HERMANN SUPPRESSED REPORT TO SHIELD THE BENSON-HYDE RING

(Continued from Page One.)

assigned to the investigation of the case.

Although the gravity of the charge demanded that the investigation should be instant, before the conspirators should have opportunity to bribe witnesses or destroy the evidences of their guilt, Hermann selected for the work S. J. Holsinger, a special agent who was already under orders to make an extensive examination of the Kootenai forest district in Montana, and who would not be free to take up the Benson-Hyde cases for several months.

On June 18, 1902, Holsinger was instructed to investigate the charges made by Schneider and Zabriskie, and at the same time information was secretly wired to Benson and Hyde, either by Hermann or by one of his trusted subordinates, advising them of the action taken and of the name of the special agent who had been put on their trail. With this warning it was expected that they would be able to cover up their tracks before Holsinger could return from Montana and begin the task of gathering evidence of the conspiracy.

At every stage of the subsequent proceedings while Hermann was in office Benson and Hyde were kept closely informed of every step taken by the government and of every detail of the evidence secured against them. Even the contents of Holsinger's report, which was transmitted directly to Hermann, became known to them as soon as it reached Washington.

Tries to Delay Inquiry.

But in September, 1902, Hermann's manifest desire to delay the investigation apparently gave way to the apprehension that further inaction might arouse suspicion, for already rumors of the frauds had become general and might at any time reach his superiors. He therefore wrote again to Holsinger, under date of September 30, directing him to make an early report. As quickly as possible Holsinger completed his work in Montana and returned to Arizona, where he began the investigation of the charges made by Zabriskie and Schneider.

Of his own knowledge Zabriskie knew nothing of the Benson-Hyde frauds, but as attorney for Schneider he had learned from his client of their operations. Schneider was in the employ of the Hyde company (the firm name of the conspirators) from 1879 to 1902, and during the last three years of his service he was engaged exclusively in the land department of the company. His business in this department was the forging of names to dummy applications for homesteads, and his time was divided between the San Francisco office of the company, the office of the surveyor general of California and the state land office of Oregon.

In the spring of 1902 Schneider had a disagreement with Hyde because of the latter's refusal to keep certain promises he had made, and Schneider determined to make a complete exposure of the conspiracy. To Holsinger he made a clean breast of the whole business, making no concealment even of his own guilt.

Holsinger's report, which was forwarded to Binger Hermann, November 12, 1902, was a most damning and astonishing revelation of the enormous frauds which had been carried on by Benson and Hyde, and it disclosed the names of employes of the land department who had been the hired tools of the ring. The report could not have been more specific. Names, dates, and descriptions of land were given, and had the document been laid before a grand jury indictments would have resulted within 24 hours.

Hermann had before him the evidence that men in his own department and under his immediate direction and control were deep in the conspiracy to rob the government of its lands, that the most secret information was being sold to the ring by his confidential subordinates, and that even the boundaries of the reserves which the government was creating were being determined in the interest of the conspirators and in accordance with plats prepared in their office at San Francisco.

The case cried to high heaven for instant action. Never in the history of the land office had there been such imperative need that the commissioner should act without the loss of a moment. The complete detection and conviction of the criminals in and out of the land office and the protection of the government which was being robbed on an enormous scale demanded that the machinery of the law should be invoked at once. No honest man, in Hermann's position, could have hesitated for an instant as to his course. No shadow of excuse existed for inaction. Not only were the good name and integrity of the land office and of its immediate head at stake, but even the national administration must be involved in scandal if the report is ignored.

Hermann Pigeon-Holed It.

But Binger Hermann pigeon-holed the report.

For weeks it lay in his desk unnoticed and without action.

Benson and Hyde were informed by wire of the nature of the report and the evidence which had been submitted to Hermann, and they began at once their preparations for defense. When, many months later and after Hermann's expulsion from the land office, the government commenced the prosecution of the conspirators, Schneider had been "fixed" and many other accomplices of the land-grabbers who had been expected to testify for the government refused to do so.

But the report had not been long in Hermann's hands when Secretary Hitchcock learned of its receipt. One of the officials of the land department implicated by Holsinger's report was Forest Superintendent B. F. Allen, who was accused of being a paid tool of the ring. Hitchcock sent for Hermann and drew him into conversation about Allen, saying that the latter had been strongly recommended for promotion. Hitchcock asked for Hermann's opinion about Allen.

Fearful as to the extent of Hitchcock's information and imagining that he was already in possession of the substance of the Holsinger report, Hermann said that some charges had been made which reflected upon Allen. The secretary demanded that they be submitted to him, and Hermann went to his office, got the report from its pigeon-hole, and handed it to Hitchcock.

