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THESE ARE CHARGES HERMANN CANNOT EXPLAIN SATISFACTORILY

Special Agents' Reports, Records of the Government and His Own Admissions Declare That He Is Guilty of Violation of the Plain Established Laws.

Land Which He Acquired While Receiver at Roseburg Was Taken Up in Defiance of President's Express Prohibition—His Flimsy Pretense That He Was Under a Missapprehension Absurd.

pring of 1902, Land/Commissioner Binger Hermann delayed the investigation by sending Special Agent Holsinger, who had been assigned to the work, into Montana and keeping him there for more than three

When Holsinger's report, containing a complete exposure of the frauds, the confession of J. H. Schneider, the confidenital agent of the ring, and the evidence upon which to base instant preceedings against the conspirators, reached Washington in November, 1962, Hermann suppressed it. He kept the report hidden. until Secretary Hitchcock, learning of its existence, forced him to produce it.

This report, now on file at Washington, afforded the basis for the prosecutions instituted after Hermann had been dismissed from the land office, and which have resulted in the indictment of John A. Benson, Frederick A. Hyde and some of Hermann's trusted subordinates. Hermann's suppression of the report was one of President Roosevelt's reasons for removing him from office.

2. The report of Inspector A. R. Greens, forwarded to Washington in February, 1908, and now on file in land department, recommended that Hermann be indicted for rushing to patent the fictitious homestead entries of the Puter-McKinley gang, in the face of reports by two special agents of the department exposing the fraudulent nature of the entries. Greene's report names 12 bogus entries in the Cascade mountains forest reserve, which Hermann had himself declared in writing to be fraudulent, but which he made special, causing them to be approved and issuing patents upon them three days after approval. Honest settlers were compelled to wait from ten months to three years for their patents.

3. The indiciment now pending in the federal court of this city against Horace McKinley, S. A. D. puter, Marie Ware and Emma Watson, recites that they filed false and fraudulent homestead applications, supported by forged and perjured affidavits, and that patents were issued upon them 13 days after ap-

4. The records of the land office at Roseburg show that Hermann, while receiver of that office, acquired 4,000 acres of public land, in violation of law and in c apt and defiance of specific instructions from President Grant, forbidding such purchases by registers and receivers of the local land offices. This land Hermann still owns, never having offered to make restitution to the government.

5. The report of Inspector A. R. Greene, forwarded to Washington in November, 1901, and now on-file there, charged Hermann with direct responsibility for the fraudulent surveys of public lands in Oregon, for which ex-Surveyor General Henry Meldrum is now under indictment. By these frauds the government was mulcted of over \$50,000. Attached to the report were 51 exhibits, including letters and telegrams from Hermann authorizing the surveys, but all of these documents have mysteriously disappeared from the files. It is said that they were last seen the day before Hermann went out of office, and that they were then . on his desk. When they were wanted for presentation to the grand jury last March they could not be . found.

6. The report of Special Agent Holsinger, already alluded to states that under Hermann's administration of the land office forest reserves were platted in accordance with plans prepared in the San Francisco office of Benson and Hyde, the boundaries being fixed so as to facilitate their steals, and one of Hermaan's confidential clerks kept the conspirators constantly informed of every move by the department that could affect their interests. That this could not have been done without the knowledge and consent of Hermann has been repeatedly stated by the Oregonian, which is now defending him.

Binger Hermann asserts that the 4,000 | the Roseburg office, and are still on the emphasized by express instructions from acres of goernment land taken up by him statute-books.

