

# Evening Oregonian

VOL. XLIII.—NO. 13,460.

PORTLAND, OREGON, SATURDAY, JANUARY 30, 1904.

PRICE FIVE CENTS.

## HALL FIRES BOMB

### Eleven Arrests Made By U. S. District Attorney.

### MOVE IN LAND FRAUD CASES

### Sheep King of Umatilla County Heads the List.

### GREENE FILES INFORMATION

### Outcome of Disclosures Made at the Trial of the Late Receiver of the Land Office at La Grande.

**ARRESTS AND CHARGES.**  
CHARLES CUNNINGHAM—Indicted others to take up homesteads to be transferred to him.  
COUNTY JUDGE C. A. HARTMAN—Taking and certifying to testimony he knew at the time to be false.  
NOTARY PUBLIC J. H. PARKES—Making out papers when he knew subject-matter was untrue to persons supposed to be giving it.  
Asa Rayburn, Dallas O'Hara, J. H. Salling, Shelly Jones, Mark S. Hackelford, Kate James, John Doe and Richard Roe—Filing on homesteads which they had never seen and falsely swearing to residence and improvement.

FENDLETON, Or., Jan. 29.—(Special.)—United States District Attorney Hall exploded a bomb in the land fraud business here today when he came here with Deputy United States Marshal Probstel, of Portland. Eleven citizens who were connected with the Asa Thomson case were arrested on the charge of perjury and conspiracy to defraud the Government out of lands.

Warrants were served on Charles Cunningham, sheep king of Umatilla County, and prosecuting witnesses against Thomson; County Judge C. A. Hartman, who swore to the validity of the land fraud proofs; Joe H. Parkes, notary public, who filed out papers; Asa Rayburn, Dallas O'Hara, Glen B. Salling, Shelly Jones, Mark S. Hackelford, Kate James, John Doe and Richard Roe, all charged with making false affidavits in final proofs for homestead entries before Judge Hartman and Lee Moorhouse, Clerk for the Supreme Court of the United States.

### Arrested and Out on Bail.

The men were all arrested, Cunningham, Hartman and Parkes were released under \$250 bonds, while the others were let off with \$500, which was furnished.

The information was filed by Special Land Inspector A. R. Greene, County Judge Hartman, a prominent Democrat, known throughout the state, is charged with taking and certifying to testimony which he knew at the time to be false. Joe Parkes is charged with making out the papers when he knew the subject-matter was untrue to the persons supposed to be giving it. Charles Cunningham is charged with inducing the others to enter upon homesteads and gain title to them for the sole purpose of transferring the title to the land to him.

Rayburn, O'Hara, Salling, Jones, Hackelford, James and others charged with making the fraudulent entries. The specific charges against them are that they filed on homesteads which they had never seen and never did see; made oath that they had resided thereon six months when they were never near them; swore they had erected houses thereon to the value of \$70 when they hadn't put a shingle on the ground, and finally made final proof and paid for the same with Cunningham's money.

**Judge Charged With Conspiracy.**  
Judge Hartman is the official before whom the majority of the final proofs are made, and he is charged with conspiracy with Cunningham, as he knew that it was Cunningham's money that was paying for all the costs.

The men who are charged with making the fraudulent entries are the witnesses who appeared against Asa B. Thomson at the December term of the Federal Court in Portland, when Thomson, as Receiver of the La Grande Land Office, was charged with soliciting bribes from Asa Rayburn, Dallas O'Hara and Glen Salling to put their final proofs through the Land Office. They claimed that Thomson asked \$50 for each quarter section. At the trial they impeached their own testimony, and this is the outcome.

Charles Cunningham was the man who brought the evidence against Receiver Thomson before the Federal grand jury in Portland. He claimed to have had a conversation with Thomson about June 12, 1903, in which Thomson asked him to put up \$50 a quarter section for the final proofs which the three boys had made. Cunningham said he refused to put up the money, and Thomson threatened to hold up the final proofs.

**Evidence Given at Thomson Trial.**  
The evidence was then collected and taken before the Federal grand jury, with the result that Asa Thomson, Receiver of the La Grande Land Office, was indicted on the charge of soliciting bribes. But it was at the trial that evidence and facts were deduced upon which Inspector A. R. Greene brought the prosecution here today.

At the trial Dallas O'Hara testified that Cunningham told him what land to file on and put up all the money. Salling and Rayburn testified to practically the same thing as O'Hara. O'Hara said he never saw the land which he had filed upon, but that when he went before Joe H. Parkes to make affidavit that gentleman filed out the blanks, answering all the necessary questions according to the terms as provided by law for improvements, length of residence, etc., on the homestead. Hartman also did the same thing, and merely asked the would-be homesteader to sign it.

