JURY TO PROBE ALLEGED FRAUDS

Federal Prosecutors Will Investigate Filings Made on Land in Umatilla.

PROMINENT MEN INVOLVED

Colonel James H. Raley Is Among Those Connected With Transaction Now in the Limelight. Other Work for the Jurors.

At the request of United States Attorney McCourt in the Federal Court yesterday, Judge Wolverton ordered a grand jury convened Monday, May 25, for the purpose of investigating alleged land frauds in Umatilla County by which about 25,000 acres of valuable land are said to have been acquired unlawfully. The alleged frauds may involve Colonel James H. Raley, a prominent Pendleton attorney, and several wealthy stockmen of Eastern Oregon, who are said to have profited from the irregular acquisition of the lands. While the transaction from which the pending investigation has resulted took place in 1902, the alleged frauds have been kept alive legally by acts held to constitute a continuing conspiracy, so that the statute of limitations has not run against the offenses. It was necessary, however, that a grand jury be assembled at this time for the reason that otherwise the statutory three years, within which prosecutions must be commenced, would soon expire.

The pending investigation has to do with lands that were included originally in the Umatilla Indian Reservation. In 1885 Congress passed an act providing for an allotment of these lands to the Indians on the Umatilla Reservation and at the same time authorized the sale of the lands to the highest bidder at La Grande at not less than their appraised value. An appraised value was placed on the lands by a commission and in 1891 the law directing the sale of the lands was amended so as to make Pendleton the place of sale. The sale was conducted and the best of the tracts were purchased, about 25,000 acres of grazing and inferior timber lands remaining unsold.

Act Passed by Congress.

Much of the unsold land was desirable for grazing, while some was adaptable to farming. Large numbers of settlers located on the land as squatters and proceeded to improve their holdings by constructing fences and cultivating the land until the time arrived when they might purchase it from the Government. Following the renewed petitions of settlers, Congress, in July 1902, passed an act authorizing the sale of the lands which had not been sold at the first sale. It was provided in the act that the land should be sold in the order of the filings made, provision being made that bona fide settlers with improvements on the lands should be given an opportunity to file on the tracts upon which they had squatted. The act also specified that the land was to be bought for the exclusive use and benefit of the actual purchaser and not at the solicitation of any other person.

It was at this time that evidences of fraud are said to have developed. Some time after the filings had been made it was discovered that the greater part of them had been made in the interest of a few persons, principally wealthy stockmen. The connection of Colonel Raley with the alleged frauds is said to have begun at this time, when he appeared as attorney for a majority of the settlers. The relation of Raley with the filings was purely that of an attorney for the settlers, but it is said the investigation that has been made by the Government authorities has disclosed that many of the filings were illegal and implicated prominent Pendleton and Umatilla County citizens.

Convinced that the disposition of the lands was not in conformity with the act authorizing their sale, the Interior Department directed an investigation which was made by Edward W. Dixon, L. D. Jones and J. H. Alexander, special agents of the land department. This investigation was begun in 1906 and was not concluded until May, 1907, the special agents having gathered considerable evidence indicating irregularity on the part of the settlers in filing on the tracts. The suspicions of the Government officials that the transactions were crooked were increased following the investigation by the special agents when a great many of the original settlers hurriedly relinquished their claims to the Government.

Sought to Connect Fulton.

It was in connection with these alleged frauds that the political enemies of Senator Fulton for some time sought to have an official inquiry made by a grand jury fully two years ago. They asserted that the Senator was indirectly connected with the scheme by which the lands were acquired fraudulently by a coterie of wealthy Umatilla residents. It was charged of Fulton that he was induced by the parties to the deal to have removed from the law the clause requiring actual residence on the land by the settlers as a necessary qualification before final proof could be made and patent issue for the lands.

For that purpose it is averred that Fulton was invited to visit Pendleton and inspect the lands before proposing the amendment to the law. The Senator was shown over a portion of the least desirable and non-cultivable tracts for the purpose of demonstrating to him that the lands were barren and of no value except for grazing. Following his return to Washington, it is charged that Fulton caused the elimination of the residence and cultivation clause from the law, thereby in effect expediting the alleged unlawful seizure of the lands.