The attention of President Grant had while he was receiver of the Roseburg tand office were acquired in ignorance that he was violating the law or the rules of the department.

did it with full knowledge that he had purel no right to do so, and that he was acting contrary to the express prohibition of the president, who had notified all registers and receivers of land offices unlawful. that they must not acquire government

Prior to 1871, when Hermann was appointed receiver at Roseburg, considerable scandal had been occasioned by the practice among certain officials of local land offices of taking up government land offices of taking up government lands. This was in violation of numerical lands. ous provisions of the federal laws pro-hibiting all officials, clerks and em-ployes of the land office from "directly or indirectly purchasing or becoming in-terested in the purchase of public lands." These laws had been in force for many years before Hermann's appointment to

CHARTER'S FRIENDS AND FOES ALIGNED

The committee of citizens appointed by the public meeting to take steps with reference to the various legislative candidates as were calculated to insure the maintenance of the present city charter has made public recommendation that the following named continues he wild deep by named gentlemen be voted for by all who believe that the charter C. W. NOTTINGHAM. R. W. MONTAGUE. W. L. BREWSTER.

E. R. CLARY. JOSEPH E. HEDGES It recommends that the follow-ing men be voted against as being

A. A. COURTENBY. A. J. CAPRON. A. J. CAPRON.
THOMAS H. CRANG.
W. R. HUDSON.
MADISON WELCH.
GEORGE W. HOLCOMB.
Save the list, for it will help
you in making out your ballet in
the interest of good government.
The list should be in the hands
of every voter who favors keeping the charter intact.

been called to the violation of law by local land office officials, and during Hermann's term at Roseburg the presi-Hermann's term at Roseburg the president issued a special order directed to all registers and receivers of land offices, prohibiting them from making purchases of government land. A copy of this order was received at Roseburg and was posted in the land office. It was notice to Binger Hermann that his

Nor was this the only notification of lic land, and any person who violates this character that Hermann received this law shall forthwith be removed

and imperative instructions that Her-mann began to accumulate his holdings on extensive tracts, and by thrifty speculations in scrip he constantly added to his possessions. The foundations of the fortune which he has amassed during shall take or receive any fee or emoluhis long career as an office-holder were thus laid in violation of the law and in disregard of the orders of the president and the secretary of the interior.

During the two years that he was in the Roseburg office Hermann secured 3,000 acres of land in Jackson county and 1,000 in Coos county. This land he act again prohibited all officers of the still owns. The Journal published re-cently an official certificate from J. H. purchasing or in any way becoming in-Booth, receiver of the Roseburg land of-fice showing that these entries were made by Hermann, and giving dates and descriptions of the land. These data were taken from the records of the office. They show that on February 14 and 19, 1872, Hermann entered, by agricultural college and bounty scrip, upon It is absurd to contend that the prohiportions of sections 21, 26, 27, 28, 33 and bitton was intended only for officials in

Hermann Does Mot Deny. Hermann cannot dispute the evidence

"I did make such an entry," he admitted in his speech at Salem.

The excuse he offers is the filmsy pretext that at that time the law prohibited entries by land office officials was popularly construed as applying only to those in the general land office at Wash-ington. He asserts that not until June, 1900, was this law interpreted as apply-ing to the officials of local land offices. This is abundantly contradicted both by the instructions sent to Hermann from Washington and by the laws themselves. The federal statutes in force in 1872, when he took up public lands, were unmistakable in their prohibition of Fundamental acts. The prohibition had been here.

President Grant himself, as well as by Hermann set at defiance the law and the mandates of his superiors. laws which forbade acquisition of the public lands by receivers and registers

were the following: Section 452, Revised Statutes of the United States, provides: "The officers, clerks and employes in the general land office are prohibited from directly or speculations in government land were indirectly purchasing or becoming inter-unlawful.

nications were sent to him from the gen-eral land office at Washington, warning 25, 1812, establishing the land office, is clety leader of this city. "And be it further enacted that no