Lee Wheld, Judge Hartman's private secretary, said that he took affidavits for him and that the costs of the same were paid by checks drawn on Charles Cunningham's account in the Fendleton Savings Bank, of this city. It is on this testimony that Mr. Hall will attempt to convict Judge Hartman of being a party to the conspiracy, for the complaint alleges that Hartman knew all the time that the homestead entries were not genuine; that the testimony given by the men was false, and that Charles Cunningham was furnishing the money with the understanding that he (Cunningham) should have the land as soon as the final proofs were accepted.

### Promised by the Inspector.

Inspector Greene, on the stand in Portland, said he would commence prosecutions in this matter as soon as the Thomson case was settled. In addition to the testimony of O'Hara and others being to the effect that they had never seen the land on which they were making homesteads, they also perjured themselves as they swore that they didn't know what answers were being written to the questions in the application and proof blanks.

It is on this testimony that Joe Parkes is charged with being a party to the conspiracy, as he filed out the papers in a number of the cases, never stopping to ask the applicant as to what had been done in the way of improvement. The charges that Parkes knew for whom the land was being homesteaded and that Cunningham was paying all the costs. Parkes is a Notary Public and his evidence at the trial in Portland was very

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## CABLE GOOD WILL

### Pilgrims in Two Lands Send Greetings.

### DURAND IS GUEST OF HONOR

### New York Society Tenders Ambassador a Banquet.

### LONDON BRANCH AT SUPPER

### When All Are Seated, Messages Teeming in Good Fellowship Go Forth—Americans Start by Saying "Hello Hoopla."

### AT NEW YORK BANQUET.

Guest of honor—Ambassador Durand. Notable guests—Bishop Potter, Sir Henry B. Armstrong, Captain W. H. Brownson, U. S. N. James Beck, of Pennsylvania, General Alfred E. Bates, Thos. Barclay, of Paris and London, Ex-Ambassador-General George Gray, Circuit Justice George Gray, Morris K. Jessup, Colonel A. L. Mills, Rev. D. Parker Morgan, Ex-Ambassador-General MacVeagh, Rear-Admiral Frederick Rogers, Sir Percival Sandersen, Rev. Ernest N. Stiles, President Woodrow Wilson, Princeton Major-General Joseph Wheeler, Lieutenant-General S. B. M. Young.

NEW YORK, Jan. 29.—Interchanges of cable messages of good will with the English Pilgrims at supper at the Carlton Hotel, London, formed a striking feature of the banquet given at Delmonico's tonight by the Pilgrims of the United States in honor of Sir Henry Mortimer Durand, the British Ambassador.

Bishop Potter presided. The banquet hall was decorated with a great profusion of intertwined British and American flags. Just before the dinner began the following cable was sent by Secretary Wilson to Walter Reed, of London:

"Hello, there! Whenever you are ready, we are Hoopla."  
Bishop Potter sent the following message to Lord Roberts:

"We reciprocate your good wishes and return hearty greetings. God speed the good work of the Pilgrims and all efforts to help the Anglo-Saxon race together. We hope you will pay us the promised visit."

Cables were sent to the United States Secretary by the British secretary of the Pilgrims; from Ambassador Durand to Ambassador Joseph B. Choate; from Ambassador Durand to Lord Roberts; from Admiral Rogers to Admiral Beresford, and from Major-General Henry C. Corbin to Lieutenant-General Sir William Nicholson, extending good wishes. Senator Chauncey M. Depew cabled to Archbishop Blane, regular, Frank W. Thrall; substitute, Jennie H. Thrall, London, regular, Benjamin H. Loring; substitute, George Hadley.

From London came a message to Bishop Potter from Lord Roberts extending a hearty friendship of the English Pilgrims. Ambassador Choate sent cordial greetings to Ambassador Durand and best wishes for the success of the Pilgrims. During the progress of the dinner unique dispatches were read which told of the peace negotiations between the Russian and Japanese powers having reached that stage where peace is practically assured.

### CELEBRATION IN LONDON.

Members Sit Around Tables Adorned by Miniature Telegraph Poles.

LONDON, Jan. 29.—While the American branch of the Pilgrims Society was giving its dinner tonight at Delmonico's in New York in honor of Sir Henry Mortimer Durand, British Ambassador to the United States, the English branch of the society celebrated by giving a supper at the Carlton Hotel.

