FAMOUS LAND FRAUD

Jurors Promptly Secured

MARIE WARE AND MRS. WATSON

The Defendants Will Place Their Hope

life and in law, and this was proven for the defense.

United States of America against

Emma L. Watson, Marie Ware, D. W.

Tarpley, S. A. Puter, Horace G. Mc-

Kinley, Henry Barr, Frank H. Wolga-

mot et al, was called in the United

John Bridges, contractor, Por tland

G. H. Newell, Lakeview, Lake

A. E. Austin, general merchandise

A. Blevins, farmer, Albany, Linn.

W. H. Dilley, contractor and builder,

I. E. Foster, farmer, Clatsop county.

Richard Waugh, stockman, Pendle-

THE PROSECUTORS.

John H. Hall, United States Dis

Frances J. Heney, San Francisco

DEFENDANTS' COUNSEL.

For Horace G. McKinley-Thomas

different sections of the state.

Washington county.

Woodburn, Marion.

Benton county.

trictaAttorney.

special assistant.

ton, Umatilla county.

Largely upon the Statute of

Limitations

ong of Thanksgiving



FOR Science and her magic spells, Transcending all romance. For Progress and the miracles

Of faith that conquers fate, That will accomplish greater things In years that wait.

TO speed Thy kingdom may we press Forever in the van To lead the world in kindliness

Of man to man: And grant our mission yet may be To bring the day to birth That sees the reign of Liberty In all the earth.

The President

Rhode Island may be small, but her ace" Vose. Ever since the days of Grant "Uncle Horace" has sent the White House for the president's Thanksgiving dinner. So fine is the quality of the Vose turkey, due to climate or feeding or skill in raising or a combination of all these, that it is A day of prayer and fasting was proalways accepted with a polite note of table. Grant, Hayes, Arthur, Cleveland, Harrison, McKinley and Boose wolf at the door" when a ship was the horn of plenty fairly overflowing

And his Curkey believed to have been lost. Ground the governor's invitation without one thankful he does it to the few clams and mussels to keep their literally speaking. Indian full dress children from starving. One of the de- far more ciaborate and tasteful than at home a-baking, and many of our We owe one loaf of that little we

> Another declared, "My husband hath not content with honoring the colo traveled as far as Plymouth, near for. nists' feast with their mere presence. ty miles, and hath with great toll They were thoughtful enough to kill brought back a little corn with him, and bring with them to the "white and before that is spent the Lord will man's dinner" five deer, which added surely provide."

claimed. Governor Bradford was dis- So, despite all obstacles that had at tributing "the last handful of meal in the barrel unto a man distressed by the first Thanksgiving day arrived it found

for the people of the Massachusetts ed by Governor Bradford were the Bay colony. The ship dispatched to friently button chief Massasoit and Ireland had not returned, and it was timety of his braves. They accepted nuts and acorns were the daily bread single "regret" to break their record of the poor. A meal of fish was a feast. of polite quantitaty, and when the Women followed the tide to pick up a came they came "in great feather," voted women has left a letter saving: the later "swallowtail" of the bifur "Our last peck of meal is in the oven cated puleface, was the order of the day with Massasoit and his ninety godly neighbors have spent quite all. young "society men," the precursors of the Four Hundred of these our times. These aboriginal dudes, however, were

pleasantly to the store brought in by

the four Nimrods of the colony itself

For Marie Ware - C. A. Hardy an A. C. Woodcock. For S. A. D. Puter L. F. Puter, of velt have all partaken of this choice spied at the harbor's mouth laden with for Governor Bradford and his equally Eureka, Cal. THE PROSECUTION'S GROUNDS.

pose; that if one committed an overt act that could be construed to be a and told his father about them. Robcame partners later are presumed to the law." have conspired from the first. CONTENTION OF THE DEFENSE. That the conspiracy must be shown to exist beyond a reasonable doubt,

and an agreement must be shown to exist no matter how many overt acts were committed, and that all acts committed as charged in the indict-

ward there were various overt acts even raise a presumption.

to carry out this alleged conspiracy. HEARTS WERE CAUSED TO THROB Many a man's heart gave a jump as Mrs. Watson and Miss Ware en-

PORTLAND, Nov. 22 .- The celebrat- not a whit alarmed by the serious naed land-fraud trials are on in the ture of the charge against her. She you yourself continue to view the hum-United States Court for the District entered the room in company with S. A. D. Puter's brother, who is here

courtroom with Charles A. Hardy, of Eugene. Miss Ware came in late. and as a result the assembled throng States District Court for its hearing did not notice her entrance at first, before Judge Charles B. Bellinger The fact that her hair was a beautiand a jury of 12 men chosen from the ful auburn was enough to tell who she was, and she received her share of admiring looks. She received them E. A. Griffin, stockman, of Dufur, however, with an air of haughty disdain, and took her seat without so much as a look around the courtroom. She was attired all in black, which enhanced the pale beauty of her face, J. L. Barnhouse, stockraiser, Wheel-surmounted by the shimmering masses of her auburn hair.

