

# GRAND JURY MAY INDICT C. A. SMITH

### Millionaire Timberman of Minnesota Is in Limelight for Oregon Land Deal.

#### WITH FREDERICK A. KRIBS

#### Continuing Conspiracy Charged in the Employment of Dummy Entries to File on 10,000 Acres and Secure the Patent.

While United States Attorney McCourt is exceptionally secretive as to the extent of the investigations that will be made in the future, now in session, it is possible that C. A. Smith, the Minnesota millionaire timberman, may be indicted criminally for the part he is alleged to have played in looting the state of several thousand acres of its most valuable timber lands. Since equity suits were filed Monday to annul the patents to nearly 10,000 acres of this land which Smith is alleged to have acquired fraudulently, it has been discovered that the Minnesota millionaire on April 1, 1907, sent \$231,500 to the State Land Board as principal and interest due on 360 acres assigned by Frederick A. Kribs to Smith.

#### Complete Conspiracy Is Charged.

It is alleged that this transaction between Kribs and Smith constitutes a continuing conspiracy that falls within the statute of limitations, making a complete chain in the transaction beginning with the applications by the dummy entries and leading up to the patenting of the land which is the final step in the alleged conspiracy.

When the grand jury has concluded its investigation of the Umatilla frauds it is generally understood that several other matters will be submitted. If there is any chance to reach Smith with an indictment on which a criminal prosecution can be based, it is a certainty that such facts will be offered for the jury's consideration. At any rate, a number of other violations of the Federal statutes will be acted on, among these are the usual number of counterfeiting and postal cases which will be considered when the land-fraud cases are ended.

#### Puter's Story of Deal.

In January, 1900, Puter met Smith at Minneapolis and agreed to secure for him about 10,000 acres of good yellow fir timber land, practically in one body, the cost to Smith to be not to exceed \$5 an acre, he (Smith) to furnish all of the funds that were necessary in getting title. When he left Smith, Puter carried with him a letter to Frederick A. Kribs, Smith's financial agent, who was to enter into a written agreement for the execution of the contract. The necessary entries were procured at Portland, Brownsville, Albany and Roseburg, after each entryman was assured that Smith would pay all expenses, including that of going to and from the land, the Land Office fees and the cost of the land, and further that he should receive \$100 after he had made final proof and turned over a deed to the land, which should be executed in favor of whomever Smith, through his agent, Puter, should designate.

The entries were taken to the Roseburg Land Office in bunches of ten or more, the enterprising agent so arranging his excursions as to get the advantage of reduced transportation rates over the Southern Pacific Rail-

road. The descriptions of the lands filed on were secured from Mealey brothers for a consideration of \$10 for each quarter section. Fifty-seven of these fraudulent timber land locations were made in one week.

Agents for the Northern Pacific Company having threatened to contest these claims, Puter telegraphed to Smith, who later came to Oregon and with his financial agent, Kribs, met Puter, and the latter's partner, Horace G. McKinley, at Albany. A visit was made to the claims, which were erused and, coming up to the requirements, Smith entered a contract whereby he agreed to advance the money for making final proof and all other expenses, together with the \$100 bonus to be paid each entryman for his right, and as soon as deeds were obtained he agreed to pay Puter and McKinley \$5.50 an acre for the 9120 acres embraced in the 57 claims, less the amount advanced for the perfection of the titles.

According to Puter's version of the deal, Smith suggested that as soon as final proofs were made the entrymen should, not after their claims to Frederick A. Kribs for \$600 each, simultaneously with the execution of a transfer to John A. Wild, of Minneapolis, this deed to be withheld from record for ten days after the final proof had been made. This precautionary measure was adopted to make it appear that the claims had not been located under any prior contract for sale, in case any question should arise affecting the validity of the titles.

