

# THE TRIAL OF WILLIAMSON, BIGGS AND VAN GESNER

(Continued From Page 1.)

to tell Judge Bennett cross-examined Duncan, and just before he closed he, too, almost lost his temper. Duncan was one of the men alleged to have been selected to take up a claim for Williamson and Gesner. He testified that he and his wife had both taken up claims under promise that the money with which to make final proof was to be paid by Dr. Gesner. He testified that he had given a note for the money that was advanced to him. His claim, he swore, never came up for final proof, because Dr. Gesner had read to him a story in The Oregonian containing an interview with Secretary Hitchcock. The witness testified that Dr. Gesner had said that the Secretary was "mad" and because of this was evidently so much trouble in sight over the Oregon land frauds, that he (Gesner) could not furnish Duncan with the money to make his final proof.

Duncan stated on the stand that Biggs had made out the papers when he made his relinquishment, and had written the order returning his right to take up another claim. There was an attempt made to prove that Biggs had anticipated the relinquishment of Duncan, and had the papers all made out when Duncan called at his office. Like many of the other questions put to the witness, he could not remember. Duncan was on the stand for two hours. He was subjected to the severest sort of questioning, and his evasiveness must have been exceedingly provoking to both Mr. Henry and Judge Bennett. Mr. Henry developed the fact from the witness that he was still in the employ of Williamson and Gesner, and that he had talked before the trial with Attorney Barnes, who is aiding the defense.

