

# STATE BOARD HAS A CLASH

## GOVERNOR CHAMBERLAIN IN MINORITY ON LAND BOARD.

### INVESTIGATION LAND FRAUDS.

The Question at Issue and Secretary of State Wins Out in Contention.

Governor Wanted Parties Charged With Land Frauds Brought Before Board and Secretary Thought Attorney-General Should Investigate.

Attorney-General Crawford has rendered an opinion upon the questions submitted him by Governor Chamberlain in which he holds that while the state board undoubtedly has the power to cancel certificates of sale of state school lands, in cases where evidence of fraud appears upon the records, the only manner in which it can go about it safely is to order an investigation upon the allegation of fraud and give the parties so charged a chance to prove to the contrary before a definite action is taken. Acting upon this advice, the state land board made an order yesterday afternoon which is in effect that no steps will be taken toward cancelling any certificates until the state grand jury, which is delving into questions of this character, concludes its work.

As to the case of J. K. Sears, whose affidavit attached to his application for the purchase of 320 acres of timber land in this county, charges that the application made by Fred Palmer, of this city, under which the land was sold by the state on March 14, 1901, was fraudulent in that the land was not purchased for the applicants own account, the board finally made order that the parties so charged be summoned before the attorney-general for investigation. Mr. Sears charges further in his affidavit that Mr. Palmer made application in the interest of W. D. Mohney, whose money was used in the transaction, and to whom the certificate is alleged to have been assigned after issuance.

### Members of Board Clash.

The members of the land board clashed upon the disposition of this case with the result that the governor found himself in the hopeless minority and lost out. When the matter was taken up for further consideration yesterday Governor Chamberlain suggested that the parties against whom charges of fraud had been entered by Mr. Sears be summoned before the board to show reasons why the certificate should not be canceled. Secretary of State Dunbar took issue with him and contended that the matter should come properly before the attorney-general. Governor Chamberlain finally put his suggestion in the form of a motion, to the effect that they be called before the board, and the secretary of state offered to amend making it the attorney-general. When the vote was taken it was two to one against the governor and it was so decided.

### Only One in Hundreds.

This case, brought to the attention of the board by the application of Mr. Sears, is said to be only one of many hundreds of a like character and that applicants and contacts of a similar sort may be expected to turn up by the score in the near future. The land involved in these certificates constitutes some of the best timber and agricultural land in the state and there is likely to be a pretty lively scramble for the same. The secretary of state sees fit to cancel the certificates and refuse to issue a deed. The land involved in the opinion which was rendered by the attorney-general aggregates about 60,000 acres of valuable timber land, situated principally in the Cascade mountains. The question arose and was submitted to the attorney-general upon information secured by State Land Agent Oswald West in making a search of the records.

The question which the attorney-general was asked to pass upon was whether or the state land board has express or implied power to cancel, without notice, certificates of sale where they have been issued on fraudulent applications. In deciding the question Mr. Crawford says that while the board may have the power to cancel a certificate, the holder thereof has the right to a hearing upon the matter and that it would be an unwise act upon the part of the board to attempt to act arbitrarily in the matter. Extracts from the attorney-general's opinion to the governor follow:

**Opinion of Attorney-General.**  
"I have examined the matters contained in yours of the 11th inst., relative to communication to you from the state land agent, under date of March 30, 1905, informing you that in the opinion of said land agent, certain applications to purchase school land, filed during the month of November and December, 1900, were fraudulent in that the applicants were not real persons but that fictitious names were used, or that said applications were filed for the purpose of aiding certain parties in unlawfully acquiring large bodies of school lands and enclosing a letter giving the names of such supposed fraudulent applicants and the numbers and dates of the certificates issued upon such applications, and in answer to your first question, to-wit: 'Has the state land board express or implied power to cancel, without notice, certificates of sale where they have been issued on fraudulent applications,' permit me to say that fraud is never presumed and the board passed upon the application when it approved the same and issued the certificate for the sale of the land.