Mr. McCourt would not discuss any phase of the case yesterday, nor would he reveal what the reports of the Government's special agents contained, but it is inferred that the facts are considered of sufficient important to submit for the consideration of a grand jury, inasmuch as that is the specific purpose for which that inquisitorial body has been called.

However, when the grand jury has been convened, it is assured that its investigations will not be confined to the Umatilla land frauds. Complaint has been made to the United States Attorney's office respecting the manner in which public lands were filed on recently in Southern Oregon. It is charged by actual settlers on these lands that when the tracts were thrown open to settlement their preference right to file on the lands within 60 days was disregarded and the land officials received the filings of others, whom, it is alleged, filed on the land as timber, stone and lieu land in the interest of other parties and in violation of the law.

Still another alleged fraud in connection with land affairs that undoubtedly will be called to the attention of the grand jury, is the operation of numerous agents throughout the state, and particularly in Southern Oregon, who have been accepting fees for locating people on land included within the Oregon & California (Southern Pacific) land grant. In their operations, these agents are said to have violated the postal regulations in that they used the mails in furtherance of their scheme by which intending settlers have been mulcted out of from $10 to $100 each, as a preliminary fee to filing on a quarter section of this land. In their literature these men used strong language tending to convince their prospective victim that he would gain a special advantage by dealing with the author of the letter.

Under instructions of Judge Wolverton, Clerk Cannon drew from the jury box a list of names from which a grand jury of 23 persons will be selected when the venire reports in court at 2 o'clock Monday afternoon, May 25. The list of jurors selected follows:

C. B. Allen, Astoria; W. A. Alcorn, Linnton; R. C. Arnold, Looking Glass, Douglas County; John Applegate, Yoncalla, Douglas County; Henry F. Bedwell, North Yamhill; J. T. Beckwith, Jefferson, Marion County; L. Q. Bower, Silverton; R. E. Butler, Boyd, Wasco County; John M. Bristol, Portland; J. L. Barngrover, Cornelius, Washington County; W. L. Coleman, Hadleyville, Lann County; William Cornelius, Walton, Lane County; H. P. Christensen, Portland; John B. Coffey, Portland; John Cornelius, Greenville, Washington County; Winford C. Campbell, Portland; Frank Campo, Barlow, Clackamas County; William M. Daniels, Portland; Pitt A. Eddy, Portland; Loran Edwards, Junction, Lane County; N. Eastabrooks, Portland; F. C. Forbes, Portland; G. W. Fuller, Corvallis; H. S. Furman, Eugene; F. M. Grainger, Ashland; William F. Gilkey, Dayton; M. Gorman, Lebanon; G. W. Gage, Dillard; W. H. Grabenhorst, Salem; W. A. Gellatly, Wren, Benton County; D. W. Hunter, Roseburg; Joseph M. Healy, Portland J. W. Huffman, Mayger, Columbia County; M. F. Hanley, Central Point, Jackson County; Nathan Harwood, Eugene; D. C. Holt, Harrisburg; John Hood, Albany; Gus P. Keller, Portland; H. D. Klum, Sodaville, Linn County; S. M. Kelly, Roseburg; H. A. Kinnison, Baker City; Heughey Lynch, Telocaset, Union County; J. W. Lytle, Island City, Union County; I. A. Merriman, Medford; John A. McBride, Shedd, Linn County; A. I. Mason, Hood River; H. G. Nicholson, Medford; J. W. Pugh, Shedd, Linn County; J. O. Paup, West Portland; Delmar Perkins, Carlton, Yamhill County; John J. Rowley, Dayton; C. H. Southern, Boyd, Wasco County; Jessie Sovern, Junction, Lane County; Ira B. Sturgiss, Baker City; August Vitus, Springfield, Lane County; Thomas Viggers, Riverdale, Multnomah County; John Wither, Lebanon; L. E. Ward, Lorane, Lane County; E. M. Warren, Coburg, Lane County; W. O. Zeigler, Eugene.

SELL GROUND TO BUILD

Board Would Dispose of Old Williams-Avenue School.

The North East Side Improvement Association Friday night discussed informally the condition of the Williams-avenue schoolhouse. It was announced that the Board of Education would not be able to replace the structure this year unless the site was sold for $65,000, as estimates for new buildings have been made and cannot be increased.

