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ROSEBURG, DOUGLAS COUNTY, OREGON MONDAY, DECEMBER 26, 1904

No. 102

FRENZIED POLITICS

Salem Journal Exposes Hitchcock's Scheme

HAND OF REVENGE IS REVEALED

Assant District Attorney Heney is the Hiredling of the Big Political Combine

The hand that directed the prosecution in the so-called Oregon land fraud cases has at last been unmasked. It is the hand of revenge.

It is the old, old story of an eye for an eye, and a tooth for a tooth. Revenge, how sweet! even when long deferred.

It is said to be the hand of Malcolm A. Moody, ex-congressman from the second district of Oregon.

Multnomah county is no longer the seat of Republican state politics. The scene of action has been transferred to Wasco county, the big bunchgrass bonanza, where congressmen, governors, and other high officials come from.

The land fraud cases pale into insignificance compared to the motive. Future politics are at stake, and they enter into every department of the game, national, state, district, even county.

Whether McKinley, Tarpley, Pater, et al., procured 12 claims in the west, exploited 7-11 maters but little, when the real deal is told.

It will take pages to tell it. The history of the case dates back into the early days of the Eastern Oregon country. It had a small start at first, and was not like the proverbial stone that gathered no moss.

Two banks were rivals. The competition for trade from the vast inland Empire centering at The Dalles drove the money lenders into politics. Each in estimation was composed of men with aspirations.

One firm was headed by the Moody and the other was backed by the Mays family. It was a case of relatives operating in the affairs of the business and political world.

Moody opposed Mays, and vice versa. They had turns at the wheels of patronage, and they both used every opportunity to feather their own nests.

Their hatred increased, and two years ago Mays accomplished the defeat of Moody for renomination to congress, securing the plum for one of his friends,

J. N. Williamson. This defeat was followed by the indictment of Moody for frauds in connection with the postoffice matters. It was openly charged at the time that politics were at the bottom of the whole deal, and that Mays was under the whole mess, just to even up with his rival Moody. The latter was acquitted, and his reputation was saved.

Now we are started with the announcement that Senator Mays has been indicted by the grand jury on a land fraud charge. The evidence is said to be strong, but it will take strong evidence to secure a conviction.

It must be unbiased testimony of people who are not interested in the land frauds, and not come from the throats of self-confessed culprits.

Moody always had more or less favor at the hands of the administration at Washington. It is more than likely that he has fostered and nurtured considerable of the determination on the part of Hitchcock and his special agents to smoke out the "rascals." The hatred that Hitchcock bears toward Hermann and his friends has been a portion of the compound that the people of Oregon are now getting.

It is doubtful whether sentence will ever be served in any of these cases. There was probably fraud committed in many instances, but it is only a shadow of the wrongs that have been inflicted upon the people of Oregon and the home-seekers throughout the West under the guise of law.

The Northern Pacific railroad company grabbed hundreds of thousands of acres of the most valuable timber land in Oregon, and it never paid one cent for it, yet it was acquired "lawfully."

A steel mill was passed, allowing the railroad to relinquish "such land as it did not desire, and to take lien land scrip, which could be located on any vacant government land in any state through which the railroad passed."

The Northern Pacific has a few miles of track from Kalamia to Portland, and it sneaked into Oregon under that flimsy pretext. It laid scrip on unurveyed lands in the heaviest timber belt in the north.

The Northern Pacific refuses to pay taxes on the land thus acquired and squatters lost everything they had on their little mountain ranches.

The Northern Pacific relinquished thousands of acres, yet miles and miles of worthless sand hills and cactus plain in Montana, Idaho and Eastern Washington, and received scrip. Was that "protecting" the rights of the people of Oregon?

Crucially the little fellow. Use the federal and state courts to "even up" old scores. Do this and other things in the name of justice.

But, with Mr. Heney's assistance, may the great corporate interests be protected, and the real fraud on the rights of the people of the state go ununpunished.

Why not investigate the authors of the law allowing these privileges? Why not send out spies for the next ten years if it is necessary, and let the people know they were betrayed by legislation?

Why spend thousands of dollars to ferret out illegal fraud in a dozen claims and pass up and mildly blink at the real deal?