A hasty examination sufficed to show the secretary the vast importance of the report and the sensational nature of its disclosures. He asked Herrman what action had been taken, and the commissioner was forced to admit that he had done nothing. Hitchcock thereupon peremptorily demanded Hermann's resignation.

Hermann is said to have begged with tears to be allowed to retain his office, or at least to remain until after an approaching wedding in his family, promising to resign shortly afterward. He implored the secretary not to subject him and his family to public disgrace, and Hitchcock finally yielded to his entreaties so far as to give him a few more weeks of official life upon the express understanding that Hermann should resign in January, 1903.

Close upon the heels of this humiliation came the report of Inspector Greene upon the fraudulent surveys of public lands in Oregon, with a mass of evidence showing Hermann's responsibility for them. The whole matter was laid before the president, who fully sustained Secretary Hitchcock's action and concurred in the demand that Hermann resign. To guard against further crookedness in the department, the assistant land commissioner, William A. Richards, was placed in charge, and Hermann, during the last four or five weeks of his tenure of office was a mere figurehead, without authority and an object of watchful suspicion. His connection with the United States land department ceased altogether February 1, 1903.

Agent Holsinger's Report.

The report of Special Agent Holsinger, after reciting the instructions which compelled him to spend several months in Montana before commencing his investigations, relates the manner in which he interviewed Zabriskie and Schneider and then proceeds as follows:

"Mr. Schneider's story is as follows: From January, 1879, up to January 1, 1902, Mr. Schneider was in the employ of F. A. Hyde and John A. Benson, in the capacity of a clerk. All the business was done under the name of F. A. Hyde, Benson not being known in the concern, although he has an equal interest in the business. The business of the concern was, real estate, brokerage and that of buying and selling forest lieu-land scrip. During the past three years Schneider was one of the firm's most trusted employes and was exclusively engaged in the land department.

"The firm of F. A. Hyde was quick to see a speculation in handling lieu-land scrip and not content with legitimate business conceived the idea of securing the school lands by locating them under false names or with what was known as "dummies." The first work was done in the Sierra forest reserve in California. The methods employed were to forge some name to an application for the state school lands. A notary public, who was also a party to the fraud, for a certain consideration, certified that the person appeared before him and was known by him to be the identical person who signed the application. These applications were made in the state land offices and title secured. Bogus powers of attorney were executed in the same manner in favor of F. A. Hyde and in due time the scrip was secured and placed on the market.

"For some time it was the practice to hire irresponsible persons to make applications for the state school lands, paying them $10 each for the use of their names. In this way many genuine signatures were secured. However, it became inconvenient to secure such persons and forgery was resorted to as a matter of convenience and economy. The method pursued was this: Advertisements were inserted in the San Francisco papers, (Hyde's office was in San Francisco, Cal.,) for stenographers and book-keepers. As high salaries were promised many answers were received; being applications for the advertised positions. The names signed to these letters of inquiry or applications were clipped from the letters and these letters formed the basis for the "dummies." One case will illustrate their methods. James McAvoy of Martinez, Cal., applied for one of the positions.

"Dummies" Used.

"Schneider was directed by Benson to use this particular name, changing, however, the given name from James to Calvin A. A blank application was now made out for Calvin A. McAvoy, Schneider using the genuine signature of McAvoy as a copy and carefully imitating the handwriting of McAvoy. Not only was this name signed at this time to the application for school-land, but for fear that later the forgery might not correspond with the writing on the application, the name was signed to every document necessary to complete the entire transaction from the application to the deed to the United States, power of attorney to Hyde, etc. Some of this work was done by another clerk by the name of Walter K. Slack, but the most of the "dummies" were made by Schneider and his wife. In the manner related hundreds of fraudulent signatures were made, Hyde and Benson furnishing the genuine signatures upon which to fabricate a fictitious name and a bogus entryman.

"As this business grew it became apparent to Hyde and Benson that to keep up the supply of scrip they must needs resort to other frauds, so they embarked in the business of making forest reserves as far as possible according to their own ideas and interest. They used every possible influence to secure the creation of forest reserves, and also in many instances were instrumental in fixing the boundaries so that every acre of school land which was unlocated which could possibly be included was made a part of the reserve. Schneider alleges that to successfully carry out their schemes it was decided that not only should some of the government agents in the field be "fixed," but it was decided to send one Harry Dimond, an employe of Hyde's, to Washington to interest some department clerk so that they would know every move made in the department of the interior.