The association accepted an invitation to attend the banquet to be given by the United East Side Clubs at the Sargent Hotel, May 26, and will be represented on the programme by M. G. Munly. Secretary L. E. Sauvie has the arrangements for the delegation in hand. It is expected about 15 will attend from this club.

T. L. Adams announced that the Board of Education had given permission for the erection of a band stand on the Williams-avenue school ground, and another will probably be erected on the athletic grounds on Williams avenue and Morris street, so that portion of the city will have public concerts during the Summer months.

Hawley Friend of Varsity.

EUGENE, Or., May 16.—(Special.)—Congressman Willis Hawley, of the First District, has sent the following telegram to Lewis R. Alderman, president of the University of Oregon Alumni:

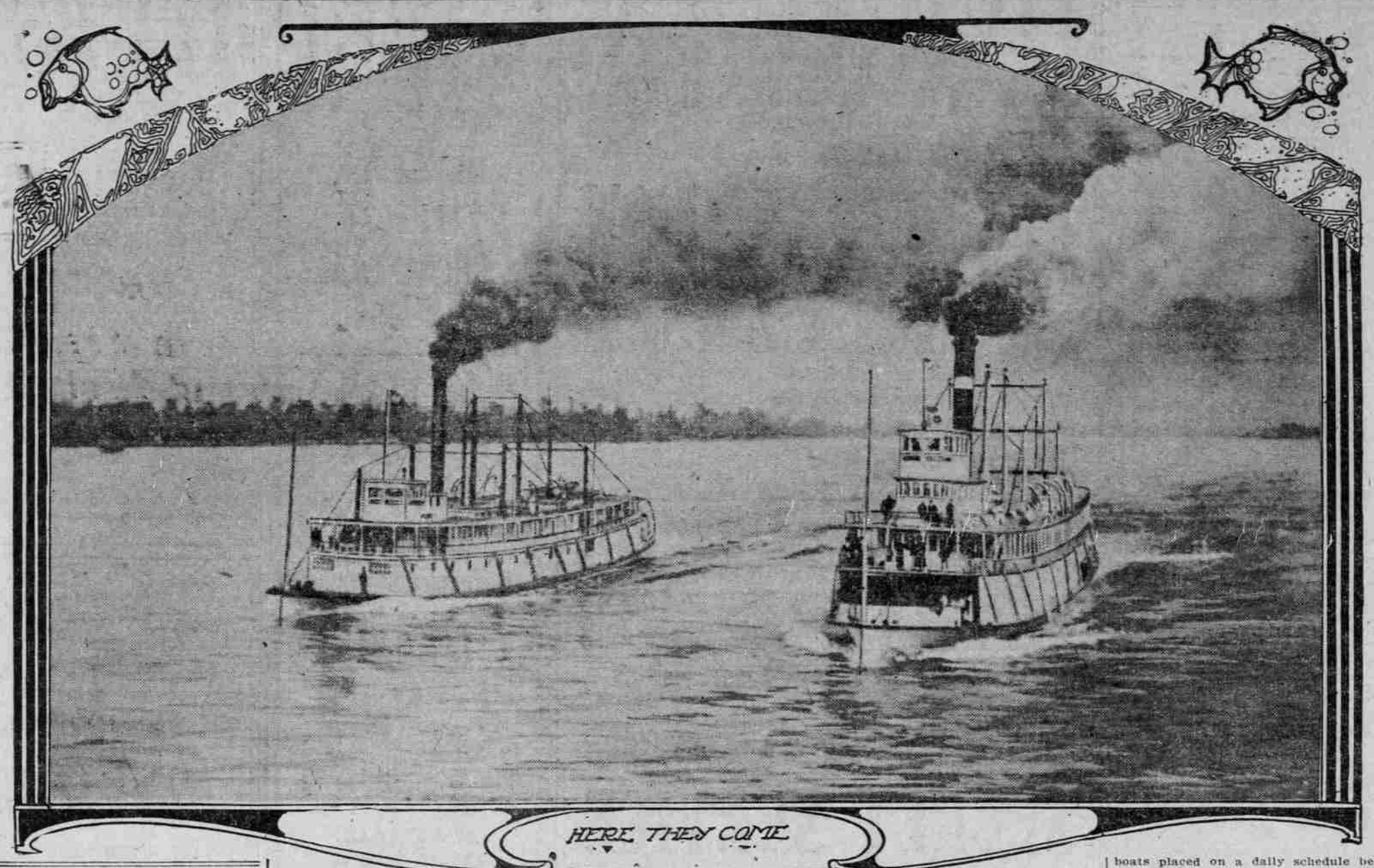
Washington, D. C., May 13, 1908.