S. A. D. Puter and Horace McKinley entered court alone and attracted little attention and both looked somewhat worried. Watched by hundreds J. C. Weatherly, farmer, Wallowa of eyes in the courtroom and the topic of greatest interest throughout the entire Northwest, the case goes on.

> DEFENSE AGGRESSIVE. Judge O'Day has reached a cornerstone, and in so doing sounded the keynote of the defense. He sprung the statute of limitations. He declared that if the conspiracy had

been formed and had become operative more than three years prior to the filing of the indictment, that no conviction could obtain under the law. The indictment was filed March 17, 1904, and the crime alleged to have been committed March 20, 1901. will bring clients." "Now." thundered the attorney for the defense, "if the alleged conspira-That a conspiracy to defraud the cy was formed more than four days quired.

> had been done unlawful acts, they must be presumed to have been inno- of Thanksgiving day for this purpose cently done, and that there was nothing criminal about them.

POINTED FINGER AT GALLOWAY.

said he, then all the officials who ever your mother and you." ment were committed more than three had anything to do with the land ofyears next prior to the filing of the fices at the time must be scoundrels. morning with the impression that he indictment, and that hence there can Leveling his finger at Judge Galloway alarm clock. A glance, however, reasbe no conviction under the law, as who sat on the bench with Judge sured him. The hands upon the dial the statute of limitations obtains. Bellinger, he declared Judge Gallo-The evidence must show that an way must be a scoundrel and he must, twenty-nine minutes past 7. He began agreement was entered into and all under the assumptions raised by the to prepare for his bath in a leisurely agreement was entered into and all under the assumptions raised by the manner. There was plenty of time. acts giving rise to a general tendency prosecution, say the same of Charles The train which he must take left at 9. have discovered the turkey. After be trustworthy Massasolt were vivid in before a conspiracy is proven to exist. Moore, who had also been an official He fell to wondering what chance

> The contention is ridiculed by the government's attorneys, who insist that as the conspiracy was not fully consummated until some two

CASE IS NOW ON A Crumh From Groesus

the blond type, smooth server and somewhat boylsh in ap-pearance, except for certain The Necessary Twelve Men to Serve as nance. Behold also a girl with hazel eyes and red brown heir. They are standing beside a table in a room which the experienced observer will instantly recognize as the parior of a small flat in a big city. The young man has cleared a space on the table and has dropped several books on the floor. He is unrolling some large sheets of paper which bear architectural THE CENTER OF ATTRACTION

> everything to us. It means so much indeed that I didn't dare tell you about it. I wouldn't tell you now if I could Very help it, because if anything goes wrong you will be so disappointed "You should have no secrets

"When you have taken me for betmy duty to make you unhappy. Cheer will have a right to know the worst. Robinson accepts these plans and if blest of your slaves with that favor which has already exalted him immeasurably above his deserts. In The calm precedes the storm in from California to assist the attorneys short, belovedest, we can afford to get married, whereas at present we cannot even afford to be single. At least when the land conspiracy case of the GOLDEN HAIRED MARIE WAS HAUGHTY. I can't But if I can get this job to table he seemed to have his eye on do for Eliot Robinson, who is not only a human pocketbook of conspicuous city for several days, entered the fatness, but a society beliwether as son meet that gentleman's guests from well, my bark will be upon the tide the city. which taken at its flood leads on to When the car's course was checked fortune, as Mr. Shakespeare says. Any by the broken wagon the two men

THANKSGIVING

He rushed from his bath into his bedmoved. He had forgotten to wind it ery. Surely he would have before going to bed, and it had run most unfair that he should be down. His watch revealed the appall- from competition in this way. Do ing fact that he had only half an hour to reach the railroad station, twenty blocks away. This meant no breakfast, and, in fact, it came near meaning no train, for a wagon broke down ahead of the trolley car in which Underhill was riding, and he was forced

time, but against a human competitor. sumptuous equipages of Eliot Robin-



A HAND UPON UNDERHILL'S ARM RESTRAINED HIM.

