

STATE LAND FRAUDS

How Officials Went Through Sham Adjudications

More Revelations Continued From the Official Reports of Land Agent West

Another source of basis, and one yielding the largest return for work, is from school sections which are mineral in character and which, upon proof of that fact in conformity with certain prescribed rules of procedure and to the satisfaction of the commissioner of the general land office, may be used in the selection of lieu lands of equal amount.

School sections reported mineral by United States deputy surveyors require no further proof unless disputed. School sections not so reported must be proven so by a process called "adjudication," which is similar to the legal method of perpetuating evidence. Notice must be given of the time and place for taking testimony before legally appointed officers; the witnesses are subjected to cross examination and every precaution taken to ascertain the facts. Upon these the local land officers render a decision, which, with the evidence, is transmitted to the general land office, where it is reviewed by the general commissioner. Although such a trial is held in the name and by the authority of the state; in fact, the state has had nothing further to do than to lend its authority to private individuals who were undertaking it on their own account and for such returns as might come to them in the lieu land dicker.

The expense attending adjudication is considerable and the result of it somewhat uncertain, as the commissioner has decided, in many cases, that the allegation of mineral character was unproven. Whether from this or other reasons the legislature has never appropriated any money for such work. As a preliminary to adjudication the land department at Washington ruled that an affidavit (of which the form was given by the commissioner of the general land office), made by one and certified by two disinterested witnesses, should be prima facie evidence of the mineral character of the land, sufficient to warrant the department in ordering an adjudication. Upon the filing with the department of such affidavits the state was allowed to make selections of lieu land based on the school sections so certified as mineral, but the selections were only tentative, and were not confirmed to the state until the complete and final adjudication proving the mineral character of the land.

For some reason the rule was not strictly adhered to, as, in many instances, selections have been made when no affidavits can be found in the department, they having been lost in transmission or were erroneously retained in the local land office, where they were first sent, instead of accompanying the lists of selections. This course of allowing selections before proof, though no doubt well intended, became a source of much confusion and trouble, for in very many instances the after adjudication failed to substantiate the certified allegation

of mineral character, and of necessity the selections by the state of lieu lands based upon them had to be canceled.

Additional to this, and complicating the difficulties immeasurably, the state authorities were in the habit of selling the lands as fast as selected on the strength of the aforementioned ex parte affidavits, and when the cancellations came the purchasers, though holding deeds from the state, were deprived of both money and land. The extent to which the said affidavits were fictitious or fraudulent can be approximately known from the fact that the state's claim to over 50,000 acres of land so purchased has been set aside by the general government.

It is not necessary to infer from such an outcome that the person working up the mineral basis was trying to defraud the state or individuals, for with the best intent and management the inevitable tendency of the method of procedure adopted or allowed by the state board was to produce just such complications as now perplex the state land officers. It was the extreme of recklessness to sell lands to which the state had no shadow of title, and for which there was very slight evidence that the state could obtain title in the manner proposed. Indeed, there was extraordinary inducement for the mineral basis manipulator to omit the steps necessary to establish a valid title to the land sold. Everything depended upon the basis. If that was not proven to be mineral the sale was void as to the purchaser of the lieu land. The base hunter merely procured an affidavit that certain school sections, maybe hundreds of miles away, were mineral in character; this was called furnishing basis for lieu land selections.

Upon such a flimsy foundation as this the governor, as land selector for the state, and totally ignorant of the facts, signed the list, which was transmitted to the local land office, where it was formally accepted without inquiry, of course, as it was no part of land business to disprove the affidavits, and from there it was sent to Washington. When the local land officers accepted the list, then the lieu land purchaser paid the money, according to his contract with the base hunter, who took his pay in full, and the remainder was turned over to the state. The state officers executed a deed if the purchaser paid in full, or a certificate of sale in case of deferred payment. The base hunter, though paid in full, was under no bonds or legal obligations whatever to go on and adjudicate upon the basis he had furnished, but, without the adjudication to the satisfaction of the commissioner of the general land office, the so-called basis was no better foundation for a lieu land sale than if it had been located in the moon. Granting that he should go forward in the successive steps of adjudication, viz: obtain an order from the local land officers of the district in which the alleged mineral basis is located, appointing a time and place and a referee before whom the testimony should be taken, publish the notice of such appointment, furnish the witnesses and the attorney to question them, take down the testimony in writing, forward it to the local land officers, obtain from them a verdict, favorable if possible, and afterwards a judgment by the commissioner of the general land office; if he goes through all this with an earnest, honest purpose to earn the money he has received and to vindicate the good name of the state, the chances are two to one that it would fail in some important particular, and as a consequence the purchaser would lose his land and be obliged to call upon the state to refund the money. This is about the kind of success attending

such a method of doing business when there is an honest effort on the part of the mineral base hunter to consummate the undertaking, but as he is not under bonds or legal contract to perform such service, and as he is uniformly paid in advance, there is nothing very strange or irrational in the assumption that several thousand acres of those selected in this way were never intended to be adjudicated, and that school sections were assumed to be mineral with fraudulent intent.