L. R. Alderman, Eugene, Or.—I regard maintenance of State University at high standard essential to welfare of state, and will vote for appropriation if in Oregon at election. (Signed) W. L. HAWLEY.

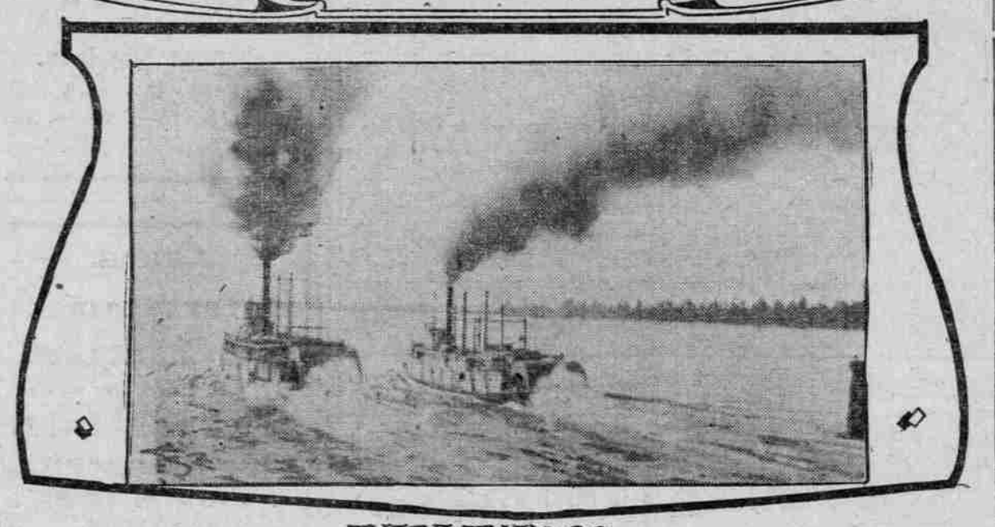
Eye Glasses $1.00 at Aetzger's.

Banan shoes at Rosenthal's.

EXCITING GAME OF STEAMBOAT RACING REVIVED THIS SEASON ON THE COLUMBIA RIVER



HERE THEY COME



THERE THEY GO

STEAMERS BAILEY GATZERT AND CHARLES R. SPENCER RACING NEAR VANCOUVER BRIDGE, MAY 6.

STEAMBOAT racing on the Columbia River has been revived with the opening of the present season and the old-time rivalry between steamers operating on the lower and middle rivers is again in evidence. For a number of years, Captain E. W. Spencer has boasted of owning the fastest stern-wheel steamboat on the river. Last season there were many lively goes between the Charles R. Spencer, the Telephone, Telegraph and the old Bailey Gatzert. The end of the excursion season saw the situation unchanged. Spencer still held out that his boat was the fastest. Captain Cochrane held that the Telephone could beat anything afloat in the stern-wheel class. Captain Scott only smiled and "allowed that he would in at the finish with any of 'em." The old Gatzert laid no claims to speed and kept away.

With the opening of the present season came a change. The Bailey Gatzert was rebuilt, her hull lengthened, new engines installed and everything possible done to make her a fast boat. Captain Spencer overhauled his craft, braced her up aft, lined the engines up and covered the bottom with French enamel paint.

The opening of this month saw both boats placed on a daily schedule between Portland and The Dalles, and Monday morning, May 3, saw a lively brush between the two boats. Between Portland and Vancouver there was no loafing. The Spencer landed at the Vancouver dock half a boat length ahead.

