

SETTLERS WIN IN OVERFLOW PERMIT CASE

GOVERNMENT CANCELS

W. W. P. CO.'S RIGHTS

Lands are Open to Settlement and Patent Under Land Laws

HERE IS THE LIST OF CANDIDATES

Citizens Who Are Willing to Serve the Public in Office.

The time for filing for county and legislative offices closed today at 12:30 and the following candidates for nomination have been filed:

Senator—James A. Spaulding, rep., Coeur d'Alene; J. C. White, dem., Coeur d'Alene; George E. Bridgman, rep., Harrison; C. H. Potts, rep., Coeur d'Alene; W. J. Stephens, socialist, Carlin Bay.

Representative—Albert F. Bixt, em., Coeur d'Alene; William H. Delblute, rep., Rathdrum; R. D. McKinnis, dem., Lane precinct; Hugh Scallon, rep., Coeur d'Alene; Robert C. Thompson, rep., Rathdrum; Roy L. Black, rep., Coeur d'Alene; Frank M. Winship, rep., St. Maries; Altus Blessing, rep., Medimont; William H. Cable, rep., Stateline; Bert Nelson, dem., LaCrosse; A. A. Arknell, dem., St. Maries; Jay R. Anborn, socialist, Coeur d'Alene; F. L. Sommers, socialist, Harrison; W. Benjamin, socialist, Athol.

Auditor and Recorder—D. E. Dany, dem., Coeur d'Alene; James A. Foster, rep., Coeur d'Alene; J. W. Smith, rep., Coeur d'Alene; Charles McDonald, rep., Coeur d'Alene; L. L. Runyon, socialist, Rathdrum.

Prosecuting attorney—N. D. Werette, dem., Coeur d'Alene; E. V. Boughton, rep., Coeur d'Alene; W. McNaughton, rep., Coeur d'Alene; Frank C. Copen, socialist, Coeur d'Alene.

Treasurer—F. A. Pollock, rep., Harrison; W. J. McClure, dem., Coeur d'Alene; W. T. Baxter, socialist, Coeur d'Alene.

Sheriff—Robert C. Sims, dem., Coeur d'Alene; Harry Sawyer, rep., Coeur d'Alene; D. R. Adams, rep., Coeur d'Alene; Patrick F. McGovern, dem., Coeur d'Alene; W. B. McFarland, dem., Coeur d'Alene; Ludwig Rojer, rep., Coeur d'Alene; J. S. Orr, socialist, Stinson.

Probate judge—J. V. Hawkins, em., St. Joe; Monroe G. Whitney, rep., Coeur d'Alene; Bert A. Reed, rep., Coeur d'Alene; O. B. Moon, rep., Coeur d'Alene; M. A. Kiker, rep., Harrison; Joseph Napier, socialist, Athol.

Superintendent of schools—O. R. Bern, rep., Post Falls; Emma A. Mach, dem., Coeur d'Alene.

Coroner—John Sabin, rep., Coeur d'Alene; C. J. Kinsolving, dem., St. Maries; Frank Wenz, rep., Rathdrum; B. B. Streeter, socialist, Athol.

Surveyor—Frederick V. Phinney, em., Coeur d'Alene; John D. Guerin, socialist, Harrison; A. O. Modin, rep., Coeur d'Alene; Herbert Wright, rep., Coeur d'Alene; Albert A. Robish, dem., Coeur d'Alene.

Assessor—John F. Robson, rep., Coeur d'Alene; Charles E. Acton, rep., Coeur d'Alene; Frank D. Ryan, dem., Coeur d'Alene; Fred E. Wamsacott, dem., Coeur d'Alene; John M. Elder, rep., Lewis Precinct; George Ott, rep., Coeur d'Alene; E. Van Hosten, socialist, Rathdrum.

Commissioner—First district, A. Smith, socialist, Medimont; John Ferguson, dem., St. Maries; V. E. Wiltman, rep., Harrison; Ernest Wamsacott, rep., Santa; Legis W. Wenz, rep., Lane. Second district—Samuel Carnahan, rep., Coeur d'Alene.

