

# FINED \$5000, VERT DRAWS HIS CHECK

### Last of Umatilla Land Conspirators Says Guilty and Pays Court.

### TOTAL OF FINES \$78,500

### Believing Men Who Sought to Acquire Land Erred Chiefly on Technicality, Judge Wolverton Imposes No Prison Sentence.

John Vert, former employe of the First National Bank of Pendleton, yesterday pleaded guilty in the United States Court. He is the last to plead guilty of the conspirators who, in 1905, engaged in a scheme to acquire a large area of grazing land from the Federal Government by taking advantage of some of the provisions of the act which gave the Umatilla Indians their lands in severalty. The defendants all maintained the same version, that they had no intention of violating the law.

Judge Wolverton promptly imposed a fine of \$5000 on Vert and ordered him committed to the custody of the United States Marshal until such fine should be paid. The maximum of imprisonment, in default of payment of the fine, was named as a period of two years, but Mr. Vert was actually in the hands of the United States Marshal for a very few minutes. Vert asked Clerk Cannon to step into the anteroom, and after the Marshal had talked with the cashier of the First National Bank, he returned to the phone and ascertained that the check would be honored, the defendant sat down at a desk and wrote an order on that institution.

### Fines Now Total \$78,500.

With the payment of this fine the Government has received the total sum of \$78,500 from what are known as the Umatilla conspirators. Ten thousand dollars were the total of fines in the Herndon case, headed by Colonel J. H. Raleigh, one of the best-known practitioners at the Oregon bar, some 15 prominent citizens of Umatilla County were indicted in March, 1905, charged with having organized a conspiracy to acquire unlawfully a large acreage of lands in the Umatilla Indian reservation. The complaint in that case stated that several of the large owners of stock of Umatilla County who had for years enjoyed the privilege of a free range of lands in the grazing country, had entered into a contract with a number of clerks, laborers and other persons, whereby the latter were to take up land and transfer them to the venditors after title should be acquired from the Government.

### All but Two Pay Cash.

Colonel Raleigh and 14 associates recently pleaded guilty and were fined in the sum of \$48,500, all but two of them paying in cash.

At that time John Vert was in New York City on a business mission and failed to receive the notice sent out from the office of United States District Attorney McCourt. As soon as he returned to the state he arranged to appear before the court. When arraigned yesterday the defendant addressed the court in his own behalf. "At the time that these lands were filed upon," said Mr. Vert, "I was employed by the First National Bank of Pendleton as a clerk and to look after their land investments. It was a notary public for the bank and took my orders from the cashier. I acknowledged all the papers which have been charged against me but I wish to say to the court that I did it under the orders of my superiors. It was a violation of the law was technical at the most, but I desire to enter a plea of guilty and throw myself on the mercy of the court."

### Finds Writers to "Conspiracy."

District Attorney McCourt promptly entered the same plea for leniency which he made in the former hearing when 15 prominent citizens of Umatilla County pleaded guilty.

With the discharge of Mr. Vert from custody the Umatilla conspiracy case was closed. No individual has served time in prison because it appeared to the court that the scheme did not purport to defraud the Government out of both the title and the purchase price of the lands. Colonel Raleigh, Vert and their associates had been making use of a large wheat summer grazing ground for their flocks for many years and they desired to acquire title to the Indian lands when they were placed on the market. They offered the full price named by the Government in each case.

## 'CHINK' THUG BREAKS ROCK

### Wa-Tong Steals Rope, Gets 20 Days, Holds Record.

Wa Tong, a Chinese, was sentenced to 20 days upon the rockpile yesterday, by Judge Bennett for the larceny of a coil of rope.

This case affords one of the rare examples wherein Chinese have been arrested in this city on charges other than gambling. It is the first Chinese sentenced to imprisonment by Judge Bennett since he assumed the municipal judgeship. Wa was caught by Patrolman Roberts in the act of stealing the rope from a large awning on the building of Allen & Lewis, wholesale grocers, at Front and Davis streets. When arraigned in court he refused to make any statement.

