

PATER EXPOSES LARGE FRAUDS

rowed \$400 from La Crosse people to put up all those lands and hypothecated the certificates to them as security, and furthermore had agreed to give them an interest in the profits providing the reserve was created and that he could not assign the certificates if he wanted to, and I thought he had better take the 50 cents an acre.

"I asked Mr. Mays then if he had a plat or a map, and he withdrew from one of the drawers in his office a tracing or a diagram showing the reserve ranges, the mountains and the river and the townships that were supposed to be included and the school sections were all marked with colored pencils. I asked him if he could show me—point out McKinley's land to me. He pointed out his own land and two or three sections of McKinley's. I then said to him: 'How do you propose to cut the McKinley sections out without cutting yours out?' Well, he said he could cut any one section out that he wanted.

"Then we talked about the 50 cents an acre again. I tried to compromise the business with him, to get him to accept the 50 cents. I asked him when it was going to be made a reserve; well, he said it would be made a reserve any day. He also stated that he told him that as it had not been made a reserve then, that I had my doubts.

"I says: 'Mays, don't you know there is a large portion of the Blue Mountains within the mineral belt?' and says I, 'besides the stockmen in that country are liable to make a kick and raise a commotion.'

Mays Stands Pat.

He said that he was not afraid of that; everybody in the country over there was against those claims, the reserve and outside; and he would have no trouble about that; and he requested me to see McKinley and have him come up there right away, and turn over to him the deed that I asked him: 'Is that the best you will do? Is that your final answer? And he said it was; he would take nothing less than half of the assignment to half of those certificates.

Expected to Visit Hermann.

"Prior to this conversation with Mays, I accompanied him to write on his trip to Washington, D. C. It was about the middle of April, 1902. At least, I started there with them, and my intention was to go through to Washington, but I stopped at St. Paul while on route to see C. A. Smith, of Minneapolis, and as I had business with Mays, I asked him where a telegram would be sent to, and he replied that I could wire him in care of Binger Hermann, as he expected to stop at his house in Washington.

"As soon as I found out that C. A. Smith was in Minneapolis, I told Mr. Mays that as soon as he got to Washington to have Hermann defer the issuance of patents to those 23 claims that I said Mr. Smith had in mind, and that I later came to some satisfactory settlement with me upon a deal I had in California, which he agreed to do; and that is why I asked him where he was going to stop. He was my attorney in getting the patents to those claims. Fred Kriba had agreed to pay Mays \$50 apiece for getting the patents through. The claims were located in Lewis county, Or.

"McKinley and I had located 57 people on these claims in the Roseburg land office under an agreement whereby they were to turn over to me the money for furnishing the money with which to pay the Government for the land, besides paying them \$80 apiece for their rights. The Northern Pacific Railway Company attempted to scrip the tracts and contest the entries. A few days before this contest, when I was supposed to be in the east, McKinley and I were at Roseburg and came into Albany that afternoon. He was in charge of the Marshall, and I went his bail.

McKinley's Prosecution a Bluff.

"The arrest occurred about two or three weeks before the time set for hearing this contest. I conveyed to Mays that the parties proved up on their claims at the same time. Ed. Mays, a brother to the defendant here, appeared to prosecute McKinley. McKinley had written me and inquired about it, and I talked with him afterward about it in his office, and he informed me that his object in having McKinley arrested was because he thought by so doing it would have the effect of scaring the 57 locators off. He didn't intend to prosecute him at all; it was more of a bluff than anything else.

"When the contest came up at Roseburg, the Northern Pacific was represented by an attorney from St. Paul, another from Tacoma, and P. P. Mays. I employed Shurtz and Crawford as attorney and receiver of the Roseburg Land Office. Crawford is the present Attorney-General of Oregon. When Mr. Mays walked into the land office it was a surprise, and asked him what he was doing there. He replied: 'Don't you know that I am the attorney for the Northern Pacific?' I answered him: 'You are my attorney, and you are not going to appear for them, are you?' He says: 'I will have to do it—you are well represented.'

"A few days after I was on the stand, Mr. Mays came up to my room in the hotel at 11 o'clock at night and told me the best thing I could do was to compromise with the Northern Pacific. He said: 'I have got some very good offers, and I am going to prove up. These were the same claims that Kriba afterward paid Mays \$50 apiece for to pull out the patents.

Suggests Another Deal.

