Admission of Grant County Objections in Hermann Trial Temporary.

NO DAMAGE THOUGHT DONE

Little Develops During Day to Hurt Case of Defendant-Pardons for Jones and Mays Are Expected. Ormsby Says Report Honest.

(Continued From First Page.)

natures. One of the protesting petitions, the witness testified, reached Hermann at Washington before that official recommended the temporary withdrawal of the lands for the reservation on July 22, 1902. The other protests, it was conceded, were not forwarded to the Interior Department until April, 1903, or the month after Hermann had left the Land Office. Mr. Patterson identified severniof the protests and said the signers included the most prominent business and professional men and citizens of Grant County.

Tarpley's Testimony to Be Argued.

When court convenes this morning, the jury will be excused from the court-room while Mr. Heney and Mr. Worthington present arguments touching on the law as to the admissibility of certain testimony Dan W. Tarpley will be called on to give for the prosecution. In a conference yesterday, opposing counsel agreed on portions of Tarpley's testi-mony which will be excluded, but an agreement was not reached as to the exagreement was not reached as to the ex-

agreement was not reached as to the ex-tent to which he may testify.

It was agreed by Mr. Heney and Mr. Worthington that Tarpley will not be asked to relate an alleged conversation he had with Mays in which Tarpley prohe had with Mays in which Tarpley proposed that Mays and Jones compromise with Tarpley and McKinley for their intrusion on the game proposed by Mays and Jones. Tarpley and McKinley, obtaining information from Ormsby's son as to the boundaries of the proposed reserve, had purchased about 17,000 acres of school lands within the reserve. Mays wanted them to give it up and not interfere with the schems planned by him and Jones. Tarpley proposed that he and McKinley pay Mays

planned by him and Jones. Tarpley proposed that he and McKinley pay Mays and Jones 50 cents an acre for their holdings and to this proposal Mays is elleged to have replied:
"Why, that would not even pay the fellows we have at Washington."
The opposing counsel is unable to agree on how much of the other conversation between Mays and Tarpley shall be admitted. The law on this subject will be argued this morning and a ruling from argued this morning and a ruling from the court asked.

Proceedings Made Tedious.

The proceedings yesterday were made the more tedious by the introduction and identification of numerous protests against the creation of the proposed reserve and other correspondence relating to the same subject. It was not a bad day for same subject. It was not a bad day for the defendant, little of a damaging character developing in the testimony of the witnesses called by the Government. In securing the admission of the Grant County protests, however, Hency established the foundation by which he expects to show that although Hermann, as Congressman, knew of the protests against the creation of the reserve, he did not do anything to defeat the consummation of the alleged conspiracy.

Although Hency continues to deny that either Jones or Mays, who have been convicted in the Blue Mountain Forest Reserve conspiracy, will be pardoned by the Fresident in order that they may appear as witnesses for the Government

appear as witnesses for the Government against Hermann, there is a strong impression that this development may be expected. In the testimony that has been presented thus far, Henry Moldrum is presented thus far, Henry Moldrum is the only witness who in any way has connected Hermann with the alleged con-spiracy. It is believed that the testi-mony of either Mays or Jones, possibly both, will be required if Hermann is to be associated directly with the conspiracy charged in the indictment on which he is being tried. Before either of these men can become competent witnesses in the pending trial it will be necessary for the Fresident to intervene and grant them a President to intervene and grant them a pardon which will restore their civil rights. Otherwise, they cannot qualify as witnesses against Hermann.

Ormsby Does Not Hurt Hermann.

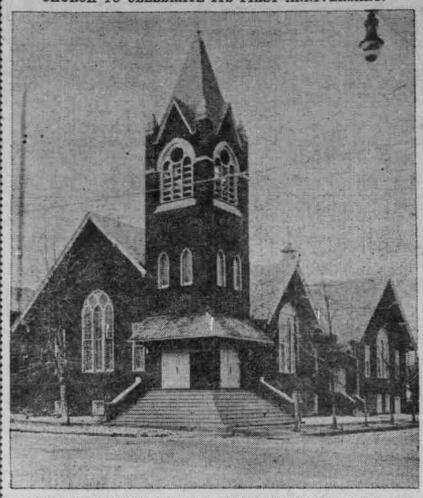
Ormsby Does Not Hurt Hermann.