Shortly before the Delmonico banquet commenced, some 70 members of the Pilgrims Society here sat down at a number of small tables, which were all looped up with telegraph wires strung on miniature poles and decorated with foliage. Among those present were Joseph H. Choate, the American Ambassador; the Earl of Halsbury, Lord High Chancellor; Sir Edward L. Durand, brother of Sir Henry; Sir Thomas Lipton, Lord Deerpark and Lord De Fairfax, Sir Alfred Lewis Jones, John Henniker Heaton, Secretary Carter, of the United States Embassy; Archbishop Sinclair and Alexander Siemens. Several well-known Pilgrims, including Lord Roberts and Admiral Lord Charles Beresford, who are both in sent regiments. The unique feature of the evening consisted in the installation, by a trans-Atlantic cable company, of cable instruments in one end of the supper-room. By means of this arrangement, frequent messages were exchanged between Delmonico's in New York, and the Carlton Hotel here, so that the English Pilgrims felt almost as much in touch with the New York celebration as if they had been actually present. Two old grandfather's clocks, one showing English and the other American time, called Mr. Choate, the Earl of Halsbury and the others to keep an eye on the progress of the banquet at New York.

The usual cable company's clock, with the red hands showing American time, was placed between the old grandfather's clocks, and noticeably marked the progress of the age. Strands of the Atlantic cable, placed upon the table, enabled the guests to realize the means by which the instantaneous and intimate interchange was possible in spite of the difficulties of distance and difference in time.

The name of Sir Henry Mortimer Durand, when pronounced, was given a hearty cheer.

### WILL OWE ALL TO ANKENY.

If Fort Walla Walla is Retained it Will Be as Courtesy to Senator.

OREGONIAN NEWS BUREAU, Washington, Jan. 29.—If Walla Walla is retained as a military post, and the appropriation proposed by Senator Ankeny to improve the place to the extent of \$50,000 is authorized in the military appropriation bill, it will be due solely to the personal efforts of Ankeny and the courtesy of the Senate to a fellow-Senator. The Secretary of War and the General Staff have made recommendations against further improvement, and say the post should be abandoned, as it is no longer necessary on account of its present location.

Senator Ankeny, who has been detailed at Walla Walla by House, telegraphed Senator Foster to offer the amendment. Senator Ankeny expects to be here in time to urge it before the committee and Senate.

### SEATTLE MEN SEEK CONCESSION

Senator Mitchell Introduces a Bill Allowing Laying of Cables.

OREGONIAN NEWS BUREAU, Washington, Jan. 29.—Senator Mitchell today introduced a bill prepared by Seattle men, authorizing the North American Telegraph & Cable Company to operate telegraph lines or cables between the shores of Alaska and Washington, in order to reach the Aleutian Islands, Siberia, Manchuria, China, the Japanese Empire and the Philippines. The company is authorized to establish the line within five years between the United States and any of the Aleutian Islands.

Messrs. Burke and Flynn of Seattle are the principal promoters of the company. The latter, who is in Washington, says the company will construct the line if given authority to land cables. Burke is now in Europe.

### Oregon Man Meets President.

OREGONIAN NEWS BUREAU, Washington, Jan. 29.—Judge John H. Scott, president of the Oregonian Good Roads Association, who appeared before the agricultural committee in behalf of the National good roads bill, was presented to the President today. The President expressed an interest in behalf of good roads, and his unqualified support of the Lewis and Clark Exposition.

### Favors Sale of Indian Lands.

OREGONIAN NEWS BUREAU, Washington, Jan. 29.—The House committee on Indian affairs has decided to report favorably Representative Herrmann's bill relating to the sale of lands on the Grand Ronde reservation. If found desirable the timber lands on the reservation may be sold in block.

### Orders to Vancouver Barracks.

OREGONIAN NEWS BUREAU, Washington, Jan. 29.—Major Fred G. Hodgson, Quartermaster, was today relieved from duty in the office of Quartermaster-General, and ordered to Vancouver Barracks for duty as Chief Quartermaster of the Department of the Columbia.

### New Washington Rural Carriers.

OREGONIAN NEWS BUREAU, Washington, Jan. 29.—Rural carriers were today appointed for Washington routes, as follows: Blaine, regular, Frank W. Thrall; substitute, Jennie H. Thrall, London, regular, Benjamin H. Loring; substitute, George Hadley.

## DECIDES ON WAR

### Colombia Will Dispatch Force to Panama.

### REYES GIVES IT HOPE

### Says America Will Only Keep Troops Out of Canal Zone.

### INDIANS VERY AGGRESSIVE

### A Crowd of Them in Canoes Attempt to Surprise the United States Gunboat Bancroft Under Cover of Darkness.

### TRY TO SURPRISE AMERICANS.

PANAMA, Jan. 29.—News has reached here from Bogota that, inasmuch as General Reyes and Cavallero have assured Colombia that the United States will only object to her landing forces in the canal zone, the Colombian government intends to organize and send an expedition against Panama.

