
NEWS NARRATIVE

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Observe the reference figures in any article; turn back to the page they indicate and find there the next preceding article, on the same subject; observe the reference figures in that article, and turn back as before; continue until you come to the earliest article on the subject; then retrace your course through the indicated pages, reading each article in chronological order, and you will have a continuous news narrative of the subject from its historical beginnings to date.

Week ending Tuesday, August 17, 1909.

The Water-Power Land Monopoly.

Something very much out of the ordinary developed at the seventeenth annual Irrigation Congress which met at Spokane on the 9th (pp. 711, 781) and adjourned on the 13th. The vast water power grab of the electrical trust (pp. 410, 440) came under discussion in illuminating fashion, and the action of the government with reference to the interests of this trust was brought out in bold relief by the Chief Forester of the United States,—Gifford Pinchot.

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An understanding of the general facts is necessary to appreciate that discussion, and these are told in condensed form, with special reference to Montana, by Samuel M. Evans, of Helena, whose statement appeared in the Milwaukee Journal (a Republican paper) of August 10. Mr. Evans explains that—

the birthright of Montana has been taken to round out the water power monopoly, the youngest and destined to be the greatest of all the brood of American monopolies. Water power will succeed steam. "White coal," as water power is called, will run the railroads of the future. Not only that, the electric power generated by mountain torrents will be sent across the plains to operate the mills and factories of many States of the nation, and most important of all, this wonderful new power will pump endless floods of water upon millions of acres of arid lands, and so make new homes for millions of Americans. But the water power trust will be in a position to exact tribute from every settler and from his children forever.

Proceeding then to describe the action of the Government in the matter, Mr. Evans says:

It was in the closing days of his administration that President Roosevelt learned of the wholesale seizing of water powers by the then forming trust. The grab was at its height. The President sent surveyors and experts from half a dozen government bureaus into the field to find out what was going on. The first and unanimous report was that the woods and hills were full of the engineers and surveyors of the trust, and that the trust had better maps of the public lands than the government had. So Roosevelt had Secretary Garfield end the grab by resuming Government control of public lands containing

power sites. It was generally supposed that Garfield was to remain in Taft's cabinet, but on February 15 he was asked by Taft to resign on March 4. Not knowing who the new Secretary would be, President Roosevelt and Garfield decided to lock all the doors so that the new administration would find everything snug. Day and night the engineers worked on their plats, and the last thing President Roosevelt did, at midnight on March 4, was to withdraw more land, to the extent of 186,000,000 acres, from the reach of land grabbers. And the first thing Ballinger did after he was sworn into Taft's cabinet in Garfield's place on March 5 was to begin to turn that land over to the half-entrenched trust. The throwing open of these lands had progressed for a month when a rising tide of popular protest was heard at the White House, and, the clamor increasing, Taft called Ballinger in to explain. By one excuse and another Ballinger secured delay and meanwhile kept throwing land open to entry, and was again called to the White House, and this time the public was given to understand that the public lands had again been withdrawn. But it was too late—the trust had had warning and had had time. The power sites, scores of them, were grabbed. Right here it might be well to remark that a water power site has to be a mighty small one not to be worth a million dollars. A political explosion will come with the public knowledge that it was after President Taft had ordered Ballinger to withdraw certain Montana lands, which he had quietly reopened a few weeks before, that the Amalgamated Copper Co. owned by Senator Guggenheim and brothers, together with the General Electric Co., had swallowed thousands of acres of these important Montana lands, holding the power sites of untold wealth.

Mr. Ballinger's defense has been that the law does not authorize the withdrawal of lands from entry, and that the responsibility is with Congress as the law-making authority, and not upon the Interior Department.

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It was in allusion to those circumstances that Mr. Pinchot spoke at the Irrigation Congress on the 10th. Although he did not mention Secretary Ballinger, it is reported to have been evident to all who knew the circumstances that his allusion was to Mr. Ballinger. Among other things, he said that—

there could be no better illustration of the eager, rapid, unwearied absorption by capital of the rights which belong to all the people than the water power trust, not yet formed, but in rapid progress of formation. This statement is true, but not unchallenged. We are met at every turn by the indignant denial of the water power interests. They tell us that there is no community of interest among them, and yet they appear year after year at these congresses by their paid attorneys, asking for your influence to help them remove the few remaining obstacles to their perpetual and complete absorption of the remaining water powers. They tell us it has no significance that the General Electric interests are acquiring great groups of water powers in various parts of the United States and dominating the water power market in the region of each group. And who

ever dominates power dominates all industry. Have you ever seen a few drops of oil scattered on the water spreading until they formed a continuous film, which puts an end at once to all agitation of the surface? The time for us to agitate this question is now, before the separate circles of centralized control spread into the uniform, unbroken, nation-wide covering of a single gigantic trust. There will be little chance for mere agitation after that. No man at all familiar with the situation can doubt that the time for effective protest is short.