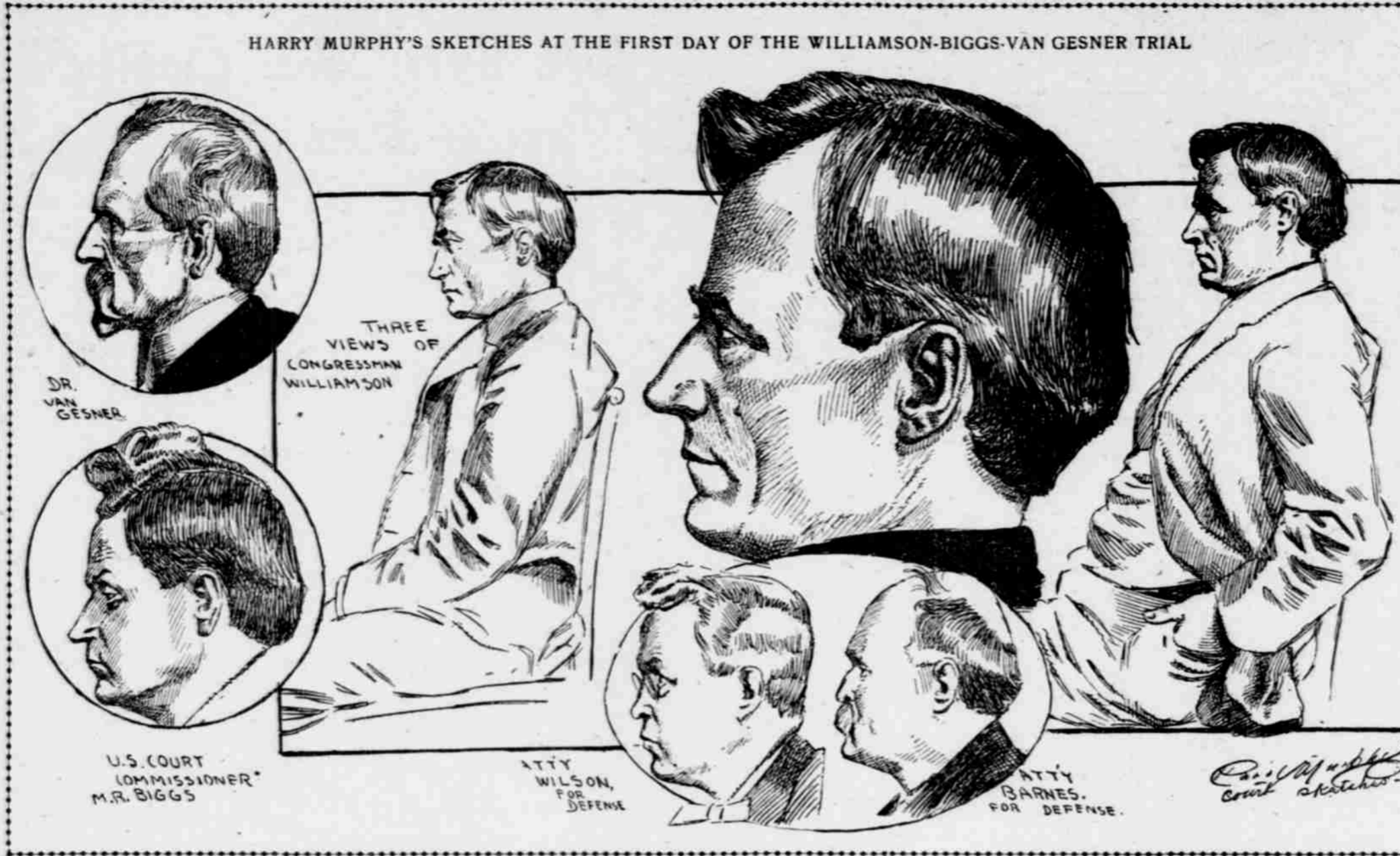
## JURY IS QUICKLY CHOSEN

### Judge Objects to Question of Prejudice Against Congressman.

Judge De Haven convened the United States District Court at 10 o'clock, and directed the clerk call the names of the jurors. This being done, the court ordered the clerk to fill the jury-box, preparatory to selecting a jury in the case of the United States vs. Williamson, Van Gesner and Marion R. Biggs, A. E. Blinn, S. L. Brooks, Arthur Robertson, John M. V. Thomas, G. O. Walker, J. E. Henkle, W. P. George, E. Haberman and Reuben Fanton were drawn to fill the box.

United States District Attorney Henry Bennett, who was present, moved that the statement of the Attorney Henry Bennett, as given in The Oregonian, be read to the jury, and that the jury be sworn to give their verdict on the basis of the evidence, and not on the basis of anything that they might read in the newspaper.

When court convened, all of the defendants were on hand. Henry Mel drum, for whom a bench warrant had been issued, was among those present.



had formed a strong prejudice on account of what he had read and heard. It would take a great deal of evidence to shake his present belief.

"You were willing to be on trial, would you be willing to have one of your state of mind on the jury?" "I would prefer to have some one who remember anything about the history of the Williamson case," replied the juror. The court ordered the juror to step aside.

### Reuben Fanton Excused.

Reuben Fanton, of Carus, Clatsop County, was not agreeable to the Government. He seemed willing to serve, but he would not have a man like yourself on the jury," he was asked by Mr. Wilson. "I most certainly would," was the answer, and the Government entered a peremptory challenge.

J. W. Williams, a farmer of Junction City, Lake County, neither knew the defendant nor had any prejudice, and so was accepted by both sides.

### Defense Makes Statement.

H. S. Wilson presented the case for the defense. He commenced his argument by relating the history of the defendants, and showing that all of them were men of high standing in the neighborhood in which they live. He then turned to the history of the Williamson case, and stated that in 1902 the firm of Williamson, Wakefield & Gesner was running sheep in Wheeler County.

### John M. Christopherson, to whom she was united in marriage in Chicago in 1888, was a drunkard. She was divorced and her maiden name, Goodwin, was restored to her. There are no children in this case.

Because of desertion beginning in June, 1903, a decree of divorce was allowed Hattie E. Grimm from Ralph C. Grimm. They were married December 4, 1886, in Clackamas County.

Marie Frazenbach told Judge George that her husband, William Frazenbach, a marbuter, drank and threatened to kill her and their child and then kill himself. She also stated that he falsely accused her of unfaithfulness. They were married four years ago. She was granted a divorce in December, 1904.

### John M. Christopherson, to whom she was united in marriage in Chicago in 1888, was a drunkard. She was divorced and her maiden name, Goodwin, was restored to her. There are no children in this case.