When economically managed, adjudication does not cost as much as the basis sold for, and therefore it would be a paying business to procure affidavits of mineral character, realize upon the basis and go through a sham adjudication.

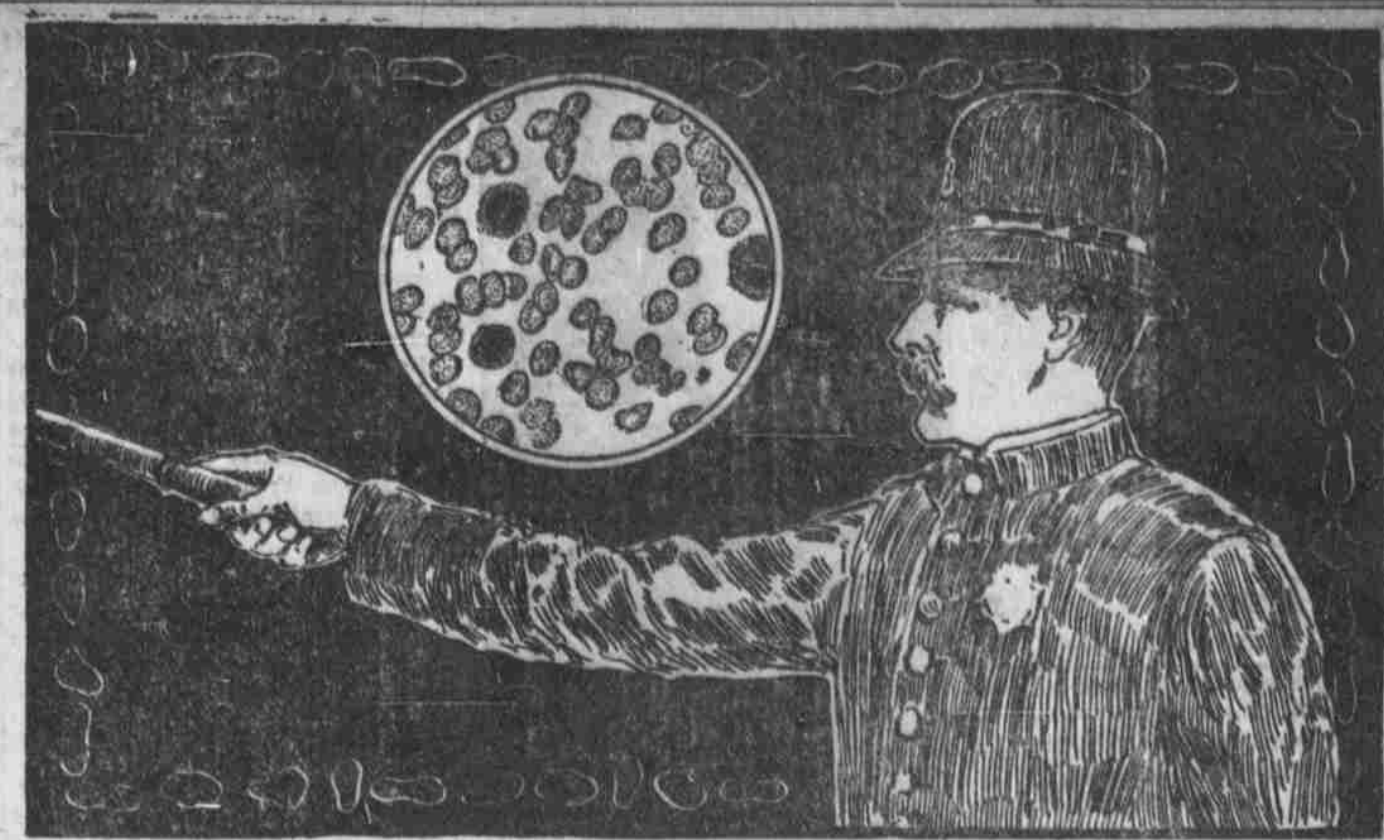
Of the more than 60,000 acres of mineral basis upon which lieu lands have been sold only about 26,000 have been confirmed to the state, the remaining thousands having been cancelled by the general government.

