

TWO REPORTS ON BALLINGER

Democratic Members of Committee Give Out Opinion.

DEMAND HE BE ASKED TO QUIT

Join in a Lengthy Discussion of Evidence at the Recent Hearing—Representative Madison Files Opinion of His Own.

MINNEAPOLIS, Minn., Sept. 10.—That Richard A. Ballinger has not been true to the trust reposed in him as secretary of the interior, that he is not deserving of public confidence and that he should be asked by the proper authorities to resign, was the opinion of the four democratic members of the Ballinger-Pinchot congressional investigating committee, which were made public late yesterday.

The republican members issued no report. An independent report was given out by Mr. Madison, the insurgent republican from Kansas, which declares also that Mr. Ballinger should not be retained, that he was an unfaithful trustee of the people's interests, an enemy of conservation, and that the charges of Gifford Pinchot should be sustained.

These findings will be printed and filed with congress. The decision of the four democratic members and Mr. Madison to make the reports public followed a session which was unusual, three republican members, Senator Sutherland of Utah, and Representatives McCall of Massachusetts and Denby of Michigan, refusing to attend the meeting. Finally the chairman of the committee, himself, Senator Nelson of Minnesota, left the committee room and announced that a meeting would be held in Chicago on next Tuesday. The democratic members adjourned to meet again in Washington on December 3.

Democratic Findings.

Summarized, the democratic findings declare that the evidence shows: "That there was no conspiracy against Mr. Ballinger.

"That Gifford Pinchot and L. R. Glavis were faithful trustees of the people's interests.

"That Mr. Ballinger's conduct on certain occasions was intended to do and did have the effect of deceiving the president.

"That Mr. Ballinger's action in having 'clear listed' the so-called Cunningham Alaska coal lands and ordering them patented showed bad faith.

"That he advocated a bill to validate Alaska coal claims alleged to be fraudulent.

"That his action in acting as attorney in cases pending in the land office while he was commissioner was reprehensible.

"That he helped to force the Cunningham coal claims to a hearing before the government was ready to proceed.

"That he encouraged insubordination in the reclamation service and condoned improper official conduct in that connection.

Numerous official acts of Mr. Ballinger are attacked. High praise is given Gifford Pinchot, former chief forester, and L. R. Glavis, former chief of field division of the general land office.

Madison's Conclusions.

Mr. Madison's conclusions are: "That the charges of Messrs. Glavis and Pinchot should be sustained.

"That he has been unfaithful to the public interests.

"That in the matter of the Cunningham coal lands he was not a faithful trustee of the people's interests.

"That with regard to the reclamation service he has taken action tending towards its disintegration.

A resolution adopted by the democrats and Mr. Madison provided for publication of the findings. When Senator Nelson left the committee room Senator Fletcher was made chairman pro tem and members proceeded with their work.

The findings of the democrats and Mr. Madison also were filed with the secretary of the committee. Mr. Madison's report also was filed with Mr. Sherman.

Reasons for Not Attending.

Senator Sutherland and Representative McCall and Denby, when summoned to appear at the committee room, made the following reply:

In view of the refusal of the minority of the committee on Wednesday to take any action upon the members of the committee known to be coming could arrive at Minneapolis, and their evident purpose to attempt to make the action of the minority the official action of the committee without consideration and their refusal to declare the evidence at the former meeting, and in view of the fact that at the former meeting they promulgated to the public their own conclusions, and in view of the fact that the case which had no validity whatever as an official action and yet they had no authority to force an adjournment to said city, now, therefore be it.

Resolved, That under such circumstances it is the duty of these present to make reports to congress of their findings in the matters submitted to the committee, to all members of the committee be authorized at any time before the convening of the next session of congress to prepare and file such reports and findings as they desire.

Mr. Graham then moved that the members of the committee be authorized that the findings be given out.

MADISON'S MINORITY REPORT

Glavis' Charges Against Ballinger Should Be Sustained.

MINNEAPOLIS, Sept. 10.—Mr. Madison's conclusion are: "That the charges made by L. R. Glavis against Secretary Ballinger should be sustained; that in the matter of the disposition of the Cunningham coal lands Mr. Ballinger was not a faithful trustee of the interests of the people and did not perform his duty in such a manner as to properly protect such interests.