## BIG RANCH BRINGS \$71,000

### Frank A. Sweeney Disposes of Property to Ohio Capitalists.

Frank A. Sweeney, of this city, has just consummated the sale of a large wheat ranch owned by him in Gilliam County to L. M. Eckridge and R. I. Giles, of Ohio. The ranch comprises 2800 acres, and has always been considered a valuable piece of property, owing to its fertility. The price paid for the property was \$71,000.

Gilliam County has a record of raising about 5,000,000 bushels of grain each year. The purchasers of the property are wealthy capitalists who have been looking for some time for a profitable investment.

## FIRE DESTROYS DRY KILN

### West Side Lumber & Shingle Co. Scorched \$3000 Worth.

Fire which originated in the dry kiln of the West Side Lumber & Shingle Company, at the foot of Montgomery street, caused damages estimated at \$3000 yesterday afternoon at 2:30

o'clock. The entire plant of the company had a narrow escape from destruction, and that it was not consumed was perhaps due to the prompt and determined fight made against the blaze by the company's employes with the fire equipment of the mill.

Considerable delay was experienced by the firemen in getting streams of water on the fire because hose had to be laid so great a distance. Under the direction of Chief Campbell, however, this work was expedited. The flames were kept from spreading to other parts of the mill. Virtually all the lumber in the kiln was destroyed and the kiln badly damaged. The fireboat responded to the call and by the large and powerful streams from its engines did more than any other cause to extinguish the fire.

The smoke and flames drew out a large crowd of people. Several firemen and some employes of the mill were on the roof of a shed adjoining the kiln. A wall giving way on one side allowed sheets of fire to sweep out under the shed where the firemen stood, endangering them greatly. A cry arose from the crowd and it was feared those on the shed roof would be headed to death. Chief Campbell promptly directed the play of streams of water upon the endangered men, and in a few seconds a ladder could be placed against the roof and the fire-fighters rescued.

## ALL GET CHANCE TO VOTE

### VOTERS WHO HAVE MOVED DON'T LOSE BALLOT.

### System of Certificates to Be Issued to Give 4000 Citizens Opportunity to Vote Feb. 15.

Voters who have changed their residences from one precinct to another since they last participated in an election, will be afforded an opportunity to vote at the special election to be held for the purpose of changing the manner of paying for water mains Tuesday, February 15, 1910.

Mayor Simon took up the matter with the County Board yesterday morning, and arrangements will be made whereby a system of certificates will be issued, showing to the judges and clerks of election that the holder is entitled to vote.

Owing to the fact that it would require an entire set of books for a special registration at the Court House, and the further fact that Clerk Fields has not the proper force of clerks to carry on the work, it was decided to resort to the card system, whereby each voter who has changed his residence may be permitted to so state and receive a certificate to effect from the County Clerk. It is said that about 4000 voters are affected by this change of residence, and it is the wish of Mayor Simon that they be given an opportunity to vote.

Under the present law it has been impossible to make any headway, and there have been but few alterations. The contractors fear they cannot collect assessments from property-owners owing to a technical construction of the law, and they will not submit proposals for this class of work. If the proposed amendment is adopted it will be possible for the water Board to lay as many mains as are needed to keep ahead of the laying of hard-surface pavements and other improvements.

## CATALEPTIC JAP MOVES

### AFTER EIGHT MONTHS' INACTION HE ARISES AND WALKS.

### Freak Patient Shows Remarkable Strength in View of Emaciated Condition.

The first real movement he has made for eight months, K. Oghura, the Japanese laborer lying in a catleptic condition at the Good Samaritan Hospital, yesterday threw his bed clothes off and solemnly took two steps in the ward in which he got his. Then, while an interne and several nurses rushed towards him for fear he should fall, the Jap smiled, turned round again, slipped easily into bed and pulled the bed clothes up.

For an hour he lay in the bed, still apparently smiling, and then his eyelids dropped as if even in his semi-cataleptic condition he was sleeping. For months his wide-open, staring eyes have been sheltered from the glare of lights only momentarily, except by a sheet of gauze put over his face to keep the flies off.