#### Railroad Forces Compromise.

The Northern Pacific, however, persisted in its contest against the 57 claims, and after having caused the arrest of McKinley on a charge of perjury, forced Puter and McKinley to consent to a compromise by which they entered into a contract with the railroad to relinquish 24 of the claims, which were immediately seized by the Northern Pacific, the other 33 quarter sections being retained by Puter and McKinley. It is stated that Puter then relates how it was discovered that F. P. Mays, who was his attorney, was at the same time the attorney for the Northern Pacific, and how subsequently Kribs employed Mays for a consideration of \$50 each to rush the 33 claims to patent. It was this deal that led to the indictment of Senator Mitchell.

At the preliminary hearing of the charge against McKinley, Edwin Mays, brother of F. P. Mays, appeared in the role of Assistant United States Attorney for the Government. After the formality of a hearing the charge against McKinley was dismissed, although two of the bogus entrymen had confessed and had made affidavits that they had taken up the land for the benefit of McKinley, with whom they had contracted in advance of filing to sell their rights for \$100 each.

#### Mersereau Given More Time.

United States Judge Wolverton yesterday granted W. B. Mersereau 30 days' additional time in which to reply to the suit of Helga Farret for \$50,000 for personal damages. The original 10 days in which Mersereau had to answer the suit would have expired Friday, the complaint having been filed last Tuesday.

## PROGRESS OF GRAND JURY

### CONTINUES WORK ON UMATILLA LAND CASE.

#### If Indictments Are Voted, It Is Expected They Will Be Returned Early Next Week.

Satisfactory progress was made yesterday by the Federal grand jury in probing into the Umatilla land frauds. The jury is an industrious body of men and is applying itself faithfully to a consideration of the evidence that is being presented by United States Attorney McCourt. It convenes at 10 A. M. and works until noon, when an adjournment is taken to 1 o'clock. The afternoon session continues until 4 o'clock.

Several witnesses were examined yesterday and, judging from the progress that is being made, the jury may be ready to return indictments, if any are voted, early next week. Among the witnesses before the jury yesterday was Edward Dixon, one of the special agents of the Interior Department, who in 1906 and 1907 made an investigation of the alleged frauds under the direction of the Secretary of the Interior. It was largely on the report submitted by Mr. Dixon and that of another special agent, Captain J. H. Alexander, that the grand jury inquiry that is being made was authorized by the Department at Washington.

Olympia Beer, "It's the water." Brewery's own bottling. Phones, Main 671, A 2447.

# BEAUTIFUL MOUNT FOR REX OREGONUS

### Rex McDonald, Jr., Cream Horse, to Carry King of the Festival.

#### NAME TO BE KEPT SECRET

#### Rex's Identity a Mystery Till Night of the Grand Ball, June 5, When Unmasking Will Occur—Will Soon Issue Proclamation.

Rex Oregonus, the presiding genius of the public functions of the Rose Festival, will appear in the different street parades in which he is to take part, mounted on the Kentucky thoroughbred, Rex McDonald, Jr., a beautiful horse and a many time prize-winner, owned by T. T. Strain. The animal is one of the most classy performers in the Northwest and has appeared as a ribbon-winner in a number of recent horse-shows. He is a cream-colored gelding with white tail and mane and is a fancy performer no matter where put.

Rex Oregonus has been selected, but his name will not be revealed until the night of the grand ball, Friday, June 5, when the most brilliant social function Portland has held since the World's Fair will take place at the Armory. At this time, following the grand march, which Rex will lead with Queen Flora, the unmasking of the King will take place and appropriate ceremonies, and for the first time it will be known who he is. During all the public functions and parades in which Rex Oregonus will appear, a conspicuous role he will play on horseback, while garbed in all the regal paraphernalia consistent with his commanding position in the affairs of the Festival. He will never remove the domino from his face until the grand march is over at Friday night's grand ball.

#### Rex to Receive Keys of City.

The moment Rex lands from his royal barge at the city dock Monday noon he will be mounted upon his beautiful charger and under an escort of nearly 200 members of the Portland Hunt Club, all mounted, will be conducted to the city's Arch of Welcome, to receive the keys of the city.

