# FT MESSAGE O THE SENATE ON BAY AFFAIR

## ident Shoulders Full Responsibility for Opening 12,800 Acres of Chugach Forest to Entry.

Continued From Page One.

h the company could not by law ntry secure, for it was a tract 320 in one body when only 160 acres thus be acquired. In the second I preferred to make a much larger ation of a tract facing the entire el, and with sufficient room for a inal railway town. I was willing this because I found the restrie in the law sufficient to prevent the bility of any monopoly of either pland or the harbor or channel by Controller Railway & Navigation any or any other persons or com-

Because of a lack of time suf t to draft a memorandum myself uested the secretary of the in , who, with the secretary of ag ure, after full discussion, had d in my conclusion, to prepare a setting forth the reasons for mak the larger elimination, so that i become a part of the record. wish to be as specific as possible this point, and to say that I alone esponsible for the enlargement of roposed elimination from 320 acres 160 acres, and that I proposed the and stated my reasons therefor, hile both secretaries cordially con in it the suggestion was mine."

### rances Given.

president says he had every as e at the time that the Controller ay & Navigation company was an ndent enterprise working in ad faith, and that no evidence to the ry has since been brought to his ion. "Of course it was possible," ntinues, "that the owners of the River Railway company (Messrs. n and Guggenheim) might attempt y this railroad when and if it were It was possible that Mr. Ryan ting for the interests of the Cop liver railroad, although I did not to it; but whether this was true it was clear that the order of ation by reason of the restrictions a act of congress would not permit ners of either railroad to shut out other capitalists." Moreover, he the rates to be charged would be subject to congressional control, government ownership seemed the policy under the peculiar circum s, ample land for right of way, frontage, and terminals must al remain available under the law for ment use, or, if it is preferred to over to the government a railway y private enterprises condemnation y.

### ves in Conservation.

m as strongly convinced as anyone necessity for the conservation of tional resources," says the presi "and as much opposed as anyone r monopolization by large corpora but my convictions on this point t deter me from taking the step I-hoped might lead to encouraging nstruction of a railway from Con Bay to the Bering coal fields. I t the paring down of the amount lic land to be acquired for ter by the railway company propos build the railroad was a poor pol one not calculated to secure in t or speedy construction." resident goes on to explain that are iron-bound limitations cover e method for securing title for gment lands, and for this reason no fear of any interest obtain monopoly. Briefly the restrictions

t: Not more than 160 acres be entered in a single body by

ond: No location of scrip any navigable river or other can be made within eighty of any lands already located such waters, and no entry can lowed extending more than 160 along the shore of any navi water. Along such shore a of at least eighty rods must be ved from entry between all such . Moreover, the statute ex y provides that a roadway feet in width, parallel to the line as near as may be prac ble, shall be reserved for the use e public as a highway. (39 L. 413).

rd: Nothing in the act con d is to be construed to author ntries to be made or title to be red to the shore of any navi waters within the district.

### poly Impossible.

whole contention that the execu rder and the opening to settle of the shore of Controller Bay a monopoly to the railway com he resumes, "rests on a claim has given an opportunity to per ing scrip to appropriate the con the only available and practicable the channel by the location of rip opposite to those parts. If location of the scrip opposite to rbor gives no right to reach the harbor except as congress may express ly give it, clearly the Controller Bay Railway & Navigation company has not the slightest opportunity for exclusive appropriation of the harbor facilities unless congress shall by future act deliberately and voluntarily confer it."

Having explained in detail his reasons for opening up the land in question, the president takes occasion to answer several incidental criticisms. "The order has been criticised because it was not in the form of a proclamation, instead of an order," he writes. This was determined by Mr. Graves, the forester, he explains, and he quotes a letter of Mr. Graves to the effect that when a comparatively small area is eliminated from a national forest the executive order is very commonly used instead of a proclamation.

### An Unfounded Statement.

As to the charge made on the floor of the senate that the order was secret, the president says, "This was utterly unfounded." In support of this, he says that ten days before the order was made the details of Ryan's application and the probability of its being granted were given wide publicity. He cites in this respect that the Associated Press carried an account of the matter October 28, 1910, as taken from a typewritten statement issued by the interior department.