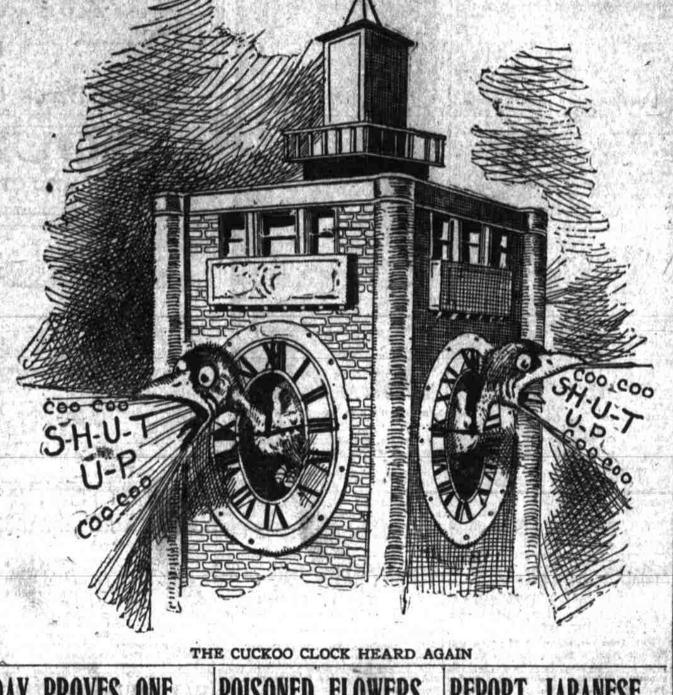
public land.

person appointed to an office instituted day to succeed Mayor McLane. The latity was in defiance of these repeated by this act, or employed in any such ofiter was a Democrat. No further explaand imperative instructions that Herfice, shall directly or indirectly be connation of McLane's act has been made cerned in the purchase of any right, title known other than despondency over crit-or interest in any public land, either in icism aimed at him since the big fire. person, or in the name or right of any other person in trust for himself, nor ment for negotiating or transacting the pay \$100, and upon conviction shall be removed from office."

terested in the purchase of any of the public land."

34, township 36 south, range 2 east, and that on March 1, 1872, he made cash entry upon portions of sections 20, 21, 22, 26, 27, 29, 32 and 33 in the same townlaws were aimed primarily against the receivers and registers of the local land offices, who would otherwise be able to seize upon all the choicest lands in their districts to the exclusion of legitimate

the subterfuge by which Hermann seeks to escape responsibility for his acts. He acquired public land in the full knowledge and with ample warning that he had no right to do so. For 32 years he has enjoyed the possession of these 4,000 acres, and apparently without a thought of restitution.



Youthful Husband Slays Wife, Child Flend Desecrates Grave of Mrs. H. W. Port Arthur's Guns Sald to Have and Himself-Engineer Shoots

Woman-Other Cases

(Journal Special Service.) Cambridge, O., May 31 .- As the result of a quarrel with his wife this morning, Andrew Messer went to a his home, and shot both his wife and infant son. He then turned the rifle against himself and sent a ball crashing through his skull, bringing instant

Messer was but 24 years of age and his wife but 17 years old. The child which was sacrificed to the father's temper was but 1 year old. Intimates ssert that the quarrel is believed to have been the first one ever engaged in between Messer and his wife.

MAYOR TAKES LIPE

Baltimore, Md., May 31.—Mayor Rob-ert M. McLane of this city committed yesterday afternoon by shooting himself through the head at his home No known cause is assigned for the act. although by some it is thought that recent criticisms by political enemies may have caused a temporary mental aberra-

He was elected as a Democrat for a term of four years last May. He was 36 years of age, a member of a prominent family and very popular among the people. He was married about two weeks

Clay Timanus, president of the city council, a Republican, became mayor to-

SUICIDE AFTER MURDER. Pittsburg, Pa., May 31.—Irving Wise, well-known mechanical engineer, this morning shot and killed Katle Craff, a business of the office. Any person of-fending in the premises shall forfeit and mitted suicide. It is presumed that the woman rejected his suit.

> JEALOUSY CAUSES TRAGEDY. Anniston, Ala., May 31.-H. F. Hornbuckle, a wealthy resident, shot and killed himself and seriously wounded Legene Dalton, his alleged wife, early this morning. The cause of the tragedy is supposed to have been jealousy. The woman's recovery is doubtful.

