

REPEAL OF THE PUBLIC LAND LAWS.

What is Heard in the National Capitol Around the Legislative Lobbies.

THE DETERMINED OPPOSITION.

New York Merchants Studying Irrigation With the Result That They Are Giving it Enforcement.

Special Correspondence.

Washington, Jan. 17.—The statement is heard around the Capitol and the hotel lobbies of Washington that there is no possible chance of land law repeal this session of Congress. The opponents of legislation which will repeal certain of the land laws and check land stealing, admit that some amendments or modifications of the existing laws may be made, but that the repeal absolutely of any of these laws and particularly the desert land law is a thing impossible and out of the question.

This calls to mind very forcibly similar statements and prophecies heard at just about a corresponding date of the year that the national irrigation bill became a law, much to the surprise of even some of its friends.

It is probable that these opponents of land repeal are speaking advisedly. Whatever they may themselves think on the subject, they are anxious to secure a general impression, if possible, that these laws cannot be repealed. It is recognized, however, by the best informed statesmen on the subject, that the question has now come to the point where it must be decided. If possible, the public land is disappearing into speculation and corporate holdings at such an enormous rapid rate that it will do so before the question no longer. Unless effective legislation is secured, and comparatively at once, there will be little left worth legislating about.

"We have reached the point on this land question," said a prominent western senator, "where we have got to substitute acts for words. We have got to do something at this session of Congress. The opposition to this repeal of the land laws—the desert act, the commutator's clause and the timber act—are carefully sparing for time, as though the question were a brain reefer one, and one which we did not understand in the west. It is far too well understood, so well understood that men find no difficulty in getting about all they want of our best irrigation and timber lands, in utter disregard of the spirit of our land enactments which have been popularly believed to foster homesteading and settlement."

Another Washington legislator who has been following the land question for some years smiled significantly when asked for his opinion regarding some of the various amendments to the land laws which have been introduced by western men. "These amendments and modifications," he said, "always of course, in the interests of the people, are quite amusing, especially in their apparently drastic effects. About all such proposed legislation that I have seen thus far would be like breaking out the fangs of a poisonous serpent; there are always dormant fangs in the back of them and these soon grow out again and are ready for business."

"These energetic statesmen in their activity to amend and modify our land laws remind me of the student a dozen years ago when there was a great overhauling of the land laws accompanied with the blarney of trumpets and much humbug talk as to how the rights of the government and of the homesteader were being secured, in other words, it seems that these fellows left the laws in a condition very well suited for their wholesale grab operations now in progress. The amendments and modifications now proposed are largely along the same lines. Shifted down to the bottom they would simply make land-grabbing a little more laborious, and slightly more expensive, probably, but the land is much more valuable than it ever was before and the grabber would still be up to the top."

LAND LEGISLATION.

The determined opposition which has developed at Washington to any real land law reform legislation for the west shows how fierce is the fight to secure ownership to the remaining public domain which may become valuable for agriculture through irrigation improvement. Probably the only measure before Congress which warrants the undivided support of the country on this question is presented by Senator Quayle of Wisconsin which unequivocally stops land theft by providing for the absolute repeal of the land stealing laws—the Desert act, the commutator's clause of the Homestead act and the notorious Timber and Stone act. It repeals, in fact, everything but the Homestead act as originally championed by Galusha A. Grow, a speaker and for years nestor of the house.

With this Quayle repeal bill before it, Congress can well afford to pigeon-hole the various modifications and amendments proposed to the land laws, as things dangerous.

Already one amending senator has been discovered to contain an innocent looking clause, the effect of which, if enacted into law, would be to allow the most rampant speculation by the big land interests in the very lands which the government has reserved for federal irrigation and settlement into small farms. The friends of honest land administration in the west and who believe in the principle that no more government lands should be disposed of to syndicates and corporations, but should be held by the government until settled upon by actual homesteaders,

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are giving their support to the Quarles bill.

NEW YORK FOR IRRIGATION.