The famous case of the government against the Washington Water Power company in which it was required to show cause why a permit granted it by the interior department to overflow Indian lands on the Coeur d'Alene reservation around the head of the lake and in the St. Joe valley, has been decided by the secretary of the interior who holds that the department must revoke its former order granting the permit, dated February 2, 1909, and will allow entries on the lands in accordance with the law and rules of the department governing the same, and will grant patents to settlers without reservation, but does not determine the value or extent of the submerged lands. A copy of the decision is not available in Washington today, but will be given out Monday.

During the fore part of December last the register and receiver of the United States land office received through the commissioner of the general land office at Washington, D. C., an order from the secretary of the interior, directing that a hearing be held before the local office to determine whether the permit of the Washington Water Power company of Spokane, Wash., to overflow certain lands within the Coeur d'Alene Indian reservation between the mouth of the St. Joe river and the eastern boundary of said reservation to the extent of 6,240.81 acres should be revoked.

This permit was granted by the department February 2, 1909, but it was provided that any permission of the secretary of the interior under the provisions of the act of February 15, 1901, the act under which said permit was granted, might be revoked by him or his successor in his discretion, and shall not be held to confer any right or easement or interest in, to or over any public land, reservation or park, and was also subject to the further condition that the permit should in no wise release the company from the payment of damages to tribal property which had been or might be caused by the overflow, and the company pay the commissioner of Indian affairs for the benefit of the Indians \$1.25 per acre for damages for the land flooded.

Ask That Permit Be Revoked.

On April 26, 1909, petitions were filed with the commissioner of Indian affairs by the citizens of St. Joe, Ferrell, Coeur d'Alene and St. Maries, Idaho, and their vicinity, requesting that the permit be revoked, stating that the flooding by said overflow also caused the overflow of rich agricultural land in the valleys of the St. Joe and Coeur d'Alene rivers, thereby rendering the lands worthless, and the stagnant waters accumulating from said overflow would become a pest and a menace to the citizens of said communities. A special agent of the general land office, after an investigation, made a report recommending the revocation of the permit, and stating that the lands within the reservation so overflowed were in excess of the said 6,240.81 acres, and that they were good agricultural land of the value of from \$10 to \$100 per acre, and that the overflow interfered with the usefulness and accessibility of the Chatcolet National Park, and also rendered valueless approximately 1,100 acres of public land in the Coeur d'Alene valley.

On July 2, 1909, the department called upon the Washington Water



SENATOR JAMES A. SPAULDING Who Announces His Candidacy for Renomination on the Republican Ticket at the Primary Election on an Equal Taxation Platform.

BOOM PINCHOT FOR GOVERNOR OF NEW YORK

Believed That Roosevelt Will Look With Favor on the Movement

FOREST FIRES CONTINUE TO BURN

New Fires on Marble Creek — Pine Creek Fires Still Raging on East Side.

Fresh forest fires broke out on Marble Creek yesterday and from the latest reports they were creating havoc in that section. A number of men were sent from this city last night to fight them. At the present time these fires are only located in section 21-44-2, but are spreading rapidly.

The Pine Creek fires which probably have done the most damage, are practically under control west and south of the creek. It is in these sections that the Coeur d'Alene Timber Protective association has done such valiant service. On the east side of the creek the miners who are fighting the fires have not been so successful and they are still burning in great numbers.

The Mica Bay fires were yesterday burning in the old slashings of the Lewis Lumber company and are not now creating any great damage and they are under almost absolute control of the fire fighters. The Emerald creek fires are also reported as being under control.

BABY DIES.

The seven-months-old baby girl of Mr. and Mrs. Charles Kliner of Springwater addition died last night of heart failure. The funeral will be conducted tomorrow at the residence by Rev. W. H. Fry.

LANSDON'S REPLY TO GOVERNOR BRADY

Secretary of State Shows Up His Inconsistent Position on State Land Board

NAMPA, Idaho, July 29.—Charging Governor Brady with having willfully lied when he stated that the investigation of the Church affair was blocked by the secretary of state in an interview in an Idaho newspaper, Robert Lansdon Thursday went into detail of the history of the land board scandal, and not only declared that the governor told an untruth, but that he also attempted to make political capital out of the Church affair.