#### Improvement of Streets.

Members of the committee appointed by the Realty Board to arrange for the lecture on street improvements on June 11 by R. H. Thompson, of Seattle, met yesterday afternoon at the office of Whiting & Rountree to perfect final arrangements. Those present were C. K. Henry, chairman; M. G. Griffin, I. G. Davidson, Henry W. Fries, president, and J. O. Rountree, secretary of the Board. A suggestion made by Tom Richardson, manager of the Commercial Club, it was decided that Mr. Thompson would be tendered the use of the guest chamber at the club and be given lunch at noon on the day of the lecture. After a reception will be held, at which time members of the club will have an opportunity to meet Mr. Thompson. After the reception he will be taken in charge by the committee and be shown about the city in an automobile, particular attention being given to the condition of the streets in various sections of the city.

After the drive, C. K. Henry will entertain Mr. Thompson at his residence on the East Side at dinner, and with the committee will then escort the visitor to the Empire Theater. Isadore Lang is to preside at the meeting and will introduce the lecturer. A number of prominent citizens will act as vice-presidents. The lecture is to be illustrated by stereopticon views taken for Mr. Thompson in various parts of the country and abroad. As City Engineer of Seattle he has given the subject much study and in his lecture will discuss the different systems of street improvements and give his view on district assessment for this character of city work.

#### Corvallis Cadets Head Division.

The next division of the parade will be the Corvallis Cadets on foot, more than 500 uniformed youths in line going through intricate drills and fancy maneuvers. The cadets will carry their own band of more than 40 pieces, and will be followed by the magnificent turnouts of the Riverside Driving Club, which has entered about 175 florally decorated pleasure vehicles of every kind and description, from first dog and pony-carts to six-in-hand tally-hos.

In the Hunt Club division will be the entries of the private owners of saddle horses and ponies both in Portland and the 20 outside towns which have sent in entries, and all will wear the colors of the club. The Junior Hunt Club will also appear in this division, and 160 boys and girls are listed in this section.

Following the Riverside Driving Club's division will be a diversified array of entries of pleasure vehicles owned by Portland people and others

who are not affiliated with the Driving Club. They will be eligible to compete for the score of more of cups and trophies which have been hung up by local business houses, and will be provided with the official ribbons of the driving club.

The next section of this grand cavalcade will be the decorated floats, the entries of fraternal, beneficial and social clubs, improvement organizations and other bodies not included in the above-named classes.

Surpassing Last Year.

This division promises to have on display floral floats that will surpass in artistic beauty and spectacular effects any of those which were entered in the chief parade of last year's Carnival. A great many organizations and societies will compete for the prizes, any of which will be worth striving for.

The T. P. A., the Foresters, the Woodmen, the Elks, the Owls, the Hoos, the Hoo Klona, the Concordia Club, the Multnomah Club, the Architectural Club, "Railroad Row" and many other organizations are preparing to enter floral floats in this pageant.

The Festival management urges all merchants and business houses in town to display their wares in the most attractive manner possible, inasmuch as this can serve the double purpose of being in shape for Memorial day and for Festival week. A number of enterprising houses have already begun to dress their windows in the official Festival colors—green and pink—but the movement is by no means general as yet. There will be six large parades during the week—three by day and three by night—and the various committees in charge of them are laying out the routes so that practically every passable street in the downtown business district will see more or less of these gorgeous pageants.

Reason that the request that the stores put on their holiday attire has been made.

In addition to this, President Whittemore, of the Festival, has issued a formal call requesting every citizen of Portland to wear a rosebud—in the buttonhole for men, in the corsage for women—every day from now on until the end of next week, when the Festival celebration closes. This is only a small way in which the citizens of Portland may show their patriotism and public spirit, and the weather has now changed for the better, so that there will be plenty of buds and blooms for everybody to wear a boutonniere.