# INITIAL STEP NOW IN VIEW

## CITIZENS LIGHT & TRACTION COMPANY'S FUTURE PLANS.

### ELECTRIC PLANT ON SANTIAM

Power Plant Will Be Constructed This Summer With Abundance of Power.

Establishment of Plant Sufficient to Generate 15,000 Horse Power With Transmission Facilities to Salem Will Cost \$300,000 and Probably \$500,000.

The coming summer season, it is safe to predict, will see more improvement in all lines of industry than this city and vicinity has experienced in its existence. In other words, Salem is upon the verge of a great era of development and another year will see more industries, more railroads, more population and more thrift than has been her privilege to boast in the past or than the most of the inhabitants dream of at the present. Probably the first step in the development of the industries of this city will be the establishment of a power plant upon the upper Santiam river which will be capable of generating at least 15,000 horse power electricity and this plant will be installed this summer, if the present plans of the interests which are back of it do not fall through, and there is no immediate danger of this happening.

This immense power plant, which is now in prospect and is practically settled upon definitely and conclusively, will be installed by the new management of the Citizens Light & Traction Company, and this is believed to be the first step along the line of extensive improvement and extension which has been mapped out for the near future. That the information comes from a source which makes it practically certain and beyond question. It is said that the construction of this plant, which will be located not more than twenty-two miles from this city, to transmit power to this city will entail an expense of not less than \$300,000, all of which will be spent between this city and the Santiam river, and it is more probable that the actual expenditure will be increased to at least \$500,000 before the movement which has been inaugurated is completed.

Manager A. Welch of the local system, has just returned from an extensive trip to eastern Oregon and southern Washington points where the interests which now own and control the local plant own and operate other electric light and power systems. Mr. Welch was not at liberty to say what his mission to these other points was, but it is surmised that he is viewing out some extensive improvement which the new management has in contemplation, the nature of which could not be learned.

All of these interests, as is well known here, are owned by a large Philadelphia syndicate which has an almost inexhaustible supply of capital behind it, and, as has been published before, it is also known that some extensive building, extension and general improvement is under consideration; at least many reasons exist for that belief. These interests, however, are averse to making their plans public before they are fully matured and it is the next thing to impossibility to obtain positive information regarding their movements, except what leaks out inadvertently from different sources.

When asked as to what effect the threatened entrance of the Portland General Electric Company into this field would have upon the local company's business or prospects, he said that he would not affect them in the least and gave his reasons for saying this, that, in the first place, the Portland General had no intention of entering this field with their power or energy, even though they had secured permission from the county court to string wires into this city or to the city limits; and, in the second place, the Portland company was not in a position to transmit power to this city, for lights or anything else, for the reason that they did not have power enough to supply their present needs in Portland and Oregon City. He states that the Portland company's power is exceedingly limited and that they are now compelled to construct an auxiliary steam plant of 15,000 horse power in Portland to supply what demand already exists without creating any new demand. He also states that the Portland company's object in securing permission to enter Salem with their power and lights was an attempt to force the local company to purchase power from them in the event of the construction of the Portland-Salem motor line extension. His company has no fears or grounds for fears of danger of competition from that source and is not giving the matter serious thought.

**A GUARANTEED CURE FOR PILES**  
Itching, Blind, Bleeding or Protruding Piles. Druggists refund money if PAGO OINTMENT fails to cure any case, no matter of how long standing, in 6 to 14 days. First application gives ease and rest. 50 cents. If your druggist hasn't it send 50 cents in stamps and it will be forwarded postpaid by Paris Medicine Co., St. Louis, Mo.

**Setting a Prisoner Free.**  
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**Mother's Friend**  
MOTHER'S FRIEND, by its penetrating and soothing properties, allays nausea, nervousness, and all unpleasant feelings, and so prepares the system for the ordeal that she passes through the event safely and with but little suffering, as numbers have testified and said, "It is worth its weight in gold." \$1.00 per bottle of druggists. Book containing valuable information mailed free.