"That the charges made by Mr. Pinchot should be sustained; that Mr. Ballinger's course in the administration of the Department of the Interior has been characterized by a lack of fidelity to the public interests; that this has been shown in his treatment of the Cunningham coal cases, the restoration of the waterpower sites to entry without intention to rewithdraw and the administration of the reclamation service, the latter resulting in unnecessary humiliation to the director and tending towards the disintegration of the service. It has not shown himself to be of that character of a faithful trustee of the people's interests, who occupies the important post of secretary of the interior in our government and should not be retained in that office."

A summary of Mr. Madison's findings follows:

"The investigation resolved itself into two branches, the Glavis and Pinchot.

"Glavis charged that Mr. Ballinger had been an unfaithful trustee of the people's interests; that this was more particularly demonstrated by his conduct toward the Cunningham coal claims.

"Pinchot charged that Mr. Ballinger's course as secretary of the interior had been characterized by a lack of fidelity to the public interests; that he was an enemy of the policy of conservation of natural resources; that this was more particularly evidenced by his restoration to entry of the waterpower sites, withdrawn by Secretary Garfield and his conduct toward the reclamation service and the Alaska coal fields."

"Mr. Madison then described Alaska as 'the last great natural storehouse of natural resources that to a large degree belongs to all the people of the United States; that the secretary of the interior should guard them against both fraud and monopoly.'

"The Cunningham coal land claims were then described. Cunningham being referred to as 'the promoter of a plan whereby he and his associates were to prove up the land and then operate it as one mine by means of an association or corporation. He was to have one-eighth of each subscriber's stock for his services in prospecting land and managing the deal.'

"The findings declare 'that strong evidence was produced that this plan was adopted and acted upon by the subscribers; that the Cunningham entries can be cancelled for fraud if vigorously prosecuted by the government; that the claims contain from 50,000,000 to 90,000,000 tons of coal.'

"The composition of the Morgan-Guggenheim Alaska syndicate is given and declared to be 'an association organized to exploit Alaska.'

Entered Into Option Agreement. The findings of Mr. Madison declare that this syndicate entered into an option agreement with the Cunningham claimants in 1907 whereby said claimants organized a corporation capitalised at \$5,000,000 and conveyed one-half the stock to it for \$250,000. The coal lands of the Cunningham group were to be deeded to said corporation. The report declared:

"The evidence fairly shows that the syndicate aimed at the monopolization of the mining river coal fields.

"In connection with Mr. Ballinger, as commissioner of the general land office, at the request of Governor Miles of Oregon, Wells, Wash., a Cunningham claimant, ordered the Cunningham claims to be 'clear listed' to the effect of the alleged option agreement had been made. The claims had gone to entry, but patents were being deeded to the Alaska coal lands were under suspicion of being fraudulent. The order under such circumstances was wrongfully issued, and the few days before he was instructed to investigate all Alaska claims and who was given a formal notice of the order to proceed against the order was revoked.

"The commissioner Mr. Ballinger acted as advisor and counsel for the Cunningham claimants in their attempt to obtain patents on the lands they had acquired. He advised them to file affidavits for Clarence Cunningham and presented it to the secretary of the interior as commissioner of the general land office in an attempt to explain away the former affidavit of Cunningham's and the entry of the Cunningham claims. The affidavits had been secured by Glavis and were most damaging pieces of evidence against the claimants in possession of the government.

"Mr. Ballinger violated no statute in so doing but he did violate the moral obligation which was upon him not to attempt to embarrass the government in an official capacity. He entered into an agreement which was a violation of his duty as commissioner and which it was his duty to do in good faith while in office.

"The act of May 28, 1908, permitted a consolidation of coal claims to the extent of 2,500 acres, where the locations had been made in the good faith. The construction placed upon the act by Messrs. Pierce, Dennett, Finney and Clements, and seemingly by Mr. Ballinger, would have condoned all agreements to combine in violation of the act of April 29, 1904. The Pierce decision was the effect in the matter of Glavis and Henry M. Hoyt this decision was reviewed by the attorney general and reversed.

