

# GEN'L ODELL MAKES REPLY

## To Charges of the Legislative Joint Committee at Re- cent Session

SAYS IT WAS A FARCE: CONCEIVED IN ENVY, PROSECUTED WITH MALICE, AND EXECUTED WITH CRIMINAL DUPLICITY—A POLITICAL SCHEME.

(From Wednesday's Daily).

"A Legislative farce, conceived in envy, prosecuted with malice, executed with criminal duplicity—this is the title of a pamphlet issued by General W. H. Odell discussing the investigation of the State Land Agent's office conducted by a committee of the last Legislature. The pamphlet contains 80 pages and sets forth all the testimony taken before the committee. A copy will be sent to each member of the Legislature and to each newspaper in the state. By way of personal introduction, the author of the pamphlet says:

"In view of the distorted and misleading constructions put upon the testimony taken and the extreme and partial and evident unfriendly purpose manifested by the joint committee of the Legislative Assembly relative to the State Land Agent and the management of his office, justice and self-respect demand the following analysis of the report of the joint committee, appointed by the Senate and House of Representatives, Oregon Legislature, 1931, to investigate the office of State Land Agent L. B. Geer, together with testimony in full as submitted by said committee.

"All of which is hereby respectfully dedicated to an appreciative public."  
"W. H. ODELL."

"The criticism of the Legislative committee's report is as follows:

"To an Appreciative Public."  
"The object of this analysis of the proceedings and findings of the joint committee of the Senate and House of Representatives, Oregon Legislature, 1931, appointed to investigate the conduct of the office of the State Land Agent, L. B. Geer, as reported to the Legislative Assembly on the 20th day of February, 1932.

"A candid and unbiased examination of the proceedings and findings will show, on the part of the committee, both incompetency and malevolent purpose. Incompetent in the matter of gathering and receiving alleged testimony and malevolent in the perversion of facts.

"Malevolence was first manifested when a member of the committee endeavored to foist on the committee as chief clerk the arch-trader of the late Governor and the State Land Agent, and second by the committee accepting as such clerk the said trader's man Friday, still more cunning and equally venal.

"The committee received and based its actions upon informal and unverified allegations made by one William M. Bushey. The allegations were vague and general in terms, and, when put under oath, Mr. Bushey admitted that all the knowledge he claimed to have was based upon hearsay, newspaper reports and rumors. He had no knowledge of a single fact; could not name anyone who did; but thought one J. W. Draper did—yet he had not talked with him; he had heard timbermen talk, but could not name anyone.

Some Plain English.

"Mr. Bushey's man Friday had this Mr. Draper subpoenaed to appear before the committee, and it appears, from the bill of costs submitted, that said Draper danced four days in attendance at a cost to the state of \$15 yet, after due coaching by the man Friday, he was not brought before the committee and consequently gave no testimony. The allegations of Mr. Bushey were left without foundation, like a baseless fabric resting upon the intangible imaginations of a splenetic villain, actuated by political motives and personal spite, set on edge just before election time.

"The committee charges neglect of duty under the laws of 1839. The laws of 1839 impose no duty upon the Governor nor imposed by the Constitution of the State of Oregon and the laws of 1852. The same duties and the same obligations have been resting upon every Governor of the state, the only difference being in some minor details as to the manner of appointment and salary and prices of lands. Neither the Governor nor the State Land Agent has ever been authorized to sell any state school lands and neither of them has ever attempted to do so; and there is no evidence showing that they did.

"There is no evidence to show that even so much as one acre of these lands has been sold by the State Land Board for one cent less than the price fixed by law. Every acre selected by the State Land Agent as lieu lands has been when approved by the United States Land Office, reported by him to the State Land Board and when sold by said board has been sold as by law provided.

"This law requires the Governor or his State Land Agent to make selections of lieu lands by sending lists of the same to the proper United States Land Office and, on approval of the same by said local land office, to report that fact to the State Land Board; thereupon the said board was authorized and required to sell such lands at prices fixed by law, without waiting for final approval by the Commissioner of the General Land Office. This has been the law and practice ever since February 21, 1857.

The State Land Agent.

