1990, from Putnam saying the requested affidavite had not heen received, Hall wrote on April 27 as follows: Renjving to your favor of April 25, in re-lation to the affidavite which 1 was to pro-cure and forward to you for signature in the land fencing case, permit me to say that I have the minne only partially prepared, for the reason that I have had a grand jury and have been so present with work that I could not reach it. It will be necessary for me to bave the full name of this company or corporation that hes this land inclosed, as the fullais only were sent to me, which is seem to be unable to disassociate the taking of the order of the Shrine from a degree in Masonry," says an authorbeen made after the original map had been drawn. 'If necessary, I will pay for having 'the maps renewed.' wrote Putnam. showing the homestead entries that had I CROSS HOT SANDS and in connection with it there is between 40 and 60 acres of Government land under fence, so you see we are all into it a listic, but what the people object to is fencing by the township. **READS LETTERS TO** Fenced Entire Township. AND FROM HALL Putnam Loses Patience. In this letter Putnam wrote that the Putnam waited patiently until Septem Butte Creek Company had almost a town hoping that Stratford might yet up, and on the 22d of that month ship of Government land under fence M. Mosessohn Elected Assistant Sec Half-Hundred Novices Initiatshow up, and on the wrote Hall as follows: 'We cannot get an agent to investigate retary of Chamber of Commerce. a single case," wrote Putnam. "It looks ed Into Mystic Shrine. like our Government is getting pretty M. Mosessohn, who was recently rotten." Heney Offers Correspondence June 20, 1902, Putnam wrote a letter to unanimously re-elected by the trustees of the Portland Chamber of Commerce of Ex-District Attorney HISTORY OF FAMOUS ORDER as assistant secretary of that body for the sixth consecutive term, is one of in Evidence.

# TELL OF ILLEGAL FENCING

Show That Settlers Repeatedly Apprised Official of Facts and Demanded Relief-Hall's Promises Apparently Unfulfilled.

More than 50 letters, most of which were either written by Hall or ad-dressed to him by settlers, have been introduced at the Hall-Mays con-spiracy trial by Prosecutor Hency be-fore Judge Hunt in the Federal Court. These letters, so far as they have been introduced by the Government show introduced by the Government, show that E. A. Putnam and other settlers residing in the vicinity of Fossil re-peatedly apprised Hail, from March, 1900, until May, 1904, of the unlawful rencing and urged him to give them ra-llef. The correspondence also shows that while Hall apparently made effort to have at least two Spechal Agents from the Interior Department

isit the Butte country and investigate the complaint of the settlers, one of the complaint of the settlers, one of them, E. D. Stratford, never visited the premises while the other, C. E. Leomis, die not make any investigation until two years after the first com-plaints had been made of the fences.

It is contended by the Government that Hall, being a party to the alleged conspiracy, was not only dilatory in securing Special Agents to make an investigation, but refused to prosecute the offenders and purposely delayed causing the removal or the fences.

The following is a synopsis of the letters that were written by Hall, in-cluding a few by his former deputy and codefendant, Edwin Mays, in answer to the complete of outputs to the complaints of settlers or to Special Agents Loomis and Stratford. The defense avers that the letters evi-dence Hall's endeavor to have the fence abuse corrected.

In answer to the first letter from E. A. Putnam, of Fossil, March 30, 1900, who reported the fencing of the public land near Fossil by the Butte Creek Land, Lumber & Livestock Company, Hall, on April 3, 1900, wrote as follows:

### Putnam's First Letter.

Your favor of March 30th just at hand an Your favor of March 30th fust at hand and centents noted. Permit me to say that be-fore I can commence an action for the pur-pose of having the fences removed from Government land the law requires that some person familiar with the facts furnish me an affidavit describing the lands enclosed by metes and bounds, or by legal subdivisions, or by any other description by which the land can be identified, and further that the person or corporation making or controlling land can be identified, and further that the person or corporation making or controlling the fence have no color of title to said hind, made or acquired in good faith, or diff asserted right thereto of any claim made in good faith with a view to entry thereon at the proper land office, under the general laws of the United States at the time such enclosure was

made. Also give me as near as possible the line of force, for example: Say beginning either at a stream, bluff, or other natural boundary. a scream, onun, or other natural coundary, or near certain section corners, running thence easterly through section 9 and 40, to a point near the southwest corner of section 11, thence mortheasterly through section 11, etc., thus following the line of fence around to the values of basications

ompel the parties to take down their fences.

