

REPORTS ON FENCES

Colonel Mosby Deals at Length with the Troublesome Question.

CITES THE LAW IN REGARD TO THE SAME

Has No Discretion Except to Compel Cattle-men to Remove Them.

TAKES UP ALLEGED FRAUDULENT ENTRIES

Men Holding Under Them Not Protected by a Color of Title.

MANY THOUSAND ACRES ARE INVOLVED

Parties Who Erect Fences Pay No Attention to Notices to Pull Them Down Unless Backed Up by Suit.

(From a Staff Correspondent.)

WASHINGTON, Nov. 23.—(Special.)—The question of fences on the public domain erected by cattlemen and the widow's...

WASHINGTON, D. C., Oct. 23, 1902.—

The Honorable, the Secretary of the Interior.

Sir—I have the honor to report that I was appointed a special agent of the general land office in July, 1901, and was assigned to duty in the McCook district, Nebraska, and the Sterling and Akron districts, Colorado.

The possibility of Mexico and the Straits Settlements adopting a gold standard have greatly weakened the Indian and Asiatic silver market.

Large quantities of Mexican silver are coming from China, and it is believed that much gold is being crimped here on account of government expenditures.

Native officials are beginning to petition for salaries to be paid in gold.

The secretary of finance says: There is nothing to indicate a more hopeful future.

MEXICO, Nov. 23.—The heavy advance in the gold premium has caused great excitement in financial and business circles.

The premium has been rising all the week and has now reached 171. It is generally conceded that a gold standard cannot long be delayed.

INGALLS FLOATS OFF REEF

Spanish Skipper Asks One Hundred Thousand Dollars Salvage for Aid.

WASHINGTON, Feb. 6, 1902.

You will, therefore, give notice verbally to all persons maintaining inclosures or drift fences on public lands without color of title, advising them of the violation of the law and advising them that in the event of their failure to remove the fence within the time specified, it will be recommended.

You are directed to use utmost vigilance in the enforcement of the law and to report to the general public as soon as possible, being strictly governed by the circular order of February 2, 1902, and to so much of the instructions to special agents attached to blank form (4-55), etc.

While, judging from the numerous complaints received at this office, unlawful fencing of public lands is still carried on to a great extent in the western section of the country, comparatively few cases are reported.

The instructions of October 3, 1902, say: "I discovered that while the act of February 25, 1885, forbidding the fencing of public lands, had been vigorously enforced during Mr. Cleveland's administration, it had been a dead letter for many years."

As some evidence that the statute had fallen into "innocuous desuetude," I will state that among the papers turned over to me by the special agent who for many years had been on duty in the Sterling district was a complaint which had been forwarded upon, against the Pawnee Cattle company for unlawful fencing in Morgan county, Colorado.

This company is a wealthy corporation, with headquarters at Denver. I immediately examined the fence and found that, by connecting the fences of the B. & M. and the Union Pacific roads and thus forming a perfect inclosure, the Pawnee Cattle company had been for a long time enjoying the exclusive use of about 25,000 acres of public land.

I gave notice to the president of the company to remove his fence, and sent the affidavit of a citizen as to the character of the fence to the district attorney at Denver and asked him to begin a judicial proceeding to compel its removal.

The district attorney raised many frivolous objections to the sufficiency of the affidavit, and since six months ago, the general land office, and the special agent volunteered to write me a letter of advice, to which I paid no attention except to tell him that I did not seem to understand the law.

I forwarded my correspondence with the district attorney to the special agent to the general land office and suggested that the Department of Justice be requested to instruct the district attorney as to his duty.

I suppose instructions were given, as the district attorney soon afterward discovered that the affidavit was sufficient, and began proceedings that resulted in the removal of the fence.

The Pawnee Cattle company also had another inclosure in Logan county, Colorado, which was removed in the same way.

On Phillips county, Colorado, the Withers brothers had a fence six miles long that formed a complete inclosure. There were a few homestead entries included in it, but those were well known to be under the control of the Witherses.

The fence had stood ten years, and the special agent had several times been in the neighborhood examining abandoned entries.

The Witherses were notorious whitecappers and a terror in the community. I gave them notice to remove their fence in sixty days. They pulled it down without a murmur. My correspondence with them is on file in the general land office.

I cite these cases as examples of the way the law has been enforced by my predecessors and myself.

While on duty in Colorado a great many complaints of unlawful fencing came to me from outside the territory where I was assigned.

(Continued on Second Page.)

EXPLAINS VENEZUELA DISPUTE

Republic's Minister of Interior Describes Alleged British Unfriendly Acts.

CARACAS, Nov. 23.—(Special.)—Venezuela's relations, Dr. Lopez, minister of interior, said.