"It is not true that the State Land Agent has been derelict in duty in not preparing tract books showing all lands lost to the state in the sense implied by the report as made by the committee. While it is true that the present State Land Agent has not prepared tract books showing losses, for the reason that it is not required, and there is no appropriation to meet the expense, it is true that the record of all lands selected as lieu lands

have been and are now kept on file in the vaults of the office of the clerk of the State Land Board and those records are open to inspection by any one who desires to examine them at all proper times. These records have been kept up by the officers in charge and are quite full, so that the selections of indemnity have kept pace with the development of losses. This was true at the expiration of Governor Lord's term and so he stated it—and it is still true; all lieu selections made by the present State Land Agent have been made upon adjudicated mineral base and nonmineral base made available by departmental action since the beginning of the present incumbent's term of office; and there has been no time within the last four years when the State Land Agent could have made selection of any 50,000 or 100,000 acres of good timber land, upon any base that he had or could have had. The suppositious case of a possible loss of \$300,000 or any other sums more or less is but the vaporings of a professional timber expert who would pose with his co-abetors as being possessed with great foresight.

A Political Cry.

"Such as these are wont to prate upon what 'might have been.' They deplore the fact that the men who drove ox teams across the plains should have presumed to deal with the affairs of state, the school lands and the timber belts should have been left untouched until the Pullman car experts arrived upon the scene of action. Yes, dig up the bones of the pioneers, and kick them for lack of better judgment and charge all the losses and mismanagement and bad laws to the outgoing Governor.

"The committee claims that it is in evidence that Odell, during the time that he occupied desk room in the office of the State Land Agent, prepared a book of descriptions of the lands lost to the state in sections 16 and 36, which he offered to produce but afterwards declined to do so, and it is also in evidence that, while Odell is preparing said book, he was not in the employ of the state on salary or fees; that he made the book at his own cost of time and labor, and that it was as much his private property as were the private memoranda of any of the many who examined the records and took data, from the office of the Clerk and the State Land Agent. This was a matter of almost daily occurrence, and, with quite a good many, prolonged and extensive; all without question or hindrance.

"The committee charges that Odell received large sums of money, and demanded to know how much and from whom; an inquisition wholly unwarranted; it being no part of the proper prerogatives of the committee. No part of the money belonged to the state or school fund; it being entirely a private matter of barter between private individuals. The committee would have just as much right to demand an accounting from Judge Hale of the fees charged his clients or of Mr. Bushey of his settlement with the late Judge T. C. Shaw.

"The committee state: 'That the evidence of Odell at page 80 shows that he was not appointed to select swamp lands, &c.' That is a whopper—evidently injected into the report by Bushey's man Friday; no such evidence was taken; no such allegation was made."

Some Additions.

To the above Mr. Odell adds: "With all due deference to the dignity of the joint committee of the Oregon Legislature and with a proper respect for the learning and impartiality (?) of the Attorney General of the State of Oregon, who, with Bushey's man Friday, conducted the investigation, it will not be deemed impertinent to summarize the results:

"First—Mr. Bushey's allegations as stated above.  
"Second—The introduction of a Mr. O. M. P. Jamison of Portland, at a cost of \$12.50, to testify that he had found a man, in the person of W. T. Slater, who could be trusted with his deep-laid scheme—nothing more.

"Third—This W. T. Slater, at a cost of \$2.20 worth, testified to his own fitness and trustworthiness and informed the committee that he could not make the Governor see without revealing his plans, it being a plain case where Mr. Slater could be trusted but the Governor could not. (Wonderful discovery!)

"Fourth—Levy Stipp, an attorney (?) from Oregon City, at a cost of \$9.00, testified: 'I really do not know; had some business relations with Mr. Draper; thought some selections were held up quite a while by the State Land Agent; did not know whose applications were involved; did not know why they were held, whether on appeal or for amendment; closed by saying: 'I think Mr. Draper gave me all the information I have.'

"Fifth—Mr. J. A. Buckley, a timber expert of 13 or 14 years' experience, a good judge of what might have been, to the tune of \$12.50 and the great satisfaction of the man Friday and the Attorney General.

"This includes all the testimony introduced in support of the allegations of Mr. Bushey, except the buzzings of his man Friday, who, in order to draw \$78 out of the State Treasury, signed his name as M. E. Pogue.

"If such testimony were submitted to any court of equity, or to any justice of the peace in a country district, it would be regarded as the veriest rot. Yet it commanded the consideration of the joint committee and the findings of the committee were handed to the press reporters by Hon. S. B. Hermann with a gusto that implied, 'This will send my Pa to Congress!'

