

**THE LAND GRANT CASE.**

Some Interesting Particulars Given By the President of the Southern Pacific.

In view of the wide spread interest taken in the Oregon and California land grant situation, President William Sproule of the Southern Pacific Company has issued the following explanation of the railroad company's position in the matter:

**Court Settles Title.**

"The United States Supreme Court held that the company is the owner of the lands under the grant, with absolute title, subject only to the restriction that when it chooses to sell these lands it shall sell them only to actual settlers in parcels not exceeding 160 acres, and at a price not exceeding \$2.50 an acre. It reversed Judge Wolverton, who had held that because the company had sold these lands with the timber thereon in larger parcels than 160 acres, and to persons not actual settlers, and at prices exceeding \$2.50 an acre, the company forfeited its title to all the land unsold.

"After receiving the grant the company offered the lands for sale in accordance with these restrictions, and in early times sold substantially all of the lands that were suitable for settlement, at prices not exceeding \$2.50 an acre. But as the remaining lands were of a character not suitable for actual settlement, being timber lands in the mountains, it could not dispose of such lands by selling to actual settlers only, no such settlement being practical.

"Therefore the company did make sale of timber lands in larger tracts than 160 acres to persons other than actual settlers, and at prices exceeding \$2.50 an acre. It was these sales that were made the foundation of a claim on the part of the government that the company had forfeited its title to all the lands unsold, which claim was rejected by the United States Supreme Court.

**Can Sell Timber.**

"In view of the decision of the Supreme Court, the company insists that, being the owner of these timber lands, and under no obligation to sell them, and in fact it being impossible to sell them under the restrictions of the grant, it has the right of any other owner to dispose of the timber on these lands, just as it would dispose of any other crop produced on the land at the same time admitting that when it comes to sell the land itself it must do so under the terms of the grant. The cutting of the timber from these lands is in fact a step toward making them fit for settlement, so that they may be disposed of under the terms of the grant.

"But the government contends that the Company shall not be allowed to realize more than \$2.50 an acre for any of these lands, even though they may be worth many times that amount because of the timber thereon and that therefore the company has not the right to dispose of the timber growing upon these lands. It is strange indeed that the government should now maintain that the company has no right to the timber upon these lands, because for many years before coal was used as fuel it used this timber as fuel, without question; and the right to do this is clear, because the Act of Congress granted the lands 'to secure safe and speedy transportation of mails, troops, munitions of war, and public stores, over the line of said railroad.' Of course such object could not be accomplished without fuel to produce motive power.

"And further, this provision of the law implies that the road shall be maintained and certainly the use of this timber for ties and lumber to be used in the construction and maintenance of the road seem to be a matter beyond doubt.

"Further, the government, in the third section of the Act, expressly granted the Company the right to take timber from the Government sections of land adjacent to the line of road, and under section 10 it allowed the taking of timber from lands excepting from the grant by reason of being mineral. In view of this express grant, to take timber from lands owned by the government and not included in the grant, upon what pretext can the government deny the company the right to take timber from the lands granted to the company?

**Purpose Was to Aid.**

"The facts show that the position of the government, if carried out, would force upon the company a large financial loss, in other words, while this grant was one to aid the construction of the railroad, it would turn out to be, if the position of the government is correct, the means only of producing a deficit for the grantee, and this appears from the following facts, stating in round figures:

Expenses to the company of administering this grant, \$1,372,000.00. It has paid taxes on these lands aggregating, \$2,758,000.00. Making total expense and taxes, \$4,130,000.00. The company's total cash receipts from all sources under this grant, including sales of lands amount to, \$5,345,000.00.

This leaves the company a net revenue from past transactions of \$1,215,000.00.

The lands of this grant heretofore sold aggregate 801,637.75.

Which have yielded the company therefore an average net revenue for the lands sold per acre of \$1.52.

**Free Service to Government.**

"And further, this grant required the company to carry free for the United States Government its mails, troops, munitions of war and public stores over this railroad without limit as to time. The value for this free transportation at regular rates which has been furnished the government equals \$2,084,467.00 which amount exceeds the receipts of the

Company under the grant by \$868,467.00. It embraces the service between Portland and Roseville Junction, 664 miles.

"From the experience of the past we may be certain that the company will be called upon to furnish the government free transportation of the value of \$75,000 per annum, and this is a perpetual obligation. Now, if we could sell every acre of this land at present unsold, viz., 2,400,000 acres, at the price of \$2.50 per acre, this would yield \$6,000,000 which would be used up in eighty years by the free transportation which we are bound to furnish the government, leaving the company thereafter—for all time—to furnish transportation to the government without compensation.