WATERS HIGHEST ON

(Journal Special Service.) Paola, Kan., May 31 .- The Marais Descynges river flood is four feet above the highest record. Railroads are blocked and many people at Ossawatomie are homeless. The waters seem to be receding and if no heavy rainfall is experienced during the next 24 hours, they will soon reach their normal level.

INSPECTS LEAVERWORTH POST.

thought of restitution.

ENT. MR. SCANLON IS DEAD.

(Journal Special Service.)

(Journal Special Service.)

Fort Leavenworth, Kan., May 81.—

Secretary of War Taff reviewed the garrison and inspected the post here this morning, then boarded a troiley for Kansas City, where he will participate chancellor of the archdiocese of San Francisco, died today at St. Vincent's make a speech at Convention hall before hospital of a complication of ailments leaving for Washington tonight.

Prettyman and Then Administers Deadly Drug to Fowls.

Prompted by a motive that has not been explained, a fiend in the person of a young man desecrated the grave of Mrs. H. W. Prettyman in Lone Fir cemetery yesterday and made a vicious attack upon the home of Mr. Prettyman. At the Prettyman residence in Mount Tabor poison was distributed about the place and caused the death of 30 chick-

The deed is one of the most mysterious and dastardly that has ever been brought to the attention of the local detectives. Officers are working on the case, but have failed to find a clue that will likely result in the arrest of the perpetrator. It is believed, however, that the deed was done by a young man who claims to have a grievance against the Prettyman family.
At 11 o'clock yesterday Mr. Prettyman

and his daughter went to the grave of his wife. They placed a number of flowers on the grave. Then they went home to luncheon and returned to the grave in the afternoon.

Plowers Turned Black.

They were startled to discover that the flowers were black instead of the various colors they bore when they were placed upon the grave. Gazing in amazement on the metamorphosis, Mr. Perttyman reached down to investigate. He selzed one of the bouquets, but drew his hand quickly away, dropping the

His hands stung as though burned where they had touched the flowers. Today he visited a physician and was informed that his hands had been burned by carbolic acid. Unable to understand the change of the flowers Mr. Prettyman and his daughter returned to

Poisoned Chickens. It was 2 o'clock in the afternoon when

they reached the place. In the yard were scattered a number of dead chick-There is a large number of the fowls at the place and they were gathered together in the yard. They showed symptoms of disorder and those which were not dead staggered and reeled about the yard. A number died and altogether there were 30 which were poisoned.

poison had been thrown about the place promiscuously. Inside the house were also found several articles on which it is believed the deadly drug had been

RECORD AT PAOLA Dr. Woods Hutchinson. He is conducting a chemical analysis of the drug. "I am not through with the analysis and cannot say positively what poisons are contained in the preparation that was left at the Prettyman home," said Dr. Hutchinson today. "The deed was certainly the most dastardly I have ever heard of and I wish the culprit could be discovered."

Mr. Prettyman is a deputy game warden. He has no enemies, he says.

SPANISH CITY IS

SWEPT BY FLAMES

(Journal Special Service.)

Tokio, May 31.—General Oku, commander of the army operating against Port Arthur, reports that the Japanese occupied Dainy Monday. More than 100 warehouses, the barracks, telegraph offices, and rallway station were found to be uninjured. About 200 railway heavy.

Either Sunk or Silenced Japanese Gunboat-Loss Was Great.

BULLETIN.

Tien Tsin, May 31.—It is reported that four full Siberian regiments left Tasechao, 20 miles south of New Chwang, for Kin Chow, Monday. It is believed these will be followed by an entire division in an effort to relieve Port Arthur.

here today that the Japanese attack on Port Arthur Saturday was not without loss. The report says that the attack was made after night had fallen and everything seemed favorable for

the Japanese cause. An attempt similar to the one which recently proved temporarily successful was made to block the harbor entrance, A number of torpedo boats, a gunboa and merchantmen steamed quietly topicked up by the Russian searchlights. A terrific cannonade was centered on the gunbout, which was sent to the bottom, and a few minutes later, the

report says, two torpedo boats also disappeared.
The merchantmen, after the loss of the Japanese boats, retreated from the zone of fire and were apparently un-The report is unofficial. It is re-

garded as certain here that if the Japanese were repulsed in an attempt to shut the harbor another desperate trial of this sort will be made within a short time and in greater force.