"Dimond went to Washington on this mission during the early summer of 1901 and soon notified F. A. Hyde by letter that he had made a satisfactory arrangement with a clerk in the department whereby information would be furnished, the consideration being that when the scrip was secured the clerk should receive 2 cents per acre for his services. Thereafter, Schneider states, they received telegrams and letters from this clerk, signed 'B.' They also employed an attorney in Washington by the name of Keigwin to push the forest reserves and to look after other business in the department. After the creation of the Sierra forest reserve the Hyde concern entered actively into the agitation in Oregon and California of movements looking to the creation of forest reserves, and in every instance where one was created they were instrumental in at least fixing some of the boundary lines so that school lands would fall within the reserve.

Advance Information.

"When it was known where these lines were to be located, the 'dummy' locations were made covering every acre of the unappropriated school land, and private lands were secured by bond or purchase as far as possible. The dummy locations were not filed in the state land offices until word was received from Washington that the recommendation for the reserve had been forwarded to the president. When this was known the dummy applications were filed, the officers of the state land offices being party to the frauds and receiving an agreed-upon commission.

"Schneider implicates two government agents in this fraud—i. e., Forest Superintendent B. F. Allen and Special Agent Pryor. He states that early in 1900 it was decided in the office that it was advisable to secure the co-operation of Superintendent Allen, and he was accordingly invited to call at the office, and soon after did so; that thereafter he was often in the office when in San Francisco, always entering the private office by a side door. Soon after this Hyde informed Schneider in a casual way that he had to take Special Agent Pryor into the secret, and he was instructed to give Pryor the liberties of the office. Schneider states that both Allen and Pryor were freely consulted concerning the status of proposed reserves, and were furnished maps made by Schneider of these reserves as they were proposed by Mr. Hyde. That these maps were made to meet as far as possible the requirements of the department, but always with a view of including as much unoccupied school land as possible.

"Schneider claims that he himself, for Mr. Hyde, actually drew the map of the proposed Lassen forest reserve (not yet a reservation—only withdrawn). That the first map was destroyed and an amended one formulated so as to exclude certain lands owned by wealthy men who threatened to start a strong opposition against the reserve. The general mode of procedure was to enlist themselves in a good cause, with a special object of securing boundaries to best suit their interests.

"When questioned as to whether he had witnessed the passing of money considerations to Superintendent Allen and Special Agent Pryor, Schneider stated that Allen once asked for a loan of money and was accommodated, but he did not know to what amount. Pryor was presented with a thoroughbred Durham bull about two years ago. Schneider paid for the bull and asked Mr. Hyde to what account it should be charged. That gentleman replied: 'Oh, charge it to profit and loss. It was a present to old Pryor.'

"Schneider could only remember a few of the names used as dummies. He named to me the following: Jennie F. Blair, Portland, Or.; Mary D. D. Temyyon, San Jose, Cal.; Calvin A. McAvoy, Martinez, Cal.; A. Appett, Oakland, Cal., and Elizabeth Dimond, 611 East Fifteenth street, Oakland, Cal. This last named address was the address of Schneider. He remembers this name because there was some trouble in securing the scrip and considerable correspondence resulted with the department, in which one letter was addressed to the supposed Elizabeth Dimond by the general land office.

What Hermann Held Back.

"The name of D. Alexander, a notary public located at Portland, Or., was given by Schneider as one of the notaries who attached his certificate to the fraudulent applications. Schneider alleges that about three-fourths of the school entries in the Cascade forest reserve in Oregon, on the school sections, were bogus. All the school section entries in the Lake Tahoe forest reserve were bogus, as were most of them in Zaca lake, Pine mountain and the additions made to the San Jacinto forest reserve."

The remainder of the report dealt chiefly with the complicity of the surveyor general of California in the frauds, and related the manner in which he aided Benson and Hyde to accomplish their ends.

In some supplementary notes which Holsinger attached to his report for the information of Commissioner Hermann, he said:

"I want to warn you that whoever is detailed to investigate this case must have their wits about them. It would not be safe for one man to undertake the case as one special agent was murdered in John A. Benson's office in San Francisco some years ago, and this might be repeated. The men who are detailed should be men of ability who are able to cope with a set of the shrewdest scoundrels in the country, and these men should be strangers in San Francisco. If the Hyde company learn of the investigation they will throw all manner of obstacles in the way and it will be almost impossible to do anything."

With this report and these warnings before him, Binger Hermann saw no occasion to take any action and the papers were consigned to a pigeon hole, where they would be still if Hermann had had his way.

