

MR. HENEY TELLS HOW

LAND FRAUD CASES CAN BE STOPPED, IF OFFICIALS WISH IT DONE.

STILL STEALING LAND

But the Conspirators Are More Cautious—Easy to Stop It If District Attorney Is In Earnest.

Land frauds are going on in Oregon now the same as ever, and the wholesale prosecution of land grabbers has not made the land thieves better, but has made them more careful.

Such was the assertion made by Francis J. Heney during a recess in the Hall-Mays conspiracy trial in the Federal Court. The declaration of Heney was the outcome of a report of the trial of John H. Hall and Edwin Mays in the papers. The report stated that while Heney has made a strong case against the Butte Creek Land, Livestock & Lumber Company and had shown that the company unlawfully fenced government land, hired people to take up homesteads fraudulently and that the company had retarded settlement and threatened the small cattlemen, the prosecution, thus far, had failed to connect Hall and Mays in the conspiracy of W. W. Steiwer, H. H. Hendricks and C. B. Zachary, owners of the Butte Creek Company.

Henary contends that under the law he has produced enough evidence against Hall and Mays to convict them dozens of times; that it is sufficient to prove that Hall, as United States District Attorney, and Mays, as his assistant, knew of the land-grabbing of the company and failed to prosecute.

"Hall knew of conditions in the Forest country, knew of the unlawful fencing, and for five years he had grand juries twice a year before which he could have brought the matter, but he neglected to do so," said Heney. "When Putnam and other stockmen laid the facts before Hall, instead of acting he suggested investigation by the Interior Department. Now, there is nothing in common between the Interior Department and the Department of Justice. The special agents of the Land Office could obtain no evidence which Hall had not received from Putnam and the rest, who were protesting against the bulldozing tactics of the Butte Creek people. All Hall had to do was to do as I did, send for Putnam, get a list of witnesses from him, subpoena them, take them before the grand jury and indict the bunch. Putnam sent Hall a list of the Government land involved and also a list of witnesses. At the time these letters were received, the grand jury was in session, and Hall did not act, nor for the years following, when he had the grand jury twice annually. What more proof is wanted? It isn't essential to show that there was an understanding or agreement between Hall and the company that he would let them alone—it is sufficient to prove that he knew and did not act. He could help just as much by keeping his hands off and not bothering them.

"I'm not saying that we will not connect Hall closer before we get through, but I say that we have brought him pretty close already. The testimony is strong.

"And what have these land prosecutions amounted to, any way? Practically nothing. They have not made people good, but have made them more careful. There is land stealing going on in Oregon now as much as ever. It isn't to be stopped by prosecuting entrymen. The only way to stop land frauds in this timber country is to get after the United States Commissioners and the Receivers and Registrars of the land offices. Those are the men who are responsible for the land graft which flourishes so freely, and if I was located here permanently as District Attorney, instead of just temporarily, I would break up the land frauds effectively.

"This is how it is possible to tell whether a homestead is being taken up properly or through fraud. It is only necessary to look at the answers to questions 6 and 7 on the final proof. The first asks, 'Have you lived on the claim continuously?' Answer, yes. The second is, 'How long at any time, if at all, have you been absent from the claim, and for what reason?' Answer, About six months for the purpose of making a living. When you see those answers it is a cinch that it is a fraudulent claim.

"Now, who is to stop this? The Registrar and Receiver of the Land Office and the United States Commissioners. The law provides that these officers shall orally cross-examine the applicants to satisfy themselves that the claim is legitimate and in compliance with the provisions of the statutes. The Department even sends special agents to hang around the land office to examine the entrymen when they come in to make final proof to see that everything is right and proper, but the land grabbers have had

many business dealings with these special agents. There was Kribs, for instance, who bribed every agent he came in contact with, except one, and as he paid them in checks, he has the evidence against them yet, for he still retains the checks.

"So, it is apparent, that the only way to stop the frauds is to start where it can be stopped, with the Receiver, Registrar and the United States Commissioners. They have the power to prevent the land grabbing if they will perform their duty. But things will continue as they are now and have been in the past and the land looting will flourish until some day an Attorney-General arises who will instruct the District Attorneys in the West where the land is being stolen, to prosecute the Registrars, Receivers and Commissioners who accept such final filings. If I was District Attorney I would send word to these officers that I would hold them strictly accountable to the law for their duties, and the minute I saw a homestead proof with answer to questions 6 and 7 as I have described, I would indict them. Then, if political pull was such that I could not prosecute them, through the interference and influence of United States Senators, the Attorney-General and the President, I would get out, but in doing so I would show up the matter to the public and place the responsibility right at the head.