**Has Right to Sell.**

"The company therefore insists upon its legal rights as the owner of these lands to dispose of the timber thereon, and any further adjustment of this matter with the government, considering all the facts, would not deny to the company this right, a right which in a similar transaction between private individuals would not be questioned for a moment.

"But there is a considerable quantity of this land, at least 400,000 acres which cannot be sold at any price, hence the amount that could be realized by sales would be something like \$3,000,000 or \$4,000,000 at the utmost, from which expenses of administration and taxes must be deducted.

**DEMOCRATIC FREE TRADE.**

What the Leading Newspapers Say About It.

It is as much as the government's duty to protect a man's means of support as it is to protect his national honor. And that is what a Protective tariff has always successfully accomplished.

Senator Ham Lewis' tariff commission measure, with its possibilities of tariff schedules fresh every hour, may look superlatively good to his fellows in the United States Congress just because it is so looney.

The European war has now been going on long enough to be of no further use as an excuse for the Democrats to hide their lack of revenue. No, it isn't the war that is causing the shortage in revenue, it's the free dumping grounds that is doing the mischief.

The State Auditor of Free-Trade Virginia (whence came our free trade fostering president) declares that when John Barleycorn takes his decanter and decamps from the old dominion in November that state will have a \$500,000 hole in its treasury. Why not supply the threatened deficit with a suitable slice of Wilson's free trade "prosperity?"

This tariff commission proposition suggests to many only a Democratic aim to send the Tariff question, if possible, to the next Congress. By that time, the calculation is, the war will be over and a general tariff revision necessary, not only in this country but in the countries now at war. And if Europe goes in for protection—and nothing could be likelier—Protection, indeed, is already both strong in both Germany and France, shall not we?

The administration is now said to be looking favorably upon a Federal inheritance tax, providing same will not conflict with inheritance tax laws which are in force in some of the states. The money is needed for national defense, so the report states, but we suspect that the low tariff has much to do with the growing desire for increased taxation. The government lost an immense amount of revenue when it put the low Underwood Tariff law into effect, and this shortage must be made up. It would seem that most people would favor a higher tariff and less taxation, and thereby make the foreign manufacturer help foot the bills, in addition to protecting our own industries. A low tariff thus far has not helped the high cost of living to a noticeable degree.

**No Tariff on Dyes.**

Apparently the administration has decided not to support House Bill No. 702, which provides for a tariff on dyes and dyestuffs in order to protect American manufacturers and encourage them to increase their present plants so as to make this country independent of foreign supply. This inference is deduced from Secretary Redfield's statement on the subject in a bulletin just issued. He admits in the bulletin in present supply, but instead of recommending protection his whole mind is turned toward securing the passage of a law which will make it illegal to import dyes or dyestuffs sold here at a lower price than in Germany.

This will come as a surprise to the country, for it had assumed from certain remarks that the Democrats in this instance would abandon their free trade principles and agree to a proposal which has everything to recommend it. The proposed law of Secretary Redfield is a makeshift and would not meet the situation.

**Effect of Low Tariff on Eggs.**

Just as an appetizing reminder to those dear free trade friends who enjoy eating their eggs scrambled these brisk March mornings, we would inform them that "prepared," frozen or evaporated eggs are now coming into this country in bulk since the free trade tariff cut the duty on these uncertain foreign products from 5 per cent under a protective tariff to 2 per cent under free trade. During the free trade fiscal year 1914 we imported 3,400,000 pounds of these mysterious mixtures of hen fruit, estimating 11 real eggs to a pound. Eggs prepared in this manner are used principally by the bakers in making cakes, which ought to be pleasing news to

those gastronomical experts who have partaken of their wedding cake under free trade.

Just a suggestion of the way this industry has aided American "prosperity" under our present administration, our Chinese consuls report that American factories employing American labor and using domestic eggs have removed from Boston, Topeka, Kansas and other points to China. As all this has not lowered the price of eggs here, what in the name of humanity is the reason for such a free trade law?

**Fallacy of Free Trade.**

The announced purpose of the Democrats to repeal the free sugar clause of the tariff schedule adopted by them is a confession that their tariff policy is wrong. At least, it is an admission that a mistake was made, which must be corrected if their party is to retain the allegiance of some of the states which compose that hitherto solid Gibraltar of Democracy, the Solid South.