Because of desertion beginning in June, 1903, a decree of divorce was allowed Hattie E. Grimm from Ralph C. Grimm. They were married December 4, 1886, in Clackamas County.

Marie Frazenbach told Judge George that her husband, William Frazenbach, a marbuter, drank and threatened to kill her and their child and then kill himself. She also stated that he falsely accused her of unfaithfulness. They were married four years ago. She was granted a divorce in December, 1904.

### John M. Christopherson, to whom she was united in marriage in Chicago in 1888, was a drunkard. She was divorced and her maiden name, Goodwin, was restored to her. There are no children in this case.

Because of desertion beginning in June, 1903, a decree of divorce was allowed Hattie E. Grimm from Ralph C. Grimm. They were married December 4, 1886, in Clackamas County.

Marie Frazenbach told Judge George that her husband, William Frazenbach, a marbuter, drank and threatened to kill her and their child and then kill himself. She also stated that he falsely accused her of unfaithfulness. They were married four years ago. She was granted a divorce in December, 1904.

"Didn't you ask Biggs where you could get a timber claim and the money to file upon it?" "I don't remember."

"You don't remember whether he mentioned it?" "No."

"Do you remember going to any other people about timber claims?" "No, sir."

"You hadn't talked to any timber locators about locating you a timber claim?" "No, sir."

"Biggs said Gesner would lend the money on the land and take a mortgage?" "Yes, sir."

"Gesner said that if you people would take timber land he would lend the money?" "Yes, sir."

"Didn't he tell you that he wouldn't make any contract for the land that if you wanted to sell it after you had proved it?" "I don't remember."

"I don't remember, but I think he said something like that."

"You want to see the land you wanted to take?" "Dr. Gesner told me where to go to see the land I was to take."

"Don't you remember that Biggs read the paper to you before you swore to it?" "I don't remember."

"It was your intention to swear to the truth?" "Yes, sir."

"You saw the paper that you didn't make any contract. That was a fact, wasn't it?" "He said he would give me \$500 for the land, but I don't remember."

"Well, you could sell it for \$500 to some one else?" "I guess so."

"In the same conversation with Gesner about proving up on the land, and he said he could not give you the money?" "Yes, sir."

"Didn't he say the reason he couldn't give you the money was because he had not sold some land on this side of the mountain and was short of funds?" "I don't remember."

"Didn't you try to get money of some one else?" "I don't remember."

### Not Mad at Gesner.

"You were mad at Gesner because he would not let you have the money and said mean things about him, didn't you?" "I don't remember. I don't think I was very mad."

"Isn't it a fact that you were mad at Gesner because he wouldn't give you the money at the time you testified before the grand jury?" "No, sir."

"Just before you took the relinquishments, didn't you meet Biggs and ask him where you could get money to prove up those lands?" "I don't remember."

"In the same conversation, didn't you call Gesner some names and say you would make him resign his office if you had the money?" "No, sir."

"Didn't Attorney Barnes meet you and ask you if you had any contract for the sale of the lands, and didn't you say no, but remember to the truth?" "I don't remember."

"Weren't you asked if you ever made any contract, and didn't you say no?" "I don't remember."

On re-direct examination, Mr. Henry asked the witness if he had not understood that Williamson and Gesner were to buy the claims as soon as patented, and the witness said such had been his understanding.

"He was to give you \$400 and you were to file on the north line of Thurman, and when you got the patent Gesner was to give you \$500 that was the understanding?" "Yes, I think so."

"When he showed you The Oregonian, the story about Hitchcock, didn't he say that you would give up the claims if the Government would make trouble?" "Yes, sir; I think he did."

"Bennett became angry. 'What makes you think so?' he demanded. 'That is as I remember it,' responded the witness, 'and I don't think I was adjourned until this morning at 10 o'clock.'

### Thirteen Couples Are Legally Separated.

Thirteen couples are legally separated. The first was that of John M. Christopherson and Hattie E. Grimm, who were married in Chicago in 1888 and divorced in June, 1903.

### ONE MARRIAGE ANNULLED

One marriage was annulled. That of Marie Frazenbach and William Frazenbach, a marbuter, who were married in 1900 and divorced in December, 1904.

