THE MORNING OREGONIAN, FRIDAY, SEPTEMBER 7, 1906.

PUTER EXPOSES LAND FRAUD RING

(Continued From Page 1.)

rowed \$4000 from La Crosse people to put up all those lands and hypothecat-ed the certificates to them as security, and furthermore had agreed to give them an interest in the profits provid-

them an interest in the profits provid-ing 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 re-serve range, the mountains and the river and the townships that were sup-posed to be included and the school sections were all marked with colored pencil. I asked him if he could show me—point out McKinley's land to me. He pointed out his own land and two 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 with-out cutting yours out?' Well, he said he could cut any one section out that he wanted.

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 those certificates. 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—the assignment to half of those certificates.

Expected to Visit Hermann.

"Prior to this conversation with Mays "Prior to this conversation with Mays, I accompanied himself and wife on a trip to Washington, D. C. It was about the middle of April, 1962, At least, I started there with them, and my intention was to go through to Washington, but I stopped

Smith was in Minneapolis, I told Mr. Mays that as soon as he got to Wash-ington to have Hermann defer the issuance of patents to those 33 claims that I sold Mr. Smith until such time as the lat-ter 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 pat-ents to those claims. Fred Kribs had agreed to pay Mays \$50 aplece for getting

agreed to pay mays an aplect for getting the patents through. The 33 claims were located in Lane County, Or. "McKinley and 1 had located 57 people on these claims in the Roseburg land of-fice under an agreement whereby they were to turn them over to us upon our burgiebles the memory with which to nay furnishing the money with which to pay the Government for the land, besides pay-ing them \$100 apiece for their right. The Northern Pacific Railroad Company at-tempted to scrip the tracts and contest the entries. A few days before this contest, when I was supposed to be in the East, McKinley was arrested, and I happened to come into Albany that after-noon. He was in charge of the Mar-shal, and I went his ball.

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

more. "Mays told me that be afterward had a talk with Marle about it at the Im-periul Hotel here in Portland. She came down, 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 filling. 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 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 in that neighbor-hood; 14 or 15 would be all right, but so many as that was located on the Middle Fork of the Willamette River, close to the headwaters east of Drain. The elevation was about 6000 or 500 feet, and there was nobody living in that sec-

land. "After my conviction in the 11-7 case, I had a talk with W. N. Jones at the Hotel Portland. He came to me and said: Steve, what is the matter, I said: 'Steve, what is the matter, I heard that you were going to cut loose and give the whole bunch of us away Is that so? I said: 'Well, you are a pretty lot of fellows, you and Pierce Mays being my partners in these schemes for the last eight years, and when I am convicted now, you pass me up like this.' Well, he begged me not to do it, and said he would see Mays and Kribs and the rest of them, that my fine was paid, and for me not to atand there was nobody living in that sec-tion of the country at the time. Patents were issued on all the six claims that were put through, and Mays got three of there

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lose them." This finished Puter's direct examina-tion, and he was then taken in hand by William D. Fenton, counsel for De-fendant Mays. Under cross-examina-tion, Puter testified as follows: "I was convicted in case No. 4725, filed in this court March 17, 1904, in which Emma L. Watson, Marle L. Ware, Horace G. McKinley, Mand Witt, Frank H. Walgamot, Henry C. Barr. there with them, and my intention was to go through to Washington, but I stopped at St. Paul while en route to see C. A. Smith, of Minneapolis, and as I had bus-iness with Mays, I asked him where a telegram would reach him, 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.

tence by Judge Wolverton July 7, of this year, I was in different parts of the United States; sometimes Oregon, sometimes in Washington, sometimes California, sometimes Wisconsin, also Boston, engaged in speculation in school land certificates. I have sold no state lands within the past three years knowing the certificates to be forged. I am not aware that I am under indictment in Marion County on that charge.

under 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 under arrest." Here the witness entered into a de-tailed account of his arrest in Boston by Mr. Burns, and subsequent sensa-

by Mr. Burns, and subsequent sensa-tional escape from the latter, all of which has been heretofore published. Continuing, he said:

Continuing, he said: "After I left Boston I came West by the Santa Fe route. Mrs. Watson did not accompany me. I met her in Oakland. I landed at Point Richmond, Alameda County, May 15, 1906. I was not dis-guised, and traveled in ordinary fashion. I stopped at the principal hotel in Alawould not go. He showed that in his actions; actions, a good deal, speak louder than words. I think I had good

and you know how Binger Hermann stands in, and I don't anticipate any trouble about creating the reserve.' Then I spoke to him about annexing a few townships on the west side of the reserve. He thought it was a pretty good plan if we could get any scrip land.

