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IMPORTANT LAND CASE DECIDED.

J. D. Carr Looses and 84,000 Acres to Be Opened.

By a decision rendered by Judge Bellinger in the case of the United States against the Jesse D. Carr Land & Live-stock Company, over 84,000 acres of land are declared to belong to the Government and to have been unlawfully fenced and held by the company. The decree finds for the government upon all its allegations, and the United States Marshal of this district is directed to tear down the fences surrounding the land if it is not done by the company within five days. In all probability the fight for the possession of the land will not end here, but will be carried on to the highest court of the land. Jesse D. Carr is wealthy, and has declared that he has not taken an acre of Government land, and does not propose to surrender any of his holdings.

The case is one which has been watched with interest both in Oregon and California, and by a peculiar statute which permits the United States Judge to make a decision covering the land in question in more than one state, will settle a matter which was heard a number of years ago in the United States Court of California. Of the land at stake, 9000 acres are in Southern Oregon and some 78,000 in Northern California. By this decision this land will be thrown open to the public, and citizens will be permitted to locate upon it as upon other Government lands.

The present suit in this state was commenced about a year and a half ago. The fence, some 40 or 50 miles in length, incloses the 84,000 acres of vacant Government land, and the action was commenced in equity to enjoin Carr from maintaining the enclosure. The statute gives a Judge jurisdiction not only over the land in this state but that in California as well, it being part of the same tract. The headquarters of the Carr ranch are in Klamath county, this state, and the land king has thousands of acres in that part of the state, and also in California, to which he has an undisputed title. It is the claim of the Government, and this contention has been sustained, that Carr simply annexed this vast amount of Government land for his own use, and has held it for a term of 16 years or more, and used it as grazing ground for his cattle.

Some years ago, during Cleveland's Administration, action was brought against Carr in California courts. He fought the case, but lost, and the United States Marshal was ordered to go north and remove the fences. The United States Marshal at the time was Franks, who went north, and it is reported returned to California, where he stated that the fences had been removed. When his term of service had expired, Franks accepted a position as superintendent of the ranch, and is still acting in that capacity.

A portion of the decree handed down by Judge Bellinger is as follows: "This cause having come regularly on for trial, plaintiff appearing by John H. Hall, United States District Attorney, and defendant appearing by C. A. Cogswell and J. C. Moreland, its attorneys, and after hearing the evidence offered on behalf of the United States and the argument of the counsel, the said cause was taken by the court under advisement, and now at this time the court being fully advised, finds all allegations in the plaintiff's bill of complaint true. "That defendant, with intent to encroach, entered upon the public lands of the United States in an illegal manner, and to monopolize the use thereof for its own benefit, did heretofore instruct and maintain and now maintains, a fence, which, with natural barriers, forms an inclosure, which contains 84,335 acres of public lands of the United States."

Then follows an order permanently enjoining the plaintiff company or its heirs or assigns from maintaining a fence around this land, and orders the United States Marshal of this district to remove the fence if it is not taken away by the defendant within five days.

Jesse D. Carr, the head of the corporation, makes his home in Salinas, Cal. He is reported to be immensely wealthy. Superintendent Franks is also in California at present, and the ranch is in charge of a man named Dalton.

PAN AND THE PAN-AMERICAN.

National Editorial Association Meeting and Trips on Lake Erie and to Niagara Falls

The Pan-American Exposition was not so named in honor of the god Pan. On the contrary, the god took his name from the Greek word "pan," meaning "all," because in infancy he delighted all the gods; and the Pan-American Exposition is so named because it includes and represents "all the Americas," or all of the American Continent—the Western Hemisphere. A statue of Pan at the Exposition shows him with the goat's feet and the shepherd's pipe. He was believed by ancients to be a demigod, and was supposed to have been perfectly developed from his birth, and so remarkable was his appearance in this respect that his mother ran from him through fear. But all this is merely a myth as Pan never really existed.

The existence of the Pan American Exposition is so much in evidence that it is the talk of the world and will be from time to time.

The buildings of the Exposition are built around a large court in the form of an inverted Y, as was shown in the ground plan in The Examiner two weeks ago. The Esplanade is over 1700 feet long and joining this is the Court of Fountains

and connected by a curvilinear covered court, or Pagoda, as it is called, with auxiliary buildings at either end. These latter hold the fisheries exhibit and exhibits gathered from Uncle Sam's new possessions. A week's time could well be spent in the Government building, and something new and interesting could be learned every minute of the time. Everything the government ever owned, made or possessed, is here shown, either in miniature or natural size. The exhibit of ordinance and war material is the largest ever made. Guns from the time the government was formed to the present day. The larger guns are used daily in drills. A 13-inch mortar, a 12-inch breech loading rifle gun mounted on disappearing carriage, a 10-inch gun on a barbette carriage and a 5-inch rapid fire gun and on down to guns that shoot several hundred per minute.