corporation that has this land inclosed, as the initials only were sent to me, which is not sufficient. Please oblige me by sending the full mame, and also if you know whether or not they are incorporated in this state, and where their principal place of business or office is maintained, and oblige. • On April 20, 1900, Putnam sent a let-ter to Hall giving him the full name of the Beaver Creek Land, Lumber & Livestock Company, and on May 5 in another letter referred Hall to the County Clerk of Gilliam County for further information about the corpor-ation. A further letter from Putnafi on May 10, told of alleged fraudulent on May 10, told of alleged fraudulent homestead entries, and in acknowledg-ing receipt of this letter Hall wrote, on May 22, as follows:

Your letter of the 10th inst. giving me in-formation of frauds in the Land Department, is just at hand and contents noted. I have referred your letter to C. E2 Lounis, Special Agent General Land Office, at Gregon City, Or., with directions that he investigate the when he visits Fossil

Then followed letters between Hall Then followed letters between Hall and Loomis and between Loomis and Futnam recording the fact that Hall had referred to Loomis the complaint of Putnam as to illegal homestead en-tries. On June 4, 1900, Putnam in an-other letter to Hall reported that the Butte Creek Company had completed building the fence on its own land which, Putnam alleged, had been me-nuized fraudulently. quired fraudulently.

#### Refers to Land Frauds.

Putnam followed this letter up with another on January 3, 1991, in which he said he had heard nothing in regard to the fence and inquired: "If we enn-not do anything with fence case, what steps shall we take to put a stop to the land frauds?"

Three days later, January 5, 1901, Hall replied to Putnam as follows:

• Your letter of the 3d instant came duly t Your letter of the 3d instant came duly to hand, and I note that you say therein that these parties have their Jenes upon lands, or soon will have, which they own or con-trol; this does not excuse him if the result is the inclosing of Government lands, as he cannot lawfully inclose Government lands, even though the fence is upon his own ground. In regard to the fraudulent entries, I would suggest that send the names of the parties, and a description of their entries, If you can, to C. E. Loomis, Special Agent, G. L. O., at Oregon City. regon City.

Edwin Mays, deputy under Hall, on January 8, 1901, wrote Putnam as fol-lows in answer to a letter Putnam had addressed to Mays, similar to the one back dest Holls. he had sent Hall

Your letter of January 8, in regard to pas tour sites of samples of the second s March 4, 1901, Putnam wrote Mays nelosing a letter to be forwarded by fays to Loomis. In his letter to Mays to Loomis. I. Mays, Putnam wrote:

When do you think anything can be done to the fence case? We would like to know, for if the fence is not moved soon some of the people will have to move their stock or dispose of them, as most of the water is now works.

under fence. One week later. March 11, Mays wrote Putnam the following reply:

## Wrote Loomis Strong Letter.

Your letter of March 4, enclosing one to Mr. Loomis, came duly to hand and contents noted. I wish to inform you that I have noted. I wish to intrin you that I have written Mr. Loomis a strong lotter urging him to take action on this matter at once, also enclosing your letter to him. I thins the result will be that he will take action in the matter at least not later than the settling of Spring, and we can expect some