It is not to be expected that any business can be carried on without an occasional error, and the land business, from its complexities, is especially subject to inaccuracies and mistakes. It is, in fact, a specialty requiring careful and long-continued training, both of the perceptive faculties and those of the understanding, as well as strictly methodical habits. But making all allowances for human imperfections and the intricacies of land office business, should we rationally expect to find in the land office basis used twice or more times to the amount of more than 7000 acres? Such, however, is the case, and it means that citizens of the state have been defrauded to that extent. The commissioner of the general land office gave a rough estimate that 70,000 acres of lieu land selected by the state will be canceled for the reasons already given, which may be recapitulated as follows, to-wit: Lieu selections in conflict with persons holding under United States laws, and in conflict with state lands previously taken; second, selections in lieu of false mineral basis, 38,000 acres; third, selections on basis calculated in unsurveyed townships, 6000 acres; fourth, selections on duplicate basis already given, 7000 acres. The decision as to several thousand acres of selections is still pending at Washington on account of imperfections in the proof adduced as to the mineral character of the basis.

Mr. W. T. Radir, said to be the first person who ventured into the field of speculation, and the one who has done more than all others to prove the mineral character of otherwise worthless school sections of Eastern Oregon, is at present busily engaged in adjudicating them, with some prospect of reducing the aggregate of undetermined or false basis before given. And though the experiment of buying lieu land upon unproven mineral basis has been rather a losing investment to many of our citizens, the state will be the gainer, perhaps more than 30,000 acres of land as a consequence of such unsolicited ventures. But after the wending of proofs there will still remain some 20,000 to 30,000 acres of canceled lands for which the state has given deeds or certificates of sale, and thereby laid itself under obligations to assist in extricating the purchasers from the embarrassments arising from defective title. It is easy to say that purchasers of lieu land were required by law to find their own basis by themselves or attorneys, the state is not to blame, and should not be held responsible, but while this may be the legal view of the case it affords no practical solution of the problems growing out of the very imperfect legislation of the past. If the legislature adopts an impracticable requirement or one that must inevitably lead to trouble, by leaving the duties of officers so vague as to practically abolish their responsibility, certainly it is not proper to insist on a strict construction of such legislative enactment to the injury of well meaning persons who have been misled by the action of non-action of blundering or corrupt officials.

Citizens are inclined to trust the state, and they look upon a parchment bearing its great seal with confidence, and as an earnest and reliable pledge, and not the voidable trick of an officer for whose delinquencies the state takes no care and feels no responsibility. So in the case of these canceled lieu lands; the people holding the state's obligations therefore have been petitioning Governor Lord to come to their rescue and set up their purchases upon valid basis, and thus make good the state's contract. Now it so happens that the Daly law stands in the way of compliance with their petitions, and the governor very properly refers them to the next legislature for redress.

It will be recalled that the canceled lands are immediately subject to appropriation under United States laws, and in some instances where such lands have been improved by the purchaser, or evidence has been furnished showing want of proper conduct on the part of the clerk of the state board, by which purchasers were misdirected, or where great and irreparable injury



The Guardian of Our Body

SCIENCE UP-TO-DATE.

The foremost biologist of our day is M. Metchnikoff who has shown the world of science that there are leucocytes in our blood that act as scavengers or policemen. These policemen which are called phagocytes look out for the noxious or poisonous elements in our blood. It is of the highest importance to the long life of the human being that these policemen guard us from the attack of germs from the outside—who enter our bodies like burglars to take our lives. Various offending elements such as micro-organisms are picked out of the blood and tissues by these policemen and destroyed. Therefore our lives are protected by these blood-cell-policemen the phagocytes, and we enjoy immunity from disease so long as our blood contains plenty of phagocytes and red blood corpuscles. We can prolong life by keeping our blood in good condition—our circulation and liver active. In the above sketch the border shows types of red corpuscles which are degenerated, broken down blood cells—in healthy red blood the cells are round but when we get pale, thin and weak the round cells soon become irregularly shaped or like a dumb-bell. The policemen in our blood are represented by the dark irregular shaped cells within the circle showing healthy blood cells.