The main exhibit building, or Manufacturers and Liberal Arts, joined to the Government building by the Court of Cypresses, and is 350x500 feet. This, like all the buildings is painted and decorated in beautiful colors on the outside



which is 2000 feet long by 500 feet wide, entering the grounds through the south entrance on Lincoln Parkway the visitor comes to the Albright Art Gallery. Crossing a bridge and traversing a short distance we come to the New York state building, a permanent structure, built of marble at large expense. Passing to the approach to the Fore Court and crossing the Triumphal Bridge the Esplanade is reached. Here comes in view the Government group of buildings, and near by the Horticulture, Graphic Arts, Forestry and Mines buildings. The Ethnology building and the Temple of Music mark the junction of the Court of Fountains, with the Esplanade. The Court of Fountains cover about two acres, and the many fountains makes it one of the scenic features of the Exposition. The Electric Tower is at the head of another large basin of fountains. The Plaza is another of the chief attractions, from which is reached the Stadium, which has a seating capacity of 12000 people. Here all kinds of sports are seen, with the large Mexican band of 62 men to furnish music. It is built on the plan of the old Roman Colosseum, only it is larger, but with less seating capacity.

Opposite the Stadium marks the entrance to the "Midway," which covers 30 acres, and has 3,000 lineal feet of streets. It contains many of the principal features exhibited at the World's Fair, but upon an enlarged and improved scale, and to which have been added many new features.

The plan of the Government building is that of a central building 130 by 600 feet, surmounted by a mammoth dome,

and is roofed with red Spanish tiles. The manufactured exhibits are arranged in groups with the several kinds of products together. Nearly every state in the Union is represented here by individual exhibitors, including many from Canada and South America, and arranged in attractive display. In the Liberal Arts division are to be found educational exhibits, with public works, engineering, sanitation, constructive architecture, social economy, music and the drama. Food products, both natural and manufactured, are shown in this building coffees, teas, spices, essences, dried fruits and vegetables, foods prepared from cereals which are produced and eaten in such an enormous measure here in the United States; beverages for household and other purposes, etc.

The Temple of Music is where the meetings of the National Editorial Association were held. Opposite is the Ethnology building and the two mark the point where the two limbs of the cross formation of the grounds meet. They are two gems of construction and adornment. The Temple of Music is a place of entertainment, and a fine place to rest away from the noise and clatter of the outside. The auditorium is planned to seat 1200 persons on the main floor, besides large seating capacity in the balconies. One of the largest church organs in the United States takes up one whole panel of the octagonal shaped building. As we are now in the Temple of Music a few notes on the N. E. A. meeting would not be out of place. The Western Editor published at Omaha, in speaking of the meeting, says: "The Buffalo meeting of the National Editor-

ial association was the best in the association's history—best in point of attendance, best in point of interest, best in point of instruction and benefit, best in entertainment and best in the warmth of the politics that arose through the election of officers for the ensuing year. The city of Buffalo and the managers of the Pan American exposition treated the visitors royally, and the entertainment offered was so varied that the editors had to decline many invitations in order that they might attend to the business in hand. Even then one or two of the sessions were so slimly attended as to warrant the conclusion that a view of the falls or a stroll down the Midway was deemed of more benefit by some than the instructive papers and discussions offered at the sessions of the association. But much benefit was derived by all from some portion of the varied program, and a great deal of benefit was derived from the exposition, the sight of the great falls, the wonderful exposition of electricity, the curious peoples from all lands and the acquaintances formed by members of the profession. It was a splendid meeting, those who missed it missed the occasion of a lifetime."

Immediately after the announcement of the committee the session adjourned and the delegates hastened to lunch so as to be able to catch the 2:30 boat and take a 30-mile ride on Lake Erie as the guests of the Merchants' Exchange. The lake trip was thoroughly enjoyed, for the business men of Buffalo made it a point to anticipate all the wishes of the delegates. Not a thing was overlooked. Two bands of music, and everything to eat, drink and smoke was served in abundance. No doubt several thousand dollars was spent for the entertainment and pleasure of the editors.

The second day was devoted to sight seeing and a visit was made to Niagara Falls. If a delegate missed the trip his identity is hidden. It was a very merry party that went to the Falls and spent the day there or in the immediate vicinity viewing the wonderful scenery. It was a day devoted to sight seeing—so much that the business session announced for the evening came near being a fizzle so far as attendance was concerned.