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# IT IS THRUST UPON BOARD

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### CANCELLING OF CERTIFICATES

Upon School Land Records of Which Sales Evidences of Fraud Appear.

James K. Sears Makes Application for Purchase of Valuable Timber Land Sold by State During 1901—Raises Question Which Will Soon Be Decided

The state land board has been called upon to act upon the question of whether or the board has the authority to cancel a certificate of sale of state school land in cases wherein there appears to be fraud upon the face of the transaction. This question was placed before the board directly yesterday afternoon when James K. Sears of McCoy, Polk county, made application for the purchase of 320 acres of timber land which was sold by the state as school land four years ago.

The records show that the land was sold to Fred Palmer of this city, on March 14, 1901, and Mr. Sears alleges in his affidavit, which accompanies his application for the purchase of the land, that the application was fraudulent in that the applicant did not purchase the land for his own use and benefit, as the state law requires, but that it was purchased for one W. D. Mohney who furnished the money for the first payment and to whom the certificate was assigned. Mr. Sears raises the question by entering a protest against the issuance of the deed of sale.

The land in question is situated in the eastern part of this county, near Elkhorn, and is said to be valuable timber land. There are hundreds of such cases upon the records of the state land office and aggregate several hundred thousand acres of school land. Mr. Sears says that he anticipates the action of the board in cancelling the certificates in these cases and that he applied for the purchase of the land in order to have the preference right when such action is taken. He states that his three daughters will also make similar application in the course of a few days for the purchase of other half sections of land involved in transactions of this nature.

It is quite probable that Attorney General Crawford will pass upon the questions submitted by the governor last week and which cover the point involved in this case, in a few days when the board will be prepared to take official action in the matter. In the meantime the Sears' application has been taken under advisement indefinitely.

### DEEDS RECORDED.

The following real estate transfers, aggregating the consideration of \$24,853, have been filed for record in the office of the Marion county recorder: W. P. Weir to A. J. Johnson, 42 acres in t 7 s, r 3 w, w d..... \$4200  
S. F. and E. P. Weir to A. J. Johnson, 6 1/2 acres in t 7 s, r 3 w, w d..... 3000  
J. and B. Guldan to Peter Fleschinger, 30 acres in t 6 s, r 1 w, w d..... 3000  
R. E. L. Steiner et ux to P. S. Knight, land in block 22, Salem, w d..... 2000  
T. T. and P. A. Mills to Joseph Fery, 6 acres in Marion county; w d..... 1538  
W. C. Hubbard et ux to C. A. Wallace, land in University addition to Salem; w d..... 1500  
L. S. Wirth et al to H. J. Mutschler, land in Marion county; w d..... 1425  
G. C. and M. Holmes to P. Higgins, lot 8 and 1/2 of lot 9, S. P. E. No. 5; w d..... 1250  
J. H. Shultz to Louis H. Seguin, 10 acres in t 5 s, r 1 w, w d..... 825  
Walter P. Weir to A. J. Johnson, block 2, Turedo Park addition to Salem; w d..... 800  
J. M. and J. A. Austin to W. H. Hanes, 4.84 acres in Ben Brown's Woods addition to Woodburn; w d..... 800  
A. M. Olinger et al to Conrad Falk, 6.32 acres in t 7 s, r 3 w, w d..... 780  
J. A. and K. Bernardi to F. B. Southwick, land in Salem; w d..... 700  
Charles H. Birggraf to J. R. Fairbanks, lot 5, block 17, North Salem; w d..... 600  
J. H. and M. C. Settlemeier to Melanie Chappelle, lots 5, 6, 7 and 8, block 8, Addition "C" to Woodburn; w d..... 425  
A. C. and R. E. Darby to J. A. Wirth, lot 4, block 8, Thomas' addition to Stayton; w d..... 350  
J. H. and M. C. Settlemeier to Henry Chappelle, lots 5, 6 and 7, block 7, Addition "C" to Woodburn; w d..... 312  
W. T. Gray et al to J. O. Estes, land in Marion county; w d..... 300  
Jess Leonard to George O. Hardig, lots 1 and 2, block 7, Brooks; w d..... 250  
T. and S. J. Sims to Benjamin Wright, lots 8 and 9, block 23, Englewood addition to Salem; w d..... 150  
G. D. and J. Ebner to Frank Burch, lots 3, 4, 5 and 6, block 3, J. W. Ebner's addition to Mt. Angel; w d..... 150  
C. B. and S. E. Moores to A. C. McMillan, lots 1, 2 and 3, block 21, Highland addition to Salem; w d..... 100  
J. A. and M. E. Cook to B. E. Ross, lot 6, block 7, Highland addition to Salem; w d..... 65  
E. and C. Feller to W. Wolfert, 1 acre in t 5 s, r 1 w, w d..... 30  
W. H. Hobson to M. M. Powell, land in Wagoner's addition to Stayton; w d..... 1  
S. F. Weir to W. P. Weir, land in Marion county; w d..... 1  
A. Engelhart to T. Engelhart, 35 acres in t 5 s, r 1 w, w d..... 1  
Total..... \$24,853