Another appeal was sent out from headquarters yesterday, and that was that all property-owners, particularly on the West Side, get busy and clean up their lawns and backyards, and street-frontages as well. The East Side, through the instrumentality of an energetic district improvement club, has cleaned up a major portion of the territory on that side of the river, in some of the districts the committee in charge of them are laying out the past two weeks, but on the West Side there has been no organized effort, and but little has been accomplished in this way.

"Wake up, clean up and dress up," is to be the motto for Portland for the rest of the week.

#### REV. GREEN LOVE ON STAND

#### Testifies as to High Character of the Defendant's Occult Powers and Offers Clinching Argument in Support of the Theories.

Mrs. E. C. Pears, ordained minister of the American Spiritual Society, lecturer on spiritualism and exponent of soul telepathy, was subject to the ordeal of trial in the Municipal Court yesterday forenoon, on a mundane charge of practicing without a license. Although Mrs. Pears explained her identity and denied she was one of the horde of faking mind readers and trance mediums now being prosecuted for practicing without a license, she was required to produce witnesses to establish the truth of her allegations in that regard. In this she easily succeeded and the case was dismissed with the profound apology of the license department representative who had her arrested.

The officer could hardly be blamed for making the complaint, however, as Mrs. Pears had placed a metal plate on the door of her residence bearing the inscription, "Mrs. E. C. Pears, Medium." Under the law all mediums who accept money for their services must pay licenses of \$15 every three months. Mrs. Pears established that the only money she receives is in the form of contributions at Sunday services and this all goes to the payment of hall rent, she said.

Biblical Quotations Used.

Biblical quotations and ethical definitions replaced the usual strident argument of Police Court lawyers and the courtroom more of the nature of a revival meeting than of a criminal trial. Rev. H. D. Barrett, of the First Spiritual Society and Mrs. Pears were witnesses in the case, while the courtroom was crowded by friends of the woman.

While Mrs. Pears succeeded in establishing to the satisfaction of Judge Cameron that she has not been engaged in a trance medium operation as a means of a livelihood, it is doubtful if she found among the court attaches any converts to her extravagant beliefs concerning her own supernatural powers. She asserted a mysterious power to heal the sick and said she could converse freely with the dead.

Mr. Barrett was the first to take the stand as an expert on spiritualism. He said he had known Mrs. Pears as a religious worker who had done much good and he was sure she had never charged a fee for spiritual consolation or for her work as a medium.

"What do you understand by the term 'medium'?" City Prosecutor Tomlinson inquired.

"Soul Telepathy" Brought In.

"A person who is capable of soul telepathy," said the witness.

"But isn't that all a fake?"

"I say with all solemnity and even as I believe in my God, that I believe in communion between the seen and the unseen," said Barrett, with much feeling and many gestures.

Mrs. Pears was then called. She said that she gives most of her energy and aid to people who are in need of it and try to help people generally to a higher and better life. I charge no fee. Yes, I accept contributions. I also heal the sick, but I make no charge for that. I am doing it continually, but not so much of late on account of ill health.

This seemingly ambiguous explanation about healing the sick until hindered by ill health brought a smile from the score of sceptics and scoffers in the courtroom, but Mrs. Pears quickly gave a further explanation.

Mysterious Power of Healing.

"I heal by a mysterious power which was given me at birth," she said. "Even as a little girl I had strange power of healing. But I find that throwing off diseases from my patients is a strain which breaks me down. I cure heart disease, consumption, rheumatism and other ailments of that kind.

"Well, how do you transmit messages from the living to the dead, and vice

# CALLING TOO HIGH FOR ANY LICENSE

### Mrs. E. C. Pears Found Not to Be Violating Ordinance, as Charged.

#### REV. GREEN LOVE ON STAND

#### Testifies as to High Character of the Defendant's Occult Powers and Offers Clinching Argument in Support of the Theories.

