

LAND OFFICE ROTTENNESS SHOWN IN REPORT OF GREEN WHO ASKS HERMANN'S INDICTMENT

Searchlight of Investigation Reveals Devious Paths Trod by Former Land Commissioner Expelled in Disgrace.

By His Personal Direction Patents Were Issued to Land Grabbers Within Three Days While Honest Settlers Waited Three Years.

(Washington Bureau of The Journal.)

Washington, May 7.—There are rumors in Washington at the present time that the interior department has as the result of investigations extending over a couple of years, brought to light evidence which so seriously involves certain western men as to make their indictment almost a certainty.

But as these men are almost without exception Republicans, it is hinted that on account of the approaching election no steps will be taken for their prosecution until after next November, and then, with the time it will take for the preliminaries incident to indictment, etc., the statute of limitations will run in some of the cases and they will never be brought to trial.

With the postoffice scandals fresh in the public mind and the exploitation of scandals affecting public land matters in the interior department it is considered unwise by the administration to take any active steps looking to prosecution.

The president's advisers believe that it would place in the hands of the Democrats another weapon, and as a result of this probably one of the most comprehensive systems of fraud ever perpetrated on the government, whereby it was defrauded out of thousands of acres of lands and the proceeds of other thousands of acres, will be hushed forever.

Hermann's administration of the United States land department will take its place in history as the period of the most colossal land and timber frauds that this country has ever known. The organized ring of land-grabbers who were preying upon the honest settler, had active assistance in the land department itself, which was the very hotbed of dishonesty and corruption.

The frauds that were perpetrated were of the most glaring character. Vast tracts of land were secured by the thieves upon forged applications and perjured testimony. Information as to contemplated reserves was habitually sold by Hermann's immediate subordinates to the conspirators, who were thereby enabled to make homestead entries for the sole purpose of exchanging the lands for scrip.

The fraudulent entries were rushed to patent with extraordinary haste, frequently by the express order of Hermann himself, while honest settlers were compelled to wait for 10 months to three years before action was taken upon their applications. The atmosphere of fraud pervaded the land office and upon no one did suspicion of honest man fasten so strongly as upon the land commissioner, Binger Hermann.

Much of the rottenness that prevailed in his office has been brought to light by the investigation before the grand jury in Washington, D. C. Some of Hermann's immediate subordinates and most confidential assistants have confessed their share in the frauds, and have acknowledged that they were in the pay of the land thieves. Indictments are now pending against others who served in the department under Hermann.

Government Gathering Evidence. For months the agents of the government have been gathering evidence as to the enormous swindles of the Benson-Hyde ring, and it has been freely intimated that Hermann was deeply involved in these transactions. Until the government completes its case, the full foundation for this particular charge

cannot be known, but it may prove fortunate for Hermann that the congressional election is so near at hand, and that the machinery of the law moves so slowly.

The fraudulent surveys of public lands, based upon forged affidavits, for which ex-Surveyor-General Bessmer is now serving a prison term, were made with the express sanction and approval of Binger Hermann. It was these frauds which were exposed in the report of Inspector A. R. Green in December, 1892, and because Hermann was regarded as responsible for them, he was dismissed from the land office.

Hermann's Fairly Defense. Binger Hermann is now trying to convince the voters of the First district that he had no part in the wholesale robbery of the government, which disgraced his office. He would have them think that the conspiracy which involved some of his most confidential assistants was wholly unknown to him. He pretends that the brazen stealing which was going on under his nose, and which had already become a national scandal, aroused in him no suspicion of wrongdoing.

It was a mere accident, he says, that patents were issued to the land thieves in three days after application, while honest settlers had to wait three years.

He was the unsuspecting victim of wicked men when he approved the fraudulent surveys of public lands, which yielded those responsible for them many thousands of dollars. With all the power of the government at his back to detect and to prevent fraud, with numbers of secret agents at his command to ferret out illegal entries and surveys, Hermann would have the public believe that he was a trustful, innocent, unsuspecting dupe.

To escape the charge of being a knave, he makes himself out a fool.

Malfeasance Began Thirty Years Ago. Hermann has been in public life for more than 30 years. He began his career in the government service as receiver of the Roseburg land office, to which he was appointed in 1871. He was removed when his term had but half expired, because, in direct violation of the federal statutes and the written and printed instructions of the interior department, he made cash entries upon government land in Coos and Josephine counties, in his own name, and bought and sold the same as private property.

These facts are proved by the records of the Roseburg office and by the affidavit of J. H. Booth, the present receiver there. The lands which Hermann illegally acquired are still owned by him and form a part of the immense fortune which he has accumulated during his long career of office-holding. When these facts were made public during Hermann's campaign last year, he made the puerile defense that he did not know that he was doing wrong, or that he was violating the law and the instructions of the department; that he and his apologists are putting forward in this campaign—that he was a fool, not a knave.