The Democrats were warned of the folly of adopting a free trade schedule but to be consistent with their party doctrine, long established and prominently urged in every political campaign, they were compelled to disregard sensible advice. Now, however, after three years of experiment, it is found that the party must back up or lose the votes of its staunchest friends. And this backdown may be considered as only the beginning of a policy or repudiation of party dogmas which experience is demonstrating as impracticable and harmful. Indeed, had not the European war come about, the harmfulness of the free trade system would have been demonstrated more completely than it has been. As it is, the loss in revenues has seriously handicapped the legitimate and necessary operations of the government.

And, with the fall of the free trade hobby together with other pipe dream of Democracy which are being dispelled, the end of the party of the "pee-pull" will come.

**War and Wheat.**

The sharp decline in the price of wheat features, on boards of trade in the United States Tuesday, probably reflects an actual condition in the market. Speculators in margins are not always, or very often, trustworthy guides as to the course of prices. In this case, in fact, they are not leaders but followers. Everybody studying the influences likely to affect the prices of wheat, has realized, since the overwhelming defeat of the Turks by the Russians at Erzerum, that that event must, in the course of a short time, have a bearish effect on the price of wheat reserves in this country. There is no reason why a decline should set in at this time, however, nor is it likely that cash prices will be at once materially reduced. A drop may, however, be confidently expected at an early date.

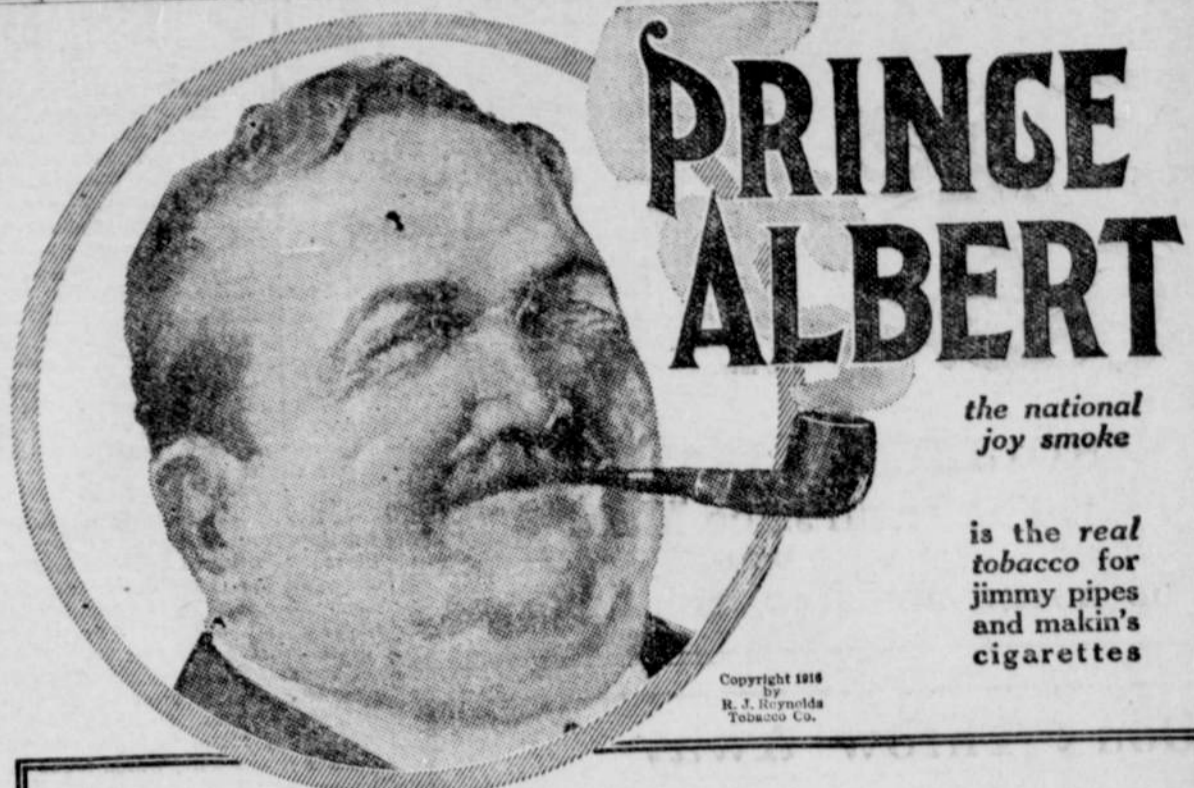
There are several reasons for this. The fall of Erzerum was such a crushing disaster for the Turkish arms that that government can henceforth offer but a feeble and ineffective resistance to the Russian advance on Constantinople. Some more or less authoritative advisers persist in saying that Turkey already seeks to make a separate peace with the entente allies. In all probability these stories are true, but it is not necessary to believe them in order to understand that the road for the shipment of Russian wheat down to the Bosphorus and out through the Dardanelles will soon be open. When it is, the flood of Russian grain will rapidly reduce prices in Liverpool, and, consequently, at all of the primary markets in this country. How far the reduction will go it is impossible to say, but some reduction is inevitable.