"When this township 24 south, range 1 east, was surveyed and came into the market, McKinley told me about it, saying it was inside the Cascade front range. The law was that in order for a person to prove up in a township within a reserve, under the homestead laws, he would have to be a bona fide settler, located on the land prior to the creation of the reserve. I went to Mays and asked him to sign a deed to me, and he said that I should sign a deed to him, and he would pull out the patents, providing I would locate a lot of homesteaders in this township. He wanted to know what it was going to cost, and I told him \$150 a claim. He replied: 'All right, I will go in with you, share and share alike, and both put up the expenses of getting the claims.' He also asked me how many of them I could get.

"I replied: 'The whole township, but it would not do to risk more than 15 or 20.' So the first he made up claims, six of which made final proof.

Marie Ware Was "All Right."

"I explained to Mays all about it, telling him that I would have the entries made before Marie Ware, whom McKinley had told me was all right; she was a United States Commissioner, and everything would go through all right. The question is, I told him, 'Can you pull the patents out, and how soon can you

do it?' He said he could get the patents to never mind that; and then, whatever it would charge up, and when we got the titles we would settle up. So there were six entries put through. There were eight more entries that I sent down that he refused to accept. It seems that McKinley was not getting anything out of it, and he advised her not to receive any more.

"Mays told me that he afterward had a talk with Marie about it at the time she was here in Portland, at the same time, and he asked her to put those claims through; that there were only two or three days left, as the time was about up for filing. The law only allows 90 days. I think, after a township comes in. At any rate, she didn't file them. When I told him that the eight had not gone through, he told me to go down and see her, and see that she put them through, at the same time using a certain word about her that I do not care to express.

"Mays told me that I ought to have at least 24 claims in the township, but I told him that I thought it would be unwise to attempt to get so many; it would look suspicious, that notwithstanding; 14 or 15 would be all right, but so many as that was too many for one township. The land was located on the middle fork of the Willamette River, close to the headwaters east of Drain. The elevation was about 4000 or 5000 feet, and there was nobody living in that section of the country at the time. Patents were issued on all the six claims that were put through, and Mays got three of them.

"I am now serving a sentence of two years in the Multnomah County Jail for conviction of a conspiracy to defraud the United States. That is the maximum imprisonment.

Sorenson Cautioned Mays.

"About a year and a half or two years ago, after the withdrawal of Mays from the Blue Mountain reserve, I had a talk with George Sorenson in relation to it. This conversation occurred in Milwaukie, Wis., and McKinley, myself, were present, together. One evening we all got onto a little excursion boat to go from Milwaukie to Fish Bay, and the conversation was held on that boat. Sorenson told me how McKinley got the 15,000 or 16,000 acres, and said if he hadn't got onto the fact he would have a good deal more. He also stated how he had cautioned Mays several times about this; that unless he got in and secured those lands that he was afraid he knew it would be tipped off about the reserve, and he would lose them.

"This finished Pater's direct examination, and he was then taken in hand by William D. Benton, counsel for defendant Mays. Under cross-examination, Pater testified as follows:

"I was convicted in case No. 4735, filed in court March 20, 1904, in which Emma L. Watson, Marie L. Ware, Horace G. McKinley, Maud Witt, Frank H. Walcott, Henry C. Barr, D. W. Dyer, and myself were defendants, in what was commonly known as the '11-7' case. I was found guilty December 6, 1904. In addition to a sentence of two years in jail, I was fined \$7500. Between the time of my conviction and the date of my sentence by Judge Wolverton July 7, of 1905, I was in the custody of the United States; sometimes Oregon, sometimes California, sometimes Wisconsin, also some of the other States. Both California school land certificates, I have sold no state lands within the past three years knowing the certificates to be forged, and I am now under an indictment in Marion county on that charge.

"I was last arrested in Alameda, Cal. W. J. Burns, the Government secret service agent, arrested me in Boston March 26 of this year. He met me in the postoffice and told me to consider myself arrested.

"Here the witness entered into a detailed account of his arrest in Boston by Mr. Burns, and subsequent arraignment in all kinds of schemes, and an attorney during that time, and when he saw that I was down, convicted and sent to the prison, he said that the only way he could do was to pass me up and have nothing to do with me. He was an attorney, Senator, and he was in charge of me, and he over and clear himself and my word would not go. He showed that in his actions, actions, and that he would not let me go, and that he would have already told. I have told you what I know. If I was in the deal I would tell it all.