HOME ENDORSEMENT

Hundreds of Portland Citizens Can Tell You All About It

Home endorsement, the public expression of Portland people should be evidence beyond dispute for every Portland reader. Surely the experience of friends and neighbors, cheerfully given by them, will carry more weight than the utterances of strangers residing in far away places. Read the following:

Mrs. D. E. Sawin of 55 East Tenth street, says: "Doan's Kidney Pills were brought to my notice from reading about them in the paper from my home, Leominster, Mass. Every now and then I read of some one whom I knew personally being cured of kidney trouble by the use of Doan's Kidney Pills. I would not have paid so much attention to it had I not known them to be good, reliable people, who would not make such a statement unless it were absolutely true. Last fall, when I found my kidneys were not performing their functions properly, I went to the Laue-Davis Drug Co.'s store, corner of Yamhill and Third streets, and procured a box. They benefitted me very much. To say I have a high opinion of Doan's Kidney Pills expresses my feeling toward them very mildly."

Sold for 50 cents a box. Foster-Milburn Co., Buffalo, N. Y., sole agents for the United States.

Remember the name — Doans — and take no substitute.

IS MOST POWERFUL LOCOMOTIVE BUILT

(Journal Special Service.)

Schenectady, N. Y., May 28.—Engine No. 2,400, built by the Schenectady plant of the American Locomotive company for the Baltimore & Ohio railroad, will be taken next week to St. Louis, where it will be exhibited as the most prominent feature in the transportation building at the world's fair.

The locomotive is the most powerful ever built. The design follows that of the Mallet compound used for heavy hauling. There are six pairs of driving wheels. Three pairs are under the forward end of the boiler and the remaining three beneath the fire-box. The driving wheels are quite small, being but 56 inches in diameter. The weight is 260,000 pounds. Preliminary tests conducted here go to show that the locomotive is 1½ times more powerful than any other locomotive ever constructed.

Preferred Stock Canned Goods.
Allen & Lewis' Best Brand.

Keeley Cure LIQUOR-MORPHINE-TOBACCO HABITS PERMANENTLY CURED — FOR FULL PARTICULARS — ADDRESS THE KEELEY INSTITUTE, PORTLAND, ORE.

DEAFNESS CAN BE CURED

Here is a message of joy that will bring gladness to thousands of hearts—that will give happiness to those who now suffer from that grievous affliction—Deafness. It is more than a message of hope—it is the positive statement of a definite fact. Deafness can indeed be cured, as recent medical and scientific discoveries have proved. The world moves on in many ways—in knowledge, in invention, in wealth, in goodness—but greatest of all in new methods for curing what were considered incurable diseases. Day and night the most learned and skillful physicians are studying the causes and cures of the various ailments that affect the body and sadden the heart of man. At last a scholar, more painstaking or more learned than the rest, finds the cure that means salvation for countless sufferers.

The causes and cure of Deafness have for years been daily studied by Dr. Sproule, the eminent English specialist. His heart has often ached over the unfortunate lot of the victims of this trouble. The thought of all they were deprived of, shut off from the world of sound, affected him profoundly. He felt that his life work would not be complete unless he could say to the deaf: "You can be cured." It is now with the deepest pleasure that he does say it. More than that, he has proved it, as his grateful patients testify. In the fullness of his sympathy, he offers to all persons afflicted with deafness

FREE CONSULTATION AND ADVICE

If you are deaf, write to him and he will examine your case free of charge and give you his opinion and counsel on it. He will give you valuable information in regard to its cure—and he will do it with sincerity and friendliness, simply because he believes it is a physician's duty to "lend a helping hand" wherever he can. Do not suffer from Deafness any longer. Let your hearing be restored! Hundreds of persons, formerly deaf, bear grateful testimony to what Dr. Sproule has done for them. They took advantage of his generous offer. Now they hear. You can also if you will. Write to him at once.

Do your ears itch?
Do your ears throb?
Are you entirely deaf?
Do your ears feel full?
Does wax form in your ears?
How long have you been deaf?
Are you worse in damp weather?
Do you have pain in the ears?
Do you have noises in your ears?
Do you hear better in a noisy place?
Did your deafness come on gradually?
Do you have a discharge from either ear?
Is your deafness worse when you have a cold?
Can you hear some sounds better than others?
Do your ears crack when you blow your nose?

Answer the above questions, yes or no, and write your name and address plainly on the dotted lines. Cut out and send to Dr. Sproule, B. A., Deafness Specialist (Graduate Dublin University, formerly Surgeon British Royal Naval Service), 126 Doane St., Boston. He will give you valuable advice free.

NAME.....

ADDRESS.....

.....

MAKE READY FOR THE LAND RUSHERS

(Journal Special Service.)