"All conceived and executed with the obvious purpose to besmirch the Governor and his efficient and trustworthy State Land Agent."

Cows should have rock salt in every field.

# FAIR BOARD IN SESSION

## Greater Part of Time Devoted to Revision of Premium List

WILL LOOK OVER GROUNDS TODAY AND NAME MINOR IMPROVEMENTS AND PLAN FOR MORE EXTENSIVE NEEDS, IN THAT LINE—WILL GO AHEAD.

(From Wednesday's Daily).

The State Board of Agriculture, consisting of Hon. W. H. Wehrung, president; Geo. Chandler, Baker City; Jasper Wilkins, Coburg, and G. A. Westgate, of Albany, and Secretary M. D. Wisdom, met in room No. 5 of the State House yesterday, for the purpose of making definite arrangements for the coming State Fair. All of the members of the Board, except Mr. Wilkins, who arrived on the afternoon overland, came in on the morning train and the entire day was spent in looking over and revising the premium list. This work was not completed by any means, however, and as the Board will be in session for about three days, the greater portion will be devoted to revising the premium list.

On account of the liberal appropriation which the Legislature made for premiums this year the Board will feel more free, but at the same time it will exercise the greatest discretion in apportioning the money at their disposal so that the greatest benefits will be realized from the amount awarded and President Wehrung said that special effort will be made to build up the exhibits in every line to the highest standard and, for the present, the \$12,000 appropriated will be sufficient to make wonderful improvements in the exhibition lines over previous years, which will be a great drawing feature of the exhibition.

More attention will be given and greater efforts put forth to obtain more county exhibits and to arouse interest in this line, and make it possible for the counties in the more remote portions of the state to enter and compete it will be necessary to offer larger and more purses. With this end in view the Board proposes to take advantage of the two great World's Fairs which are approaching, that of the St. Louis and Clark Fairs in 1935. In order for the commissions of these fairs to obtain a complete and varied display of the numerous products of Oregon it will be necessary for them to procure the best of every variety of product from each of the several counties.

In view of this fact the Board realized that it will require the expenditure of a great amount of money by both the St. Louis and Clark and Lewis and Clark fairs in 1935. In order for the commissions of these fairs to obtain a complete and varied display of the numerous products of Oregon it will be necessary for them to procure the best of every variety of product from each of the several counties.

The proposition will be to ask a contribution of \$1500 from the commissions of the two big fairs to be placed at the disposal of the State Fair Board, to be expended for premiums for county exhibits, which amount will be sufficient inducement for every county in the state to enter into competition and bring the choicest of their products for exhibition. It is a standing rule with the Board that the exhibits brought to the fair for county competition become the property of the Board, and from such exhibits that will be secured through the great inducements which this proposition will offer, a most excellent and complete general display of Oregon products could be secured to exhibit at both the St. Louis and the Lewis and Clark fairs; such an one could not be collected through the expenditure of double the amount of money by either of the commissions. It is believed that the commissions of the two big fairs will take up this proposition very readily.

The Board will go out to the Fair Grounds this morning and make an inspection of some few improvements that have been made during the winter months, such as grading, fencing and draining and to formulate plans for carrying on extensive improvements and repairs to the buildings and grounds in general during the coming summer.

Among the improvements which are absolutely necessary this year are: The relaying of a pipe line for carrying the water supply to the grounds; making additions and extensions to the grand stand and building more stock sheds. An appropriation of \$10,000 was made by the Legislature for this purpose, but unfortunately "old dog Tray" included in the special appropriation bill and was vetoed by the Governor, which greatly crippled the Board in carrying on the much needed improvements.

The Board thinks, however, that no trouble will be encountered in finding some one to take up the warrants for the amount necessary to make the most essential improvements this year, and rely upon the next Legislature to make up the deficiency.

This afternoon the Board will resume the revision of the premium list and invites all who have any suggestions to make in that respect to bring them in and submit them.

The Board has not yet decided as to whether the officers for the coming fair will be elected during this meeting, but an effort will be made to get out the official program and premium list.

GALE IS OVER.