Even the testimony of Ormsby has not been damaging to Hermann. On cross-examination the ex-Forest Superintendent yesterday declared emphatically he never had had any conversation or correspondence with Hermann relative to the reserve. He maintained that he had guarded carefully the details of his report to the department in which he recommended the houndaries for the reserve requested by Mays and Jones and insisted that he had not imparted to them or to any other person the slightest intimation of what his report included. If there was any leak as to its contents, enabling Tarpley and McKinley to interfere with the game of Mays and Jones, Ormsby asserted the information must have been given out by his son, who had access to lis office and may have seen the report and its recommendations. In answer to questions from Mr. Worth-In answer to questions from Mr. Worth ington, Ornisby stouttly maintained that he had proceeded honestly and according to his best judgment in recommending the creation of the reserve and in fixing its boundaries. The witness justified making boundaries. The witness justified making the report he did on three grounds—the fact that he was to receive two sections of school land, because the great majority of the people of Harney and Malheur including the principal county officials of Malheur County, had petitioned for the reserve and for the further reason that he believed the reserve was in the best interests of the entire state.

Langille Pleases Defense.

H. D. Langlile, who made an investiga-tion of the proposed reserve in 1903 as private inspector for Secretary of the In-terior Hitchcock, was cross-examined yes-terday by Mr. Worthington. His admis-sion that while the creation of the reserve was not absolutely necessary, it was ad-visable, is regarded of value to the de-fense as showing that there was at least a division of omiton as to the advisability

CHURCH TO CELEBRATE ITS FIRST ANNIVERSARY.



EPWORTH METHODIST CHURCH, AT TWENTY-SIXTH AND SAVIER

a result the fifth day of the hearing of the famous case passed without a rip-ple to mar its serenity. The trial thus far has progressed more rapidly than any former important case in the his-

any former important case in the history of land-fraud cases.

An interesting phase of the trial arises from the fact that Mr. Hermann has engaged as one of his attorneys John M. Geartn. In 1888 the lawyer and Mr. Hermann were scarcely on speaking terms because Gearin was opposing his present client for a seat in the lower house of Congress. Gearin was running on the Democratic ticket and Hermann on the Republican ticket. Each made a vigorous campaign, and Each made a vigorous campaign, and Mr. Hermann was the victor by a small

Forest Superintendent Recalled.

After the placing in evidence of maps of the Blue Mountain Forest Reserve, which were identified by officials of the Forest Service, Captain S. B. Ormsby was recalled. Direct and cross-examination alternated all forencen. It developed that while Captain Ormsby had his report on the proposed reserve under consideration, his son had entered into a deal with Horace B. McKinley and Dan W. Tarpley for an interest in the school lands which McKinley and Tarpley were to purchase within the boundaries of the withdrawal. Young Ormsby apprised his partners that a portion of the lands in which they were interested had been left out of the proposed reserve in the map and report prepared by Ormsby, Sr., who report prepared by Ormsby. Sr., who at that time was Superintendent of Forestry in Oregon. Ormsby testified that he refused to change the lines at McKinley's request. Asked where McKinley got the information as to his lands being left out, the witness said he did not know.

"I never told McKinley, Mays or an "I never told McKinley, Mays or any living soul about my property or what I would recommend," said Captain Ormsby. "I want to say that the report, in describing the conditions of the country, was accurate then, and it is now. It was honest, I was actuated by three motives in recommending the withdrawal. First, a small influence was exerted from the fact that Mays had exerted from the fact that Mays had placed title to two sections of school and in escrow with La Force, which I was to get if the reserve was made.