"In the summer of 1909 H. H. Schwartz, chief of the field of the general land office, endeavored to force on the Cunningham coal claims and go to trial or hearing, proceeding to report on the claims to ascertain if the improvements were being made in a manner to indicate that the claims were being operated in common. This was an important circumstance in the government's case.

"After Glavis was removed from charge of the cases James M. Sherman, who was sent to the field to re-examine the claims, and the field examination was made prior to hearing.

Mr. Madison discusses the Pinchot charges and the question of re-vesting of water sites and their withdrawal by the government in order to prevent monopoly. He says:

"Mr. Ballinger, soon after taking office as secretary, procured such withdrawals were without authority of law, although there was much authority to uphold Mr. Garfield's policy and re-vest the lands to entry and exposed them to the danger, ultimately, without any restriction as to their use, of being monopolized by those who would monopolize the possession of the land, the statement that the reclamation service had recommended the commencement of hearing on the land. This statement also was made in a letter to the president. The evidence before the committee shows that the reclamation service protested against the restoration.

"Mr. Ballinger's course toward the director of the reclamation service since he has been secretary has been such as to destroy discipline and harmony in the bureau.

"It appears that Glavis has been effective in the accomplishment of results. He protested against and prevented the patenting of the Cunningham claims when ordered to patent by the commissioner. He secured a reversal of the Pierce decision and prevented the commencement of hearing on the land. He prevented the cancellation of the Cunningham entries until a hearing had been held. Glavis' examination had been held. Glavis' examination had been held. Glavis' examination had been held.

"The questions which should determine the fitness of Mr. Ballinger as a public servant were those which arose out of the Cunningham claims and the restoration of the water sites. These had to do with the conservation of the natural resources of the nation. Mr. Ballinger, on one side, and Mr. Pinchot and Mr. Garfield, on the other, occupy entirely opposite positions toward that policy.

Mr. Ballinger was willing that the Cunningham claimants should obtain their patents without investigation, although the evidence was prominent and he must have been aware of them, that they were traveling toward the Morgan-Guggenheim syndicate and monopoly. He was willing to throw the power sites along the streams of the west into the hands of those who would monopolize them. He could see no danger in returning them to entry and only submitted to their withdrawal because these men, alive to the real danger, protested and denounced his attitude.

Mr. Madison discusses conservation and the necessity thereof, also declaring it a crime to permit the natural resources and waterpower sites 'to fall into the hands of those who will monopolize them and use them to the enrichment of the few and the impoverishment of the many.'

The report continues: 'Mr. Pinchot believed that the policy of conservation was being attacked in the very place where a friend of conservation was most needed and his acts have been inspired by the desire to protect the policies to which he is devoted.'

'I regret that I am compelled to arrive at a conclusion different from the one which was arrived at by the president, for whom I feel the highest personal regard and respect. We have had before us many witnesses and have a vast amount of documentary evidence and have had the opportunity of testing the credibility of witnesses in the most searching manner, and after hearing them all, I have arrived at these conclusions.'

The full report of Mr. Madison makes about 25,000 words.

NEBRASKA NEWS NOTES.

HUMBOLDT—Rev. John H. Asling, for two years pastor of the German Methodist church, has been transferred by the conference to the charge at Macon, Neb.

HUMBOLDT—The city library is now in charge of Mrs. K. L. Ligon, who takes the place of Mrs. Tina Crawford, resigned, after a continuous service of eight years.

NEBRASKA CITY—Mayor Jackson has appointed Dr. Frank S. Marnell, Frank McCarty and Dr. Claude Watson as members of the public health board for a term of three years each.

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NEBRASKA CITY—The body of Miss Margaret Welch of Julian, who died in a hospital at Council Bluffs, where she had gone for treatment, was brought to Julian Friday evening for interment.

BEATRICE—Miss Louise Braun, a former Beatrice resident, and B. H. Denon of Omaha, who were married at the bride's home at Syracuse, Neb., Wednesday last. The young couple will make their home at Powell, Wyo.