The order has also been criticized, he says, on the ground that it did not contain provision delaying its taking effect for thirty days after its publication, as orders restoring land to settlement by homesteaders frequently do. In this respect the president says "An examination of the record furnishes an explanation of this feature of the order as made. When in October the two departments had agreed with my acquiescence that the order should be an elimination of only 320 acres * * * it was deemed wise to spread on the face of the order a specific declaration that it was made to afford terminals for the Controller Railway & Navigation company, and as no one else was expected to intervene and take up any part of the eliminated tract, the restoration was made immediate. The form thus amended was submitted to the secretary of agriculture, who expressed his preference for the immediate restoration order. When I directed the striking out of the reference to the railway company and the enlargement of the area from 320 acres to 12,800 acres, the form of the order in its provision for immediate restoration was not changed. I have no doubt that this was the reason why the order issued took the form it did. Had the postponement clause been suggested, I would, doubtless, have directed it to be embodied in the order. But the event has proven that it was really not important in this case, for in now nearly nine months only the Controller Railway & Navigation company has made any scrip entries on the eliminated tract."

### "Dick to Dick" Episode.

Taking up the "Dick to Dick" episode the president says in conclusion:

"Before closing, I desire to allude to a circumstance which the terms of this resolution make apt and relevant. It is a statement by one Miss M. F. Abbott that in an examination of the files of the interior department a few weeks ago she found a postscript attached to a letter of July 13, 1910, addressed by Richard S. Ryan to Secretary Ballinger—and in the present record—urging the elimination of land enough for terminals for the Controller Railway & Navigation company. The postscript was said to read as follows:

Dear D——

I went to see the president the other day. He asked me who it was I represented. I told him according to our agreement, that I represented myself. But this didn't seem to satisfy him. So I sent for Charlie Taft and asked him to tell his brother, the president, who it was I really represented. The president made no further objection to my claim.

Yours, DICK.

### Base Fabrication.

"The postcript is not now on the files of the department. If it were it would be my duty to transmit it under this resolution. I do not transmit it, not only for the reason that it is not now on the files of the department, but for the reason that it never was on the files of the department, at least as an authentic document. Who is really responsible for its wicked fabrication if it ever existed, or for the viciously false statement made as to its authenticity, is immaterial for the purpose of this communication. The purport of the postscript is, and the intention of the fabricator was, to make Richard S. Ryan testify through its words to the public that although I was at first opposed in the public interest to granting the elimination which he requested, nevertheless through the undue influence of my brother, Charles P. Taft, and the disclosure of the real persons in interest, I was induced improperly and for the promotion of their private gain, to make the order.

### Exonerates Brother.

"The statement, in so far as my brother is concerned—and that is the chief feature of the postscript—is utterly unfounded. He never wrote to me or spoke to me in reference to Richard S. Ryan or on the subject of Controller bay or the granting of any privilege or the making of any orders in respect to Alaska. He has no interest in Alaska, never had, and knows nothing of the circumstances connected with this transaction. He does not remember that he ever met Richard S. Ryan. He never heard of the Controller Bay railroad until my cablegram of inquiry reached him, which, with his answer, is in the record.

"Mr. Ballinger says in a telegram in answer to my inquiry, both of which are in the record, that he never received such a postscript and that he was in Seattle on the date of July 13, when it was said to have been written.

"Richard S. Ryan, in a letter which he has sent me without solicitation, and which is in the record, says that he never met my brother, Charles P. Taft, and that so far as he knows Charles P. Taft never had the slightest interest in Controller bay, in the Controller Railway & Navigation company or in any Alaskan company, and he utterly denies writing or signing the alleged postscript. The utter improbability of his writing such a postscript to Mr. Ballinger at Washington, when the latter was away for his vacation for two months, must impress every one.

### Not Seen by Ballinger.

"The fact is that Mr. Ballinger never saw the letter of July 13, 1910, to which this postscript is said to have been attached. It was sent to me by Mr. Carr, Secretary Ballinger's private secretary, at Beverly, on July 14—the next day. I read the letter at Beverly in August with other papers and sent them to the White house. It was placed upon the White house files and remained there until April 22, 1911, when it was, by request of Secretary Fisher, returned to the interior department, and it was after this that Miss Abbott says she saw the letter with the postscript attached. Mr. Carr saw no such postscript when he sent the letter to me. I did not see it when I read it. No one saw it in the executive office, but it remained to appear as a postscript when Miss Abbott saw the letter in April or May on the files of the interior department. All others were denied the sight.