Petition Generally Signed.

"Second, a greater influence was exercised by the petition which was
signed by every officer of Malheur
County, and I supposed that the people
up there would not ask for a reserve
unless they wanted it. Third, I thought
the reserve should be created for the
good of the whole state."

In the creation of the addition to
the Cascade reserve, the witness said,
he did not know that Mays was interested. It was recommended several
months prior to ble

ested. It was recommended several months prior to his report on the Blue Mountain matter, but after the report had gone in, the witness asceriained that George Sorenson was the owner of a large amount of the school lands situated therein.

Letter Silent on Subject.

In the cross-examination of Ormsby yesterday afternoon Mr. Worthington, for the defense, called the attention of the witness to a personal letter written to Ormsby by Hermann on July 23, 1902, in which Hermann made no reference to the proposed reserve. This letter is considered of importance to the defense from the fact that, although it was written on the day after Herman recommended the temporary withdrawal of the lands to be included in the reserve, he made no mention of the fact to Ormsby, who was one of his warm personal friends. It will be contended by the defense that if Hermann had had a knowledge of the alleged conspiracy he very likely would have informed Ormsby of this preliminary action on his part, which was favorable to the eventual creation of the reserve.

Answering further questions, Ormsby teatined that Hermann knew nothing of the deal between Ormsby and Trapley. The witness further admitted that he at no time furnished Hermann with any information concerning the proposed reserve other than that contained in his report and recommendations, which, he confessed further, had been made up in part from information gained from residents of that district rather than from a personal inspection of the lands.

Wrong Letter Read First.

was not absolutely necessary, it was advisable, is regarded of value to the defense as showing that there was at least a division of opinion as to the advisability of creating the reserve. Testimony by Secretary Hitchcock's personal representative that the reserve was advisable is considered a material point in its favor by the defense.

Court will adjourn at noon today until 70 o'clock Monday morning.

Lawyers in Good Humor.

As the trial progresses the relations between the attorneys on either side of the case seem to become more amicable. The fighting reputation of Francis J. Heney seems to have given was to a disposition which would qualify him for membership in a ladies' sewing circle. Colonel Worthington, chief counsel for the defense, frequently consults with the Assistant Attorney-General in a whisper, and as

Grant County Opposed Reserve.

Orin L. Patterson, associate publisher of the Blue Mountain Eagle, at Canyon City, in 1902, testined for the Government that the people of Grant County did not learn of the agitation for the creation of the reserve until late in

did not learn of the agitation for the creation of the reserve until late in the Summer of that year. The people of that county, he said, were almost a unit in opposing the reserve as contemplated and immediately began the circulation of protests, which were numerously signed by the prominent people of his county.

This opposition, continued the witness, found expression in mass meetings of citizens, which were held in the courthouse, when an association, known as the Honest Forest Reserve Association, was formed. Under the direction of this organization several protests against the reserve were prepared and forwarded to Washington.

Several letters were introduced by the Government, detailing correspondence between the witness and Hermann, who was then Congressman, relating to the proposed reserve and the united opposition of the people of Grant County to the reservation of these lands. One of these letters was dated September 36, 1902, and was written by Hermann to Patterson. In it the Congressman, answering a communication from Patterson, assured the Grant County editor that the protests which had been transmitted would receive full consideration relative to the boundaries of the proposed reserve.

Investigation Was Promised.

Investigation Was Promised.

Mr. Hermann gave Patterson the fur-ther assurance that there would be no haste so far as he was concerned finally in deciding the advisability of creating the reserve and establishing its boundaries. Before this was done, wrote Hermann, the proposal would be investigated thoroughly, that the need for the reserve and the wishes of the people concerned might be ascer-

Mr. Patterson was excused without being cross-examined by the defense. The last witness for the day was A. The last witness for the day was A. D. Leedy, also of Canyon City, who corroborated the statements of Patterson as to the feeling of opposition Grant County people entertained toward the creation of the reserve. The examination of Mr. Leedy was concluded just before adjournment for the day, after he had identified two communications he had written and which were published in The Oregonian in October, 1902, protesting against the creation of the reserve. The witness may be cross-examined by the defense this morning. morning

CITY READY FOR C. E. MEET Board. Oregon State Convention to Bring

Big Men to Portland.