### In Divorce Court

In Divorce Court. Thirteen couples are legally separated. The first was that of John M. Christopherson and Hattie E. Grimm, who were married in Chicago in 1888 and divorced in June, 1903.

### LANE'S CABINET IN

LANE'S CABINET IN EXECUTIVE BOARD HOLDS ITS FIRST SESSION. Contracts are held up.

### LANE'S CABINET IN

LANE'S CABINET IN EXECUTIVE BOARD HOLDS ITS FIRST SESSION. Contracts are held up.

### Contracts are held up

Contracts are held up. The first public appearance of Mayor Lane's Cabinet took place yesterday afternoon at the north line of Thurman. The cabinet consisted of the following: Mayor Lane, J. R. O'Connell, J. E. Henkle, W. P. George, E. Haberman, and Reuben Fanton.

### Opening Statements Made

Opening Statements Made. Upon the opening of court in the afternoon, Mr. Henry presented the case of the Government to the jury. His address was about 15 minutes.

### First Witness is Campbell A. Duncan, Who Remembers Very Little.

First Witness is Campbell A. Duncan, Who Remembers Very Little. Upon the opening of court in the afternoon, Mr. Henry presented the case of the Government to the jury. His address was about 15 minutes.

### Defendants' Testimony

Defendants' Testimony. The first witness for the defense was Campbell A. Duncan, who testified that he and his wife had both taken up claims under promise that the money with which to make final proof was to be paid by Dr. Gesner.

### In Divorce Court

In Divorce Court. Thirteen couples are legally separated. The first was that of John M. Christopherson and Hattie E. Grimm, who were married in Chicago in 1888 and divorced in June, 1903.

### LANE'S CABINET IN

LANE'S CABINET IN EXECUTIVE BOARD HOLDS ITS FIRST SESSION. Contracts are held up.

### Contracts are held up

Contracts are held up. The first public appearance of Mayor Lane's Cabinet took place yesterday afternoon at the north line of Thurman. The cabinet consisted of the following: Mayor Lane, J. R. O'Connell, J. E. Henkle, W. P. George, E. Haberman, and Reuben Fanton.

### Contracts are held up

Contracts are held up. The first public appearance of Mayor Lane's Cabinet took place yesterday afternoon at the north line of Thurman. The cabinet consisted of the following: Mayor Lane, J. R. O'Connell, J. E. Henkle, W. P. George, E. Haberman, and Reuben Fanton.

### Questions Not Pertinent.

Questions Not Pertinent. "I don't see the pertinency of such questions," said Judge De Haven. "I can't conceive of any fair-minded man so low in intelligence that he would have a prejudice against a man because he occupied the high and honorable office of Congressman. I have seen and know many men who don't think I was engaged in any questionable calling."

### Opening Statements Made

Opening Statements Made. Upon the opening of court in the afternoon, Mr. Henry presented the case of the Government to the jury. His address was about 15 minutes.

### Defendants' Testimony

Defendants' Testimony. The first witness for the defense was Campbell A. Duncan, who testified that he and his wife had both taken up claims under promise that the money with which to make final proof was to be paid by Dr. Gesner.

### In Divorce Court

In Divorce Court. Thirteen couples are legally separated. The first was that of John M. Christopherson and Hattie E. Grimm, who were married in Chicago in 1888 and divorced in June, 1903.

### LANE'S CABINET IN

LANE'S CABINET IN EXECUTIVE BOARD HOLDS ITS FIRST SESSION. Contracts are held up.

### Contracts are held up

Contracts are held up. The first public appearance of Mayor Lane's Cabinet took place yesterday afternoon at the north line of Thurman. The cabinet consisted of the following: Mayor Lane, J. R. O'Connell, J. E. Henkle, W. P. George, E. Haberman, and Reuben Fanton.

### Contracts are held up

Contracts are held up. The first public appearance of Mayor Lane's Cabinet took place yesterday afternoon at the north line of Thurman. The cabinet consisted of the following: Mayor Lane, J. R. O'Connell, J. E. Henkle, W. P. George, E. Haberman, and Reuben Fanton.