1902, made the following really: . Your letter of the 19th is dust at hand and contents noted. I was surprised to tearn that no special agent had been out in your district to report upon the likesal fending cases. I have again written to Mr. Stratford asking him to go out there at once and make an investigation. I will tell him to report to you, and you can give him all necessary information. If you thick best send me down the names of persons or companies who have Govern-ment land under fence, and I will write each of them a good share letter, quoting the law to them, which, perhaps, may have the desired effect. I am sorry that this matter has been delayed so tong, but I cannot very well help it, as I have used every endewor to get the insector out upon the ground, so that I will have some-thing to work on. Howard M. Winter, who is well known socially among the younger set in the city, is dangerously ill at the Good Sa-maritan Hospital, where it is said his condition is most critical. Mr. Winter, who is a cousin of William Winter, of New York City, dean of the American dramatic writers, was taken ill more than a week ago at the Hotel Norton He was settling of Spring, and we can expect some good results in the near future. In this connection I wish to inform you that of ourse you understand that Mr. Loomis has guite a large section of country to cover and that things of equal importance have to be taken up in the order in which they are presented to him. At the same time I realize how much this means to you people in that section of the country. Kindly keep us informed of any new developments in this case, for I assure you that I am destroas of a week ago at the Hotel Norton. He was attended by his physician there for a few days, but, his condition becoming serious, his, removal to the hospital was advised. Mr. Winter's illness is said to be typhoid of beginning. residence of Richard Wilson, 67 North Seventeenth street, who is a member of the executive board. The affair happened on Friday night while the family were at dinner. The whole household were assembled in the dining room and the upper portions of the house deserted. The burglar supposedly obtained entrance to the house by means of a pass key, and while the family were at dinner, went quietly up stairs and began ran-If you will furnish me this affidavit I will the Mystic Shrine, a temple of which was flourishing at the time in that place. Mr. Florence, before leaving wherever they enclose Government land. Three days later the following reply was sent to James G. King, also of Fosother assignments will permit. This was the correspondence Heney sought to introduce Friday afternoon but Judge Hunt refused to admit it. Having disposed of his property in Wheeler County and removed to Dougfevet. Egypt obtained the right to institute an Imperial lodge in this country, which was given power to charter temples under its jurisdiction. Observe Lee's Birth. sil. who had written a letter, March case, for I assure you that I am desirous of doing everything possible in assisting this 24, to Hall similar to that of Putnam's: . Tour favor of the 2d inst. just at hand, and contents noted. Your suggestions about mark-On the same date that Hali wrote to Society of the Daughters of the Conmatter to a final determination Putnam, February 26, he wrote to Strat-ford and requested him to go to Fossil and make an investigation of the unlaw-ful fences, referring Stratford to Putnam In published accounts of the Mystic as County, Putnam on November 8, 1902, wrote to Hall volunteering any information in regard to the case against the Butte Creek Company that would be of assistance to the prosecu-tion. Replying to this letter two days Between March II and June 14, 1901, a number of letters were exchanged be-tween Putnam and Stratford, who had Shrine it is set forth that it dates back to the days when Mohammediam was overthrown in the religious wars of the Crusades, and has membership in all contents noted. Your suggrestions about mark-ing upon the plats the line of fence, is a very good one, and if you will do this, and then forward the plats to the land office of your district and ask the Registrar of the land office to mark all the lands belonging to the Government within said enclosure with the letter "G." and forward same to me. I can then upware the efficient from that and went quietly up stairs and began ran-sacking the upper rooms. He took fright and left without plunder. tween Futurin and Schall agent 20 inves-tigate the complaint, and who made fre-quent appointments to visit Fossil, none of which he ever kept. On May 25 Put-nam wrote to Hall and said he was exfor further information. To this Stratfor further information. To this Strat-ford replied March 4, saying that while the Fossil country was not in his ter-flory, he would make the investigation anyway, "as soon as the weather set-def." On April 15, Putnam wrote to Hall again, and unlawfully fenced. Included in the letter was the following comment: Some time sgo I bought 160 acres of land ford replied March 4, saying that while the Fossil country was not in his ter-ritory, he would make the investigation anyway, "as soon as the weather set-Lutheran Church Election. The members of the Powell Valley can they prepare the afficavit from that and send it to you to be signed, or you can send me the plats and T can forward them to the land office if you would prefer. Lutheran Church at their annual A large crowd was in attendance. Tomorrow (Monday), positively will be the last day for discount on East Side gas bills. Portiand Gas Company. pecting Straiford daily. Putnam re-quested ...all to forward the haps show-ing the alleged llegal enclosure that he, Putnam, had sent to Hall, to the Land tleđ. On April 15, Putnam wrote to Hall again, enclosing a list of all persons who had land unlawfully fenced. Included in the letter was the following comment: Hall Asks for Names. Office at an Dalles, in order that they Replying to a letter dated April 25 | might be revised and brought up to date, 

Referred to Department.