Roosevelt Demanded His Resignation. When President Roosevelt entered upon office after the assassination of McKinley, he demanded that there must be a change in the administration of the land office, which was already exciting general scandal, and he so notified Hermann. The latter begged the president to allow him to remain a few months longer and the president finally yielded to his entreaties, agreeing to allow the commissioner to remain for six months.

But little meantime grave charges were filed against Hermann. Inspector A. R. Green submitted a report to Secretary Hitchcock in December, 1892, which charged the land commissioner with direct complicity in the fraudulent surveys of public lands in Oregon, and advised that he be removed from office immediately. The report was submitted by Hitchcock to President Roosevelt, with the result that Hermann was dismissed in disgrace from his office. The surveys which formed the basis

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BINGER—GREAT SCOTT! THAT STORM IS COMMENCING EARLY.

RUSSIANS HELPLESS

Japan Has Nearly a Quarter of a Million Men in the Field.

FORTIFY A PENINSULA

Port Arthur Blocked by Land and Sea Must Fall to Mikado's Men—Russians Put to Flight in Second Battle.

(Copyright Hearst News Service by Leased Wire to The Journal.)

London, May 7.—Despatches from the far east today indicate the most startling advances in Japan's sensational land campaign, and have reported that she has captured Feng Wang Cheng. She has again put the Russian forces to flight.

She landed troops at Takushan, 40 miles west of the mouth of the Yalu. She has completely blockaded Port Arthur. Admiral Togo reports wonderful heroism on the part of his men that manned the fleetships.

Japanese troops have thrown up fortifications across the Liao Tung peninsula and have mounted guns. Japan now has across the Yalu river and into Manchuria almost 200,000 men. She has more than 100,000 men within 100 miles of Mukden.

FENG HUANG CHENG CAPTURED.

One Report Says Both Lost Heavily—Another Says Russian Loss is Small.

(Special Dispatch by Leased Wire to The Journal.) St. Petersburg, May 7.—Feng Huang Cheng was captured by the Japanese troops Wednesday. The losses on both sides are reported to have been heavy. The Russians officially confirm a retreat, declaring that the Japanese pressed the retreating troops, though with few losses to either side. The Japanese have destroyed the railway at Fort Adams, blowing up the bridges.

The ominous alliance of General Kurapatkin since the battle of the Yalu is causing uneasiness and filling the air with wild rumors, one of which is that General Kurapatkin is a traitor. A movement on Feng Huang Cheng, met the Japanese in a disastrous engagement, Kurapatkin being wounded.

This report is officially denied, but the public is uneasy and expecting the worst. Reports from the palace declare that the czar is greatly depressed over the recent reverses at the front. The emperor has telegraphed to General Kurapatkin and General Alexieff demanding in their reports the absolute truth of the conditions at the front, under pain of severe punishment if they continue to deceive him. The result of this warning is that the emperor has received two distressing reports.

The palace version of General Kurapatkin's report is to the effect that the officers defending the Yalu position were surprised to be surprised, not saving a single gun, horse or transport wagon; that the flight to Feng

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DERESZKE ASKS DUSS TO PAY \$20,000

(Special Dispatch by Leased Wire to The Journal.)

New York, May 7.—Edourd deReszke, the famous opera baritone, has instituted suits in the supreme court against Robert S. Johnston, manager of the Metropolitan orchestra, and John S. Duss.

The suit against Johnston is for breach of contract and against Duss as guarantor for the performance of agreement. The amount involved is \$20,000.

DeReszke was engaged March 23, 1903, for a term to commence the following October 1, at \$1,000 a performance. Johnston wrote to deReszke in Poland last July 22: "It is useless for me to tell you how great a failure financially speaking, the spring tour was. It was an irreparable loss to both Duss and myself. I can't afford to manage such an enterprise and you cannot afford to be connected with it. To think of having a loss of this kind with which your name would be connected, stranded as so much artistic wreckage on the broads of some mediocre city in the middle west, is too horrible to contemplate. And yet this would be the inevitable result."

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DEBATES SPIRITED

Amusement Resolutions Are Favorites in Conference.

(Special Correspondence of The Journal.)

(By the Rev. G. E. Glass.) Los Angeles, May 7.—Today's session of the Methodist conference was a spirited one. Fiery debates were the order of the day. Among the memorials and resolutions of first importance presented and discussed on the floor of the general conference were included resolutions to refer the preliminary disposition of paragraph 24 of the amusement clause to the committee on state of the church; to appoint a committee looking to the conversion of a million souls annually to Methodism; to place superannuated preachers on an allowance on a pro rata basis with preachers' salaries, and to amend the rules of conducting commission service so that the people shall have a greater part in an object to secure less proxy worship.

Early in the session, by a rising vote, a resolution was passed this morning appointing a committee to prepare a memorial to the late President McKinley.

Individual Communion Cups. The fact that Bishop Charles H. Fowler some time ago met with an eastern conference, and refused to administer the sacrament of the Lord's Supper because individual cups had been prepared, promises to stir up exciting scenes in the conference.