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and Kribs and the rest of them, that my fine was paid, and for me not to at-tempt any such thing. If I started the bail rolling, he said, there was no tell-ing where it would stop. "I told him I was bound to go ahead and show the whole thing up." Puter was here taken in hand by S. B. Huston, one of the attorneys for W. N. Jones, in the course of which the following dialogue took place between him and Puter:

him and Puter: Q. Mr. Puter, you said you had quite a feeling against Mr. Mays?

A. Yes, sir, Q. You said you sent your brother to

Yes, sir. What for?

To see if he would not get some one to go on my bond. Q. Mr. Mays refused to do it? A. Yes, sir, Q. And consequently that made you

Q. And consequently that made you angry at him?
A. Not exactly. I went to see Mays myself afterwards, and the conversation I had with him made me angry, the talk we had, the way he treated me.
Q. You went to see him to see if he would not get bonds for you?

Passed Up by Mays.

A. Yes, sir; when I was in charge of the Marshal. The Marshal stood outside the door and I went in and had a conthe door and I went in and had a con-versation with Mays of half an hour, and that is when he passed me up like a white chip, didn't know me, had noth-ing to do with me. I says, "Mr. Mays, all you have to do-you don't have to be mixed up in it-you know hundreds of meonic in forw just eight me the names of people in town, just give me the names and telephone them. I have got three parties now, all I want is another extra sloop, and I want some consideration from you, Mr. Mays; you are in this deal with me, you are in all of my deals, and I don't want to be treated like this; all I want is justice, to show your good faith with are " with me.

with me." "He passed me up, wouldn't have anything to do with me. He was my attorney right up to three days before that. So I went out and telegraphed home for the money and put up my bonds and that is when I went out and Mr Jones came up to the hotel and Mr. Jones came up to the hotel

and Mr. Jones came up to the notes and spoke to me." Huston-From the time he refused to furnish you bonds or to get any-body cise to do so you resolved to get

Mays Has Partner and Attorney. Puter - The conversation WILS enough, after being 12 years partners in all kinds of schemes, and an attor-ney during that time, and when he

saw that I was down, convicted and out, and slandered, he concluded the only way he could do was to pass me up and have nothing to do with me. He was an attorney, State Senator, well up in politics and he could ride over and clear himself and my word

Heney made the statement that George H. Cattenach, a lawyer, and Orrin L. Patterson, editor of the Blue Mountain Eagle, both of Canyon City, were im-plicated with Williamson in his alleged conspiracy to extend the Blue Mountain reserve to include lands he purchased outside the boundaries of ber placed in their hands for trans-mission to Washington in order to further Williamson's plans. Both Cat-tenach and Patterson have been on the

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

Mrs. A. Nelson and daughter, Seattle; G. B. Henry and wife, Independence; Mrs. A. L. Watson, G. Watson, Kalama; J. B. Founs, Soattle; E. H. Flagg, St. Helens; W. D. McCully, Shaniko, Or.; E. E. Beharrell, Se-attle; D. Vance, Seattle; A. Fleiscnner, Stevenson; P. C. Leonard, Seattle; Marcia Beaty, San Francisco; E. Hofer, F. W. Wa-ters, J. M. Powers, Hal D. Patton, Salem; J. B. Bilodeon, New Westminster; D. A. Frice and wife, Mrs. J. N. Weeks, Wilbur, Emma Travis, Eugene; Mrs. J. E. Swartz, Miss Swartz, Chicago; William D. Gutham and wife, Soattle; John Mitchell, Amaconda, Mont; Paul M. French, Mrs. P. M. French, The Dailes.

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SA SIDRIBBUN

McKinley's Prosecution a Bluff.