# WAS GOOD MAN

## FRED L. DAMES, MURDERED AT BELLINGHAM, WASH., KNOWN IN THIS CITY.

Was Butcher by Trade and Is Well Known in West From Texas to British Columbia—Conducted Market in Portland for About Four Years.

A dispatch from Bellingham, Washington, which appeared in the Statesman of yesterday, chronicled the brutal and cold-blooded murder of Fred L. Dames, a butcher of that city, on Wednesday morning. He was killed in his own meat market, supposedly for his head. Mr. Dames, the murdered man, was not known here to any great extent but was formerly in business in Portland. C. L. Parrish, deputy clerk in the office of the clerk of the state land board, of this city, however, is well acquainted with him, in fact, has known him since 1879, when he was in business in Bodie, California. Mr. Parrish was employed with him in New Mexico, in 1881-82, and kept books for him in Portland in 1901-02, and has had contact with him by letter at long intervals for the past twenty years. In speaking of his friend yesterday Mr. Parrish said:

"Fred L. Dames was a union soldier and well known in the west from Texas to British Columbia. He was born in New York, but is of German parentage. At the age of 18 years he enlisted in the union army and passed through many battles, losing the second finger of his left hand at the battle of Shioh. At the close of the war he came west and has been heard of nor corresponded with any of his relatives. It is not known whether any survive him or not. He rarely discussed or referred to his parents or early life with his most intimate friends.

"He was in all of the principal mining camps during the 70's and 80's, in California and Nevada. In 1878 he went to Bodie, California, from Virginia City, Nevada, where he had been during the mining boom. At Bodie he was employed in the market of J. N. Summers and Tom Richey for two years and then opened a market for himself. In 1880 he went to Las Vegas, New Mexico, opening a shop there and remaining but a year. In 1884 he was at Gunnison, Colorado, and 1885-6 at Copper City, California. From there he went to Austin, Nevada, and then to Fort Arthur, Texas, where he remained until 1890. He came to Portland in 1899, and conducted a meat market at 149 First street until early in 1903, when he went to Bellingham, where he met his death so foully.

"Mr. Dames was a butcher by trade and a large, robust, clean man, of pleasing appearance and fine business tact, and, at the age of 60 was capable of doing a day's work equal to any man of 30. He had no bad habits, retired and arose early and was always attentive to business. He had a reputation of running his business in a straightforward and cleanly manner, and his former Portland customers will doubtless regret to learn of his sad fate. The brutal robbers were undoubtedly poorly paid for their heinous crime, as it was the custom of Mr. Dames to daily deposit his receipts in the bank."