Four days later Hall forwarded the folowing reply to Putnam: Replying reply to Putnam: Replying to your favor of the 22d instant in regard to the unlawful fencing of Gov-eranment land in your neighborhood, permit me to say that having turned this matter over is, the Interior Department, I will be obliged to wait until they report on it. I would suk-gest, however, that you address a letter to B. D. Stratford, Roseburg, Or., calling his attention in, the fact that he has the unit-ter under consideration, and urge him to take immediate action.

Brings In Hermann.

Putnam kept up his record as a per-sistent correspondent by sending the fol-lowing detailed letter to Hall under date of February 19, 1903;

life Hall Expresses Surprise. To this letter, Hall, on February 26,

1902, made the following reply:

Hall in which he stated that the Butte Creek Company immediately on acquir-ing fraudulent homesteads mortgaged them to the state and claimed that they them to the state and canned that they were in the hands of innocent parties, concluding with the suggestion: "So you can see that if anything is to be done with these homestead cases it should be done before proof is made." Hall, on June 23, answered the fore-going letter as follows:

THE SUNDAY OREGONIAN, PORTLAND, JANUARY 19, 1908

Permit me to acknowledge receipt of yo avor of the 20th instant in regard to the t Permit me to acknowledge receipt of your favor of the 20th instant in regard to the un-lawful fencing of Government land in your beighborhood. Mr. Loomis, Szecial Agent of of the G. L. O., has not yet reported to me the result of his investigation there, but pro-sume he will in due time. As soon as he does I will be in a position to act in the matter. Further latters relate to correstwidence Further letters relate to corresponden Further letters relate to correspondence between Loomis and Putnam and tell of the visit of Loomis to Fossil in June, when he left affidavits for the signature of Putnam and his neighbors attacking the final proofs on a number of home-steads which were alleged to have been acquired fraudulently. After reaching Condon, following his visut at Fossil, Loomis wrote a letter to Putnam dated July 12, 1992, in which he said:

### Loomis on Defensive.

There were several persons at Fossil who found fault with mys having gone to your place and permitted you to go with me to the elaims but I always give all addes a fair hearing and the decision does not rest with me. Please let me know whether you send affidavits or not so that I may know when to act.

September 16, 1902, Putnam wrote Hall as follows, C. E. Loomis having been instructed in the meantime to make the investigation instead of

Stratford: If the B. C. L. L. & L. S. Co. fence cases should be tried I should think it would be necessary to have men to prove who built the fence and the cabins that are on those bounestcads, and I should think that the men that were working for the commany at that time would be the proper ones. I could send you all ist of the witnesses and what each one would be apt to swear to if so desired. Since Mr. Loomis was here, one of the claimants has moved onto his place and is evidently point is try to hold the land, but the other parties have not showed up yet. I will write to Mr. Loomis in regard to the matter (in a few days), as he would likely understand it better than you. To this Letter the state of the second the second of the latter than the second second the second the second the second the second second the second the second the second the better than you.

To this letter Hall on September 19 wrote as follows to Putnam:

To this retter that on september 19 wrote as follows to Putnam: "Rebying to your favor of the 16th instant in regard to the uniavril' fencing of Gov-ernment land in your vicinity, permit me to say that I have not as yet received any report from the special agent, who examined the case, and therefore could not tell you whether I want the witnesses mentioned by you or not. But I have written him for his report and as soon as I receive it will be in a position to advise you. On the same date, September 19, 1902, Hall wrote Loomis saying that he had received a letter from Putnam who had written that Loomis had been on the ground and investigated the al-leged uniawful fencing. "If such is the case," requested Hall, "will you please make as report upon the facts

please make a report upon the facts ascertained by you."

Another Loomis Letter.

On September 20, Loomis wrote Put-nam from Oregon City saying that he had consulted with Hall regarding the had consulted with Hall regarding the enclosure and that he and Hall had agreed "that the matter was not in shape to be sure of a case." In this letter Loomis said it would be neces-sary for him again to visit the scene of the alleged unlawful fencing "be-fore moving in the matter." On September 25, Putnam wrote to Loomis saying that since Loomis had visited Fossil the Butte Crock Com-pany "did try to prevent certain par-

the from riding in the enclosures and it can be proved by two if not three

It can be proved by two if not three different parties." In answer to a letter from Portland to Secretary Hitchcock of the Interior Department. Hitchcock on December 19 wrote to Special Agent A. R. Greene and instructed him "to make an inves-tigation of the matters covered by Mr. Putnam's statements and report to the Department thereon as early as your other assignments will permit." This was the correspondence Heney sought

the prominent young men of the city and has a wide circle of friends among me leading business men. Mr. Mosessohn is a graduate of the

## Dates Back to Crusades, and Firs Temple in United States Was Instituted at Rochester, N.

Y., in the Early '70s.