BEATRICE—A farewell reception was given yesterday afternoon for Miss Schuyler-Lou A. Michaelson, who used to be in business in Schuyler, but who moved to Omaha, Mo., about three months ago, has returned and bought out the restaurant and confectionery store of Russell Stier, who had been in business there for several years, and is now in charge of the same.

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NEBRASKA CITY—The Institute for the Blind, under the direction of Mrs. A. H. Greely, has received an enrollment of seventy or more students. Superintendent M. C. Adams has been in the city for several weeks, having returned from a tour of inspection of the schools in the various states.

NEBRASKA CITY—The Inter-Oceanic stock company will close their office here and the M. E. Smith Co. of Omaha, who have an overall factory here, have decided to put an outfit in the city and add a shirt-making department and take over all of the hands employed by the operating company.

REPUBLICAN CITY—Harlan county is gaining quite a reputation as a melon growing district and one of the local markets, but tons of fine large melons are marketed in other towns in the valley. The melons are raised in the Harlan county melon patch and are of a fine quality.

TECUMSEH—The Tecumseh Chautauque association will incorporate with an authorized capital stock of \$30,000. The name will be changed from the Tecumseh Chautauque association to the Johnson County Chautauque Association of Nebraska. Officers, under the incorporation, will be elected at a meeting to be held in the near future.

NEBRASKA CITY—Elder G. W. Wright of the Methodist church, who was a candidate for governor on the prohibition ticket, has filed his primary expense account with the county clerk, showing that he expended \$600 for a ride to and from the state building where he filed his nomination blank. The filing fee was paid by the state prohibition committee.

BEATRICE—The Knights and Ladies of Security met last evening and elected these officers: N. M. Jones, president; T. D. Davis, first vice president; Mrs. M. J. Harsh, second vice president; Augusta Harsh, corresponding secretary; Harriet Davis, financial secretary; Alfred Francis McClintock, conductor; Alfred White, guard; Harry Collier, sentinel; Emma Kalben, musician.

BROKEN BOW—County Attorney Gadd is after the reckless automobile driver and calls attention to section 430, which requires that a driver of a motor vehicle must have a license and must be licensed before passing a relative horse or other draft or domestic animal. The penalty for violation of this section is not to exceed \$5 for the first offense nor more than \$10 for subsequent offenses in the county jail not exceeding thirty days for the second offense.

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NEBRASKA CITY—The large launch Swastika, which was brought here from Peoria, Ill., several years ago by Sterling Morton and used as a pleasure craft for one season and then sold to a number of citizens, has been sold to E. M. Wisdom of Broken Bow, who has had it overhauled and placed on a ferry, freight and pleasure boat. It is the largest launch on the Missouri river.

CENTRAL CITY—John Copeland, the man who created some excitement early in July by returning to his home on the Brannan farm in Mead township while his wife was away on a visit, has returned and is present with his wife visiting friends in Schuyler, with the mystery of his departure as much unsolved as ever. The only information he gives out being that he has been west looking over the country.

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BEWARE OF INDIGESTION

Fall Suits to Order \$25.00

FOR FAMILY TRADE

THE DAYS ARE COMING SOON WHEN THE ABOVE WILL BE A "MOVING PICTURE" OF THE MAN IN A SUMMER SUIT.

Yes—our new 1910 Autumn Suits are arriving. Want to have first pick of them? Every garment guaranteed perfect in fit and style.

MacCarthy-Wilson Tailoring Co. 202-208 South Sixteenth St. Near Farnam.

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Not an act that he committed in thought with the slightest suspicion. We believe that his whole service in his official capacity was actuated by a sincere love for the public good. He was a faithful public official, he was a just officer, he was a vigilant and courageous defender of the public property, he was an enemy and implacable foe to the land grabber and trader; he was the only honest man in the schemes and machinations of conspirators attempting to seize the public domain. He was in the interest of his country. It was that character of insubordination which inspired the members of the board of the Cunningham claims in this country for an enduring people. It would be difficult to give too much credit to Gifford Pinchot who has done so much in the building up of our national forest system. His part in this work would have been impossible had he not been moved by an enthusiasm which overcame all obstacles.