"The person upon whose statement the existence of what has been properly characterized as an amazing postscript is based is a writer for the newspapers and magazines. She was given permission by Secretary Fisher after consultation with me, to examine all the files in respect to the Controller Bay matter—and this under the supervision of Mr. Brown, then private secretary to the Secretary of the Interior. After the examination, at which she alleges she received this postscript from the hand of Mr. Brown, she prepared an elaborate article on the subject of this order and Controller bay, which she submitted to Mr. Fisher, and which she discussed with Mr. Fisher at length, but never in the conversation did she mention the existence of the postscript. Mr. Brown, who was with her at the time and showed her the files, testifies that there was no such postscript in the papers, and that he never handed her and she never saw such a postscript there. Similar evidence is given by Mr. Carr and other custodians of the records in the Interior department.

### False and Malicious.

"Stronger evidence of the falsity and maliciously slanderous character of the alleged postscript could not be had. Its only significance is the light it throws on the bitterness and venom of some of those who take active part in every discussion of Alaskan issues. The intensity of their desire to besmirch all who invest in that district, and all who are officially connected with its adminstration, operates upon the minds of weak or depraved human instruments and prompts the fabrication of such false testimony as this postscript. I dislike to dwell upon this feature of the case, but it is so full of a lesson that ought to be taken to the heart of every patriotic citizen that I can not pass it over in silence.

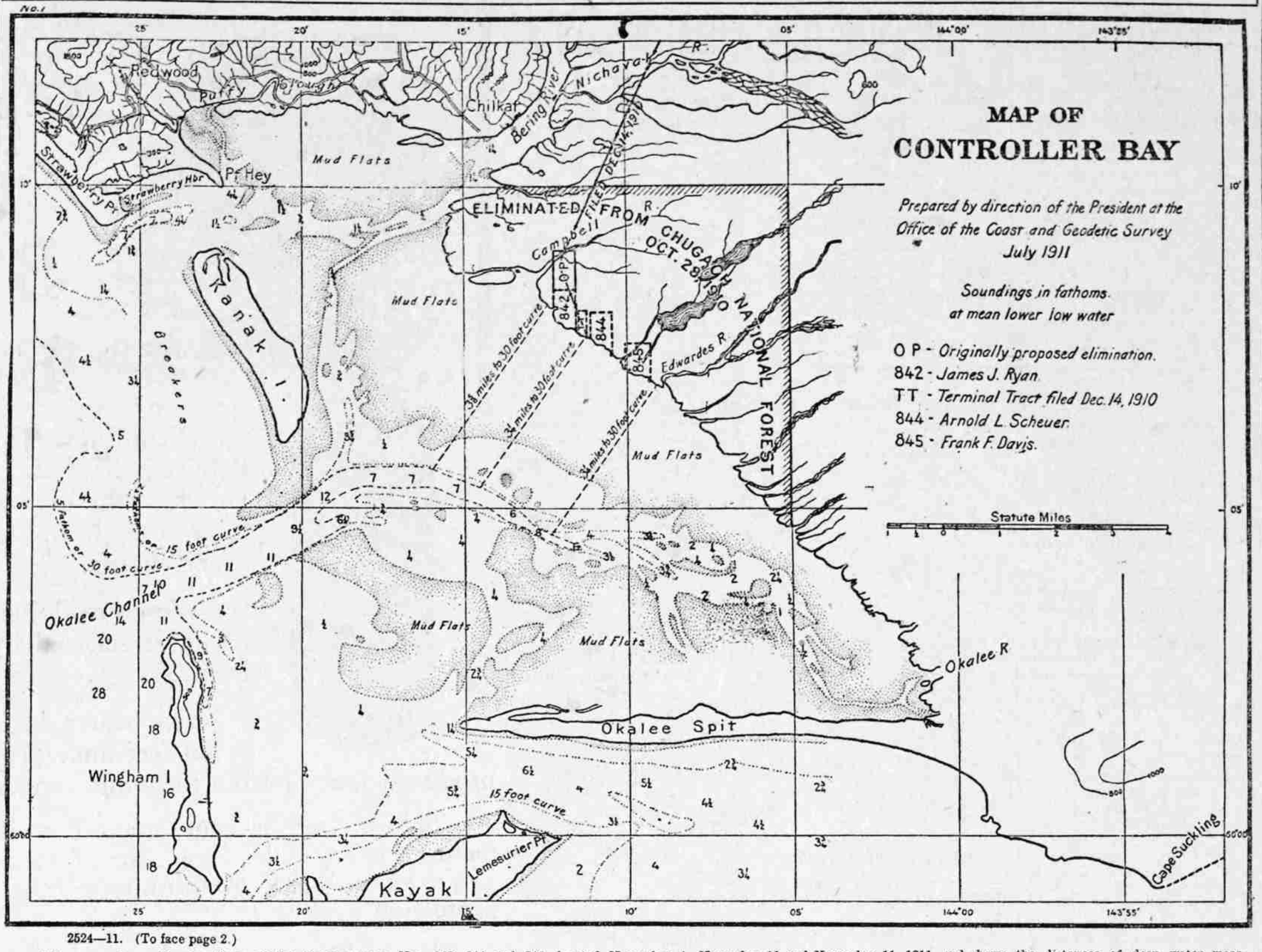
"When I made this order I was aware that the condition of public opinion in reference to investments in Alaska, fanned by charges of fraud—some well founded and others of an hysterical and unjust or false character—would lead to an attack upon it and to the questioning of my motives in signing it. I remarked this when I made the order, and I was not mistaken. But a public officer, when he conceives it his duty to take affirmative action in the public interest, has no more right to allow fear of unjust criticism and attack to hinder him from taking that action than he would to allow personal and dishonest motives to affect him. It is easy in cases like this to take the course which timidity prompts, and to do nothing, but such a course does not inure to the public weal.

