the committee on public lands, especially when it made such work as it has with this bill. I thought then it was inexpedient to bind the house to consider bills such as this committee might formulate, repeating our land laws of the west, in preference to bills in the interest of the revival of American shipping, commerce, judiciary, banking, currency, agriculture, foreign affairs, military and navel affairs, Ledian, territorial and pension affairs, Mexican pension

the road up into continuous and contiguous sections, and that as fast as sections of twenty miles had been built the road should be considered to have earned and should receive the land conterminous with such sections so built.

Bay — One other question if the con-

with such sections so built.

Ray.—One other question, if the gentileman will permit me?

George.—Certainly.

Ray.—If you allow the grant to be cut up into sections in that way.—

George.—That is what the statate says.

Ray.—If it is an entire contract and an entire grant, I would ask the gentleman if cutting it up into sections in that way and giving the benefit of the grant to the company for the several sections of the road so constructed would not result in the end in a fraud upon the government by allowing the company to present case, that lands are being for

that is, a road from Portland to Astoria

with underbrush and not generally settled; and assuming Portland and Astoria as terminal points, the road traffic would be in direct compatition with river craft and deep sea going ships. I believe that this road needs the sid of a land grant to this road needs the sid of a land grant to this road needs the sid of a land grant to this road needs the sid of a land grant to this part of the bill I can not indoes, and I will not verk for it. The lands along the line of the compates and legally sarned. If done the uncompleted portion will cost from \$20,000 to \$50,000 per mile. I care not who builds it so that it be built. In the last congress I introduced a bill relating to this matter, which, had it become a law, would have resulted either in the building of the road or the forfsiture of the land grant by the along the line of the company of its care along that this grant is en entirety, and or the forfsiture of the land grant by the accion of the state immediately interested was restless on account of the non-

I quote from the grant—
The foregoing grant is upon the condition that said comeany shall complete a section of twenty miles or more within two years,
Again—
That whenever and as often as the said company shall complete and equip twenty characteristics. It believes, the said company shall complete and equip twenty characteristics and a company of the section of the said and a from the company, even to the said and a from the company, even to the said and a from the company, even to the said and a from the company, even to the said and a from the company, even to the said and a from the company, even to the said and a from the company and the said and a from the company. That whenever and as often as the said company shall complete and equip twenty or more consecutive miles, the secretary of the interior shall cause the same to be examined at the expense of the company, "e and if such section " " is properly equipped and ready for use, he shall cause patterns to be issued to the company for so much of the said granted in ds as shall be adjacent to and conternalmous with the said completed sections.

That whenever and as often as the said protect every speculator who has purchase lands from the company, even to tracis of any size. Every speculator who has purchase confirmed, it matters not how many across he may have attempted to gobbie up; but the bill does not contain a single word in behalf of actual settlers who do not happen to be purchasers from the company. It does not even mention adjacent to and conterininous with the said completed sections.

Now, under that grant, on building forty-seven and one-half sailes within the two years, what legal right have we to forfeit the lands along conterminous to the forty-seven and one-half miles of completed road?

Ryan.—Why was not that done? Why Ryan.—Why was not that done? Why green patents not issued? Why George.—I do not know whether the mit, entitled to full and fair considera-





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