"The arrest occurred about two or three weeks before the time set for hearing this contest. I cannot fix the exact date, but the parties proved up on their claims at the same time. Ed. Mays, a brother to the defendant here, appeared to prosecute McKinley. Pierce Mays was not there, although 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 do ing 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 Rose the Northern Pacific was repreburg. burg, the Northern Pacific was repre-sented by an attorney from St. Paul, an-other from Tacoma, and F. P. Mays. I employed Shute and Crawford, ex-Regis-ter and ex-Receiver of the Roseburg Land Office. Crawford is the present Attorney-General of Oregon. When Mr. Mays walked into the land office I was rather surprised, 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, 'No, 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 com-promise with the Northern Pacific. He said: We have got everyone who made those claims, and McKinley is Hable to be prosecuted and sent over the road. If you will give up half of those claims, we will compromise it.' I would not agree to do that, but I agreed to accept 23 claims of the ones I chose, out of the 57, and gave up 24. We settled on that basis, the contest was withdrawn and 'proofs out in do the 35. put in for the 33 claims.

"C. A. Smith and Fred Kribs were in-terested with me in the 33 claims at the time. Kribs was there and paid the money with which to prove up. These were the same claims that Kribs afterward paid Mays \$50 aplece for to pull out the patents

Suggests Another Deal.

"When this township 24 south, range 1 "When this township 24 south, range 1 east, was surveyed and came into the market, McKinley told me about it, say-ing it was inside the Cascade forest re-serve. 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 bons fide settler, lo-cated on the land prior to the creation of the reserve. I went to Mays and an cated on the initial prior to the creation of the reserve. I went to Mays and ex-plained the situation to him, and asked him what would be the chances of his pulling out the patents, providing I would locate a lot of homesteaders in this town-ship. He wanted to know what it was going to cost, and I told him about \$150 a chaim ha replied '40 state 7 million a claim. He repiled, 'All right, I will go in with you, share and share alike, and both put up the expenses of getting the interval. We also asked me is setting the He also asked me how many of claims." them I could get.

meda for a few days. My object in com-ing West wa to endeavor to see Mr. Heney and try to settle up my affairs. Before I was arrested in Alameda I had telephoned to Mrs. Watson's residence for her to come over and see me. She was living in Oakland then with her mother. Was Paid Mitchell \$2000.

"I sent for Mrs. Watson to come to Washington, D. C., at the time we got the II-7 claims patented. Assistant Land Commissioner Richards had fixed up an reason affidavit for Mays and myself to get the Jones'

claims expedited, and on the road to patents. I visited Hermann in his of-fice during the three days they were going through the different divisions, and when they finally reached the last division

when they infaily reached the last division he took up a document and said to me: "'Mr. Puter, you are down and out; the only thing you can do now is to go back and round that bunch up and get them to put in additional proof to secure yourself "I said, 'Mr. Hermann, will you defer

matters until I see Mr. Mitchell?

"He said he would. I went and saw Mr. Mitchell and told him the circumstances, and the Senator asked me if I could not go back there and get this additional testimony. I told him no. Says I, "The parties have gone to Manila, some of them and Alaska and the saw them, and Alaska, and the ones that are there would refuse to do anything; and my only recourse was to get these pat-ents immediately.' I was out \$7000, and all they were worth was \$2600, and I thought if I should get out even on them I was bond

satisfied. That is when I paid him that \$2000. "I said, 'Now you go over there, Senator, as soon as you can' and he did, and I got the patents in four days. "These claims generally when they are

These chains generally when they are incidents preceding his own indictment. Sent up have to lay there for a certain When he heard that United States At-time and come up in their regular course, and in order to get them expedited you have to show some very good excuse, and that is why I sent for Mrs. Watson be better for you than to be indicted by and was fixed up that scheme for here. and we fixed up that scheme for her-Senator Mitchell and I.

Mitchell Calls on Hermann,

"I went right up to the United States | Hall, and if you are indicted I can have Senate and waited until the Senator came out and I got him in a carriage and went to his room. He went to see the Commissioner that night. Next af-

'Mays Should Have Been Indicted." "That was the case in which Mrs. watson and I were indicted and con-victed, and Mr. Mays ought to have been indicted and convicted with us, as he was in with me in that case."

tenach and Patterson have been on the stand for the Government during the

reasons, then, and I have now, and all I regret now is that I was not mixed up in the Blue Mountain deal so that I could tell a great deal more than I have already told. I have told only what I know. If I was in the deal I would tell it all. O Was as source that you could not

mus in November.