"I am in full sympathy with the concern of reasonable and patriotic men that the valuable resources of Alaska should not be turned over to be exploited for the profit of greedy, absorbing, monopolistic corporations or syndicates. Whatever the attempts which have been made, no one, as a matter of fact, has secured in Alaska any undue privilege or franchise not completely under the control of Congress, and in all the scandal with which the public has been regaled very few specific instances of corrupt or improper attempts to acquire vested interests in Alaska have been shown by evidence that would stand the test of judicial examination. Notwithstanding this, however, I am in full agreement with the view that every care, both in administration and in legislation, must be observed to prevent the corrupt or unfair acquisition of undue privilege, franchise, or right from the government in that district. But every one must know that the resources of Alaska can never become available either to the people of Alaska or to the public of the United States unless reasonable opportunity is granted to those who would invest their money to secure a return proportionate to the risk run in the investment and reasonable under all the circumstances.

### Condemns Scandal Mongers.

"On the other hand, the acrimony of spirit and the intense malice that have been engendered in respect of the administration of the government in Alaska and in the consideration of measures proposed for her relief and the wanton recklessness and eagerness with which attempts have been made to besmirch the characters of high officials having to do with the Alaskan government, and even of persons not in public life, present a condition that calls for condemnation and requires that the public be warned of the demoralization that has been produced by the hysterical suspicions of good people and the unscrupulous and corrupt misrepresentations of the wicked. The helpless state to which the credulity of some and the malevolent scandal-mongering of others have brought the people of Alaska in their struggle for its development ought to give the public pause, for until a juster and fairer view be taken investment in Alaska, which is necessary, its development will be impossible, and honest administrators and legislators will be deterred from the advocacy and putting into operation of those policies in regard to the territory which are necessary to its progress and prosperity."

# Location of the Lands Involved in the Controversy Calling Forth Message




2524—11. (To face page 2.)

This map shows the locations of the three surveys, Nos. 842, 844 and 846, located November 1, November 10 and November 11, 1911, and shows the distances of deep water measured at right angles to the general trend of the shore of three eighty-rod strips reserved for the public. By oversight a fourth survey dated March 11, 1911, is not shown on the map, but it covers a triangle considerably less than 160 acres in area and lies just east of the Campbell river with 160 rods fronting on the shore.