"This is the only way that the land-grabbing can be prevented."

RAPID DEVELOPMENT BY AMERICAN PEOPLE

NEVERTHELESS, WE ARE WASTEFUL NATION, PRODIGAL OF NATURE'S GIFTS.

The United States has astounded the world by its spectacular rapidity of development. We came into the sisterhood of nations an evangel of liberty and a herald of better days to the nations. But we are the Spen-thrift, the Waster, the Ne'er-do-Well of nations. Beginning in modern times with incomparably rich natural resources, we have ravaged a continent of its wood, and coal, and iron, and we smilingly face the exhaustion of our bank account in these things like a boy in the midst of his sowing of wild oats. Our forests are gone. The scattered fragments left will disappear in 20 years. The pinch of exhausting coal fields has begun; and the best authorities are computing the time of the end of our supply, trying to determine whether it will be our children or our grand-children who will have to face a future without coal. We have vast reserves of water-power, coal, iron, and lands capable of reclamation and reforestation, but we seem to have no adequate conception of our duties toward them, to ourselves, our country or posterity. Our soil is being washed away into the rivers, and by them carried to the sea, and our boasted fertility of soil is thereby being lessened year by year; but the irreparable drain is ignored. Our neglect is almost equal to our active wastes. The vast potentialities of our waterways in bearing commerce and in furnishing power have been neglected. But a new era seems dawning. President Roosevelt is bringing these matters into the field of practical statesmanship. The Inland Waterways Commission has been constituted by him as a great agency for pointing out these national dangers and co-ordinating the governmental plans for conserving our national resources. In constructive statesmanship, the work outlined rises to the most exalted plane. It demands the attention of every American. On its success depends the future. We must make the most of what is left of our once great estate; we must stop waste; we must keep our natural resources from the grasp of monopoly, or we may sink to a status of commercial and national inferiority and subordination.—Readers' Magazine.

WANT PULLMAN RATES REDUCED

George H. Loftus, of St. Paul, accompanied by Senator La Follette, has filed with the Interstate Commerce Commission a petition asking for a reduction of 25 per cent in the lower-berth rates of the Pullman Company, and the fixing of rates for upper berths at one-half the lower-berth rate. The reduction is asked on all interstate business throughout the United States.

Mr. Loftus represents the Minnesota Shippers' Association, which started the private-car investigation two years ago, and he has had the advice and the support of Mr. La Follette. The petition avers that the Pullman Company has invested \$28,000,000, while it is capitalized for \$125,000,000, and its net earnings are approximately 20 per cent per annum on capitalization in addition to a surplus, and that each car, accepting the company's estimate of its cost, pays for itself every two years.

WILLAMETTE VALLEY CHAUTAUQUA FOR 1908

Best Program Ever Presented Being Arranged For—Secretary Cross Pulling Hard for Success in July

Secretary Harvey Cross, of the Willamette Valley Chautauqua, is bending every effort to make the coming Chautauqua meeting in July the best in the history of the association. Under his careful management the association was enabled to pull itself out of debt at the past session, and no time in the history of the organization has the outlook been so bright.

The first year or two of such an organization there is considerable revenue which comes as the outcome of its novelty. Following those years come two or three in which the feasibility of the project must be demonstrated in order to win friends. If these years of "experiment" are safely passed, there is every hope that the organization may live for years. The crucial period of the Willamette Chautauqua seems to have been passed in safety, and now that the organization is on a sound financial basis, Secretary Cross is in a position to reach out after better things than the society has felt in the past it could afford.

The features contracted for the July meeting are above the average for the years passed, and several others that Secretary Cross expects to engage are likewise of that character. "The best the society can afford," is the motto for 1908, and Secretary Cross will stretch the financial lines as far as he dares in making contracts for good things to appear on the roster at the July meet.

Friday afternoon of last week a meeting of the board of directors was held and a careful revision made of the work so far accomplished by Secretary Cross. Principal among the good things arranged for we find the following:

John Sharp Williams, of Mississippi,

Democratic Leader of the House of Representatives; Dr. Edwin Southers, Dr. Ira Landreth, president of Belmont College, of Nashville, Tenn.; Alfred Montgomery, the farmer painter; Dr. Robert McIntyre, of Los Angeles, who will deliver his lecture on Abraham Lincoln on patriotic day. Negotiations are pending for the engagement of Leonora M. Lake, a noted Catholic woman and lecturer. Rev. Maurice Penfield Sikes, of Franklin, Pa., will probably be engaged for a lecture and sermon, and will occupy the pulpit of Dr. J. Whitcomb Broughton, of Portland, at the White Temple, during the summer.