"How did you bear of this?" she in-

Government out of public lands ex- prior to the 17th day of March, 1904 "I used to know Ellot Robinson, Jr., isted between the defendants; that it there can be no conviction in this the democracy in the midst of this vast is not necessary to prove that they case under the law of limitations. If plutocracy—in brief, when we were in knew each other, or that they all en- there was a conspiracy, or if there college. I've met him occasionally at tered the conspiracy at the same were any unlawful acts committed in weeks ago he told me what his father time; that it suffices to show that the nature of a conspiracy, they were was going to do, and so I drew some they were all working toward a pur- committed before that date; every plans upon a chance. E. Robinson, Jr., act, all the rest are equally guilty as conspiracy was done before then, and inson senior is at his country house co-conspirators, and those who be- there can be no conviction under laid up with what his son calls a ised to take me out there next week, Judge O'Day declared that if there but instead I received a letter today from the old gentleman himself asking me to come tomorrow. His selection is somewhat unusual, but will be eminently appropriate if he accepts the plans. If he doesn't no mere proclamation by the president can make it a day If these characters were fictitious, best I shall have missed dining with

> The young architect awoke summons by sixty seconds. It was ceived that it was absurd for him to style Mr. Robinson would undoubtedly consult the architect of the larger build ing. He trembled at this notion for almost a minute before he remembered having disposed of it weeks before by discovering that the man was dead. By this time Underhill was wide awake. Fanciful terrors vanished, and

seized their watches with equal im patience, and when Underhill started to try his luck afoot the other precipitately followed. Before they had gone a block a race had begun and each was

possession of Underhill's mind. It seemed to him as if the fate of his enwas contesting for a great prize. The stance on the previous evening rang in his ears, "It means everything to us." There is a side entrance from the street directly to the train shed, but no one is allowed to go in that way unless he has a ticket. Underhill had an unused portion of a mileage book which would take him through. Had the other fellow anything? Did be know the rule? If not he would be beaten, for he could never get around from the side door to the ticket office and back to the train shed in time Probably he would waste precious moments in vain dispute with the man on guard, and a very little of this folly would certainly be enough to wreck his hope of catching the train.

Underhill chuckled at the thought, and he directed his course toward the side entrance. The other man follow It was obvious that he guesses that Underhill was running for the o'clock train and knew a short cut to

At the last moment the strange made a great spurt and reached the side entrance ahead of Underhill. "Ticket, please," said the warder berring the way with an iron arm. "I haven't any ticket," pouted the applicant. "Til buy one inside." "Can't pass in this way without ticket," said the guard in a voice ap-

"But, my dear sir, it is very impor tant that"-

turned his back. Underhill by this time was fun bling for his mileage book and beginning to grow faint with the fear that

he had not brought it. His fingers

touched it at last. He thrust it under

"If you would be so very at the country house of Mr. Ellot

nild brown eyes, which were to get a start in his profe

"I am Harold Arche

same," said Underhill, "and rands also, I fancy."

are Mr. Underhill."

Underbill bowed in scanned his rival warily. Aside from an attractive personal appearance Mr. Archer was conspicuous winners who are spared the anxiety. A sudden hostility flamed in Underhill's breast. He regretted having passed Archer through the gate This fellow could afford to he himself could not

"Matter of the new k pose?" said he curtly. Archer nodded and smile

"My excellent friend, Mr. ntends to erect a very structure," said be. "I au als desire for my service

So this fellow regarded it Underhill shut his month into any discussion of architecture el ther general or specific. Archer, in fluently upon topics of the day. He showed vivacity, interest, even wit now and then. He became so much abhe neglected to raise any protest when the conductor took two fares out of the conductor took two

Underhill's mileage book. Eliot Robinson, Jr., was waiting for them in an enormous automobile laden with expensive furs. He lasily gave a hand to each of the travelers, but ad-"Hello," said he. "You're looking a little out of sorts. What's the mat-

"I haven't had any breakfast," answered Underhill gloomily. "Well, well, I'll fix that. Got your drawings?" he added and took them out of Underhill's hand. "Pretty good, eh. Archer?"

Archer examined the drawings with critical attention, making the most flattering comments and ending by pronouncing the work "admirable, admirable, str. No better design could

Underhill and Robinson were alo for a moment at the door, for Arches had skipped nimbly into the bouse.