The article was brought to the attention of Mr. Lansdon by a representative of The Inland Herald, and he was asked what he knew about it. The article appeared in the last week's issue of The Standard, and was given out from the Brady press bureau in Boise.

For Political Purpose.

Mr. Lansdon read the article and then stated:

"If the governor gave that interview he told a deliberate falsehood, for he knows, better than anyone else, that the Church investigation was made merely for political purposes. I called his attention time and time again to some irregularities in the department and did everything possible to assist in the investigation, but Brady always scoffed at the idea and would not see wherein any one of the things I mentioned were irregular. In the Church affair he saw an opportunity to make a scapegoat out of another, and he immediately set out with a blare of trumpets to play politics. He saw in the expose a chance for the register to be persecuted and himself to escape untarished. At all meetings of the board I did everything within my power to present the facts in the case, but he knows full well that he tells a treacherous untruth when he charges me with having blocked the investigation."

Poses As an Example.

"Those conversant with the situation realize how despicable was his treatment of Church, and how he wanted to have the impression get abroad that he, Brady, was better than other men. As a matter of fact the pretended charges on which Church was finally let out had been brought to his attention some three months before, which shows on its face that Brady was doing it all for his own personal aggrandisement, no matter who should suffer as a result. I openly charge Mr. Brady with absolute insincerity in the matter, and that he never at any time wanted to have these matters investigated irrespective of the wishes of the people."

The representative of The Herald also called the attention of the secretary to the paragraph of the interview in which the governor stated that in the Fremont county land cases Mr. Lansdon had a resolution presented before he arrived at the meeting, in which he provided for the selection of the state lands at once, and also the giving notice to the settlers who had come on the lands subsequent to the application for survey that they were making any improvement on the land in question at their own risk, setting forth that the land belonged to the state and the board had no alternative other than make the selection. This was done, Mr. Lansdon stated, so that an endless and bitter controversy, such as the Marble Creek case, would be eliminated.

Play to Fremont County.

"The matter was brought up at that meeting," continued the secre-

SENATOR CRANE TO INVESTIGATE

Will Visit Washington and Report to Taft on Political Situation in the Western States.

BEVERLY, Mass., July 30.—President Taft has delegated Senator W. Murray Crane of Massachusetts to go into the far west on a political tour of inspection.

The senator will start in a week or so, and will go as far as Seattle, the home of Secretary Ballinger, before he returns homeward. It is understood to be the president's desire to get information of political conditions at first hand; hence he is dispatching Crane, the "soft-footed" senator in the republican organization, who in the dark days of confusion of 1908 was hurried into action when the cause seemed perilously near defeat.

First Week of Campaign.

The dispatch of Crane is the first step of the president in the work of rallying the organization for the November fight. Out of the west have come tales of party dissension, of luke-warmness toward Taft, and of fast-spreading Roosevelt sentiment. The president wants to know the truth.

In the report that Senator Crane will make to the president on his return he will inform the president as to just how far the Ballinger affair has split his party in the northwest.

Ballinger Will Remain.

With reference to Ballinger personally, it may also be added, on the highest authority, that the president has no intention of asking Ballinger to resign.

Following the departure of the senator, Secretary Norton announced the cancellation of all the engagements that the president had tentatively accepted to visit various parts of the country and make speeches. Instead of traveling about, the president will remain here at Beverly, with the possible exception of a brief visit to Washington, until November, when he will make a flying tour of inspection to Panama, returning in time for the assembling of congress.

GRAND TRUNK ENGINEERS TO STRIKE

Will Refuse to Run Engines Unless the Nonunion Men Are All Discharged.

DURAND, Mich., July 30.—One hundred and twenty-five engineers of the Grand Trunk railway will strike tomorrow according to a statement issued today. It is believed that with the engineers out the strike will be settled within two days. The engineers will go out unless the nonunion men are discharged.

GREAT BAND CONCERT.

The concerts of the city band are becoming more popular every week and last night an extremely large and enthusiastic number of music lovers attended the affair at the park. The numbers were all roundly applauded and one was encored which to say the least is an excellent indication of the citizens' increasing appreciation of its band.