Mrs. E. C. Pears, ordained minister of the American Spiritual Society, lecturer on spiritualism and exponent of soul telepathy, was subject to the ordeal of trial in the Municipal Court yesterday forenoon, on a mundane charge of practicing without a license. Although Mrs. Pears explained her identity and denied she was one of the horde of faking mind readers and trance mediums now being prosecuted for practicing without a license, she was required to produce witnesses to establish the truth of her allegations in that regard. In this she easily succeeded and the case was dismissed with the profound apology of the license department representative who had her arrested.

The officer could hardly be blamed for making the complaint, however, as Mrs. Pears had placed a metal plate on the door of her residence bearing the inscription, "Mrs. E. C. Pears, Medium." Under the law all mediums who accept money for their services must pay licenses of \$15 every three months. Mrs. Pears established that the only money she receives is in the form of contributions at Sunday services and this all goes to the payment of hall rent, she said.

Biblical Quotations Used.

Biblical quotations and ethical definitions replaced the usual strident argument of Police Court lawyers and the courtroom more of the nature of a revival meeting than of a criminal trial. Rev. H. D. Barrett, of the First Spiritual Society and Mrs. Pears were witnesses in the case, while the courtroom was crowded by friends of the woman.

While Mrs. Pears succeeded in establishing to the satisfaction of Judge Cameron that she has not been engaged in a trance medium operation as a means of a livelihood, it is doubtful if she found among the court attaches any converts to her extravagant beliefs concerning her own supernatural powers. She asserted a mysterious power to heal the sick and said she could converse freely with the dead.

Mr. Barrett was the first to take the stand as an expert on spiritualism. He said he had known Mrs. Pears as a religious worker who had done much good and he was sure she had never charged a fee for spiritual consolation or for her work as a medium.

"What do you understand by the term 'medium'?" City Prosecutor Tomlinson inquired.

"Soul Telepathy" Brought In.

"A person who is capable of soul telepathy," said the witness.

"But isn't that all a fake?"

"I say with all solemnity and even as I believe in my God, that I believe in communion between the seen and the unseen," said Barrett, with much feeling and many gestures.

Mrs. Pears was then called. She said that she gives most of her energy and aid to people who are in need of it and try to help people generally to a higher and better life. I charge no fee. Yes, I accept contributions. I also heal the sick, but I make no charge for that. I am doing it continually, but not so much of late on account of ill health.

This seemingly ambiguous explanation about healing the sick until hindered by ill health brought a smile from the score of sceptics and scoffers in the courtroom, but Mrs. Pears quickly gave a further explanation.

Mysterious Power of Healing.

"I heal by a mysterious power which was given me at birth," she said. "Even as a little girl I had strange power of healing. But I find that throwing off diseases from my patients is a strain which breaks me down. I cure heart disease, consumption, rheumatism and other ailments of that kind.

"Well, how do you transmit messages from the living to the dead, and vice

WE HAVE TAKEN THE BIG STICK TO THE PRICES

That's what's doing here these days—smashing prices. June 1st we add the adjoining store, which will require extensive alterations.

Our stock of merchandise must be gotten out of the way. Help us move the goods and benefit by our

## ENLARGEMENT SALE

- Men's \$20 Suits \$13.35
- Men's \$15 Suits \$8.65
- Youths' \$10 Suits \$5.85
- Boys' \$4.00 Suits \$2.35
- \$3.00 Fancy Vests \$1.45
- \$1.50 Straw Hats .85c
- \$10 Panama Hats \$5.00
- \$3.50 Shoes \$2.85
- \$3.00 Trousers \$1.85
- \$1.50 Shirts .85c
- \$1.00 Underwear .75c
- 50c Neckwear .25c

These are a few of the good things now displayed in our windows. There are many more. Come, see the crowd of pleased buyers and get your share.

## LION Clothing Co

Gus Kuhn Prop.

166-168 THIRD STREET

versal" inquired Lawyer McCann, her legal representative.