Pat Conway's famous band at Lagoon afternoons and evenings, all week.

What is nicer than a dainty, cold lunch in extremely hot weather? It is just as appetizing as an elaborate dinner, and far more easily prepared. Our new booklet, handsomely illustrated in colors, contains complete directions for preparing various kinds of delicious lunches. Call 17 on either phone and we will send you one. It's free. SALT LAKE CITY BREWING CO.

Phillipini Band this afternoon and evening, Wandamere.

### SUNDAY EXCURSIONS

Via D. & R. G. Every Sunday

To Provo Canyon, 7:50 a. m., 8:10 a. m., $1.25.
To Geneva, 7:55 a. m., $1.25.
To Ogden, 10:25 a. m., 12:45 p. m., $1.
To Pharaoh's Glen, 8:20 a. m., 50c.
The "Scenic Special" for beautiful Provo canyon leaves here at 7:50 a. m. and goes through without change. Returning it leaves North Fork at 6 p. m., arriving at Salt Lake 8:45 p. m. Trout and chicken dinners at Upper Falls and Spring Dell.

Pat Conway's famous band at Lagoon afternoons and evenings, all week.

Phillipini Band this afternoon and evening, Wandamere.

### NOTICE.

Notice is hereby given by the City Council of Salt Lake City of the intention of such Council to make the following described improvement, to wit:

To grade, and curb with cement and pave with bitulithic pavement with bituminous rock base and stone blocks, (said bitulithic pavement with bituminous rock base to extend from each curb to within 10.4 feet of the center of the street and be eight (8) inches thick, and said stone block pavement to be laid in the center of said street and be 20.8 feet wide) Main street between North Temple and Second North streets; and to grade and curb with cement and pave with bitulithic pavement with bituminous rock base (said bitulithic pavement with bituminous rock base to be forty (40) feet wide between curbs, and eight (8) inches thick) Center street between First North and Second North streets, in Paving Districts Nos. 28 and 30, and defray the abutters' portion of the cost and expense thereof, estimated at thirty-four thousand, three hundred ninety-seven and 46-100 ($34,397.46) dollars; ten thousand, eight hundred twenty-four ($10,824.00) dollars, or eight ($8.00) dollars per front or linear foot abutting said improvement on Main street between North Temple and First North streets, there being 1353 feet of abutting property on said portion of said street; fifteen thousand, two hundred twenty-one and 40-100 ($15,221.40) dollars, or eleven and 50-100 ($11.50) dollars per front or linear foot abutting said improvement on said Main street between First North and Second North streets, there being 1323.6 feet of abutting property on said portion of said street; and eight thousand, three hundred fifty-two and 6-100 ($8352.06) dollars, or six ($6.00) dollars per front or linear foot abutting said improvements on Center street between First North and Second North streets, there being 1392.01 feet of abutting property on said portion of said street, by a local assessment upon the lots or pieces of ground within the following described districts, being the districts to be affected and benefited by said improvement, namely:

Main street between North Temple and First North streets:

The west side of lots 2 to 5, inclusive, block 93; the east side of lots 1 and 8, block 94; commencing at the southwest corner of lot 2, block 93, plat "A," thence south 33 feet, all in plat "A," Salt Lake City survey.

Main street between First North and Second North streets:

The west side of lot 5, block 2; the west side of lots 4 to 6, inclusive, block 3; the west side of the south 66 feet of block 10; the west side of lots 4 to 7, inclusive, Capitol subdivision, block 10; the east side of lots 1, 2 and 4, block 8, all in plat "E," Salt Lake City survey.

Center street between First North and Second North streets:

The west side of lots 1, 2 and 3, block 8; the east side of lot 1, block 5; the east side of lots 1, 5 and 6, block 4; the east side of lots 1, and 8 to 12, inclusive, block 7, all in plat "E," Salt Lake City survey.

The total cost of said improvement is estimated at forty-three thousand, five hundred forty-seven and 36-100 ($43,547.36) dollars, of which sum the city's portion is nine thousand, one hundred foty-nine and 90-100 ($9,149.90) dollars, leaving thirty-four thousand, three hundred ninety-seven and 46-100 ($34,397.46) dollars to be raised by local assessment.