The Merchants' association of New York, an immense and influential organization comprising the principal business houses of the metropolis, has been making a study of the general questions of irrigation and forestry as related to manufacturing and sales of factory products, and at its annual meeting decided to lend the subject its active support. The matter has been in the hands of a special committee appointed last spring. The association concluded that the settlement of the arid land by home-builders was a subject in which they were deeply and directly interested, and that they could lend their support to no movement, development of South American trade, expansion of oriental markets, or anything else which promised such returns as the habitation of arid America. This report expresses strong views against the timber and land looting now rife in the west and stands for the repeal of the land laws.

COLORADO BULL-PEN.

Judge Hallett Renders Decision. Concerning the State's Rights.

Denver, Jan. 20.—Judge Moses Hallett, in the United States district court today, after consideration of the Sheriff Parker habeas corpus suit against the military authorities of Colorado, announced that his court is without jurisdiction in the matter. Parker is a minor of Cripple Creek who is held in the military bull pen without warrant. In his opinion Judge Hallett says:

"In times of turbulence and when there is a probability of violence, discretion may be exercised on the part of the authorities in holding prisoners without bail and holding them in custody until reasonable investigation has been made. The governor, as executive of the state, is authorized and required to enforce the law, and, in doing so, he has a right to call out the militia and use the powers of the state he should do so. The matter of how the state should enforce the law is not for the federal government to state. The supreme court of the United States has decided that when the authorities of a state are engaged in the execution of the laws of the state the courts of the United States have no authority to set them aside."

"The people of the state are to be congratulated on having a governor who will enforce the law. The court will not interfere with him in the execution of his duties."

Adams County Records Burnt.

Brighton, Colo., Jan. 20.—The Adams county courthouse burned to the ground today. The actual loss is nearly \$40,000, and, owing to the fact that the assessment rolls were burned up, an additional loss of \$60,000 may be sustained by the county, as it is not determined whether or not it is constitutional to make another assessment list after one has been duly approved.

All the records of the county were lost. The new county jail in the rear of the courthouse building had just been completed. The fire is believed to have been of incendiary origin. Adams county was formed a year ago by the division of Arapahoe county, which includes Denver.

Another Boodler Convicted.

Grand Rapids, Mich., Jan. 20.—"Guilty as charged" with recommendation to the court for mercy, is the verdict rendered by the superior court today in the case against Alderman Jacob P. Ellen of the First ward, charged with having accepted a bribe of \$200 from ex-City Atty. Salsbury, in the Lake Michigan water debt scandal. The jury was out a little less than two hours, which is the first trial completed that grew out of the recent session of Salsbury, although eight of the officials implicated have already pleaded guilty. Respondent Ellen was remanded to the custody of the sheriff until Saturday morning for sentence, and was taken to jail.

\$3,000,000 LOSS.

The Shelby Steel Tube Plant Burned.

Shelby, O., Jan. 20.—The United States Steel corporation sustained a \$3,000,000 loss by fire tonight at the plant of the Shelby Steel Tube company. The fire started in one of the smaller rooms from a defective electric wire and spread to the larger stock rooms, completely destroying them. The product of the entire plant for the last six months was destroyed within an hour, consisting of 50,000 tons, making in all 250,000 feet of finished product, valued at \$2,900,000.

The fire broke out at 9 o'clock, and at 10 o'clock the immense buildings fell in with a crash that could be heard for miles from the city. Battered and twisted, the finished product lies in a heap, almost a total loss. Tube works officials state that a portion can be worked over, but it will require the entire capacity of the plant and will delay the mills on other orders.

The stock consisted mostly of locomotive boiler flues and other government work of various kinds. The fire was con-

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PANAMA POLICY OF PRESIDENT.

Senator Patterson Declares That It Is Not in Line of His Predecessors.

MANDATE OF CIVILIZATION.

Mr. Platt of Connecticut Defends the Course of the Administration.

Washington, Jan. 20.—At the beginning of the session today the senate took up the resolution for the addition of a clerk in the senate postoffice. Mr. Hale objected to immediate consideration, saying that too many increases were being made in the clerical forces of the senate. He appealed to Mr. Keen, chairman of the committee on contingent expenses, who replied that the pending resolution had been introduced for the purpose of retaining the services of the clerk who does the work.