More than 300 societies are expected to be represented at the big Christian Endeavor convention for the State of Oregon, to be held in Portland Febru-Oregon, to be held in Portland February 15, 16 and 17, final arrangements for which are now being made.

Dr. F. E. Ciark, the founder of the Christian Endeavor and at present the world president of that organization, will be at the convention. His talk before it is expected to be the biggest feature of the occasion. William Shaw, secretary of the World Christian Endeavor, will also be present, and he and Dr. Clark will tell about the world convention at Agra, India. Another distinguished Christian Endeavorer to be present at the convention will be John Willis Baer, president of the Occidental College.

cidental College.
Railroad rates will be reduced from distant places for the benefit of those who are coming to attend the convention, and the local committee having the matter in charge has arranged to provide accommodations for about 500 out-of-town visitors.

BUNGALOW BREAKS RECORD

Theatrical History of Portland Made With Warfield's Advent.

CHURCH FOLK GLAD

Completion of Epworth Parsonage Cause of Joy.

DEBT FREE, WORTH \$21,000

Bishop Smith, Who Dedicated House of Worship, to Preach Sermon on First Anniversary - All Branches Take Part.

The new Epworth Methodist Episcopal Church, at Twenty-sixth and Savier streets, will be a year old tomorrow, and a series of special services has been arranged that will make the day noteworthy from morning until night. Bishop Charles W. Smith, resident at Portland, who dedicated the edifice last January, will be present and will preach the morning sermon.

make the event still more inter-To make the event still more interesting, it is announced that the new parsonage, in which Rev. C. T. McPherson and his wife are to reside while he remains as pastor, is finished. It is a \$3000 building and adjoins the church on Savier street. The property is now valued at \$21,000 and is free from debt. That such a condition is possible is due to the untiring efforts of the pastor and his faithful co-workers, backed by the City Church Extension Society and friends of the church throughout the city.

city.

With a fine building in which to work, much has been accomplished by Rev. Mr. McPherson and his associates. All branches of the work have moved forward, and tomorrow all will participate in the calcivations. in the celebration

in the celebration.

Arrangements for the celebration are being made by a committee, consisting of G. F. Johnson, J. O. Eirod, T. S. Mc-Daniel, W. F. Stine, S. H. Pomeroy and Rev. Mr. McPherson. Bishop Smith will preach in the morning at 11 o'clock. At 6:30 o'clock there will be a special Epworth League rally, at which W. H. Warren, president of Portland district, will be one of the speakers. A platform meeting, with T. S. McDaniel presiding, will be held at 7:30 P. M. Among the speakers will be W. J. Clemens and John Korkish. Nine young women will give a special selection, entitled, "The Temple of Character." of Character."

As on the day of dedication of the now church, every one is invited to at-tend all of the services, from the Sunday School in the morning to the platform meeting in the evening. It is expected that there will be a big crowd from all

SON WEDS, COX SURPRISED

Chief Accompanies Couple Part Way to Church, All Unknowing.

Chief of Police Cox found out yesterday that he had accompanied his son Fred and his prospective bride part of the way to church, where they were to be married, on Thursday, without be married, on Thursday, without knowing the errand upon which they were bent. The trip was made in the police automobile, which young Cox borrowed for the occasion with his father's consent. The elder Cox said he would go as far as home with the party, and did so, being introduced to the bride-to-be under her former name. The bride was Mrs. B. L. Wright, of Alaska. Fred Cox met her while on a trip north to look after his mining interests.

chief Cox learned the story yester chief Cox learned the story yester-day. Then he found that the young man had not been home for several days and made inquiries. They had been married by Rev. Henry Marcotte, of 350 Bast Ninth street, North. After the wedding they went to the New Per-kins to reside.