All protests and objections to the carrying out of such intention must be presented in writing, stating therein lot and block or description of property, to the City Recorder, on or before the 14th day of August, 1911, being the time set by said Council when it will hear and consider such protests and objections as be made hereto.

By order of the City Council of Salt Lake City, Utah. Dated April 3, 1911.

B. S. RIVES,
City Recorder.

Paving Extension No. 73. h2878

### NOTICE OF SPECIAL TAX.

Notice is hereby given that a special tax for the purpose of extending the paving has been levied and confirmed by ordinances of the City Council, approved June 20, 1911, and July 26, 1911, respectively.

Said special tax is levied upon the following described real property in Salt Lake City, to wit: In lots 1, 2, 3 and 4, block 34; 5 and 6, block 21; 1 and 2, block 33; 5, 6, 7 and 8, block 22; 1, 2, 3 and 4, block 32; 5 and 6, block 23, all in plat A, Salt Lake City survey, abutting on both sides of Sixth South street between First West and State streets, in Paving District No. 28, of Salt Lake City, and is due and payable in ten equal annual installments beginning July 26, 1912. Interest at the rate of six per cent per annum on the whole amount of said tax shall be computed from the date of the approval of the ordinance confirming the levy of said tax, to wit: July 26, 1911, and interest at said rate on the whole amount of said tax unpaid shall be due and payable with each installment. If any installment or interest aforesaid is not paid on the date when same becomes due, then the whole amount of the tax unpaid at the time said installment and interest are due will become due and payable and will draw interest at the rate of eight per cent per annum until sale of the property assessed. One or more of said installments in the order in which they are payable aforesaid, or the whole tax, may be paid without interest at any time within thirty days after the approval of the ordinance confirming the levy of the tax; and one or more of said installments in the order in which they are payable, or the whole tax unpaid, may be paid on the day any installment is due by paying the amount thereof and interest to said day.

All special taxes are payable at my office, room 102 city and county building, Salt Lake City.

Dated at Salt Lake City, Utah, this 26th day of July, 1911.

GIDEON SNYDER,
City Treasurer and Collector of Special Taxes.

Paving extension No. 64.
First partial estimate. h2941

IN THE DISTRICT COURT OF THE United States for the District of Utah.—In the matter of Orson Rasmusson, bankrupt.—No. 1471 in bankruptcy.—Petition for discharge.

To the Honorable John A. Marshall, judge of the district court of the United States for the district of Utah:

Orson Rasmusson of Salt Lake City, in the county of Salt Lake and state of Utah in said district, respectfully represents that on the 21st day of September last past, he was duly adjudged bankrupt under the acts of congress relating to bankruptcy; that he has duly surrendered all his property and rights of property, and has fully complied with all the requirements of said acts and of the orders of the court touching his bankruptcy.

Wherefore he prays that he may be decreed by the court to have a full discharge from all debts provable against his estate under said bankrupt acts, except such debts as are excepted by law from such discharge.

Dated this 26th day of July, A. D. 1911.

ORSON RASMUSSON,
Bankrupt.

ORDER OF NOTICE THEREON.

District of Utah:

On this 26th day of July, A. D. 1911, on reading the foregoing petition, it is ordered by the court that a hearing be had upon the same on the 19th day of August, A. D. 1911, before said court at Salt Lake City, in said district, at 10 o'clock in the forenoon; and that notice thereof be published in The Salt Lake Tribune, a newspaper printed in said district, and that all known creditors and other persons in interest may appear at the said time and place and show cause, if any they have, why the prayer of the said petitioner should not be granted.

And it is further ordered by the court that the clerk shall send by mail to all known creditors copies of said petition and this order, addressed to them at their places of residence as stated.

Witness the Honorable John A. Marshall, judge of the said district court, and the seal thereof, at Salt Lake City, in said district on the 26th day of July, A. D. 1911.

Attest: JERROLD R. LETCHER,
(Seal of court.) Clerk.
h2956





If your want be a situation, make it known by the insertion of a want "ad" in The Tribune.