

Rogue River Courier.

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RESOLUTIONS PASSED BY SHIPPERS

Meeting at Albany Adopts Further Plans for Relief of Railroad Situation.

The following resolutions were the result of the meeting of the Oregon shippers and business men held at Albany last week to discuss the carriage and other railroad relief measures for Oregon:

Whereas, the transportation facilities of the state of Oregon have been found to be entirely inadequate to handle the commerce of the state and railroads have utterly failed to keep pace with the progress of the state, and

Whereas, the lack of transportation facilities has not only retarded the development of the state as a whole, but in many instances has caused irreparable injury to the producers and shippers of the state and more particularly to those in Western Oregon.

Be it resolved, That the Shipper and Producers' Convention is in favor of the enactment of a law providing for a railroad commission with rate-making power and also providing for damage and reciprocal demurrage laws with proper penalties, the said law to be of such a general nature as to enable the commission to correct abuses which the people of the state have suffered at the hands of transportation companies; that it is the sense of the convention that the law now being prepared by the Chamber of Commerce of Portland, in connection with the Oregon and Washington Lumber Manufacturers' Association, and the commercial bodies of the state at large, is designed to protect the best interests of the shippers and manufacturers of the state, and is of such a character that if enacted into law it will provide substantial relief to the people of the state and that we request and demand that our representatives in the Legislature work for and secure the enactment of some equally meritorious measure.

Resolved, That it is the sense of the Shipper and Producers' Convention at Albany, that the attitude of the criminal system in refusing to sell timber and agricultural lands which were placed in the hands of the Oregon & California Railroad Company by the Government at a time when they sorely needed these lands in order to use them as collateral for loans to be used in the construction of the road and which were, by the terms of the grant, evidently intended to be held in trust by the railroad company and later sold to the settlers of Oregon, has worked and is working great harm to the people and interests of Oregon; and we emphatically protest against this policy and respectfully request the members of the Oregon Legislature to bring forcibly to the attention of the National Congress the condition of affairs and memorialize Congress to the end that these lands may be put on the market at an early date and at the price and under the terms and conditions contemplated by the original grant.

Whereas the operations of the locks at Oregon City by corporate interests impose a tax of 50 cents per ton on all freight passing that point; and whereas, the Shippers' and Producers' Convention unanimously favors the condemnation and purchase of said locks either through National state legislation, therefore be it

Resolved, That we respectfully re-

quest the coming Legislature to take such steps as will lead to an early abolition of this unnecessary and unjust tax.

Postal Inspector Camp was in Ashland a few days ago looking into a violation of the postal laws which had been detected and reported from the department, in which a patron of the Ashland office mailed a package as merchandise, which contained certain writing contrary to the regulations. No summary action has been reported but the department is on the lookout for all such infractions of the postal laws, and a penalty of \$10 fine is attached.—Tidings.

THE CREED OF THE MAIL ORDER HOUSE

Mississippi Paper Gives Commandments in Line With the Decrees of M. O. Houses.

Twelve commandments make up the decalogue of the mail order house.

These commandments were not written on stone by Moses, but they are thoroughly understood and frequently bumped into by anyone who deals with the catalogue mail order concern.

Following are the 12 commandments which thoroughly indicate the business side of these concerns:

1. You shall sell your farm products for cash wherever you can, but not to us; we do not buy from you.

2. You shall believe our statements and buy all you need from us because we want to be good to you, although we are not acquainted with you.

3. You shall send in the money in advance to give us a chance to get the goods from the factory with your money; meanwhile you will have to wait patiently a few weeks because that is our business method.

4. You shall buy your church bells and interior church fixtures from us and forward the money in advance, for that is our business method.

5. You shall collect from the business men in your vicinity as much money as you can for the benefit of your churches. Although we get more money from you than they do, still it is against our rules to donate money for building country churches.

6. You shall buy your tools from us and be your own mechanic in order to drive the mechanic from your vicinity, for we wish it so.

7. You will induce your neighbor to buy everything from us, as we have room for more money.

8. You shall often look at the beautiful pictures in our catalogue so your wishes will increase and you will send in a big order, although you are not in immediate need of the goods; otherwise you might have some left to buy necessary goods of your local merchants.