Minneapolis, Minn., May 28.—Outward signs are abundant that a second Oklahoma rush will be witnessed at the coming opening of the Rosebud Indian reservation, in the southern part of South Dakota. Although the date of opening to settlers is more than a month distant, preparations are already making to provide transportation for the large crowds expected to take up the 882,000 acres.

The people of Bonesteel, Platte, Fairfax and other towns adjacent to the reservation are getting together horses and wagons of all sorts to take care of the people who will start from these places. The officials of the railroads running nearest the reservation are in receipt of hundreds of letters daily asking information from prospective settlers and they are counting upon carrying at least 25,000 people on the day of opening.

Preferred Stock Canned Goods.
Allen & Lewis' Best Brand.

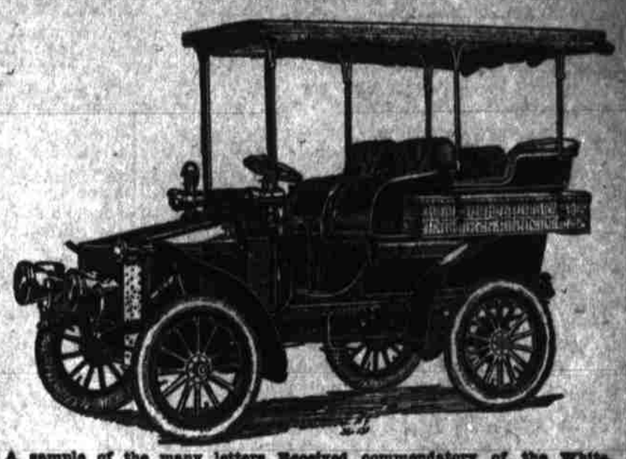
HER CHILD KIDNAPED SHE SEEKS DIVORCE

One of the grounds in a suit for divorce filed in the circuit court by Sarah M. against Benjamin F. Boyer, Thursday, is that four years ago he kidnaped their 2-year-old child and has since refused to divulge where he is hiding the boy. When the husband returned home several months afterward, Mrs. Boyer charges, he endeavored to divert her mind from all thoughts of recovering the little fellow by telling her he had taken sick and died. When questioned as to where and when he died, she declares, her husband remained silent.

The couple were united in Deuel county, Nebraska, June 16, 1895. Her husband has treated her cruelly for several years, Mrs. Boyer alleges, once striking her on the head with a heavy rope and injuring her severely. She says that he has frequently called her vile names. Mrs. Boyer wants a divorce, the custody of the child, and the right to resume her maiden name of Collier.

The White Touring Car

The incomparable White Touring Car is the best car made in every respect for pleasure or business. It is a reliable roadster and holds the world's record as the fastest stock car ever put upon the track.



A sample of the many letters Received commendatory of the White.

OFFICE OF
Southern Oregon Commission Co.
W. T. TURNER, Manager
Dealers in
POULTRY, BUTTER, EGGS, RAW FURS, HIDES, PELTS, ETC.
95 Front Street

Portland, May 26, 1904.

Mr. J. B. Kelley, City—Dear Sir: Yours to hand asking if I am satisfied with my White car bought of you last January. I beg to say that I am more than pleased with it, and would not sell it today for double the price it cost me if I could not purchase another like it. I have not had one minute's trouble with it so far, and have all confidence in it to go every time and as fast as any one wants it to go. More than that, the automatic parts have worked to perfection and have never been touched or adjusted yet.

I will agree with you that in my judgment there is no better car made than the White.

Yours Truly,
W. T. TURNER.

Over 150 of these cars sold on the Coast since January 1, 1904.
Impervious to Dust or Mud. Silent in Operation. Can be Operated by a Lady.
AND IS THE CAR THAT ALWAYS COMES HOME.

For convincing proof of the good qualities of these cars, ask for the names of Portland owners. There are a dozen of them that will be glad to talk "White" with you, and not a "kicker" among them.

Call at 214 Second Street, Portland, Or., see the cars and have a ride.

J. B. KELLY
AGENT

Phone, Main 692. NORTHEAST CORNER SECOND AND SALMON.

We Put It Up for You

We are talking about wall paper, after you have selected from our many and varied patterns what you like best, and we make a good job of it—plenty of people to prove it. If you're refitting you certainly should see our designs.

Ernest Miller
127 First Street

"WHAT'S UNDER THE PAINT"

WELL THAT DEPENDS UPON THE NAME ON THE ARTICLE, IF IT IS

STUDEBAKER MAKE

THEN

It's "what's under the paint" that counts.
It's "what's under the paint" that makes a vehicle.
It's "what's under the paint" in Studebaker's vehicles that make them long-lived.
It's what's under the glossy finish that makes Studebaker's vehicles of honest construction.
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