Al Kader Temple, Nobles of the Mys-le Shrine, conducted 54 candidates the across the hot and burning sands of the desert last night and when their journey was over, they had been initiated into the order and were received as brother nobles by the members of Al Kader Temple. The initiation was held in the new Masonic Hall, West Park and Yamhili streets. Known only to the nobles, the cere-

monies celebrated last night were beautiful and elaborate. The pligrims were accompanied on their journey across the desert by nobles who had gone that way before and who guided them to an occasional oasis where they might rest secure from the blistering heat.

There was the usual large attendance of nobles at the semi-annual initiations at the ceremonies last night. Upon the completion of the mystic rites, a banquet was spread for the nobles and the novices. There wer many guests of Al Kader Temple last night from many parts of the state and other parts of the Pacific North west. They were welcomed by the Portland nobles and took part in the rites administered to the large class of candidates. Those who were initia-

D. Billingsley, Ira J. Mahon, Louis Kroehnke, William Garbach, George R. Collars, H. C. Hammon, Colbert H. Cannon, Frederick W. Prahl, W. C. Bristol, Benjamin F. Stevens, Ernest F. Saylor, Henry Everding, John W. Hat-field, William Y. Masters, Henry W. Fries, William H. Powell, Philo Holbrook, Jr., John H. Montgomery, George H. Bircher, Edward A. Beals, Herbert L. Heath, James K. Loake, Elmer Sny-der, Ralph B. Stanfield, Allen Thompthe East Side. Some of these checks were

Graves

who died years ago, while traveling in the countries bordering the Mediter-ranean, met some brathren of the Ma-sonic order in Alexandria, Egypt. These members of the highest degrees in the order discovered that Florence also had taken these degrees, and they thereupon elected him into the order of



Speeches and Collation at Local

Hotel Before Starting on Their Trip.

\*

M. Mosessohn

Portland High School, also of the law department of the University of Oregon.

SIVENER IN THE TOILS

H. M. Winter Seriously III.

Howard M. Winter, who is well known

In honor of, the departing delegates to the annual convention, to be held at Oak-iand, Cal., tomorrow, the Portland Ad-men's Club gave an informal entertain-ment and juncheon at the Hotel Lenox last night.

ose present included delegates from Washington and Idaho, as well as from Portland and Orsgon, all of whom left on the H:30 o'clock train last night for Callthe 11:30 o'clock train last night for Call-fornia. The social part of the programma was held in use parlors of the hotel, which were tastefully decorated for the occasion, and consisted principally of short talks for the good of the order by the various members and delegates. Sev-eral members of the Admen's Clinh are also associated with the Oregon Press As-sociation, and their remarks naturally dealt with both associations, which are affiliated to a degree in the same line of affiliated to a degree in the same line of

work. The meeting was called to order by President George Estes, of the Portland Admen's Club, who welcomed the visitors with a few remarks, and then called on

the individual members. C. J. Owen, formerly of Portland, and later of Norfolk, Va., and who is on his way to San Francisco, gave an interesting short talk on the newspaper and adver-tising conditions as they exist in the South today. During the course of his re-marks, Mr. Owen intimated that there were numerous openings for bright, up-to-date advertising men in that sec-tion of the country, which, after lying dormant for years, is gradually becoming wide awake to the benefits of advertis-

Editor Beard, of the Vancouver (Wash.) Columbian, gave an interesting talk on the benefits of advertising from the viewpoint of the country editor. He ex-plained, however, that he did not refer to plained, however, that he did not refer to his present enterprise under that classi-fication, for he announced his positive-conviction that Vancouver would soon os larger than Portland, "at least it would if his paper and the Vancouver Inde-pendent could exert the required in-fluence."