The big race was three days later. Captains, engineers, firemen, deckhands, passengers and cabin boys of each craft were properly tuned up for the event, which all knew was to be pulled off. The boats pulled out from their respective docks at 7 o'clock. The Spencer led through the harbor, both vessels running under a double jingle (very slow). From the flour mill, which marks the lower harbor limit the engineer of each craft got a bell to hook on and the fun commenced. To Vancouver the race was a neck and neck affair. Down the Willamette, past the new railroad bridge at St. John, past Linnton and into the Columbia the two fastest stern-wheel boats in existence plowed through the water at a speed of more than 20 miles an hour.

"Here they come" was the shout that went up from the people gathered on the Columbia-river bridge and those on the dock at Vancouver.

"Five on the Spencer," shouted an enthusiast.

"Taken."

"Go you double the amount," yelled a third.

The bet was promptly taken and interest was redoubled in the race. In making the swing around Nigger Tom's light the Spencer was on the Oregon side and gained a boat's length at that point. Slowly the Gatzert crawled up until the boats were again neck and neck. These positions were maintained until the bridge was reached, when the Gatzert took a spurt and forged half a length ahead. She hit the Vancouver dock several feet in advance of the Spencer.

SEASON OPENS AT OAKS

MANY NEW ATTRACTIONS AT AMUSEMENT RESORT.

Airdrome to Seat 2000 People Has Been Erected in Beautiful Park on the Willamette.

Ballad of the picnic person:

Hi Jinks was rather nimble,
At dancing he was fine
And he it waltz or two-step,
Hi Jinks was right in line.
When business cares were over
And worries turned to jokes,
Said Hi, "We'll take a trolley,
They've opened up The Oaks."

We know it's Summer now, because The Oaks has opened for the season. Otherwise, it would appear like March to the average citizen. This favorite playground for Portland people has begun its annual work of entertainment and will continue to amuse until October. The resort was opened earlier than usual this year because the gates will be closed a little earlier next Fall. The local Luna Park will close its season October 1.

Yesterday was not all that could be desired by the management in the way of an opening day. Intermittent showers prevented the people who were on hand from enjoying many of the Summertime amusements provided at the park by Manager D. C. Freeman. The fireworks scheduled for last night were postponed until Monday night. The rain prevented the operation of many of the star attractions, such as the Figure Eight and the Tickler. The latter is one of the best things in the way of a novelty for pleasure-seekers that Portland people have seen. It promises to eclipse the exciting Figure Eight in public favor, and is one of the latest Eastern amusement enterprises. The name does not describe the stunt. Passengers seat themselves in circular cars, which are hauled up an incline and sent ricochetting down a tortuous passage back to the starting point.

But in spite of the unfavorable weather conditions for opening day, many people visited The Oaks yesterday and last night. All admired the beautiful grounds, which present a far handsomer appearance than ever before. The lawns are perfect green velvet and the shrubbery was never so handsome. Many thousands of native rhododendrons have been set out that are just coming into bloom. During the coming week the blossoms will be handsome and will be well worth a visit to the park. Many roses have been set out during the past Winter and these, too, are just coming into bloom. The giant oaks, from which the park got its name, are fully leaved out and were never so attractive.

Improvements have been made in the arrangement of nearly all the attractions at the resort. The Airdome, the new theater, will seat from 2000 to 2500 people, who will be housed from both rain and sun by a mammoth canvas roof. Workmen are now putting on this covering. The place has been partially enclosed, so that the illusions of the theater will be stronger than could be obtained if the place were left outdoors as last season. The opening concert will be given in the Airdome this afternoon by Rainer's Tyrolean Singers and Dancers. Later in the season there will be symphony concerts in the Airdome on afternoons only, while at night musical comedy will be put on.

Perhaps the star attraction for this week is Harry Breton in his daring auto drive, in which he comes down an incline 50 feet high and leaps a gap 45 feet wide. The incline is a 45 per cent grade and the speed of the daredevil rider is calculated at a mile a minute when his machine flies through the air. He has been injured a number of times, but still sticks to his dangerous vocation.

There are innumerable minor attractions at the park, many of which the thousands who have visited the place in former years will remember. There are enough new ones, however, to prove strong drawing cards to Portlanders who want to get away from the city for a little while to rest in the shade of the giant oaks, where the refreshing river breezes drive away the cares of business.