Will Mr. Heney dare go back to the congressional records and learn who favored, fostered and connected the infamous Northern Pacific steel bill?

In the mean time the hand of Malcolm A. Moody is in evidence in the present trials.

PROHIBITION LAW IS TO BE TESTED

Petition for Writ of Review Granted

MAX WEISS INSTITUTES ACTION

Precinct of Deer Creek, North Roseburg Involved—Case Is Up Today

As was exclusively announced briefly in Thursday's Plaindealer, a petition for a writ of review was on that day filed in the circuit court of Douglas county by Max Weiss, in the proceedings governing the order issued by the county court of Douglas county Nov. 21, 1904, declaring prohibition in those precincts of the county where majority votes were cast in favor of prohibition.

Mr. Weiss is a well known brewer and ice manufacturer who operates a large and expensive plant in this city. His position in the above mentioned cause involves in its wording, only Deer Creek precinct, which went "dry" at the last election and which embraces considerable of the business portion of the city of Roseburg.

Judge J. W. Hamilton, of the circuit court Friday morning granted the petition for the writ of review as prayed for by Mr. Weiss, and after the petition was granted it was agreed between Messrs W. W. Cardwell and J. O. Watson, attorneys for Mr. Weiss and District Attorney Geo. M. Brown, who will represent the county by virtue of his office, to argue the case before Judge Hamilton Monday, today, the case now being in progress. The point sought now by Mr. Weiss is to have the county court's order annulled in so far as the precinct of Deer Creek is concerned.

Mr. Weiss' petition is based on alleged irregularities in all the details of the election. It sets forth the following allegations: That the petition for submission of the prohibition question to the voters did not bear the signature of the requisite ten per cent of the total number of registered voters at the preceding election; that the petition itself was not fully signed according to law; that the signatures were not compared with those on the registration books; that the notices of election were illegal in that they did not bear the seal of the County Court or the name of the County Clerk in his own handwriting, and finally—the strongest allegation of prohibition for "Native County Douglas" whereas the "precinct" is made the unit in the County Court's order.

Deer Creek precinct contains six saloons, the existence of which after January 1, hangs on Judge Hamilton's decision. The saloons are conducted by J. T. Goodman, F. Poquette, C. L. Reed, Chaddock & Chappell, Johnson & Clark and T. C. Bloomer & Co.

Nothing new has developed as to Senator Mitchell and Congressman Hermann and their cases have not yet been considered, though testimony has been given which incidentally touches upon their relations with Pater and some of his confederates.

State Senator George C. Brownell professes to be undisturbed by the prospect of investigation by the grand jury into his alleged connection with the land frauds and says that he can readily clear himself of all suspicion.

Brownell says he has nothing to say with regard to the matter, he said yesterday, "except that I invite the fullest investigation. Any instrument I may have attested as a notary was attested in good faith and in no instance have I ever exceeded the authority of my notarial office. While I dislike to have my name associated with an affair of a criminal nature, I have no grievance against the government's going into remote details, for it is often necessary to pursue this policy in order to get at the truth. If I am connected with such details, I stand ready to explain and assist the authorities in their investigation."

"I have no fear of the action of the federal grand jury. I have never had anything to do with land deals or land speculation. I have never even taken advantage of my homestead rights under the law, and have never made a dollar in the land business. "I am not worrying at all,"

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THE THAW-NESBIT COMPLICATION. Harry K. Thaw, of Pittsburgh, brother of the Countess of Yarmouth, has attracted a good deal of attention by his recent divorce. His latest arrival from Europe with Miss Evelyn Nesbit, to whom he was supposed to have been married. They went to a New York hotel, the proprietor of which ordered them to register as man and wife—or quit. They left and refused to say whether or not they are married. The latest rumor is to the effect that Mr. Thaw's relatives have cut off his allowance of \$15,000 a year.

RESPITE IN THE LAND FRAUD INVESTIGATIONS

No Further Mention Is Made of Mitchell and Hermann—G. C. Brownell Is Not Worrying

PORTLAND, Dec. 25.—The adjournment of the federal grand jury until Tuesday morning has occasioned an interruption of the sensations which have come with bewildering rapidity since the sessions began. Inquirers and accused will have a brief respite.