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House, Hotel and Office Furnishers Orchard & Wilhelm 414-16-18 South Sixteenth Street Lace Curtains

The newest styles for fall are now being shown in our drapery department. Duchess Lace Curtains, in Arab color, at pair \$5.00. Fancy Scrim, with insertion and edge, at pair \$6.75. Duchess Lace Curtains, in ivory color, at pair, from \$7.50 to \$27.50. Fancy Net Curtains, in new styles, at pair, from \$1.45 to \$12.50. SCRIM—We show a complete line of plain and fancy scrim, in all colors and widths, ranging in price, at yard, from 20c to \$1.25. FANCY NETS—Fancy nets will be popular this coming season. Beautiful, new styles are now on show—prices, per yard, from 25c to \$1.50. ORETONE—Both foreign and domestic grades, in colors to fit into any surrounding, both for hanging and upholstering. Prices from, per yard 25c to \$3.50.

The New Bedding Dept. A complete line of high grade Blankets, at pair, from 85c up to \$21.50. We call special attention to our half wool Blankets, at pair \$3.75. Comforts in the daintiest patterns, all colors, at each, from 95c to \$13.50. Our \$5.00 Sateen Comforts will interest you.

Furniture New fall designs—a most extensive showing. Sale agents for W. K. Cowan & Co. high grade solid mahogany furniture. For the living room—library—bed room and dining room. Special display and sale of Brass Beds, Box Springs and Mattresses. Flanders Furniture (See window display.)—We are sole agents for Berkey & Gay Furniture Co's. high grade mahogany and Flanders furniture. We invite you to see our special Berkey & Gay rooms. Flanders furniture is made for the living room, library and dining room—comes in oak, finished a soft brown color. Inspection invited.

Brandeis Stores Specialize in Business Suits For Men We offer you suits that are practical for business wear. The class of clothes that outlast a season of hard wear but are still dressy enough for any occasion. These suits suggest the owner's prosperity and prove his good taste. Rogers-Peet Suits and Hirsh-Wickwire Suits We control these lines in Omaha because they are the very best hand tailored clothes for men that are made in America. The new fall designs are extremely attractive. Refined patterns for the business man as well as snappy styles for college chaps, at \$21 to \$35. Men who want good business suits at a medium price will be fully satisfied with Renwick-System Clothes Here are clothes that are good through and through, classy in style and serviceable for your daily wear. High class suits at a moderate price—\$15, \$18 and \$20. This illustrates the sort of business suits we are featuring this season at Brandeis Stores

OMAHA'S FAVORITE Melz BOTTLED BEER FOR FAMILY TRADE. The days are coming soon when the above will be a "moving picture" of the man in a summer suit. Yes—our new 1910 Autumn Suits are arriving. Want to have first pick of them? Every garment guaranteed perfect in fit and style. MacCarthy-Wilson Tailoring Co. 202-208 South Sixteenth St. Near Farnam. BEWARE OF INDIGESTION FOR FAMILY TRADE. THE DAYS ARE COMING SOON WHEN THE ABOVE WILL BE A "MOVING PICTURE" OF THE MAN IN A SUMMER SUIT. Yes—our new 1910 Autumn Suits are arriving. Want to have first pick of them? Every garment guaranteed perfect in fit and style.

Best THE Full PEE Both Sporting Base Ball League and Page Scores Amateur. TWENTIETH CENTURY FARMER One Dollar Per Year.

HOTELS. OLD POINT COMFORT HOTEL CHAMBERLIN BOATING, BATHING, FISHING, SAILING, ORCHESTRA, TENNIS, GOLF. Unique sea food Cuisine FORTRESS MONITOR. Largest military Post on the Atlantic Coast HAMPTON ROADS, the Rendezvous of the Nation's Yachtsmen. Special Weekly Rates June to Oct. Hours at Chicago, Rock Island & Pacific and Washal Railroads. Or address GEO. F. ADAMS, MGR. FORTRESS MONITOR, VA.

IN HEART OF CITY HOTEL SAVOY SEATTLE Twelve stories of solid comfort CONCRETE STEEL & MARBLE EUROPEAN PLAN \$1.50 UP