Everything indicates that the Teutonic allies are abandoning both Turkey and Bulgaria to make a combined and tremendous assault, or series of assaults, along the western line of battle. Austria as well as German troops are participating in the attack on Verdun, which is being made without a weakening of the German line at any point in Belgium or in France. Otherwise, we must assume, the British in Flanders and the French in Champagne would launch an offensive movement against the weakened point. The conclusion must be that the Teutonic allies are moving men from the Balkans, and from many points in southeastern Europe, to take part in Western hostilities. Russia's road to Constantinople is now probably open for all but such opposition as the defeat and demoralized Turk can offer. These facts are very likely to affect prices in the near future.

**No Swivel-Chair Control.**

Maj. Gen. Funstan does not believe in giving or taking swivel-chair orders. He announces that Brig. Gen. Pershing will have general orders, but that he will be authorized to adopt such details as the situation may seem to require in his pursuit of Villa and his army. Gen. Funstan's announcement, based on his historical and his personal observations, may be regarded as a hint to Washington that interference with his general plans will be unwise. It is the business of Washington to designate officers of proven military ability and political sagacity, for the latter qualification is indispensable in dealing with a situation like that on the Rio Grande, but after they are chosen they should be unhampered by the views of armchair strategists remote from the scene of operations and basing conclusions on inadequate information. The main business of Washington is promptly to furnish the supplies Funstan requests.

Try those 25c dinners at the Ramsey "Good Eats." M. A. Olson formerly of the Spanish Kitchen.



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Get the idea of smoking all you want without a comeback—that's P. A.!



Buy Prince Albert all over the civilized world! Toppypred bags, 5c; tidy red tins, 10c; pound and half-pound tins humidors—and that classy crystal-glass pound humidor with sponge-moistener top that keeps the tobacco in such fine shape—always!

On the reverse side of this tidy red tin you will read: "Patented July 20th, 1907, which has made three men smoke pipes where one smoked before!"

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Free advice about all kinds of dental work.

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**Notice of Appointment of Administrator.**

Notice is hereby given to all whom it may concern, that the County Court of the State of Oregon, for the County of Tillamook, has appointed the undersigned, Charles Edwin Donaldson, as administrator of the Estate of Amanda L. Donaldson, deceased, and all persons having claims against said estate, are required to present them, together with the proper vouchers, to said administrator, at the office of his Attorney, John Leland Henderson, in Tillamook City, Oregon, within six (6) months from the date of this notice.

Dated February 24th, 1916. Charles Edwin Donaldson, Administrator of the Estate of Amanda L. Donaldson, deceased.

**HOW APPENDICITIS CAN BE PREVENTED.**

Tillamook people should know that a few doses of simple buckthorn bark, glycerine, etc., as mixed in Adler-ika, often relieve or prevent appendicitis. This simple mixture removes such surprising foul matter that ANY SPOONFUL relieves almost ANY CASE constipation, sour stomach or gas. A short treatment helps chronic stomach trouble. Adler-ika has easiest and most thorough action of anything we ever sold. J. S. Lamar, druggist.

**Notice of Sheriff's Sale.**

The undersigned, Sheriff of Tillamook County, Oregon, will on Monday, the 3rd day of April, 1916, at the hour of 10 o'clock a.m. at the Court House door in Tillamook City, Oregon, sell at public auction to the highest bidder for cash in hand, the following described real property situated in Tillamook County, Oregon, to-wit:

Lots thirteen (13) and fourteen (14) of Section two (2) in Township two (2) South of Range nine (9) West, W. M.

For the purpose of satisfying a judgment rendered in decree of foreclosure in case of J. H. Ellison and Ellen Ellison plaintiffs vs. George Vanderee and May Vanderee, defendants, in the Circuit Court of Tillamook County, Oregon.

Said sale will be made in pursuance of an execution and order of sale issued in pursuance of the decree in said cause.

Dated this March 2nd, 1916. H. Crenshaw, Sheriff of Tillamook County, Oregon.

**LANG'S MINERAL WONDER.**

For—Eczema, Rheumatism, Diarrhoea, Piles, Catarrh of the Head, Disease of the Kidneys, Inflammation of the Eyes, For Burns, For Cuts, Running Sores, Blood Poison, Stomach Trouble, Asthma, and Tuberculosis.

BILL WITHROW AGENT. Tillamook, Oregon.

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