Special days will be held during the assembly, as follows: Patriotic, grange, Oregon City, Portland and W. C. T. U.

The forenoon classes will be enlarged for the next session, and will embrace classes in music, United States history, elocution, physical culture, domestic science, literature and Bible. It is possible that classes in kindergarten, forestry, birds and biology will be added.

Mrs. Sarah A. Evans, president of the State Federation of Women's Clubs; Mrs. Jessie Honeyman, president of the State Board of the Young Women's Christian Association, of Portland, were up to attend the meeting and through their efforts a tent dormitory for young ladies in attendance at Chautauqua will be established. It is also possible that the Y. W. C. A. will assume charge of the Chautauqua restaurant and operate a school of domestic science in connection.

The baseball appropriation for 1908 will be \$500, the same as for several years past.

DEMOCRATIC STATE CENTRAL COMMITTEE

ENDORSES BRYAN AND SETS THE DATE FOR THE DEMOCRATIC STATE CONVENTION.

The Democratic State Central Committee met in Portland Saturday and decided to choose the four Democratic electors for the Presidential election by primary on April 1 next. It was also decided to hold the Democratic State convention in Portland June 16 for the purpose of choosing eight delegates and eight alternates to the Democratic National convention which meets in Denver July 7, and to conform and ratify the election of the Democratic electors chosen at the primaries.

The direct primary law was heartily endorsed and Mr. Bryan also endorsed by a rousing vote, in which was expressed the confidence reposed in him and a demand made for his nomination for President at the coming National convention.

The coming State Convention will consist of one delegate at large from each county, and one delegate for each 250 votes or fraction thereof cast at the 1906 election. This will make a convention of 215 members, and will be apportioned by counties as follows: Baker 10, Benton 5, Clackamas 9, Clatsop 6, Columbia 4, Coos 5, Crook 4, Curry 2, Douglas 9, Gilliam 2, Grant 4, Harney 3, Jackson 7, Josephine 4, Klamath 3, Lake 3, Lane 11, Lincoln 3, Malheur 4, Marion 13, Morrow 3, Multnomah 38, Polk 6, Sherman 3, Tillamook 3, Umatilla 8, Union 7, Wallowa 4, Wasco 7, Washington 7, Wheeler 2, Yamhill 7.

The Dickens club was entertained Monday night by Miss Myrtle Buchanan. Miss Buchanan's home was prettily decorated with evergreens and wild grape and bright-colored shades on the electrolights. The early part of the evening was devoted to the reading of "David Copperfield," which the club has taken up for the winter's reading. After an hour had passed in the reading of this book refreshments were served, followed by bridge, in which Mrs. Theodore W. Clark won the first prize and Mrs. Max Bollack the second prize.

Mr. and Mrs. O. Tonkin, of Willamette, were surprised by a number of young folks Saturday evening. Chardades and other games were played until a late hour. Refreshments were served. Those present were: T. J. Gary, A. Ross, L. Capen, P. Barnes, J. Ream, W. Krieter, M. Young, E. Young, L. Conklin, J. Roddy, H. Berdine, H. Pollock, H. Waldron, F. Baker, O. Tonken, R. Shipley, Mrs. L. Capen, B. Capen, Laura Baker, Mrs. Barnes, Nora Ream, Mrs. Krieter, Miss Conklin, Miss Hodge, Mary Margrave, Mrs. Berdine, Mlna Rodney, Laura Ellingsen, Mrs. Beryl Tongen, Miss Shepherd.

CONGRESSMAN SHY AT WISE LAW

TOO MANY OF THEM TARRED WITH CROOKED-PRACTICE STICK.

What can the people of the United States expect from its officials when its members in Congress play with the bill to provide for punishment for malfeasance in office and for crookedness in securing and retaining office? It looks as if Congress was in league to protect its "friends," if one does not go further and claim that it is simply protecting itself. Concerning the tactics adopted by Congress in dealing with legislation of this character, a dispatch from Washington says:

A complete change of front was exhibited by the majority in the House of Representatives yesterday in the consideration of the bill to codify and revise the penal laws of the United States. The pacific spirit displayed by the committee on revision of laws toward the close of Wednesday's session, when it appeared as though the several amendments strengthening certain provisions of the bill regarding corruption in the appointment of persons to public offices would be adopted, had vanished today, and instead every inch of ground was fought over to keep amendments out of the bill. When adjournment was taken, only six additional pages had been disposed of and but one or two verbal amendments by the committee had been inserted.