ASTORIA, Ore., March 11.—The southeast gale that started during Monday night lasted until last evening, when it subsided without having done much damage in this vicinity, either on land or water. Many signs are blown down and windows broken, but no individual injured. In the river the British ship Hutton Hall, anchored in the lower harbor, held on all right, but the German bark, Bille, which was anchored opposite the city, dragged her anchor and went on the middle sands.

She is resting in an easy position and is uninjured, and will be taken off at the next tide. Many of the small steamers did not venture out and all communication was cut off with the other side of the river during the day. The wind backed the morning tide of 2.7 feet up equal to an 11-foot tide, but this did no damage.

McCLELLAN RELEASED.

ALBANY, Ore., March 10.—Roy McClellan, who recently escaped from the Thurston county jail at Olympia and was recaptured at this city, has been released from custody. He was being held here awaiting the arrival of officers from Olympia who were to return him to that city. But the local officers have received word that the Olympia officers do not consider it worth the expense to take McClellan back to jail, as he was serving only a sixty days' sentence, so they have set him at liberty.

FORGER IN JAIL.

KALAMA, Wash., March 10.—William Howard, alias Joe Bossman, who recently forged small checks on F. Swager, Scott Strain and H. H. Harvey, of Kelso, was brought to Kalama Wednesday to await the action of the Superior Court. Tuesday Howard was given a preliminary examination at Kelso before Judge Kelly. He pleaded guilty and in default of bail was brought to Kalama to await his trial in the county jail.

### "THE WEB-FOOT"

PAPER PUBLISHED AT THE MUTE SCHOOL RECEIVES SOME FLATTERING MENTION.

(From Thursday's Daily).

"The Web-Foot" is the new name of the paper published at the Oregon School for the Deaf. Following are some of the comments of the papers published at other institutions upon the changed name and improved appearance of the Oregon publication:

Together with a new dress, the Oregon school paper has taken on a new name. Hereafter it wants to be known as The Web-Foot. Not so long ago it was The Sign, then it became The Gazetteer. The Kansas Star may rest easy. The custom of using the nicknames of states is not likely to be followed by either Missouri or Illinois.—Missouri Record.

When a new superintendent takes charge in Oregon one of the first things he does is to change the name of the school paper. They have a new superintendent out there consequently The Oregon Gazetteer now comes to us as 'The Web-Foot.' We consider the new name an improvement—and besides will remind the members of the I. P. F. to extend sympathy—or rebuke, to the lronched brother at Salem. The paper has been much improved of late.—Kentucky Standard.

When our eyes fell upon The Web-Foot we thought we had espied a canvasback, or something of that kind, and felt sorely tempted to point the muzzle of our gun and take it on the wing, but a moment's reflection warned us that the game laws of Michigan forbid, at this season of the year. We then recognized, behind that name, our Oregon friend and former fellow-worker, Mr. T. P. Clarke, and doffed our cap and welcomed the little paper to our sanctum. It looks so bright, so newswy, and so clean in its bran new hat and vest that it really deserves a place well up at the head of the list of little papers in our family. We hope our Oregon friends will be successful in obtaining the appropriations needed to make the changes and improvements that they have planned for their school. Then our web-footed Western friend will have, in addition to a new hat and vest, a new coat and trousers.—Michigan Mirror.

### LABOR MAN ELECTED

WILLIAM CROOKS GOES TO PARLIAMENT TO SUCCEED LORD BERESFORD.

LONDON, March 11.—The election of the successor to Lord Charles Beresford as a member of Parliament for Woolwich Division of London, took place today, and resulted in a majority of 329 for the Labor candidate William Crooks over Geoffrey Drage, the Unionist candidate. Crooks is County Councillor, and is somewhat of the John Bull type. Lord Charles Beresford's retirement from Parliament is due to his appointment to the head of the Channel Squadron. Crooks is a working cooper fifty years old. When nine years old he was in the poor house. As late as 188 he tramped from London to Liverpool in search of work. He is a ready speaker and an indefatigable worker.

EUGENE CITY COUNCIL.

EUGENE, Ore., March 11.—At the regular monthly meeting of the City Council last night an ordinance was passed dividing the city into four wards, in accordance with the recently amended charter, and providing for the election of Councilmen. Each ward is to be represented by two Councilmen. One of these is to be elected each year, and the term of office will be two years. The proposed ordinance increasing the fee for saloon licenses from \$500 to \$800 per annum was discussed, but was laid over until the next meeting of the Council.

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