Twice today the matter came before the conference. Once an attempt was made to secure the passage of a resolution authorizing the use of individual cups; it failed.

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TO FRESHEN SALT LAKE

Great Lucin Cut-Off May Become Part of a Dyke System.

(Special Dispatch by Leased Wire to The Journal.)

San Francisco, May 7.—United States Senator Kearns of Utah, President E. H. Harriman of the Southern Pacific company, and committee of Salt Lake citizens headed by J. E. Dooly, have succeeded in getting the geological survey people instructed by Secretary of the Interior Hitchcock to report upon the feasibility of raising the level of the Great Salt Lake and changing the eastern portion of it into a fresh water lake.

The famous cut-off embankment of the Southern Pacific across the lake will be one of the secondary dykes for this purpose. The action is to dyke off the eastern portion, where all the inflow of fresh water occurs. This inflow is mainly from Bear river.

It is planned to build a dyke from the promontory to Fremont island, thence to Antelope island and from the southern point of Antelope island to the mainland southeast. The theory is that the dykes would hold the water at a reasonable constant stage, higher than the present level.

As the surface rose, the water will flow over into the western or main part of the lake, carrying with it every year a considerable portion of salt and alkali now carried in the waters, the shoreline and the bottom of the eastern part of the lake as it is at present, gradually freshening the whole.

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TO OPEN RESERVES

Indian Lands to Be Ready for Settlement by Midsummer.

(Washington Bureau of The Journal.)

Washington, D. C., May 7.—The officers of the interior department are working on the plans for opening the various Indian reservations as provided by the several acts passed in the closing days of congress.

One of the largest of the reservations to be opened is that of the Crow Indians in southern Montana and bordering on Wyoming. About one-third of the reservation, aggregating over 1,000,000 acres, is to be opened for sale and settlement.

The first step to be taken will be for the officials of the geological survey to make a survey and determine what lands they want to reclaim under the irrigation laws. The director will send out irrigation engineers and they will decide what tracts of the ceded portion they will probably irrigate. These tracts will be withdrawn from settlement until the irrigation system is perfected. The work will probably consume three months' time, at least, and maybe six.

The next step to be taken will be to take care of the interests of the Indians. This will probably be done by allotting to them the lands on which they are at present located, or the apportionment of the lands with their improvements and allow the Indians to remove.

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"NOBODY'S BUSINESS"

Ten Nominees Won't Tell Public Intentions as to Charter.

(Washington Bureau of The Journal.)

Washington, D. C., May 7.—The 10 legislative candidates who have arrogantly refused to say whether they are for or against allowing a revision of the city charter are virtually saying to the voters: "It is none of your business what we propose to do. All that you have to do is to vote for our election."

If it be true that the officeholder is the servant of the public, and that he holds his office only by grace of the sovereign people, then the attitude of these 10 legislative nominees is a direct affront to the voters of Multnomah county.

The demand of the voters that these gentlemen declare themselves upon an issue of gravest moment is declared, forthwith, to be "impudence" and "gall." "The public be damned" is the essential significance of their indifference to the questions that have been put to them.

Does any one imagine that if these 10 candidates had been asked by the managers of the machine to define their position upon any question that is to come before the legislature, they would have hesitated a moment about replying?

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USURERS REMARKABLE METHODS UNCOVERED

(Special Dispatch by Leased Wire to The Journal.)

New York, May 7.—In all his investigations into the methods of usurers, Assistant District Attorney Kresel has uncovered no more remarkable case than that which is revealed today by the arrest of Olive M. Garrett, former cashier of the Aetna Security company, charged with forgery, and Joseph Martin, a lawyer, charged with grand larceny. The Aetna Security company is one of the bogus Rothschild concerns.

Walter H. Stearns, an automobile dealer, wanted to borrow \$300. The Aetna company let him have the money. He was to pay interest at the rate of \$30 a month and also give a chattel mortgage on enough of his property at No. 81 Tenth avenue to cover the loan. Stearns says he gave a mortgage on one \$1,600 automobile, a drill press, a machinist's lathe and a blacksmith's forge.

Stearns says the Aetna Security company wrote in after the words "blacksmith's forge" ten automobile hansom, two automobile busses and two automobile broughams. The automobiles were valued at \$16,000. He never knew that they had been added to the mortgage until the following September, when the lawyer, Martin, foreclosed.

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GEORGE PARKER IS KILLED BY AN "AUTO"

(Special Dispatch to The Journal.)

Kalamazoo, Mich., May 7.—George W. Parker, struck by an automobile driven by Arthur J. Patterson of this city, died here tonight at 5:30. He was a resident of San Francisco, visiting S. J. Dunkley, owner of the Dunkley steamship lines on the Great Lakes.

Parker was a western capitalist, president of the Pacific Coast Gyrfarm company and extensive mine owner with various large banking interests. He was well known as a hotel owner.