Q. You are sorry that you could not tell more? A. Yes, sir, I think I have good

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

"Jones Partner in Steal."

President's desire to complete his inspec-tion of the canal work and reach here before Congress convenes on December A. Yes, sir, I thought Mr. Jones A. Yes, sir, I thought Mr. Jones, being a partner with me for two years in the biggest kind of a steal over here and in with him and Mays, that he ought to come to my rescue. I was triendly with him, I would come to him and I told him so, after he had agreed in the hotel to put up the money and get Kribs. And he says, "For God's sake, Puter, don't start the That the journey may be made safe-ly and expeditiously, the Navy Depart-ment will provide three warships. Detailed plans have not been completed, but it is likely that the President, Secretary Taft and other guests will oc-"For God's sake, Puter, don't start the upy a first-class battleship, the mem ball a rolling. Look where you will land us all." That is the very words

cupy a first-class battlenhip, the mem-bers 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. ie said in the hotel, on the porch outside the entrance." Mr. Fenton then questioned Puter about his surrender to the Federal authorities and the order forfeiting his

bond. Mr. Heney then asked Puter to spe-clfy what steal he had meant when he said that he had been in with Jones in a big steal, but the question was withdrawn after a long argument. EASTERN EXCURSION RATES September 8 and 10.

Charges Against Hale and Brownell. On redirect examination Puter told of

incidents preceding his own indictment. When he heard that United States At-"A Government agent named Colonel

Greene has gathered evidence enough to indict you. Ed Mays is a deputy under

the case postponed one or two years and then thrown out. If you are not in-dicted now Hall may be succeeded by someone who will prosecute you and send you over the road." Putor testified that he objected to the arrangement, but was indicted anyway.

into this; it is too had to beat that woment an out of that money; we will look into this and see what we can do.' And the next day I saw Senator Mitchell and he told me everything was all right. "Mays Should Have Been Indicted."

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The Commissioner that night. Next af-ternoon I met Mr. Hermann on the street. I was on my way to the Land Department, and I asked him if he had seen the Senator, and he said yes; he said: "Mr. Puter, I am going to make a personal matter of this; I have talked to the Senator and we are going to look into this; it is too bad to beat that works in the saw Senator Mitchell and he hext day I saw Senator Mitchell and he

Puter further testified that Mays was Puter further testined that Mays was his attorney after his indictment, that Mays went into court with him, but soon afterward said: "They are becom-ing close to me. I had better withdraw from the case and be your silent attor-

them I could get. "I replied, "The whole township, but it would not do to risk more than 15 or 20." So the first batch was 17 claims, six of which made final proof." as he was in with me in that case." Puter refused to answer Mr. Fen-ton's inquiry if it were not true that the reason why he lost communication with the Government and kept out of The avening session was brief and

when you are easily tired, when you feel all run down, then is the time you need a good strong tonic-Ayer's Sarsaparilla. Your doctor will tell you why it has such power

Half-Sick

When your nerves are weak,

which made final proof. Marie Ware Was "All Right." "I explained to Mays all about it, tell-ing him that I would have the entrymen file before Marie Ware, whom McKinley had told me was all right; she was a United States Commissioner, and every-thing would go through all right. The question is, I told him, "Can you puil the patents out, and how soon can you" over weak nerves, why it strength. Ask him if it is not

On the above dates the Great North-ern Railway will have on sale tickets to Chicago and return at rate of \$71.50, St. Louis and return \$67.50, St. Paul, Minneapolis and Duluth, Superior, or Sioux City and return, \$60. Tickets first-class, good going via the Great Northern, returning same or any direct route, stop-overs allowed. For tickets, election over reservations or any addisleeping car reservations, or any addi-tional information, call on or address H. Dickson, C. P. & T. A., 122 Third street, Portland. Veteran of the Alabama. LONDON, Sept. 6 .- Captain John Low, who served on the Confederate cruiser Alabama, died today in Liver-

On the above dates the Great North-