9. You shall have the mechanics that repair the goods you buy from us book the bill, so that you can send the money for his labor to us for new goods, otherwise he will not notice our influence.

10. You shall believe us in preference to your local merchants.

11. You shall, in case of accident, sickness or need, apply to local dealers for aid and credit, as we do not know you.—Sentinel, Yazoo, Miss.

The Woodmen of the World installed their newly elected officers for the ensuing term last Friday night. After the installation ceremony an adjournment was taken to the banquet room where a fine spread had been arranged by the committee in charge.

Justice blanks at the Courier office.

DECISION ON GRAZING ON FOREST RESERVES

Department Claims Press Reports Misconstrued Judge Whitson's Decision.

A recent decision of a Federal judge has been widely commented upon throughout the West on the supposition that it declared illegal the regulation of grazing on forest reserves and the system of charging for grazing permits. As a matter of fact the decision which was handed down by Judge Whitson of the United States District Court for eastern Washington in the case of the United States vs. Mathews has no bearing whatever upon the legality of the grazing regulations or of grazing fees which stand precisely as before. The legal question involved was simply this: Does the law authorizing the Secretary of Agriculture to issue regulations make the breach of those regulations a crime?

Judge Whitson's decision merely answered this question "No." It was in substance that the objection to the indictment against Walter Mathews was the absence of a law defining the act therein charged as a criminal offense. Upon that ground the court held that the demurrer must be sustained and the defendant discharged.

Though the point was simple and clear enough, it was entirely misconstrued in the press reports of the decision and in editorial comments upon it. For instance, in the Wyoming Tribune of Tuesday, November 6, news of Judge Whitson's action was given under the headlines: "Grazing Fees Illegal Decides Federal Judge," and the article declares that "As a result of the decision, Mathews, who entered the Mount Ranier Forest Reserve without the permit required by the secretary, is still using the reserve and is not paying the fee imposed by the secretary." As a matter of fact, Mr. Mathews' sheep were immediately removed upon notice by the forest officers and have not since entered the reserve.

In the Sheridan, Wyo., Post it is said: "A decision fraught with importance to Wyoming stockmen is that appearing in this issue, wherein it is held by the United States District Court that the collection of fees for grazing live stock is illegal. . . . Since its imposition this fee has been regarded as illegal and arbitrary by many well-informed Wyoming people, and the views expressed by the court in this decision meet with general approval here. . . . The litigant is still running his sheep on the Ranier Reserve without paying the fees."

Decisions like Judge Whitson's had before been made by the Federal courts in three other districts, one of them six years ago, but none of these interferes in the slightest with the right of the United States to institute civil action against trespassers violating the grazing regulations, or with charging the grazing fee. The United States Circuit Court of Appeals for the Ninth Circuit decided definitely, in the case of Dastervignes vs. United States, that the provisions of the act of March 4, 1897, delegating to the secretary the power to make regulations, is constitutional, that the regulation prohibiting the pasturing of sheep on forest reserves without a permit is valid, and that the Federal courts will enforce the regulation by injunction. The supreme court of Arizona, three judges sitting, in the case of Dent vs. United States (76 Pacific Reporter, 455), went still further, under circumstances which made the decision most emphatic. Dent was criminally prosecuted for grazing sheep on a forest reserve without a permit, in violation of the regulations, and the court had held that his act was not a crime; but as soon as the Dastervignes case was decided for the Government the Arizona court granted a rehearing of the Dent case and held that the Dastervignes decision was binding on all courts in the Ninth Circuit in criminal as well as civil cases, and that Dent was therefore guilty of a crime.

So far, therefore, the court decisions as to the criminality of trespass contrary to the forest reserve regulations are conflicting.

Final adjudication on the point can not be had until the ruling of a higher court has been secured; but

no court has questioned the right of the Secretary of Agriculture to make regulations and to recover damages for trespass through civil action.

Grazing trespassers will be restrained from violation of the regulations by injunction proceedings and sued for civil damages until the higher courts shall have reached a decision as to the criminal character of such trespasses. The Forest Service will continue to exclude unpermitted stock from all forest reserves and to collect grazing fees for all stock under permit.