Toward the United States, he maintains the kindest feelings and the greatest fraternality.

The British, who have directed a protest against this infringement on Venezuelan sovereignty, it has been recognized that the principal foreign ships shall ask permission to enter the river, and we cannot understand the disregard of this rule.

A similar protest has been sent regarding the action of the German warship Panther, which also entered the Orinoco, an act which has provoked a protest from the British.

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MOVE MILLION TONS IN DAY

Pittsburg Lines Relieve Blockade by Super-human Effort.

NEARLY ONE THOUSAND TRAINS START

Forty-Six Thousand Cars Are Used to Send Freight Ahead and Enable Mills to Resume Work Again.

PITTSBURG, Pa., Nov. 23.—After thirty-six hours strenuous activity the Pennsylvania railroad has made a comparative clean up of its congested terminals.

It is estimated that during twenty-four hours, 22 trains consisting of 46,225 cars were moved in and out of Pittsburgh as follows: Pennsylvania, 234 trains, 14,700 cars; Port Wayne, 150 trains, 9,900 cars; Panhandle, 245 trains, 12,025 cars; Baltimore & Ohio, ninety trains, 4,600 cars; Pittsburgh & Lake Erie, 120 trains, 6,000 cars.

The estimated tonnage is 1,756,550. Tonight the yards are freer than at any time within five months, but the receipts destined for Pittsburgh shippers will fill them again tomorrow.

The work accomplished in the yards of the Allegheny Valley and West Pennsylvania division of the Baltimore & Ohio was equally great.

In the yards of the Pittsburgh & Lake Erie and Baltimore & Ohio, good work was also accomplished.

The number of accidents to trainmen during the day was high. Before 6 o'clock men were taken to the hospital.

PITTSBURG, Pa., Nov. 23.—One man was killed and seven others seriously injured by the explosion of a locomotive boiler at Thompson, on the Monongahela division of the Pennsylvania railroad today. The men were gathered about the pilot of the engine when the explosion tore out the engine front, catching the group, who were directly in its track.

KANSAS CITY, Nov. 23.—C. E. Martin, national secretary, has removed the headquarters of the National Live Stock association from Denver to Kansas City and is making active preparations for the annual convention which is to be held here on January 13 to 16.

Among the most important subjects which will then be discussed are plans to oppose the consolidation of the Kansas City and the Monongahela divisions of the Pennsylvania railroad today. The men were gathered about the pilot of the engine when the explosion tore out the engine front, catching the group, who were directly in its track.

ARRANGES LIVE STOCK MEET

Secretary Moves to Kansas City and Pushes Convention Arrangements.

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The parties were contesting every inch of ground in the great railway corporation's volunteered an advance of 10 per cent to their employees.

As soon as such an advance was announced, it seemed to be taken for granted that, notwithstanding the advance made two years ago, a like increase would now be granted the miners and the question of wages stepped to the front.

While J. W. Mitchell, the president of the Pennsylvania railroad, was in the city, he was asked to meet him and his counsel in conference to make an effort to reach some adjustment of an amicable nature.

We discussed the matters in dispute on several occasions at great length, and at last, by the invaluable assistance of Mr. E. B. Thomas, the president of the Pennsylvania railroad, a possible adjustment was reached, and when it was admitted to the other gentlemen, who, with Mr. Thomas, had signed the letter requesting the appointment of the commission, they were in approving it as a basis of negotiations.

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CHICAGO, Nov. 23.—Chicago's mail wagon robbery of last night will cause certain New York stock brokers considerable inconvenience, as one of the stolen mail pouches contained several packages of stocks and similar securities, which were being sent to New York for use when the Stock exchange opens on Monday. One man, a member of the Chicago Stock exchange, is said to have lost a paper of the face value of \$100,000.

The loss was not a great one, but it was a general feeling in favor of trying to adjust the other differences.

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PLACE OFFERED TO PECKHAM

Hill Desired Noted Jurist to Be the Candidate for Governor.

NEW YORK, Nov. 23.—Colonel W. G. Rice, who was United States civil service commissioner under the last Cleveland administration, said today: "It may interest fellow Democrats that an distinguished fellow of the party as Justice R. W. Peckham of the United States was offered, so that Judge Gray was to be nominated, could do so, the last nomination for governor. At Mr. Hill's request I went to see Justice Peckham the middle of August at Saranac lake, where he was spending the summer, and informed him that while it was not within the power of any one to tender a nomination, it was Mr. Hill's desire that he should allow his name to be considered before the convention; that Mr. Hill and others believed there was a probability of the election of the democratic ticket; that the assurance of the nomination for president would not swerve him from his determination not to be a candidate for political office. Personal reasons compelled him to this decision."

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