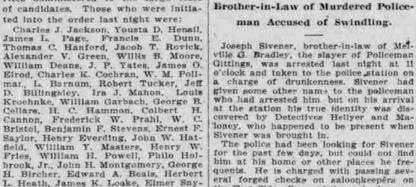
After the social session, the guests ad-After the social session, the guests ad-journed to luncheon in the Hotel Lenox grill, after which the delegates departed for the train. Those who left last night are: W. J. Hofmann, advertising manager. The Oregonian: Fred Johnston, advertis-ing manager, Telegram; Walter M. Daly, treasurer Security Abstract & Trust Company; Claude Hicks, of Hicks-Chat-ten; D. J. Moore, manager Hotel Moore, Seaside: A. L. Long, John Hartog, man-nger Eugene Commercial Club: Mr. Seaside: A. L. Long, John Hartog, man-ager Eugene Commercial Club: Mr. and Mrs. J. H. Whyte, of Astoria: Mr. and Mrs. B. L. Dasent, of Portland; C. J. Owen and son, Portland; R. C. Robra-bacher, Lewiston; R. S. Bigelow, and wife, Spokane; T. M. R. Keane, Spokane; C. W. Black, Portland; O. W. Oleson, Portland. In addition there were a dozen or more who were not advertising men.

#### Gambling Game Raided.

Matt Gorde, proprietor of the Man-hattan Saloon at First and Morrison hattan Saloon at First and Morrison streets, was arrested at 11:30 o'clock last night by Detective Sergeant Baty and charged with conducting a gambling game. Six men, William Rickman, W. Cahoun, Guy Crogan, John Jackson, William Tracy and Edward Deltz were found engaged in a game of poker. The place was raided by ae detective, who had to force his way into the room where the game was in progress. The players as well as the propristor were taken to the police station, where they were charged with visiting a gambling house. house

#### Burglars Get No Booty.

One of the most daring attempts at burgiary that has occurred in this city has been reported to the police from the residence of Richard Wilson, 67 North



the bast side. Some of these energy were for small amounts, but two of them were for considerable sums, one being for \$50 and the other for \$25. The additional charge of obtaining money under faise pretenses was filed against him. der, Halph B. Stanleid, Ailen Thomp-son, Otis McCarty, Henry Berther, Al-bert H. Lee, George A. Clough, Amos E. voorhles, Ernest E. Porter, Simon B. Barker, Dale H. Preston, Arthur C. Callahan, C. F. Hurlburt, William C. Washburne, William A. Pomeroy, Wal-ter H. Young, G. W. Ibbotson, F. W. Graves Sivener in an indirect way was the ause of the killing of Pollceman Gittings.

It was he who went after Bradley in company with Gittings and who struck Bradley and started the fight which re-sulted in the pollceman's death. The Ancient Arabic Order of Nobles of The Ancient Arabic Order of Nobles of the Mystic Shrine had its start in the United States in the early 70's. The first temple, or lodge, was instituted at Rochester, N. Y., but later No. 1 was transferred to the City of New York under the name of Mecca Temple. W. J. Florence, the famous comedian who died years are awhile traveling in

CLASS THAT HAS JUST COMPLETED THIRTY-SECOND DEGREE SCOTTISH RITE MASONRY, OREGON CONSISTORY NO. 1.



Reading from left to right-First row: Morrison, W.; Billingsley, J. D.; Tucksr, Robert; Souders, W. L.; Bristol, W. C.; Josselyn, B. S.; Cellars, George B.; Hudson, H. T.; Callan, A. C.; Sayder, E. A.; Cannon, C. H. Second row: Locke, J. K.; Coch-ran, C. K.; Lombard, A.; Fries, H. W.; Stevens, B. F.; Preston, D. H.; Harmon, H. C.; Wright, John L.; Pollman, William. Third row: Montgomery, J. H.; Mahon, Ira J.; McClelland, Joseph; Hurlburt, C. F.; Saylor, E. F.; Pomeroy, W. A.; Green, Alex.; Mes-stek, John E.; Prahl, F. W. Fourth row: Holbrook, Jr., Philo; Barker, S. B.; Elrod, J. O.; Masters, W. Y.; Heath, H. L.; Hatfield, J. W.; Everding, H. R.; Manchester, F. E.; Evans, Clyde. B. S. Josselyn, president; George B. Cellars, secretary; W. C. Bristol, orator.