"I will not attempt to explain that," she replied. "None of you would understand if I did."

Rev. Green Love, being among those in attendance at the session, was called to testify as to the possible truth or falsity of Mrs. Pears' professions.

"Yes, there is no doubt as to her power," he said. "I have seen her wonderful powers with my own eyes. She has healed the sick and done good in many places. She is not one of these mediums who take money. If it wasn't for the unseen spiritual power there are many things which could not be explained," pursued Rev. Green Love.

Rev. Green Love Testifies.

"For instance, recall when the Nazirians was on the cross he turned to the thief or supposed thief, by his side, and said: 'This day shalt thou be with me in Paradise.' He read the man's heart and knew he was not a thief, for a thief could not enter the Kingdom of Heaven. How else could he have known except by the spiritual power?"

Rev. Green looked about as if in wonder that his argument didn't clinch the matter and terminate the proceedings immediately. No other witnesses being offered, the case was closed and the court said that he didn't believe any infraction of the law was intended, although by having the metal plate on her door announcing herself to be a medium, Mrs. Pears was a technical law violator. It was suggested that she either remove this plate or secure a license.

"I have the sign there merely for the guidance of my friends, and since I

do not intend to charge for my services, I will not take out a license, but will remove the sign," said Mrs. Pears, and the case ended.

## LOVE SURE TO FIND WAY

### Girl Has No Parents to Give Consent, Bridegroom Hires Guardian.

Caroline A. Harman is only 16 years old. Her mother is not living, and her father is in the asylum. She was in love with B. L. Van Hoeser, and he had asked her to marry him. She consented, but the Benton County Clerk would not issue the marriage license, though the girl's elder sister gave her consent. The couple began to chafe about for a solution of the problem.

Van Hoeser decided to consult Attorney H. W. Strong. They took the matter into the County Court, and Strong was appointed Miss Harman's guardian, with bond fixed at \$50. Van Hoeser paid the bond, and Strong in turn gave his consent to the girl's marriage. The delayed but happy wedding took place yesterday afternoon.

## Signs Oklahoma Tax Bills.

GUTHRIE, Okla., May 26.—The governor today signed three important bills, one providing for a gross production tax on all profits and products of corporations exercising the right of eminent domain, one providing for an inheritance tax and one providing for a graduated land tax.

## MEMBERS OF THE FEDERAL GRAND JURY AND UNITED STATES ATTORNEY MCCOURT, WHO ARE INVESTIGATING THE UMATILLA LAND FRAUDS.



UNITED STATES ATTORNEY MCCOURT STANDS IN THE CENTER OF THE GROUP, WITH J. W. PUGH, FOREMAN OF THE JURY, ON HIS LEFT. JOHN KELLY, THE VETERAN BAILIFF STANDS AT THE END OF THE FRONT ROW ON THE RIGHT.

The members of the grand jury are: J. W. Pugh (foreman), Shedd, Linn County; C. H. Southern, Bond, Wasco County; John J. Rowley, Dayton, Yamhill County; Ira B. Sturgiss, Baker City, Baker County; Jesse Severn, Junction City, Lane County; H. G. Nicholson, Medford, Jackson County; Gus P. Keller, Portland; J. W. Lytle, Island City; Frank C. Brantley, Douglas County; W. G. Ziegler, Eugene, Lane County; W. H. Grabenhorst, Salem, Marion County; H. S. Furman, Eugene, Lane County; N. Eastbrook, Portland; William M. Daniels, Portland; W. A. Alcorn, Linnton, Multnomah County; Frank Camp, Barlow, Clatsop County; G. W. Gage, Dilhard, Douglas County; William F. Gilkey, Dayton, Yamhill County; William Cornelius, Walton, Lane County; B. C. Holt, Harrisburg, Linn County; John M. Bristol, Portland; L. Q. Bower, Multnomah County; Nathan Harwood, Eugene, Lane County.