Oghura's case has attracted the attention of medical men over the entire country. He was employed on the North Bank Railroad, and last April was sent to the hospital, supposed to be suffering from cholera. Dr. Louis Buck, the railway physician, found no evidence of the dread disease. Even while waiting for the arrival of the physician, Oghura lapsed into the cataleptic condition, which continued until recently, when he began to be able to chew. His movements yesterday are considered remarkable, in view of his emaciated condition.

## BREAKING LID COSTS \$25

### Restaurateur Fined for Selling Beer and Wine on Sunday.

Dennis Marcellis, proprietor of the Coney Island Restaurant, at Sixth and Washington streets, was fined \$25 yesterday morning for selling liquor on Sunday.

Patrolmen Gill and McCulloch saw several patrons of the restaurant get bottled beer from behind the counter. The policeman driving drove and entered the place without arousing the proprietor's suspicion. After witnessing several sales of wine the policemen arrested Marcellis.

## High Water Wrecks Cribbing.

### CHEERYVILLE, Or., Dec. 12.—(Special.)—The second high water in the Sandy River wrecked the cribbing of the dam of the Mount Hood Electric Railway Company, but the supporting timbers are safe and are being reinforced. Since the first part went out in November workmen have been installing new timbers to rebuild and are tunneling under the west bank to get a supply of reinforcing material.

# Laurelhurst

## The Addition with Character

### We have some very fine lots which we will sell at \$1000 each, upon the following payments:

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| Price of Lot . . . . . | \$1000 |
| Cash Payment . . . . . | 100    |
| Balance of . . . . .   | \$ 900 |

### payable at the rate of \$20.00 per month.

### Purchasers may make the deferred payments at any time before maturity if they wish.

### Take an hour and go out to LAURELHURST and see these lots and others at both higher and lower prices.

### You can take either the Montavilla or the Rose City park cars—both lines run through the addition.

### Office on the ground at East Glisan and East 38th Streets. Telephone East 989.

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## DODGE IS ON TRIAL

### Accused of Taking Man's Wife and Money in False Guise.

### PRETENDED TO BE OFFICER

### Asserting He Represented Interior Department, Testimony Is He Got Money From Connor to Take Wife From Prosecution.

Charged with impersonating an officer of the Secret Service of the United States, as well as pretending to be an inspector of the Department of the Interior engaged in the inspection of homestead entries, French E. Dodge is today on trial in the United States District Court. O. B. Turner, a ranchman living near Sheds, is the chief witness and while on the stand yesterday swore that Dodge not only impersonated an officer of the Government without authority, but succeeded in securing several hundred dollars from Turner. After securing a large portion of the money, Turner charges that Dodge took Mrs. Turner away and used the funds to support her in a tent, situated in a grove near Gresham.

Turning his back to the part of the courtroom where Dodge sat beside his attorney, Turner testified that he saw Dodge and recited the story of his wrongs. He said his wife took their two children from his home in Sheds and removed to Bend in 1904. Turner went to see them in 1908, and succeeded in persuading the wife to return with him. They arrived at the home in Sheds in July, 1908, and about that time Turner received a letter from a woman in Portland saying that his wife had made a homestead entry near Pendleton, for which she was to receive \$500 when the patent should be issued by the Government.

Within a few days of the receipt of this information, Mrs. Turner told her husband that a friend had arrived at Sheds and asked her spouse if he had any objection to his calling at the home of the Turner family. Turner not only had no objection but went over to the store to meet Dodge, and invited him to the house. Turner says that Dodge came and stayed until September.

About the middle of September Dodge told Turner, so the witness testified, that he was an officer of the Secret Service investigating land frauds in Oregon and that his wife had pretended to be a single woman when she made her filing on land in Umatilla County. As a friend of the Turner family, Dodge agreed to get Mrs. Turner out of the country and prevent her prosecution if the husband would advance sufficient money to defray the expenses. Turner put up \$500 at that time, he says. Turner took the woman away and Turner understood she was in Canada. Numerous letters were read to the jury signed by Dodge in which he advised Turner as to the whereabouts of his wife and made solicitous inquiries for the welfare of the children, who had been left to the care of Turner. Some of them were dated at Seattle and others at Portland, but all of them contained appeals for money. Turner sent various amounts to Dodge, but finally became suspicious and placed the correspondence in the hands of the United States authorities. It was not long until the affidavits were located near Gresham.

