

HOKE AGAIN AT WORK.

Another Batch of Decisions Rendered in Land Contests.

Washington, March 4.—(Oregonian office, Corcoran building.)—Secretary Hoke Smith took up his cudgel again today and wielded it with vigor on a number of cases arising from the action of local land office and general land office. The affected lands lying throughout the Western states, in many cases of much value and importance, and the good soil of Oregon and other far Northwestern states was included in the territory involved in the official rulings. Some of the cases had been long pending, and the contest vigorously waged by both parties.

The Willamette Valley & Cascade Mountain Wagon Road Company is like the gentleman in the popular refrain, "You can't lose me, Charley." It is always, apparently, before the department in one form or another. This time it is in a homestead and wagon-road contest in the Roseburg land district, Oregon. The company loses and William H. Henderson, the homesteader wins.

Henderson made his entry Feb. 19, 1891, and submitted final proof July 10, 1893. In June, 1869, the company, under the grant of July 5, 1866, selected this tract among others, and it is embraced within the limits of a withdrawal made in August, 1868, for the benefit of the road. It is also within the primary limits of the grant made by the act of July 25, 1866, for the Oregon & California Railroad Co., which, however, selected another quarter section as indemnity in lieu of it. Here one J. Robinette steps into the arena in the investigation of the case. In July, 1859, he filed his pre-emption declaratory statement for this tract, alleging settlement thereon an even fortnight before. This filing remained of record and until July 14, 1872, and it antedated both of said grants and also the withdrawal. A year ago last December the general land office decided the case. It held that this filing excepted the tract from the operation of both of the grants and held for cancellation the wagon-road company's selection therefor. The company forthwith appealed to the secretary and the latter forthwith disposes of it in a way adverse to the company's interests.

But the same company gains a point in another case, instituted against it by Peter Clemens and others, involving lands in the Burns district. The application of the company was rejected by the general land office a year ago, because the land was covered with pre-emption filings of record. The commissioner stated that these filings were made subsequent to the withdrawal, and they have, with one exception, been perfected to entry. Since that decision, the department has held that, in the case of the same company against G. Hagan, no rights, either equitable or legal, can be acquired against the company by persons making settlement or entry after the withdrawal of the lands for the benefit of the com-

pany. In view of this, Secretary Hoke Smith has instructed Commissioner Lamoreux, of the general land office, to cancel all entries made subsequent to the withdrawal which are in conflict with the selections of the wagon road company and allow the selections.

San Francisco, March, 3.—Henry Lund, consul of Norway and Sweden, has received an official communication from the Swedish minister at Washington, calling his attention to the fact that Professor Andree will start in his balloon in July next to attempt to reach the North Pole. The purpose of the communication was to ask the good offices of Consul Lund in spreading the news northward so as to apprise the natives to be not only on the lookout for the expedition, but should the descent be made among them to treat the voyagers kindly and render them what aid they can.

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