The more study and time is given to the subject the more we find that the blood is the center of life—says Dr. K. V. Pierce, the noted specialist of Buffalo, N. Y., "the health and comfort of the average person depends entirely on the blood supply—for the heart must have

pure blood or it will not pump and keep the body supplied regularly like the beautiful automatic engine it is. The nerves must be fed on pure blood—or we suffer the pain of neuralgia, which is the cry of the starved nerves for food. Headaches, cold in the head, catarrh—and many other things are due to stagnation of the blood." Many of our common ills could be prevented and cured if the people only knew themselves and their bodily make-up. Study some good medical book, it need not be technical—a good one is the "Common Sense Medical Adviser" by R. V. Pierce, M. D. This book is a complete treatise on Physiology, Anatomy, Hygiene and Medicine and gives simple receipts for the cure of ordinary ills—and is within the reach of everyone for this one thousand page illustrated book will be sent, by addressing Dr. R. V. Pierce, Buffalo, N. Y., for 21 one-cent stamps in paper binding, or cloth-bound for 31 stamps.

HOW TO PUT THINGS IN ORDER.

"A new broom sweeps clean"—and in order to put our own house in order we must get rid of all the poisons in the blood with a new broom such as an alterative extract made from roots and herbs—without the use of alcohol. Alcohol only shrivels up the red blood corpuscles and therefore it is unwise to try and brace up one's strength with cocktails or alcoholic tonics and compounds. Some thirty-eight years ago Dr. Pierce who was in the active practice of medicine and surgery found that an alterative extract could be made of certain herbs without the use of alcohol, that was a specific for making rich red blood—for eradicating the poisons from the blood. In some way the policemen in the blood are increased in number

and strength—so that we are put in the best possible shape to resist disease—to cure neuralgia, colds, catarrh, and incipient consumption.

"I believe that it is generally conceded that Dr. Pierce's Golden Medical Discovery is the best medicine for a man to take suffering from indigestion, kidney trouble or any of the afflictions resulting from overwork or neglecting a cold," writes J. Russell Hill, of 332 Barrie Street, Kingston, Ontario, Recording Secretary Imperial Knights' Federation League of Kingston. "I have used it several times during the past few years and have always found that it gave me immediate relief. It expels excessive uric acid in the system due to improper digestion, relieves the kidneys from congestion, drives headache and backache away, induces appetite and tones up the general system. I consider it a fine remedy for young or old men, sure to build up a run-down condition of the system."

"It gives me great pleasure to express my faith in the virtue of Dr. Pierce's Golden Medical Discovery," writes Mrs. Ellen Hayes, of Whittens Stand, Tenn. "For several years I suffered with stomach trouble. Had spells which were so bad no pen can describe the suffering I endured while they lasted. In November, 1901, I wrote to Dr. Pierce, describing my case, and he replied advising the use of his 'Medical Discovery.' I bought nine bottles, have taken five of them and have not had another spell since I commenced the medicine, although am not yet entirely cured." I have received much and lasting good from Dr. Pierce's Golden Medical Discovery, and know that if I continue with it that it will cure me. I thank you for your kind advice and the benefit I received from your medicine."

would be inflicted by delay, the governor has yielded to the seeming necessities of the case and provided basis out of the Cascade reserve. The remainder can wait until the proper department of government takes them in hand.

Wind and weather destroy soft skin on face and hands—Rose and Cucumber Cream Jelly (Curosa Cream) preserves it.

STATE SOCIAL NEWS

Blodgett.

J. A. Wood went to Corvallis Tuesday.

Miss Mary Blodgett went to Toledo Thursday.

S. R. Wood returned from Corvallis last week.

Mr. Pratt and wife, of Corvallis, visited at Mr. Evans' last week.

Roy Norton went to Corvallis Monday.

W. D. Mixer went to Toledo Saturday and returned Thursday.

Mr. Peterson, of Colorado, came Wednesday to visit Mr. Pratt and family.

Miss Laura Skaggs returned to her home at the Summit last week.

Some friends from Indiana are visiting at Mr. Cadwallader's.

Mr. Shaw and family, from Kansas, have moved on the White farm, recently vacated by Charles Dutton and family.

The presiding elder, from Philomath, preached at the school house last Wednesday night. There was a good attendance.

The Diamond Cure.

The latest news from Paris is that they have discovered a diamond cure for consumption. If you fear consumption or pneumonia, it will, however, be best for you to take that great remedy mentioned by W. T. McGee of Vanleer, Tenn. "I had a cough for 14 years. Nothing helped me until I took Dr. King's New Discovery for Consumption, Coughs and Colds, which gave instant relief and effected a permanent cure." Unequaled quick cure for Throat and Lung Troubles. At J. C. Perry's drug store. Price 50c and \$1, guaranteed. Trial bottle free.