## BRIBING CHINESE IS FINED

### Hule Sam Offered Money to Immigration Inspector.

With his brilliant silk handkerchief confronting him in the United States Court yesterday morning, from the folds of which there peeped the numerals and outlines of a \$100 bill, Hule Sam, senior member of the firm of Chinese merchants known as Sun Soon Hule Company, yesterday pleaded guilty to having attempted to bribe Immigration Officer John B. Sawyer, and gracefully

## AMUSEMENTS

### WHAT PRESS AGENTS SAY

"Man of the Hour" Tonight. The attraction at the Bungalow Theater, Twelfth and Morrison streets, tonight at 8:15 o'clock and continuing tomorrow (Wednesday) night, with a special matinee tomorrow, will be William A. Brady and Joseph E. Griener's magnificent production of the famous American drama, "The Man of the Hour." The producers have given this interesting play a splendid cast.

## STORE THEFTS ALLEGED

### Hardware Salesman Accused of Stealing From Stock.

Cecil Wilson, a clerk for the Oregon Hardware Company at 107 Sixth street, was arrested yesterday by Detectives Hellyer and Maloney for alleged theft from his employers. F. W. Hacker, president of the hardware company, filed a complaint against Wilson. Wilson is alleged to have engineered systematic thefts of articles from the store for several months. He is accused of taking a watch, a match safe, tape lines and many other articles.

## Do You Know What This Trade-Mark Stands for?

It stands for the best, the purest, the most wonderful flesh and strength-producing preparation in the world—

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Showing routes and development of railroads in the Deschutes Valley, and literature describing Opal City. WRITE OR CALL

## LOTS 50x100

### STREETS EIGHTY FEET WIDE FIFTEEN-FOOT ALLEYS

### \$100

### 10 Per Cent Cash \$5.00 Per Month

## AMUSEMENTS

### COMING ATTRACTIONS.

Seats Selling for Ezra Kendall. Beginning next Thursday night, December 16, and continuing the following two nights, will be a special matinee Saturday, the attraction at the Bungalow Theater, Twelfth and Morrison streets, will be the famous American comedian, Ezra Kendall and an excellent supporting company, in the delightful comedy, "The Vineyard Buyer."

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# OPAL CITY

## Future Metropolis of Central Oregon

Both Hill and Harriman railroads are rushing the construction up the Deschutes Canyon. Thousands of men are working night and day to complete the railroads that will bring the vast resources of the Inland Empire to the markets.

OPAL CITY is situated at that spot on the level table-land where both railroads first come together on the same grade after leaving the Deschutes Canyon.

OPAL CITY will be the junction point between the electric road from Prineville and the Hill and Harriman railroads.

OPAL CITY will be electric-lighted by power generated at Odlin Falls, in the Deschutes River, which will also furnish power for the Opal City-Prineville Electric Railroad.

OPAL CITY will have an abundant supply of PURE WATER from artesian wells which are now being drilled, and will have a gravity water system, the reservoir being located in the foothills just east of the city.

OPAL CITY will in all likelihood be the end of a division on the railroads, as it is the first "slack grade" the railroads can take advantage of after leaving the Columbia River, and where plenty of water is obtainable.

OPAL CITY will be the metropolis of Central Oregon. It is the opinion of all those who have investigated the situation that it is the one logical spot for a city. Now is the time to buy, for next year when the railroads are built through Opal City, lots will more than treble in value.

**FREE MAP OF OREGON**  
Showing routes and development of railroads in the Deschutes Valley, and literature describing Opal City. WRITE OR CALL

**LOTS 50x100**  
**STREETS EIGHTY FEET WIDE FIFTEEN-FOOT ALLEYS**  
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