Rumor is still busy, however, with the names of prominent men who are said to have been connected, directly or indirectly, with the land frauds. It is asserted that evidence presented within the past two days places Dr. W. H. Davis, mayor of Albany, in a very unpleasant light, and that the grand jury is seriously investigating transactions in which he was concerned. There is strong reason to expect indictments against C. E. Loomis and S. B. Ormby, soon after the jury reconvenes.

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SENATOR MAYS IS INDICTED

Denied the Privilege of Making Statement

CHARGES PREFERRED AGAINST MAYS

Mays' Statement—He Roasts Heney, Hitchcock's Man Friday

PORTLAND, Dec. 23.—One of the most high-handed proceedings masqueraded under the name of justice was the refusal of the federal grand jury to hear an explanation of the charges preferred against him and the subsequent finding of an indictment against ex-Senator Mays whose bail was fixed by Judge Bellinger at \$4,000. The bond was signed this morning by A. L. Mills, president of the First National bank, and by Frank M. Warren. Senator Mays went in person before Judge Bellinger and asked time in which to move or plead, and the request was granted.

The charge against Mays is that he conspired with Horace G. McKinley, S. A. D. Pater, Marie L. Ware, Emma Watson, Dan W. Tarpley, Robert Simpson and "John Doe and Robert Roe," all named in the indictment as co-defendants, to defraud the United States out of a portion of its public lands in township 24 south, range 7 east of the Willamette meridian, by means of false and forged applications, affidavits and proofs.

In brief the indictment charges that the homestead entries made in township 24 by methods similar to those used in township 11-7, which were exploited during the Pater trial. Most of the entries were in the names of fictitious persons. One real person, Robert Simpson, who is indicted with Mays, made a pretended entry in the township.

Certain of the claims were transferred by forged instruments to Emma Watson, and she in turn conveyed three of them to Thaddeus S. Potter, who, the indictment charges, was acting as agent for Mays. Potter subsequently conveyed two of the claims to William A. Peters of Seattle and the third claim to M. F. Henderson.

Patents were issued by the government upon the fraudulent claims and were delivered to John H. Sluope who, according to the indictment, was the agent of the conspirators, though it is not charged that he had knowledge of the fraud that was being consummated.

State Senator F. P. Mays made this statement concerning his indictment: "I am, of course, very much mortified and feel very keenly the disgrace of being indicted by the grand jury, but I trust that my friends and the public will withhold judgment until I have an opportunity to show my innocence. I have suffered in silence during the past several weeks, while my name was being made use of in the newspapers and on the streets as being connected with these land frauds, but I confidently expected that when the matter came before the grand jury I would be accorded the usual privilege of appearing before that body as a witness in my own behalf, and I rested in the feeling of absolute certainty that upon a frank, full and fair statement of the facts in the case no indictment could be found against me."

"I am indignant at the treatment accorded me by Mr. Heney, the prosecuting officer of the government, and I feel that I have been deliberately and shamefully jobbed. I want my friends to know the facts, and then I will await my trial with composure, but I am almost at a loss for words to express my feelings of bitterness and resentment at the way I have been treated."

Henry Secured Perjured Testimony. "I charge and can prove that my case has been railroaded through on perjured testimony, given by perjured witnesses, whom Mr. Heney himself publicly denounced in the most scathing terms in the court room less than two weeks ago. It is currently reported, and I have no doubt it is true, that he entered into a bargain with these same men, whom he called liars and perjurers and thieves, and whom he characterized as utterly unworthy of belief, and, by holding out to them the prospect of immunity from imprisonment if they would give evidence to secure an indictment against me, and against Senator Mitchell and Representative Hoermann, he procured them to go before the grand jury and swear away my good name, and yet would not even let me have the privilege of going before that body to explain the circumstances that were produced against me."

"One thing more. I want my friends to understand the motive of Pater in charging me with complicity in their crimes. For this purpose, I will briefly state my relations to Pater, and how I am connected with this unpleasant business."

"I was attorney for Pater in some matters in the courts, and acquired from him three pieces of timber land. For lands I gave full value, and I had no knowledge or reason to suspect that they were procured by him fraudulently. I

took these lands in the name of another, for reasons that I will fully and satisfactorily explain when I am given that privilege.