The only explanation of this news from Bogota is that the government of Colombia is compelled to take some steps to prevent its downfall. This is said to be imminent, as President Marroquin has lost all the prestige he ever had. There is much speculation in Bogota as to the outcome of this move, should it be put through.

People arriving here from Colombia declare the situation in that country is growing worse every day.

### Indians in Canoes Approach Gunboat, But Are Soon Scared Off.

COLON, Jan. 29.—The United States gunboat Bancroft arrived here today from the San Blas coast. She reports the attitude of the San Blas Indians at Caliente Bay to be not only unfriendly, but decidedly aggressive. Last Tuesday men from one of the Bancroft's boats landed upon a beach and a few canoes from the Indians and paid more than full value for them. Toward 11 o'clock that night, when it was dark, 30 canoes were seen approaching the Bancroft. The gunboat turned her searchlights on the canoes, and it was revealed that each boat carried as many as 200 in all. All the men were armed with bows and arrows, guns of quaint and old patterns, and other weapons. Their faces were besmeared with paint. There is no doubt that their intentions were hostile. They hoped to reach and surprise the ship.

The commander of the Bancroft ordered the gunboat cleared for action and her guns were loaded and trimmed, ready for use. A quick-firing Colt gun was placed near the gangway and orders were given to the gunners of this place to keep up a ceaseless fire all around the canoes.

As soon as the Indians heard this rain of bullets they immediately began retreat toward the shore. The gunners were given express orders not to fire at the Indians, so the bullets cut the air and churned the water all around the canoes.

### MINISTER TO PANAMA IS COMING HOME TO RESIGN



W. I. BUCHANAN.

WASHINGTON, Jan. 29.—W. W. Russell, at present secretary of the Legation at Caracas, Venezuela, has been appointed Charge of the American Legation at Panama. Minister Buchanan, who sails for the United States next Tuesday, will retain when he reaches Washington, in accordance with the understanding he had when he accepted the mission to Panama. Mr. Russell probably will be named to succeed Mr. Buchanan.

them. No shots were fired at the Bancroft, which at once sailed for Colon to bring the report of the occurrence.

### Means Much for Flour Interests.

WASHINGTON, Jan. 29.—United States Minister Thompson, to Brazil, called at the State Department today and had a conference with the officials of the department, touching a matter of importance to the milling interests of the Northwest. The Minister practically has succeeded in opening the vast markets of Brazil to American flour. The means by which this has been accomplished will be disclosed later. An incident in the prosecution of his task was the defeat by Minister Thompson of an attempt to bestow upon a German syndicate a monopoly of the right to make flour in the State of Pernambuco. The proposition had almost become a law.

### Canal Company Replies to Colombia.

PARIS, Jan. 29.—The Panama Canal Company today filed with the Tribunal of the Seine a pertinent answer to the suit begun in behalf of Colombia. The answer deals only with the question of Colombia's right to 50,000 shares of stock, the main question, the company's right to transfer its concessions, being reserved for a later answer. Until the latter is received, the court will not fix a date for a hearing.

### Insurgents Recapture Town.

PARIS, Jan. 29.—A dispatch received here from Santo Domingo says, after a desperate fight, insurgents recaptured the town of San Pedro de Macoris.

### Pery Calls Congress to Meet.

LIMA, Peru, Jan. 29.—The government has convoked for February 19 an extraordinary session of Congress to discuss and sanction various financial measures.

### POPE PIUS IS ILL.

Jesuitical Circles Expect a Conclave to Be Held Soon.

PARIS, Jan. 29.—A dispatch to the Rappe from Rome says the pope is suffering ill health due to physical depression, and that there is talk in Jesuitical circles that a conclave will be held at an early date. Max Nordau, vice president of the Congress of Zionists, the Rappe's correspondent, says, denies the report that Dr. Heral, founder of the Zionist movement, was received by the pope, although Dr. Heral had an audience on the subject of New Zion with King Victor Emmanuel. This took place last Sunday and lasted five hours.

"But if Dr. Heral did see the pope," the Rappe's correspondent quotes Max Nordau as saying, "under no circumstances could the pontiff say to him that the protection of the holy sepulchre was reserved for Christians, for it is inadmissible that the pope could be so badly informed as to ignore that the Zionists have always claimed the supreme sanctity of the holy city and the holy sepulchre as one of the first and elementary articles of their programme."

"Should Palestine receive a Jewish administration, it has always been and be should that no change would be made in the matter of guarding the holy sepulchre."