A little sunshine was all that Manager Freeman wanted yesterday. The occasional showers were not suited to the outdoor amusement features. Just as soon as the sun shines again, The Oaks will undoubtedly be crowded. The resort was in far better shape yesterday than it was on last year's opening day.

Seattle Makes War on Flies.

SEATTLE, Wash., May 16.—War has been declared on flies and mosquitoes by the city health department force. Dr. J. E. Crichton, health commissioner, the first of next week will head a squad of health office men in investigation of the city for fly and mosquito breeding places. The force will be most active in and around stables. Pools will be filled in or the surfaces covered with oil. Dr. Crichton has asked the aid of housewives in the campaign, and later on a campaign of education will be waged by the health department to show how great is the danger. Tests will be made and photographs will be taken. This will show, he asserts, that the fly is one of the greatest spreaders of disease germs.

High Prices for Autographs.

NEW YORK, May 16.—High prices ruled in the sale of autograph letters from the correspondence of "Uncle Sam" Ward and Peter Force, the historian. The top figure, $56, was paid for an important Civil War letter of General U. S. Grant, dated April 4, 1865, only a few days previous to the surrender of General R. E. Lee.

The next highest price of the sale was $64 for a parole to a Southerner signed by President Lincoln and dated "Executive Mansion, Washington, Oct. 17, 1864." A particularly interesting letter of Browning telling how he came to write his famous "Ride From Ghent to Aix," fetched $50.

Condon Farmers Rejoice.

CONDON, Or., May 16.—(Special.)—Rain began falling here Thursday and continued all night, turning to snow toward morning. Friday morning there was two inches of snow. The precipitation amounts to .51 of an inch. There is great rejoicing among the farmers at the breaking of the long continued dry spell.

DENT'S Toothache Gum

not only stops toothache instantly, but cleans the cavity, removes all odor, and prevents decay. Keep a supply and save many a dentist bill.

A Swell Affair.

There are imitations. See that you get Dent's Toothache Gum.

At all druggists, 15 cents, or by mail.

Dent's Corn Gum Cures Corns and Bunions. 15c.

C. S. DENT & CO., Detroit, Mich.

UNION PACIFIC THE OVERLAND ROUTE

LOW RATES EAST

WILL BE MADE THIS SEASON BY THE

O. R. & N.

AND

SOUTHERN PACIFIC

(LINES IN OREGON)

From PORTLAND

AS FOLLOWS:

To	Direct	One Way Via California
Chicago	$72.50	$87.50
St. Louis	67.50	82.50
St. Paul	63.15	81.75
Omaha	60.00	75.00
Kansas City	60.00	75.00

TICKETS WILL BE ON SALE

May 18
June 5, 6, 19, 20
July 6, 7, 22, 23
August 6, 7, 21, 22

Good for return in 90 days with stopover privileges at pleasure within limits.

REMEMBER THE DATES

For any further information call at the City Ticket Office, 3d and Washington Sts., Or write to

WM. McMURRAY

General Passenger Agent, PORTLAND, OREGON.

SOUTHERN PACIFIC COMPANY SUNSET OGDEN & SHASTA ROUTES

Watch the "Fleet" From North Head

$3.00 ROUND TRIP

ON THE O. R. & N. CO'S FAST STEAMER T. J. POTTER

From Portland, Tuesday Evening at Eight o'Clock

The now famous "Battleship Fleet" will be off the mouth of the Columbia River about noon Wednesday, May 20th.

From North Head, on the Washington side, at an elevation of over one thousand feet—sheer above the ocean—the progress and maneuvers of this mighty array of Naval splendor can be followed for many miles.

Is not this unobstructed and commanding view of our united squadrons worth a holiday trip to the coast?

The fast, luxurious and popular steamer T. J. Potter will carry an excursion from Portland to North Head on the following schedule:

Leave Portland Tuesday, May 19, at.....8:00 P. M.
Leave Astoria Wednesday, May 20, at.....7:30 A. M.
Arrive Ilwaco Wednesday, May 20, at.....3:00 P. M.

RETURNING

Leave Ilwaco Wednesday, May 20, at.....3:00 P. M.
Arrive Portland We'nday, May 20, at.....11:30 P. M.

Call for tickets and full information at the City Ticket Office, Third and Washington streets. WM. M'MURRAY, General Passenger Agent.