Equality of opportunity is the real object of our laws and institutions. Our institutions and our laws are not valuable in themselves. They are valuable only because they secure equality of opportunity for happiness and welfare for our citizens. To follow blindly the letter of the law, or the form of an institution, without intelligent regard both for its spirit and for the public welfare, is nearly as dangerous as to disregard the law altogether. It goes without saying that the law is supreme and must be obeyed. Our civilization rests on obedience to law. But the law requires to be construed. Rigid construction of the law works, and must work, in the vast majority of cases, for the benefit of the men who can hire the best lawyers and have the sources of influence in lawmaking at their command. Strict construction necessarily favors the great interests as against the people, and in the long run can not do otherwise.

The great oppressive trusts exist because of subservient lawmakers and adroit legal constructions

Equality of opportunity, a square deal for every man, the protection of the citizen against the great concentrations of capital, the intelligent use of laws and institutions for the public good, and the conservation of our natural resources, not for the trusts but for the people—these are real issues. Upon such things as these the perpetuity of this country as a nation of homes really depends. We are coming to see that the simple things are the things to work for. More than that, we are coming to see that the plain American citizen is the man to work for. If we fail, the great interests, increasing their control of our natural resources, thereby will control the country more and more, and the rights of the people will fade into the privileges of concentrated wealth.

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It happened that Secretary Ballinger was on the program of the Irrigation Congress to follow Mr. Pinchot, but in his speech on the 11th he did not utilize the opportunity to defend the action of the Taft administration (represented by himself in this particular) in opening up to appropriation in the interests of the General Electric the water power lands which Roosevelt's administration had withdrawn from entry.

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Mr. Ballinger's silence on the question raised by Mr. Pinchot was regarded as all the more remarkable because, only a few minutes before his own speech, ex-Governor Pardee of California had aroused the enthusiasm of the delegates in this wise:

I am one of these rather old-fashioned people,

perhaps, who believe that there is something outside of the cold features and words of the law. I believe that to withdraw from entry these lands which take with them power sites and to hold them for the people is the thing for the government of this country to do. Therefore, I thoroughly agree with the actions and work of the predecessor of the present Secretary of the Interior. You will remember that Mr. Garfield did withdraw from public entry millions of acres, in each of which parcels of land there was a power site. Much to the surprise of the people who were interested in these things in this country, almost immediately after his induction into office the present Secretary of the Interior put back these lands for public entry and within eight days these power sites were grabbed. By whom? Not by anyone who will use them for the benefit of the United States or its people. I am informed that the Secretary of the Interior opened these valuable power sites to entry because there was no specific law under which they could be withdrawn. But Garfield withdrew them. And then, after all the good power sites had been grabbed, the present secretary withdraws them.

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A response in behalf of Secretary Ballinger was made on the 12th by George Otis Smith, a subordinate in Mr. Ballinger's department, as director of the geological survey. Mr. Smith explained that—

under the administration of President Roosevelt the withdrawals of public lands for power purposes aggregated 1,417,540 acres in the States of Oregon, Idaho and Montana. In April of this year whatever portions of these lands were unentered were restored to entry by Secretary Ballinger, and the following month, after critical review of the areas by the geological surveys, withdrawals were made which amounted to 154,126 acres. This reduction of acreage was inspired solely by the desire to exclude from the power site withdrawals patented lands and all areas not essential or useful to power development. Thus in Montana, while the earlier withdrawals exceeded 700,000, the later withdrawals covering and protecting the same power sites amounted to only 38,426 acres. This was a concession made to Montana citizens who wished to enter agricultural lands.

Gov. Pardee at once replied:

I call your attention to this fact that public lands and also power sites were withdrawn from public entry by Secretary Garfield, and that those lands included power sites and were restored to entry by Secretary Ballinger. Why were not the agricultural lands restored and the power sites left unrestored?