THE GROWTH OF FREE RURAL DELIVERY

Remarkable Development of One Branch of the Postal Service.

Rural free delivery has been in operation 10 years. The climax of its development was reached two years ago, when the service was installed on 9447 routes. At that time the average number of petitions filed per month was 700, which average was maintained during 1905. Now, however, it has fallen to 300 per month.

The rapid growth of this service under Government encouragement is pointed out in detail in the report of the Fourth Assistant Postmaster General. In 1897 there were just 83 carriers in the country, and the cost of the service was \$40,000. In 1898 the carriers had increased to 148 and the appropriation to \$50,250, and in 1899 there were 391 carriers, and an appropriation of \$150,000. Then began the growth which was one of the wonders of the time. From 1276 carriers in 1900 the number went up to 4301 in 1901, to 8466 in 1902, to 15,119 in 1903, to 24,566 in 1904, to 32,055 in 1905, and to 35,666 in 1906. The appropriations went up correspondingly, from \$450,000 in 1900 to \$25,828,300 in 1906.

Complete county rural service was one of the early demands of the country districts as soon as the rural delivery system had become fixed, and there are now 448 counties in the United States which have that service. One hundred and sixty-five of these counties were provided with complete service last year.

There are 15 states having each more than 1000 rural routes. Illinois heads the list with 2693, and Ohio comes next with 2440. Iowa is third with 2266. The other states having more than 1000 routes each are Georgia, 1881; Indiana, 2105; Kansas, 1566; Michigan, 1813; Minnesota, 1382; Tennessee, 1594; Texas, 1325; Missouri, 1835; New York, 1723; North Carolina, 1152; Pennsylvania, 1986; Wisconsin, 1450.

The states and territories having the fewest number of routes are Arizona, with two; District of Columbia, with five; Hawaii, with one; Nevada, with one; New Mexico, with three, and Wyoming, with five. In the extreme West, Washington has 194 routes; Oregon, 182; California, 254, and Idaho, 57.

The report of the Fourth Assistant Postmaster-General bears down hard on the question of good roads. In many of the states the rural service lacks efficiency on account of bad roads, and petitions for additional routes have been rejected. The department is making considerable headway with its movement for co-operation with state officials looking toward road improvement, and is now aiding road officials in Illinois, Wisconsin, Missouri, Minnesota, Iowa, New Jersey and Maine. Indiana has a new law requiring that roads traveled by rural carriers shall be kept in a passable condition throughout the year, and legislative action along similar lines has been had in Pennsylvania, in both instances with marked improvement of conditions.

The smallness of the pay of rural carriers has led to many resignations, which will be used as a leverage during the present session of Congress to bring the pay up from \$720, the present maximum, to \$900. During the past year the registrations numbered 441, the largest number in any year, and 125 more than in 1904, when 17 per cent of the total number of rural carriers in the country resigned. The proposed increase in pay would tend to make rural carriers hold their positions, thus strengthening the service all along the line.

The Courier has the largest corps of correspondents of any paper in South-

UPHOLDS EXCHANGE OF THE INDIAN LANDS

Klamath Indian Agent Wilson Says the Exchange Was a Fair One.

H. J. Wilson, superintendent and special disbursing agent at Klamath Agency, is out with a statement in defense of the much talked of exchange of lands of the Oregon Central Road Grant with the Klamath Indians. Says Mr. Wilson:

"The exchange was considered the best possible for both parties concerned—the Klamath Indians and the Road Company. It would have been a pronounced hardship on the Indians to have been compelled to give up the lands embraced within the road Grant upon which they have taken allotments and would have caused untold trouble, while on the other hand the Road Grant Company could handle a compact body of 87,000 acres to much better advantage than they could the larger acreage in the checkerboard fashion in which it lay.

"I am certain that the Interior Department and especially the Commissioner of Indian Affairs, Hon. Francis Luepp, considered that the exchange was for the best interests of the Indians, and it was solely for the benefit of the Indians that the commissioner was concerned.