"Little Colds." Thousands of lives sacrificed every year. Dr. Wep's Norway Pine Syrup cures little colds, cures big colds, too, down to the very verge of consumption.

# READ THIS

Jacksonville, Ill., Sept. 25, 1902. Nearly three years ago, with a serious attack of illness, I was surprised to learn that I had diabetes. Providentially, I was led to procure a bottle of Dr. E. W. Hall's specific for kidney and bladder troubles, known as a Texas Wonder. Less than half the \$1.00 bottle effected a complete and permanent cure. Consequently, I believe it to be a medicine of very great value. —L. B. Kent, Evangelist

# TEXAS WONDER

One small bottle of the Texas Wonder, Hall's Great Discovery, cures all kidney and bladder troubles, removes gravel, cures diabetes, seminal emissions, weak and lame backs, rheumatism and all irregularities of the kidneys in both men and women, regulates bladder troubles in children. If not sold by your druggist, will be sent by mail on receipt of \$1. One small bottle is two months' treatment and seldom fails to perfect a cure. Dr. E. W. Hall, sole manufacturer, P. O. Box 629, St. Louis, Mo. Send for testimonials. Sold by all druggists and Stone's drug store.

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L. S. Wirth et al to H. J. Mutschler, land in Marion county; w d..... 1425  
G. C. and M. Holmes to P. Higgins, lot 8 and 1/2 of lot 9, S. P. E. No. 5; w d..... 1250  
J. H. Shultz to Louis H. Seguin, 10 acres in t 5 s, r 1 w, w d..... 825  
Walter P. Weir to A. J. Johnson, block 2, Turedo Park addition to Salem; w d..... 800  
J. M. and J. A. Austin to W. H. Hanes, 4.84 acres in Ben Brown's Woods addition to Woodburn; w d..... 800  
A. M. Olinger et al to Conrad Falk, 6.32 acres in t 7 s, r 3 w, w d..... 780  
J. A. and K. Bernardi to F. B. Southwick, land in Salem; w d..... 700  
Charles H. Birggraf to J. R. Fairbanks, lot 5, block 17, North Salem; w d..... 600  
J. H. and M. C. Settlemeier to Melanie Chappelle, lots 5, 6, 7 and 8, block 8, Addition "C" to Woodburn; w d..... 425  
A. C. and R. E. Darby to J. A. Wirth, lot 4, block 8, Thomas' addition to Stayton; w d..... 350  
J. H. and M. C. Settlemeier to Henry Chappelle, lots 5, 6 and 7, block 7, Addition "C" to Woodburn; w d..... 312  
W. T. Gray et al to J. O. Estes, land in Marion county; w d..... 300  
Jess Leonard to George O. Hardig, lots 1 and 2, block 7, Brooks; w d..... 250  
T. and S. J. Sims to Benjamin Wright, lots 8 and 9, block 23, Englewood addition to Salem; w d..... 150  
G. D. and J. Ebner to Frank Burch, lots 3, 4, 5 and 6, block 3, J. W. Ebner's addition to Mt. Angel; w d..... 150  
C. B. and S. E. Moores to A. C. McMillan, lots 1, 2 and 3, block 21, Highland addition to Salem; w d..... 100  
J. A. and M. E. Cook to B. E. Ross, lot 6, block 7, Highland addition to Salem; w d..... 65  
E. and C. Feller to W. Wolfert, 1 acre in t 5 s, r 1 w, w d..... 30  
W. H. Hobson to M. M. Powell, land in Wagoner's addition to Stayton; w d..... 1  
S. F. Weir to W. P. Weir, land in Marion county; w d..... 1  
A. Engelhart to T. Engelhart, 35 acres in t 5 s, r 1 w, w d..... 1  
Total..... \$24,853

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