CREMATORY NOT SELECTED

Board of Health Still Undecided as to Type to Be Used.

After lengthy dicussion yesterday morning, the members of the Board of Health were unable to determine upon the type of garbage crematory to be selected for Portland. They will hold another meeting early next week. All of the representatives of the various incinerators have been heard, and it remains for the members of the Board to make a selection.

It is believed that the City Council will appropriate the necessary funds

will appropriate the necessary funds for whatever plant is recommended by the Mayor and the members of the

Club Articles Are Puzzle.

OREGON CITY, Or., Jan. 14 -- (Special.) The annual meeting and election of the Oregon City Commercial Club will be held tomorrow night and a question of construction of the articles of incorporation is causing discussion. No provision is made for the retirement of members of the board of governors, except that it is



GOT HER FACE CRACKED

A few weeks ago Mrs. G. G. Christofer, of Asbury Park. N. J., went out automobiling and got her face cracked. Since then, whenever she goes riding, she is careful to protect her face from the dry parching and terrible stinging of the wind by the application of a little poslam. Although the poslam does not show, she washes it off upon her return and finds her skin soft, clear and free from irritation. In like manner, poslam prevents the lips and hands from chapping. It is immensely popular among the theatrical profession for use in making up, protecting the face from cosmetics, besides enabling them to be washed off easily.

Being an ointment, poslam soothes

Advance sales for the four performances of David Warfield, who will appear at the Bungalow next week, broke all records in the theatrical history of Portland. At noon Thursday a messenger boy drew place No. 1. The line continued to grow slowly until at 11 o'clock in the evening there were 35 lined up prepared to spend the night.

After the performance straw was placed in the lobby of the show house and the "old guard" made as comfortable as possible. Each had his or her number and were permitted to depart for an houreach for the purpose of securing refreshment. At 7 o'clock in the morning more than 200 persons were in line and when the box-office opened at 10 o'clock the string of humanity resched for more than two blocks.

During the entire day the line continued unbroken. There will be a matinee each day

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Of the Columbia River, at

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Umatilla County.

This beautiful country, with its rich soils, being a heavy sandy loam, having great depth, more so than the average, with natural and perfect drainage, is now ready for settlement.

The 40 miles of canals, which water 20,000 acres, is entirely completed, having a carrying capacity of over five feet deep for each acre, each year. This deep lava ash soil possesses phenomenal growing powers, and it holds moisture with certainty. Here it is-no experiment, as all the farmers are making big money for their investment. This country grows all kinds of fruit incident to a temperate climate. It is the best alfalfa country of the Northwest. Here you can find more reasons why you should select your future home than from any other place. It has the climate, soil, water, markets, schools, churches, transportation and other advantages. No other country sur-passes it. Prices for land are ow, and liberal, for five and ten-acre tracts up. It is surveyed, being platted. I have some fine unpatented land in blocks of 40 acres and up for Big snaps for the man who buys 40 acres for cash, and at a way down low figure. There is a reason why land can be sold low in five and ten-acre tracts, with liberal terms. This is a live country, as hundreds of people will be brought in here this Spring. Space does not permit to tell all here. You can find out by applying for a book-let, just off the press; gives il-lustrated views. Write W. J.

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Stapish, Treasurer,

Walla Walla, Wash. 516 E. Main Sa.

may be determined by lot, though it habeen suggested that every member of the board hand in his resignation and it the club members choose a new board.

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life. It nourishes
the flesh producing
cells—helps them to
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which they have been incapable.

which they have been incapable.

For ten years thousands of women have been wonderfully benefitted by this great Flesh Builder. Bust measurements have been increased from two to six inches. We know that it will do the same for you. It will give yon a fuller, firmer, more beautiful bust. Your shoulders and arms will be prettily rounded and your limbs properly developed.

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