"Who is that monument of brass?" demanded the architect in a low voice. "Don't say a word," responded Robinson. "This is your lucky day. You've got Archer solid. Pay anything for him? Only his fare? Well that's cheap. Archer is one of those arthitic bunko steerers who come of good fam-



invited out to dinner. He's the man

who tells the governor and the mater what they ought to think about art. His opinion on these plans will be Inal. That's what he's here for. My friend, your little affair is satisfaclorily settled. Give yourself no fur-

Underhill leaned weakly against a pillur of the verends, and the tears came into his eyes as he thought or the good news that he would take back to Constance. Robinson viewed him with interest and comprehension. "And it's all about a dog house that this man is going to build for my fathe nose of the warder, who said, ther," said he to himself. "A queer "Pass in."

ticulars the blasted thing needs fixing."

AN IRATE PARENT IS ROUTED BY CUPID---THE HONEYMOON IN JAIL

ATLANTA, Ga., Nov. 21.—A suggestion that the electors of all Southern States vote for Roosevelt and make his election unanimous has been put forward prior unanimous has been put forward also United States Seastor for years Roosevelt has been unjustly attacked on the negro question, and as no one wants a sin 1861-1865, for the South has ing it and that it is not the purpose of the South women, so well known now in Oregon and the Northwest, were dans and his bride, formerly Miss dand had a squint the two men who had been committed the testimony will be in the land fraud cases. Just what the nature of the testimony will be in not the word who had acted as witnesses at the time his daughtent to the Northwest, were dand the Northwest, were dans of the height of fashion. The says Roosevelt has been unjustly attacked on the negro question, about the residue prior to the father of the bride, how now in that the south said and had a right to live of the south is not the purpose of the testimony will be in the land fraud cases. Just what the nature of the testimony will be in the land fraud cases. Just what the nature of the testimony will be in the Northwest, were dans and his bride, formerly Miss dand had a squint the leading to the Northwest, were dans and the Northwest, where the testimony will be in the testimony which the state of the south that it is not the purpose of the testimony which the nature of the testimony will be in the time fraud cases. Just what the nature of the testimony which the nature of the testimony will be in the time fraud cases. Just what the nature of the testimony will be in the time fraud cases. The state on the state of the south the Northwest what the nature of the testimony which the Northwest what the nature of the testimony will be in the tim Morthwest what the nature of the testimony wit it is supposed that he w

A SOUTHERNER WOULD MAKE ROOSEVELT'S ELECTION UNANIMOUS and without exception not a man fraud may be proven.

thanks is a far older institution than enough game to last the entire little ways possible to the grave men who stood in the front of their stanch fol-

THE PRESIDENT'S TURKEY-LIVE WEIGHT, THIRTY-SEVEN POUNDS.

provisions, and Feb. 22, 1621, was meda sturdy band of trustful pilgrims. The

Governor Bradford may be said to sight. If the Indians of the loyal and

had named a day of thanksgiving four their own gale attire, the quaintness

forests to hunt for game wherewith surely furnished a most effective and

to grace the tables on Thanksgiving even dramatic contrast. It is safe to

day. They were the best hunters of say that Governor Bradford himself

the entire colony, those four men, and was a stately figure, because dignity

they came back to their fellow colo and a quiet elaborateness of sober but

nists triumphant, bringing with them rich costume seemed to have been al-

The success of the first Thanksgiv- lowers in those days. A "society re-

ing day was then assured. Never was port" of that dinner, with a list of there a stranger list of invited guests costumes worn, would make mighty

to a state function of such historical interesting reading for the people

men were sent out into the trackless of the garb of the English coloni

Thanksgiving bird. Garfield did not

in the home of the presidents. It is a

Vose that while turkers are sent to

the president from all over the coun-

try, the Rhode Island bird is the one

most often selected by the chief mais-

trate as a at sacrifice to the spirit of

and Thanksgiving day, the day f

as first president of the United States

on April 30, 1789, but 168 years before

that historic day the day of thanks

live long enough to celebrate the day Thanksgiving day.

gathering at that first Thanksgiving

tered the court room this afternoon, years ago, every step in the chain of his heart for its involuntary throb.

Judge Thomas O'Day addressed the at the Oregon City land office. As be had to win with his drawings and jury, explaining the nature of the far as the prosecution proving by a competitor in every architect whose proceedings against the defendants. people who had been over the land name he could remember. He per-Judge O'Day said the conspiracy, ac- that the defendants had never residcording to the indictment, was en- ed on it, Judge O'Day declared the sidiary to Mr. Robinson's country tered into March 20, 1902. After- court would hold that it does not house and necessarily harmonious in PROSECUTION FIRM.