At the outset of the debate, Hardwick, of Georgia, offered a substitute for the Williams amendment, pending yesterday when the House adjourned, regarding payments to any person for his endorsement or assistance in securing appointments to office. The substitute, while differing in phraseology from the Williams amendment, arrives at the same end, except that it disqualifies from any office of trust or profit under the Government all persons receiving such pay.

Hardwick said that for five years efforts had been made to enact such legislation and that a few years ago a tumultuous scandal had occurred in his own district in Georgia in connection with some postoffice appointments. He challenged any one to oppose his substitute on its merits.

The challenge was accepted by Gardner, of Massachusetts, who maintained that any one who came to Washington with his expenses paid to interest himself in behalf of some appointment would violate the law. He said he was tired of humbug legislation and inquired:

"Do you think we can square ourselves with our constituents by legislation like that, by pretending to virtue, when there is not a man within the sound of my voice that cannot evade these statutes if he has a mind to? You may be able to catch an unfortunate member of the House or Senate some time who has not covered his tracks properly."

Payne, of New York, urged that the

Williams amendment and Hardwick substitute be voted down. He wanted the committee on judiciary carefully to consider such propositions before they are enacted into law.

Williams retorted that Payne and other Republicans had made a party question out of the amendment and substitute, whereas it was not a party question, but one dealing with corruption. He was aiming at real crime and, if the amendment was not satisfactory to the Republicans, "then, in God's name," he said, "draw one for yourselves."

The original section was amended, on a motion of Burke, Pennsylvania, so as to apply the penalty imposed by section 114 only to those cases where purchase and sale of endorsements or support for office affects "appointive" offices.

An amendment in the shape of a new section was offered by Gaines, Tennessee, designed to prevent lobbying before Congress. The amendment was lost.

An amendment by Ansberry, Ohio, was sought to prohibit any Senator or member acting as an officer, director, attorney, counsel or agent of any company or corporation engaged in interstate transportation, was lost.

The Randall amendment, which went over from yesterday and which prohibits the giving of transportation to Senators and members by public-serving corporations and the acceptance of same again went over until tomorrow.

HANGS HIMSELF AT HIS HOTEL

FAMILY TROUBLE DRIVES HARRY STEVENS TO THE TAKING OF HIS LIFE.

Harry Stevens committed suicide Sunday night in a room in the Brunswick Hotel by hanging himself to the upper hinge in the door to his room. He was not found until afternoon Monday, and had been dead probably 12 hours. Coroner Holman took charge of the remains, which were removed to the morgue, and an inquest held, the jury rendering a verdict that Stevens had taken his life while under stress of temporary mental aberration.

Stevens was 53 years of age, and came to Oregon City about 10 years ago, and until last week had lived with his wife on the hill. Last Saturday he engaged a room at the Brunswick Hotel.

On Sunday he procured a bottle of chloroform liniment, which he took to his room, and drank about one-third of the preparation, dulling his sensibilities. He then calmly made a double half-hitch about the upper hinge on the door with a stout saw! strap and fastened the other end around his neck and sank down on the floor and was shortly strangled.

W. H. Silcox, proprietor of the hotel, became alarmed because Stevens did not appear, and went to the room and tried to gain admittance, but the door was locked and there was no response to his repeated knocking, so he mounted to the skylight and saw the body of Stevens lying in a corner of the room. He called in Sheriff Beattie, who, accompanied by Dr. Carl, made an examination and telephoned to Coroner Holman.

Stevens is said to have worried considerably over domestic trouble in his home. Last Saturday he purchased the Buckles place at Willamette from Mrs. Ellen Buckles, agreeing to pay \$750. He paid \$500 cash, and also took a bill of sale for the furniture of the house.

The unfortunate man was employed in the carpenter shop of the Willamette Pulp & Paper Company, and was highly respected by his employers and associates. He was a prominent member of Willamette Falls Camp, No. 148, Woodmen of the World, and only last month retired from the position of consul of the camp. He carried \$1000 insurance in that order. Stevens is survived by a widow and four children by a former marriage.

HUNDRED GUESTS WITNESS MARRIAGE

Sunday afternoon friends of Benjamin L. Beard, son of Mr. and Mrs. William Beard, of Maple Lane, and Miss Elsie Vegelius, daughter of John Vegelius, witnessed the marriage of this happy couple at Knapp's Hall. The hall was decorated for the occasion.

The bride was handsomely gowned in cream silk serge, and was attended by Miss Tillie Dickel, of Portland, as maid of honor, and Miss Ina Hunton, of Portland, as bridesmaid. The best man was Lambert Beard, brother of the groom, who was also attended by William Vegelius, brother of the bride. The ceremony was performed by Rev. E. S. Bollinger, pastor of the Highland Congregational church, of Portland.