Mr. Cullom presented a number of petitions for a service pension bill, saying that he has received such petitions from almost every G. A. post in Illinois, and that he hoped they would have the attention of the senate.

"I do not know," he said, "what it would cost to give a pension to every man who served in the Civil war. Mr. Gallinger, who sat next to Mr. Cullom, replied under his breath, 'About forty or fifty millions for the first year.'"

Mr. Patterson then continued his address on the Panama canal question. Mr. Patterson returned to the mandate of civilization, which he said was the purpose of showing that President Roosevelt's claim that his course in Panama was in the line of policies of preceding administrations was unfounded, and to this end quoted many official documents bearing upon the subject since 1846, when the treaty was negotiated.

Referring to the president's declaration that what had been done in Panama had been done in the line of civilization, Mr. Patterson quoted with approval a statement by Mr. Spooner to the effect that that was a new phrase, adding:

"It was a new phrase, and the man who coined it must have been in a state of mental exaltation at the time, as others have been on other occasions. Mohamet, Joseph Smith and Dowle have moved in such exalted spheres that they imagined they were in the presence of the Almighty, and it may be that the president moved in the same sphere."

Mr. Patterson entered into an argument intended to demonstrate that Colombia had acted in good faith in rejecting the treaty, and declared that his rejection could be traced to the deliberate threats of the United States to arm the president for failing to carry the Spooner law into effect and he declared that the president had "boldly announced his intention to steal Panama or take it by force."

"The president's views," the speaker argued, "must have been known to the people of Panama, hence he held the people to be at least partly responsible for the secession of Panama."

Mr. Patterson returned to the portion of the president's message of Jan. 4, in which he stated that it had been the intention, if Colombia did not accept our terms, to submit to Congress the propriety of a direct arrangement with Colombia. He argued the other steps that might be needed in order to begin the canal enterprise.

"Such a proposition," Mr. Patterson declared, "would have been an insult to the dignity and honesty of Congress." He repeated the charge that the president's mind was known in Panama and asserted that his course was "pure, blood-brothered participation with the rebels."

Mr. Patterson having quoted certain newspaper reports, Mr. Aldrich interrupted that the statements were unauthorized newspaper reports. Mr. Patterson replied that he had observed that newspaper reports concerning the affairs of the administration are promptly contradicted. As an instance he cited the denial of the report that the president had said concerning certain senator's attitude toward the presidential nomination that he would "either have to fish or cut bait."

Mr. Patterson asserted that Mr. Panama Varilla had come to Washington to lobby the canal measure through for the Panama Canal company, and declared that Mr. Bunau-Varilla had not even been in Panama since 1886. He charged that the effort to displace the Nicaragua canal with the Panama canal was in the interest of those who want no canal at all, and at the worst one which would give the least competition to the transcontinental railroads. He believed the Nicaragua canal could be completed in 15 years' less time than the Panama canal. He, therefore, would vote against the ratification of the treaty.

Mr. Patterson was followed by Mr. Platt of Connecticut, who said the assaults on the president had been a mystery to him. Often these attacks had been of a decent character, but some of them had been brutal. Mr. Patterson's speech, however, had relieved the attacks of their mystery, for he and Mr. Carmack had shown that the purpose was to force the construction of the canal via the Nicaragua rather than the Panama route, the former being the route of the Democratic party. For himself he was glad that the mystery of the Democratic opposition had been cleared away.

Mr. Platt then argued in support of the course of the administration in Panama. He declared that the Democrats had sight of the fact that Panama's independence was an established fact, recognized not only by the United States, but by all the great nations of the earth, and if we had violated international law, so had Great Britain, Germany and France. He invited Mr. Patterson to introduce a resolution directing the president to withdraw our ships from isthmian waters. He did not believe any senator would do such a question. Going further, did Mr. Patterson think that we should assist Colombia in again securing control of Panama?

Without Mr. Platt's completing his speech the senate at 4:05 p. m. adjourned.

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