His Connection With Mitchell's Letter. "They say I wrote a letter introducing Pater to Senator Mitchell. I think it is no crime if I did, and I want to say that I had no means of knowing, nor did Senator Mitchell know, when he introduced this fellow to the land office at Washington, that he was engaged in any frauds. It is very strange, and very suggestive of the motives of Mr. Heney, that the indictment is hurried to consummation before the arrival here of Senator Mitchell and Representative Hoermann, both of whom Mr. Heney knows are now on their way to Portland and due here within two or three days. Senator Mitchell and Mr. Hoermann know and can testify positively that I have never procured nor endeavored to procure them to further any fraudulent schemes."

"This whole thing is a persecution, and evidently there was no intention from the beginning to give me a fair show."

An Accident at Marshfield. MARSHFIELD, Dec. 21.—When George L. Stemmerman, with his wife and son, who reside on Coos river about 20 miles from here, were out hunting yesterday, about noon, on the hill back of their house and were sitting on a log waiting for their little boy to fall backward off the log, the hammer of his 22-caliber rifle struck a rock and the weapon was discharged, the bullet striking the mother in the back above the hip, coming out at the abdomen. She was immediately brought to town and taken to the Horstall hospital. Chances for her recovery are fair.

After the Railroad Company. The Albany Democrat says: "The first-class freight rate between Portland and Albany is 26 1/2 cents, and between Portland and Eugene 48 cents, a decided advantage for this city, given it by river navigation."

After the coming session of the legislature this will probably be changed. Eugene and all of Southern Oregon have become tired of the illegitimate freight holdup practiced by the S. P. R. R. Co. on us.

The present members of the legislature from Lane county were elected on a platform that specifically stated that the freight rates must be regulated, and any member of the Legislature from Lane county who does not do his duty, and see that this unjust robbery is regulated by law, might as well bury himself in the political graveyard.

The law can easily be passed if desired by the Lane county contingent, as they will, practically speaking, control the legislature to the extent of having what they want.

The unjust freight discrimination against Southern Oregon is about at an end.—Eugene Guard.

W. E. Coman, the genial and efficient general passenger and freight agent of the Oregon branch of the Southern Pacific Railroad Company, spent a few hours in Roseburg Friday looking after the interests of his company. In a pleasant call at the Plaindealer office he discussed freely the commercial and industrial prospects for Oregon in 1905, taking a most practical and optimistic view of it. He says the remarkably low rate to be established by the various great railroad lines to the coast will be an inducement to thousands of Eastern and Middle-Western people to visit the much talked of Pacific Northwest, view its grandeur and investigate its opportunities and advantages to investors and home-seekers. The most advertised Lewis and Clark Exposition with its great Pacific coast and Oriental exhibit is, of course, the paramount consideration in a combined business and pleasure trip to the "land of the setting sun."

The Southern Pacific, Mr. Coman says, will be equally as liberal in its special rates to Southern Oregon which will give this portion of the state its full share of sight seers, investors and home seekers during the season's great influx of visitors.

Mr. Coman says that by the time the crowds start westward Portland will be amply able to comfortably accommodate all and at a reasonable rate.

He also stated that encouraged by the remunerative prices received for grain and all kinds of farm products for the season just closed and the beautiful fall weather following, the grain, hog and sheeping appearance to her multitude of visitors next year. This is indeed fortunate and assures a growth, development and advancement in Oregon for the coming year, greater than has been anticipated by the most optimistic. It will be a year of unprecedented growth, development and progress.

W. E. COMAN VISITS ROSEBURG

Is Optimistic Relative to Oregon's Future

LEWIS AND CLARK FAIR WILL BEGIN NEW ERA

Portland Will Be Amply Able to Take Care of Visitors to The Exposition

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R. W. FENN
Civil Engineer
Lately with the government geological survey of Brazil, South America . . .

U. S. Deputy . . .
Mineral Surveyor
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For the best dental work at most reasonable prices, go to Dr. Strong in the little brick opposite Stocum's hall.

See Sykes & Carroll and get their prices on plumbing and tinning before purchasing.

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Our Display of Box Paper will delight you and the prices will command your favorable attention.

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