A special term of the Circuit Court for Benton county was held at Corvallis Monday by Judge Harris. Benton has a reputation of holding short-cut terms, but this one beats all former records. It lasted only 20 minutes. It took the place of the regular term, which was due to be held in November, but was put out of commission by the bank holidays. The next regular term convenes the fourth Monday in March.

Lewis Kroschel, of Albany, convicted last Thursday of selling liquor in violation of the local option liquor law, was sentenced by Justice Porter to pay a fine of \$400 and serve 30 days in the county jail.

DRAWING THE COILS

MORE CLOSELY AROUND THE LAND FRAUD CONSPIRATORS, IS MR. HENEY.

PUTS IT UP TO HALL

In a Way Likely to Secure Conviction. Testimony Points to Collusion Between Officials and the Land Grabbers.

Shortly before court adjourned Thursday afternoon, W. W. Steiwer, president of the Butte Creek Land, Livestock & Lumber Company, pleaded guilty to the conspiracy indictment and was immediately called by Heney as a witness for the Government against his co-defendants, Hall and Mays. Steiwer related the substance of a conversation he had with Hall in Portland in 1900, when the District Attorney told Steiwer that it would probably be necessary for him (Hall) to prosecute the Butte Creek Company for maintaining unlawful fences.

Steiwer's confession and his appearance as a witness for the prosecution is another move by Heney by which the Government expects convincingly to fasten the conspiracy charge against both Hall and Mays. The alleged conspiracy has been proved against Steiwer, Hendricks and Zachary, officers of the Butte Creek Company, but the testimony of three witnesses is relied on by the Government further to associate Hall and Mays in that conspiracy. While the testimony of Hendricks was material to the prosecution's case, Steiwer is considered a more important witness, since it is expected to show by him that Hall declined to prosecute Steiwer and his associates in consideration of a political obligation to Steiwer.

There is a rumor that Heney will call Franklin Pierce Mays as a witness further to strengthen the Government's case against Hall. Mays is a brother of Edwin Mays, one of the defendants, and was attorney for the Butte Creek Company. It is understood that should he be called he will testify that he interceded with Hall and requested that Steiwer be not prosecuted for maintaining unlawful fences.

Steiwer and Mays will be the last important witnesses for the Government, and Heney expects to close his case either today or Saturday.

If Senator Fulton is to be connected in an unfavorable way with any phase of the alleged conspiracy, the threatened disclosure by Heney will probably develop at today's session in the examination of Steiwer and Mays, should the latter be called. Heney, it is believed, expects to make good on his implied charges against Senator Fulton of improper official conduct by securing the admission from Steiwer that Fulton had knowledge of the understanding between Hall and Steiwer and was a party to that agreement which involved Steiwer's vote for Fulton for United States Senator. By the same witness testimony is expected to show that Fulton not only knew of the immunity from prosecution Steiwer and his association were enjoying, but that he was a more active party to the compact, in that he exerted his influence with Hall to bring a civil and not a criminal suit against the officers of the Butte Creek Company when Hall was forced to act.

It was nearly 5 o'clock yesterday afternoon, following the examination of C. B. Zachary, that Heney called W. W. Steiwer. Entering the courtroom, Mr. Steiwer walked to the desk of Clerk J. A. Sladen and entered a plea of guilty and then was sworn as a witness for the Government. Mr. Steiwer said that he first met Hall in the summer or fall of 1900, when he called at the District Attorney's office in the Federal building. After having introduced himself, the witness said he told Hall that he understood that some complaints had been made against the Butte Creek Company for maintaining unlawful fences.

"Mr. Hall then showed me the complaint of E. A. Putnam," testified Mr. Steiwer, "and told me that if the matter was put to him right, he would have to take some action. Hall referred to the Putnam complaint and said that if Putnam employed an attorney and properly presented his case he, Hall, would be obliged to proceed against the Butte Creek Company and its officers."

While on the stand yesterday Hendricks made unfavorable disclosures against C. E. Loomis, a special agent, who was shown to have "stood in" with the Butte Creek Company, although knowing the generally fraudulent character of its operations, both in inclosing public land and in inducing settlers to illegally file on Government land which was afterwards acquired by the company for its own use and benefit.

It was also while Hendricks was testifying that a copy of the petition of Wheeler County settlers to Binger Hermann demanding an investigation of alleged unlawful fences in Wheeler county by Edward W. Dixon, a special