LONDON DOUBTS REPORT.

Hears Gunboat Was Damaged, But No Blockade Was Attempted. (Journal Special Service.) London, May 31.—The reports

received here today to the effect that in had sustained loss. One from Mukden undoubtedly from Russian sources, says the Japanese lost two torpedo boats and one small gunboat, A second report from Chefoo makes no mention of an attempt to obstruct

the entrance to the Port Arthur harbor, but contains an account of a reconnaissance being made by a Japan gunboat, No. 3, on Monday, in which the gunboat ventured too near the forts, and badly damaged by a flerce shell fire from the land batter-

The gunboat escaped with difficulty, but no attempt was made at pursuit. This latter fact causes belief that the harbor is still dangerous for the Rus-This latter fact causes belief that the sian egress, as the gunboat was practically unsupported.

One petty officer of gunboat No. 3 was killed, three men injured and one gun badly damaged. The Chee Foo report is the one accepted as true by London students of

DALKY NOT DESTROYED.

and Other Buildings Uninjured.

(Continued on Page Two.)

Mrs. S. G. Reed Founds School to Educate Poor Youth.

BEQUEST OF \$500,000

Will of Portland Ploneer Woman Filed in County Court - Leaves to Other Charities and Relatives Half Million.

gin \$ 25,000 To Harry D. and Grace C. Reed, children of Amos N. Reed, each

To Georgiana Reed, widow of
deceased's husband's half
brother, Edward P. Reed.

To Georgiana Reed, in trust
for Georgiana's children.

To Emily Pickering, a sister, and
to Amelia Winch, wife of Martin Winch, each

To Myrtle Walker Winch, widow
of Henry Winch.

To Simeon Reed Winch, son of her nephew, Martin Winch.. To the Troupe Polytechnic school, Pasadena, Cal...... To First Unitarian church of

lo Unitarian society To the Baby Home Patton Home and Homeopathic Hospi-tal and Dispensary, Portland,

and free library.... To Portland City Board of Char-

To Oregon Humane society...
To Peoples' Free Reading & Library association, Portland... To Refuge Home for Women,

Total cash bequests.....\$438,500 By the will of the late Mrs. S. G.

Reed, filed today, the poor young men and women of this city who are struggling for a living and such education as they can acquire under trying conditions are benefited to the extent of property assessed for more than \$500,000. The Old Women's home gets \$40,000 in cash, and many other institutions profit.

The bulk of this money goes toward the founding of an institute of art. music, literature and manual training, a practical school to be known as the S. G. Reed institute, named in honor of the dead husband of the deceased, who

passed away in Pasadena, Cal., some In addition to the endowment, Mrs. (Continued on Page Three.)

PLOT TO KEEP **VOTERS FROM POLLS**

It is positively asserted that a blers who are enlisted in support of the Republican ticket, to join forces on election day and as far as possible to prevent the better class of citizens from voting. The liquor men are anxious to reduce to a minimum the vote for the local option law, and the gam-blers are equally interested in the success of the Republican ticket, which will ensure a con-tinuance of the immunity from the penalties of the law, which

the penalties of the law, which they now enjoy.

In the downtown precincts the saloon and gambling elements are strong, and they will be aided by the heavy registration of purchasable voters. But in the outlying and residence districts it is said that they propose to adopt obstructive tactics. Every voter who is suspected of hostility to either the saloons or the gambling houses will be challenged. All Democrats are also to be challenged with a view to cutting down the Democratic vote.

If any considerable proportion of the voters should defer the casting of their ballots until afternoon, this scheme will prevent many of them from voting at all.

It is imperative the