"Q. You are sorry that you could not tell more.

A. Yes, sir, I think I have good reason.

"Q. You said you were very angry at Mays and others. Does that include Jones?

"Jones Partner in Steal."

A. Yes, sir, I thought Mr. Jones, being a partner with me for two years in the biggest kind of a steal ever made, but it is likely that the President's desire to complete his inspection of the canal work and reach here before Congress convenes on December 2, that the journey may be made safely and expeditiously, the Navy Department will provide three warships.

"Dedicated plans have not been completed, but it is likely that the President's Secretary Taft and other guests will occupy a first-class battleship, the members of the Canal Commission another and newspaper representatives a third, which is to be a cruiser.

"This will enable the President and party to make the trip in comfort, give them healthy accommodations while on the isthmus and incidentally provide against the possibility of delay through accident to any of the ships.

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"This will enable the President and party to make the trip in comfort, give them healthy accommodations while on the isthmus and incidentally provide against the possibility of delay through accident to any of the ships.

Eastern Excursion Rates

September 8 and 10.

On the above dates the Great Northern Railway will have on sale tickets to Chicago and return at rate of \$71.50, St. Louis and return \$67.50, St. Paul, Minn., and return, \$69.00. Tickets to St. Louis City and return, \$60. Tickets first-class, good going via the Great Northern, returning same or any direct route, stop-overs allowed. For tickets, sleeping car reservations, or any additional information, call on or address H. Dickson, C. P. & T. A., 132 Third street, Portland.

Veteran of the Alabama.

LONDON, Sept. 6.—Captain John Low, who served on the Confederate cruiser Alabama, died today in Liverpool.

Half-Sick

When your nerves are weak, when you are easily tired, when you feel all run down, when is the time you need a good strong tonic—Ayer's Sarsaparilla. Your doctor will tell you why it has such power over weak nerves, why it makes the blood rich, and why it gives courage and strength. Ask him if it is not just the medicine you need.

Henny made the statement that George H. Cattenach, a lawyer, and Orrin L. Patterson, editor of the Blue Mountain Eagle, both of Canyon City, were implicated with Williamson in his alleged conspiracy to extend the Blue Mountain reserve to include lands he purchased outside the boundaries of the temporary withdrawal.

Mr. Henny's specific charge was that the two Canyon City men purposed to withhold the protests which had been placed in their hands for transmission to Washington in order to further Williamson's plans. Both Cattenach and Patterson have been on the stand for the Government during the trial.

Plans for Panama Trip

President and Party Will Go to Isthmus in November.

WASHINGTON, Sept. 6.—(Special.)—Arrangements are in progress for the trip of President Roosevelt to the Isthmus of Panama this fall. The start will be made early in November. Three weeks will likely be consumed. It is of course, the President's desire to complete his inspection of the canal work and reach here before Congress convenes on December 2.

The journey may be made safely and expeditiously, the Navy Department will provide three warships.

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Charges Against Hale and Brownell.

On redirect examination Pater told of incidents preceding his own indictment, but it is likely that the President's attorney John H. Hall was going to have him indicted here to Mays about it. Mays replied, 'I know it. Nothing could be better for you than to be indicted by Hall.'

"A Government agent named Colonel Greene has gathered evidence enough to indict you, Ed Mays, in a deputy under Hall, and if you are indicted I can have the case postponed one or two years and then thrown out. If you are not indicted how Hall can be succeeded by someone who will prosecute you and send you over the road."

Pater testified that he objected to the arrangement, but was not to be argued. Before this happened he expected George C. Brownell to be appointed as Hall's successor. According to Pater's testimony he had hired Brownell to fix grand jurors for him, that he gave Brownell money for the fixing, but nothing was done. Later Brownell drew out of the fight for United States Attorney. He said it was because Brownell feared Hall would indict him.

Pater further testified that Mays was his attorney after his indictment, that Mays went into court with him, but soon afterward said: 'They are becoming close to me. I had better withdraw from the case and have my agent attorney called to answer Mr. Mays. You know I was Governor.' After that Mays worked the case until Pater was convicted.

Evening Session Brief.

The evening session was brief and was devoted entirely to witnesses called to prove Williamson's connection with the conspiracy. Dr. Andrew C. Smith, whose testimony has been referred to, was the only important witness.

During one of the many arguments which occurred during the time, Dr. Smith was on the stand, Prosecutor

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