Starting from the foot of Ferry Street, the boat "America" steamed toward the picturesque Canadian shore and thence under the International Bridge, a famous structure, to the Canadian channel. Steaming through that side of the river one has a delightful view of the surrounding country, Canada on one side and Grand Island with its beautiful summer homes on the other side. The boat passed historic spots and finally touched at Slater's Point, where the party disembarked and took trolley cars as the guests of the Niagara Falls Park and River Railway for a ride around the upper and lower rapids, the great cataract and the gorge.

As the cars start out one gets a grand view of the turbulent waters and the spray of the Canadian Falls in the distance. Passing through the old village of Chippewa the trolley line runs through the little wooded Dufferin Islands and thence on the very brink of the river to the great horseshoe fall. There a stop was made for luncheon at the Dufferin cafe and sight seeing.

Continuing the cars pass down through Canadian Niagara Falls, Ont., and thence on the high bank of the gorge to Queenston, a quaint little village which was once the gateway to this section of Canada. Gen. Brock's monument and other historic points are seen here.

From Queenston the party crossed the new Suspension Bridge over the river to Lewiston, an old American village of historic interest, and from there took the cars of the Niagara Gorge Road for the return trip through the gorge. This ride is one of the finest, if not the finest, in the world and was full of wonderful and delightful sensations. At times the cars run so close to the angry waters of the lower rapids it seems as if the wheels were actually going into the water.

Descending from the gorge the party visited Niagra Falls, N. Y., now one of the most enterprising cities in New York state, obtained a fine view of the American falls and upper rapids, and then took cars across the new cantilever bridge to the Canadian side, and thence back by the Canadian line to Slater's Point, and again boarded the boat.

TO BE CONTINUED NEXT WEEK.

FRIGHTFUL RUNAWAY ACCIDENT

Wm. Watson Nearly Killed at Pratt's Last Week.

Last Thursday, about the noon hour, Wm. Watson, employed on the ranch of C. C. Pratt, four miles south of Lakeview, met with an accident that will leave him badly crippled for life, and in which he had a miraculous escape from instant death. Watson took one of the big teams on the Pratt ranch from the stable, and was cautioned by Ode Pratt not to attempt to hitch the animals to the wagon until he returned from the house to assist him, as the team was easily frightened, and being big, strong, high-strung animals, were liable to get away from him. Contrary to orders, however, Watson started in to hitch the team to a wagon containing 4,000 pounds of grain, and just as he had completed the task the animals started to run. Watson grasped one of the animals by the bridle, and attempted to get hold of the bridle of the other horse, when he was thrown under the feet of the frantic horses. The result was that in running over him one of the horses cut a big gash in his head and one wheel of the heavily loaded wagon went over his left leg, between the ankle and knee and ground the member to a pulp. The bones protruded from the flesh in every direction, and left such a wound that may terminate in the necessity of amputation.

The injured man was immediately taken to the residence of L. L. Laubhold, and taken to the residence of S. R. Sablette. Dr. F. E. Smith was called and found the man terribly injured. On Friday the patient was removed to the home of Mrs. Ruth Penland and became a county charge. Dr. Smith is yet undecided whether or not amputation of the leg will be necessary. The wound on the head is not serious. The unfortunate man is a hard-working laborer in poor circumstances. He is a brother of Mrs. Fysh, wife of Rev. Richard Fysh, of Ft. Klamath.

Oregon's Pennant.

The "homeward bound" colors of the battle ship "Oregon" were presented to the state of Oregon, July 16th, and spread to the breeze from the flag staffs of the capitol. A committee composed of Chief Yeoman Weir, Chief Yeoman Morris, Chief Quartermaster Brower and Chief Boatwain's Mate Norris, representing the Oregon's crew, made the presentation to Governor Geer in the Hall of Representatives. The raising of the colors was accompanied by the firing of a salute of 21 guns, the ringing of bells, the playing of "The Star Spangled Banner," by the band, and the cheering of 5000 people who had gathered to witness the ceremonies. The greatest enthusiasm prevailed, and all the exercises passed off without the slightest hitch. Governor T. T. Geer welcome the visitors in a neat speech, after which Chief Yeoman J. H. Weir presented the colors, which were received by the governor amidst the wildest cheering. The National flag was raised on the north end of the capitol and the Union Jack on the south end, and the pennant of the "Oregon," which is 378 feet long, was drawn up from the ground to the dome. As the colors were raised Battery A, of Portland, fired a salute of 21 guns, the bells of Salem rang out and the crowds cheered.

The next map of the United States, prepared by the General Land Office, which will be ready for distribution one year hence, will be on practically the lines of the latest edition, except that Commissioner Hermann intends to mark across its face the route traveled by the Lewis and Clark exploration party from Virginia to the Columbia River and return. Commissioner Hermann says the accomplishments of this expedition have not yet been properly recognized by the Government, and he intend in this way to call attention to that history-making event. Incidentally he contends it will call attention to Portland's Lewis and Clark centennial to be held in 1905.