### Seconds Make Duel Unnecessary.

MADRID, Jan. 29.—The dispute which has always existed between the two Spanish War Ministers Linares and Deputy Soriano, resulting in sending seconds to each other, has been settled without necessitating a duel between the principals.

### CONTENTS OF TODAY'S PAPER

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## OPEN OR CLOSE?

### Shall Fair Gates Be Shut On Sunday?

### QUESTION IS DISCUSSED

### Comes Before Executive Committee of Exposition.

### DIRECTOR-GENERAL REPORTS

### He Recommends in Favor of Sunday Opening and Members Express Similar Views—Samuel Connell Dissents.

The executive committee of the Lewis and Clark Exposition yesterday considered the Sunday opening question, but took no decisive action. Director-General Good's report was received, which made the following recommendations:

"The Exposition must depend for its financial and popular favor upon this predestined feeling of the immediate public, which is expected to attend not once but several times. If it be the will of the masses that this Exposition shall entertain people on Sunday, then we should have open gates."

If sentiment for closing the Exposition on Sunday shall develop, the whole matter may properly be referred to the Legislative Assembly, which will meet in January, 1905, five months before the Exposition begins.

At the call of the president of the Lewis and Clark Exposition the executive committee met yesterday at 4 o'clock at the office of the corporation at Sixth and Morrison streets. W. D. Fenton and some other members of the committee were unable to be present.

Mr. Scott, in calling the meeting to order, said: "There are several matters at this time that require the attention of the committee, and as I have called them together, but before we proceed with the ordinary details I wish to say a word on the subject of Sunday opening of the Exposition, which has been discussed so much both here and throughout the Northwest. I bring this subject forward because I wish to ascertain the views and opinions of the members of the committee on the subject, for I think it is a matter of interest and importance to our people and may deeply affect the vital interests of the Exposition."

"Before I call on members of the committee for their opinion I will frankly state my own, for I think this is due both to the committee and to the public. 'I must say that I am in favor of opening the gates of the Exposition on Sunday, with suitable restrictions as to the management of the business and amusements of the Fair. I would not operate the power machinery of the Fair on Sunday, nor allow on that day business of ordinary mercantile transactions, but I believe that it is a place where people could go on Sundays for the ordinary pastimes of amusement, entertainment and recreation, with music as now provided on the grounds, and the Summer by subscriptions from our citizens for the entertainment of the people. The Fair must be a moral place on week days and Sundays alike, its regulations will be under most careful management. We must make it a place that our people will have no hesitation in visiting on any day of the week. All improper entertainments or amusements are to be prohibited at all times. Gambling will be rigidly excluded; there shall be no bars at which liquors are to be bought or sold. The grounds shall be kept clean and the regulations that they who desire to visit them can no more hesitate to do so than to visit our public parks. I find no reason why in Portland and so on, it should be come and go at one place as at the other."

### Sunday as Recreation Day.

"Upon those who would insist upon the observance of Sunday as a special holy or sacred day, I have no criticism to offer. I respect their sincerity. But their view of Sunday is not the view of the majority of the vast majority of our people, who use it and will use it as a day not merely of religion and devotion but largely also as a day of outdoor recreation. To these people it makes no difference at all what others may think of Sunday as a day of peculiar sanctity. When they seek recreation on Sunday they are not concerned with the violation of any rational human institution or divine law. To the working classes of the country Sunday is a weekly holiday. Many use it both as a day of religious observance and social pleasure, and they refuse to believe that there is any good reason that they should not be permitted to do so. They all regard Sunday in this light, and so use it, without doubt, a very large majority of our people. They would in no way infringe upon the rights of others or disturb others in their way of life, but they refuse to be bound by any rule in this matter which others may formulate—no matter how fully they concede the sincerity of their religious opinions. Our people cannot be put into a strait-jacket on Sundays."

If the gates of the Exposition are not opened, the great majority of people will go elsewhere on the Sundays of the summer. There are steamboat excursions from Portland to all points on the rivers—sometimes a dozen steamboats starting from various directions at once, all loaded with people to their full capacity. Others go on railroads or trolley lines on picnic excursions to various places, or to the fields of golf or baseball, either as participants or spectators. Why should not the gates of the Exposition be opened on Sundays to those people, as well as to others who may desire to enter them? We expect large numbers here from all parts of the Northwest and more distant places. What are they to do on Sundays? They cannot be immured in their hotels or boarding-houses."

### Sunday Opening Not Immoral.

"From this point of view, the opening of the gates of the Exposition on Sunday will not be immoral, or in any way objectionable."

(Continued on Page 5.)

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