"When Commissioner Luepp visited the Klamath Agency in June, 1905, it was not for the purpose of making any arrangements whatever concerning the exchange of land, but his visit was at my urgent request and for the purpose of acquainting him with certain improvements at the Klamath Agency and School, and get him interested in the Klamath Reservation through personal knowledge of its situation, condition and needs.

"I feel that in the publications following the negotiations and legislation for this exchange of land Francis E. Luepp, Commissioner of Indian Affairs, has been unjustly criticised. I know him to be a man who hates graft in all its forms and I personally know that he has done all in his power for the benefit of the Klamath Indians.

"There never was any request made by the Indians for a cruise of their lands and the amount of allotted acres was more than 21,000 acres instead of 10,000 as has been stated in previous publications. It is also stated that a clear gain for some one of more than \$2,000,000 has been made by the transaction. We all know that timber has been advancing in value very rapidly of late, and that timber is worth practically whatever the timber kings wish to make it. I do not claim to know what the value of the 87,000 acres of land is but if the timber in this tract is increasing at so rapid a rate as has been intimated the same must be true of the timber in the Road Grant Lands restored to the Indians. There is in the Road Grant Lands almost as much timber as in the tract of 87,000 acres, and in addition to that the allotments of the Indians.

"True, some of the Road Grant Land sections as shown by my appraisals, are worth but little and on

the other hand there are sections of the 87,000 acres tract in a good body of timber but there are sections in the Road Grant Land that far exceed in stumps any section of the compact body given in exchange. I stated in my report that I considered the 87,000 acre tract worth as much if not more than the 111,400 acres in the odd-numbered sections of the Road Grant. I also stated I did not think it right to take the land away from the Indians and felt that if taken the Indians should be reimbursed for the value of the 87,000 acres, asking that the Department take such action as might be necessary to have congress make the necessary appropriation."

In his estimate of the value of the Military Road Grant lands, Mr. Wilson was very conservative, being of the opinion that the government would buy them outright. In his report the valuation placed upon the lands was \$371,000. In this amount was included the value of the allotted lands, \$86,000, and the improvements thereon, \$10,000.

Mr. Wilson is thoroughly conversant with Indian affairs, as every one knows who has had any business with his office.

His statements in regard to the case are fully concurred in by Capt. O. C. Applegate, who was Mr. Wilson's predecessor at the Agency.

To Meet in Southern Oregon.

The next annual meeting of the Oregon State Horticultural Society will be held at Medford. This was about the only consolation Rogue River Valley orchardists got out of the state meeting held at Portland last week. In the award of cups for the best displays of apples and other fruits Rogue River Valley, which it is acknowledged leads the world for fine apples, did not get a "look in," doubtless owing to the fact that the growers here failed to put their fruit forward in the competition for prizes at this meeting. Next year this valley may be expected to capture everything.

The following officers were elected by the association:

Honorary president, Dr. J. R. Cardwell, Portland; president, H. O. Atwell, Forest Grove; first vice-president, Hunt Lewis, Medford; second vice-president, O. D. Hoffman, La Grande; secretary, Professor E. R. Lake, Corvallis; third member finance committee, H. M. Williamson, Portland.

\$100 Reward, \$100.

The Readers of this paper will be pleased to learn that there is at least one dreaded disease that science has been able to cure in all its stages, and that is Catarrh of the Bladder. Catarrh of the Bladder is the only positive cure now known to the fraternity. Catarrh being a constitutional disease, requires a constitutional treatment. Halls Catarrh Cure is taken internally, acting directly upon the blood and mucous surfaces of the system, thereby destroying the foundation of the disease, and giving the patient strength by building up the constitution and assisting nature in doing its work. The proprietors have so much faith in its curative powers that they offer \$100 for any case that it fails to cure. Send for list of testimonials. Address: F. J. CHENEY & CO., Toledo, O. Sold by Druggists, 75c. Take Halls Family Pills for constipation.

Edison and Victor Talking Machines at the Music Store.

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\$300—2 choice lots and large barn, with shed on two sides; close to central part of town; barn alone is worth the price. This is a snap for some one with a team, as there is plenty of room on the place for a dwelling.

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