The very day on which he took office, or certainly the next day Mr. Ballinger began to restore public lands which had been withdrawn for water power sites by his predecessor, Secretary Garfield. The list of lands restored to entry by Secretary Ballinger aggregated several millions of acres. The days upon which lands were restored and the rivers and acreages upon which these lands are, I am informed, as follows: March 5, North Platte, Wyo., 160,000 acres; March 22, for Colorado River storage, Utah, 23,000 acres; March 27, Madison River, Mont., 209,000 acres; March 30, Salmon River, Idaho, 185,000 acres; April

6, for Colorado River storage, Wyo., 327,000 acres; April 7, for conservation Missouri River, Montana, 250,000; April 8, for conservation Swan River, Montana, 19,000; April 8, conservation Yellowstone River, Montana, 55,000; April 8, conservation Yellowstone River, Wyoming, 200,000; April 8, conservation North Platte River, Wyoming, 145,000; April 8, conservation Yellowstone River, Montana, 345,000; April 9, conservation Yellowstone River, Wyoming, 34,000; April 10, conservation Grand River, Utah, 70,000; April 10, conservation Missouri River, Montana, 359,000; April 15, conservation Colorado River, Utah, 177,000; March 31, Green River, 69,120. Then we have lower Powder River, Oregon; Blackfoot, Idaho district; Yellowstone, Montana; Green River, Utah; Owyhee River, Oregon; Flathead, Montana and Colorado River storage, Utah—aggregating something over 4,000,000 of acres.

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Dispatches of the 13th from Washington stated that Secretary Ballinger had "turned the tables on Gifford Pinchot" by withdrawing from entry the largest area of land ever withdrawn in the history of the Interior Department. The order was issued by Acting Secretary Wilson in the absence of Mr. Ballinger. It covers 87,360 acres along the Colorado river in Utah, and came direct from Secretary Ballinger, who was at Spokane attending the Irrigation Congress. It is described in the dispatches as an offset to the disclosures regarding fostering monopolies made by Mr. Pinchot at the Spokane Congress. With the order came an unofficial announcement that the action was taken to forestall "monopolies" seeking water power privileges. The same dispatches told of a statement issuing from the land office asserting that "at no time during the administration of Secretary Ballinger have any power sites been filed upon in Montana."

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Exposure of Enormous Land Grabbing in Chicago.

Developments of the past week indicate that the raids upon public school land (p. 579) are not the only great land grabs in Chicago. A legislative committee which began its investigations on the 9th, has brought out testimony to the effect that large private interests are mere squatters on Chicago land worth probably as much as \$500,000,000.

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Among these squatters the following are named: The Chicago & Northwestern Railroad, the Chicago, Milwaukee & St. Paul, the Pennsylvania, the Illinois Central, the Wisconsin Central, the Economy Light & Power Company, Hibbard, Spencer, Bartlett & Co., the Goodrich Dock Co., the City Fuel Company, the Allis-Chalmers Company, the Armour Company, the American Steel and Wire Co., the Commonwealth-Edison Company, the McCormick Harvester Co., the Deering Harvester

Co., and the Illinois Steel Company. Some of the grabbed lands are filled-in lake bottom, while some are shore lands along the river.

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One of the expert witnesses, Edward T. Cahill, who said that he had made a study of water-front rights in Illinois, testified that under an act of the legislature of 1822 a 90-foot strip along an old canal should have been preserved for all time for the use of the people, and that neither the legislature nor the city had any right to convey title to "water lots" lining the canal. The Chicago river at Clark street, he said, should be about 450 feet wide from building line to building line, but encroachments have left it only about 250 feet wide,—some 200 feet having at that point been unlawfully deeded to private interests.

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The second day's investigation, that of the 11th, is reported by the Inter Ocean (Republican) as indicating that—

a startling and almost unbelievable amount of land has been appropriated by private interests along the lake shore and river bank wherever by fair means or foul it could be grabbed and made use of. With few exceptions every property owner along the river and its branches has illegally extended his dock lines from three to seventy feet out into the stream, and is using it for commercial purposes without recompense to city, State or Federal government, so it is charged. It is likewise charged that every foot of the thousands of acres which have either naturally or artificially been built up beyond the original meander lines of the lake, as given in the United States government plats of years ago, is unlawfully held and must be turned over to the State. As values of these river and lake lands mount into the hundreds of millions and involve nearly every large railroad interest, as well as many of Chicago's greatest industries, the enormous possibilities of a series of the greatest legal battles in the city's history are clearly apparent. A gigantic fight with the State of Illinois on one side and the combined forces of some of the greatest corporations in the world lined up on the defensive, is seen looming on the legal horizon. The successful recovery of the public lands now held by private interests will insure two things: The deepening and widening of the Chicago river and branches to make it navigable for the largest fresh water craft, thus giving Chicago the greatest industrial and commercial boom ever enjoyed by any city in the world; secondly, permitting the first and greatest step to be taken in making Chicago the city beautiful of the world, by utilizing for park and boulevard purposes every foot of lake shore from the Indiana State line, to the Wisconsin boundary.

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The legislative investigating committee consists of Representatives B. M. Chipfield (chairman), David E. Shanahan, John L. Flannigen, Fred Erickson, T. H. Riley, R. E. Wilson, and Senators