"Mrs. Baker has broad literary culture, a wonderful voice and forensic ability of the highest type."—Boston Idea.

NEW Y.M.C.A. BUILDING

Corvallis to Have a Beautiful New Home for Its Association

A movement which has created a vast amount of enthusiasm in Corvallis is the proposed construction of a student building for the Young Men's Christian association.

The idea was first brought before the public a year ago by an eastern friend. This worker promised \$2000, providing \$8000 could be raised by the local workers.

On Friday evening, January 13, the members of the Y. M. C. A. gave a Boston baked bean banquet in the armory, at which time the canvass was launched.

For several reasons the attendance at this meeting was not as large as could be desired, but those present caught the spirit of the evening and many liberal donations were received.

Following are the association members who are leading this movement, and doing earnest work for the cause: H. J. McCoy, of San Francisco; Lester McLain, Jr., of New York, H. O. Hill, of Chicago, and H. W. Stone, of Portland, Ore. The latter acted as toastmaster. Those responding in a clever manner were: Colonel Darby, E. C. Shepard, editor of the College Barometer, Prof. Lake, Dr. Withycomb and Messrs. Hill, McCoy and McClain.

Immediately after the supper subscriptions were taken. At this time 94 pledges were made to the amount of \$3294.

Two years are given in which to

pay the subscriptions; during this length of time two agreed to pay \$250, one \$125, five \$100, three \$75, seventeen \$50 and thirty-five \$25.

A large number of young men of the college did not attend the banquet, but desired to aid in the good cause. To accommodate these, pledges were taken at the drill hour on the morning of January 18, when the subscription was increased to \$4350. Since then \$350 more has been promised.

It is anticipated that quite a handsome sum will be realized from the faculty of the college, as well as business men of Corvallis, and friends throughout the state.

It is estimated the building will cost about \$15,000 when complete. The structure will be made of stone and present a substantial and artistic appearance.

Among the numerous uses its rooms will be assigned to are the reading room, trophy room, athletic and college paper office, and meeting halls for the four societies of the college.

Construction will commence next summer. A desirable location will be selected near the other college buildings.

This valuable new addition will certainly be one of the most attractive of the college group.

Bent Her Double.

"I knew no one for four weeks when I was sick with typhoid and kidney trouble," writes Mrs. Annie Hunter, of Pittsburg, Pa., "and when I got better, although I had one of the best doctors I could get, I was bent double and had to rest my hands on my knees when I walked. From this terrible affliction I was rescued by electric Bitters, which restored my health and strength, and now I can walk as straight as ever. They are simply wonderful." Guaranteed to cure stomach, liver and kidney disorders. At J. C. Perry's drug store. Price, 50c.



Proposed New Y. M. C. A. Building, Corvallis.

CARDUI BABIES

Many homes are mere lonely abodes because no children are there. Barrenness exists in almost every case because female diseases have paralyzed the organs of womanhood. Wine of Cardui imparts health and strength to the diseased parts and makes motherhood possible in thousands of cases where barrenness is supposed to be incurable. Wine of Cardui regulates the menstrual flow and also prevents miscarriage and cures bearing down pains. Wine of Cardui removes the cause of barrenness by making the female organism strong and healthy. Go to your druggist and secure a \$1.00 bottle of Wine of Cardui. The use of Wine of Cardui will bring happiness to your home.

In cases requiring special directions, address, giving symptoms, "The Ladies' Advisory Department," The Chattanooga Medicine Co., Chattanooga, Tennessee.

AMEYST, COLO., Feb. 24, 1902. Wine of Cardui is worth its weight in gold. It does more than you claim. It has saved my life and caused me to become a mother when everything else failed. MRS. DORA I. E. LE FEVRE.

BRYANT, VA., Feb. 18, 1902. My daughter-in-law, Lizzie Giles, found great benefit in Wine of Cardui. She had a miscarriage in March 1901, before using your medicine. She was in very bad health, so I persuaded her to try Wine of Cardui. Since then she has had a fine baby boy. Soon he will be three weeks old. She highly recommends Wine of Cardui.

My daughter, Fannie Hudson, also has a fine baby boy by your treatment. She highly appreciates Wine of Cardui. MRS. LOUISA GILES.

WINE OF CARDUI