

UP TIMBER CLAIMS

Told Misses Glaze and Vanderpool of Prineville They Could Make Money.

WITNESSES FRIENDLY TO THE THREE DEFENDANTS

It Was Understood That the Land Was for Williamson and Gesner and Was to Be Turned Over to Them.

Two young women from Prineville, Miss Maggie Glaze and Miss Pearl Vanderpool, were the principal witnesses this morning in the trial of Congressman Williamson, Dr. Gesner and Marion Beards, in the district court.

Both testified in the former trials, and though placed on the stand by the prosecution it has been plainly apparent that their sympathies were strongly enlisted for the defense. District Attorney Henry questioned them closely to learn whether any effort had been made by the defense to influence their statements from the witness stand, but denied that there had been anything of the sort.

A letter written by Dr. Van Gesner and which was a feature of the former trials was introduced this morning. It was addressed to Henry Beards, an engineer who took up claims at the instance of the defendants, and in it Dr. Gesner directed him to relinquish his claim as there was danger that otherwise they might get into trouble.

The letter was written after the investigation of timber entries in Crook county had begun and at the time when Special Agent Neuhausen had been ordered to Prineville to look into the alleged fraud.

Beards was not the only entrant to whom Gesner wrote in this way and the letters are regarded by the prosecution as important links in the chain of evidence against the defendants.

The first witness called this morning was Christian Feuerhelm, who had taken up a timber claim in the summer of 1920, but when questioned regarding his understanding as to selling the claim to Williamson and Gesner, his recollection proved exceedingly hazy.

Like Henry Beards, he received a letter from Dr. Gesner saying, "That timber claim and all the rest, I have got to throw them up," and Gesner instructed Feuerhelm to go before Beards and relinquish the claim in order to "avoid trouble" from the government.

The witness professed to be unable to remember many important details. He was cross-examined at great length by Judge Bennett, but without result.

Miss Glaze, the next witness, testified that one day in June, 1920, she and Miss Vanderpool met Biggs on the street in Prineville and he spoke to them about taking up timber claims.

She understood that it was for Williamson and Gesner, and he said they were to turn the land over to them, she testified.

But though they talked the matter over and made an effort to buy a buggy in which to go to the locality where Biggs had talked to them, the young women finally gave up the idea.

Friendship to the Defense. Miss Glaze admitted that she had talked over the incident with her friend Miss Vanderpool, a number of times since they had met Biggs, and that the latter said to her on one occasion that "she didn't have to remember" the circumstances when asked by the district attorney.

Mr. Hensy questioned the witness closely in the effort to obtain an admission that she had talked with defendants or their counsel as to the testimony she should give, but this Miss Glaze denied.

Miss Vanderpool, who followed, readily avowed her friendship for the defendants, whom she and her family had known for years. As to the occasion when she and Miss Glaze talked with Biggs about taking up timber claims, she said that he told them they could borrow the money from Dr. Gesner.

She could not remember where it was that they were to locate, although she thought it was in the Ochoco country. She could not remember certainly about this nor did she know whom they were to turn the land over to.

The witness acknowledged that she had told the defendants and their friends of incidents she had observed while sitting in the district attorney's office, and she had often talked with them about the case.

Called on Defendants. "My father told me before I came down here to be sure to see Mr. Williamson and Dr. Gesner, and since my mother case she has been with me to see them."

Mr. Hensy endeavored to bring out evidence as to a conversation which Miss Vanderpool had with her brother-in-law, W. A. Hall, the present county judge of Crook county. This district attorney stated to the court that he wished to show that after the conversation with Biggs Miss Vanderpool had been told that she could not legally take up a claim under the arrangement proposed, but that nevertheless she tried to get a buggy so as to drive out and make an entry. Objections by the defense prevented the testimony.

Mrs. John B. Watkins, who had not testified on the previous trials, was the next witness. She and her husband took up claims expecting to sell them to Williamson and Gesner.

"We were to make \$75 on each claim," said Mrs. Watkins. "We were to sell the land to Williamson & Gesner when we got this."

When Williamson wrote in her husband's notebook the date O. R. & N. BEGINS WORK ON WALLULA PACIFIC

criptions of the land on which they were to file. She heard something said about the use of the grass in lieu of interest on the money advanced by Gesner.

Beards' Testimony as Continuing. Henry Beards proved a strong witness for the government. He was employed by Williamson & Gesner in the summer of 1920 and testified that the former was at the ranch in June, 1920, and that the surveying of lands on which timber entries were subsequently made. He testified to a number of conversations which took place and which are regarded by the prosecution as a valuable corroborative of the charges of the indictment. Williamson & Gesner had a plan on which they marked the quarter sections having springs or streams of water. On one of these Beards filed claims at the instance of Gesner. Two weeks after making his filing affidavit he was informed by Gesner that his entry had been transferred to another quarter section as another sheepman had taken up the land on which Beards had attempted to file. The change was made without his knowledge.

Hensy in the Case. Henry Hudson, whose testimony at the former trials kept every one in the courtroom on their feet, was on the witness stand yesterday afternoon. His story proved quite as entertaining as on the previous occasions and was a welcome variation from the monotony of the proceedings. Hudson has been a strong witness for the government, and while his testimony has been given in a manner that excited much amusement, it has at the same time been damaging to the defense.

"Gesner said he would give me \$500 for the claim when I got title," said Hudson.

"What reply did you make?" asked the district attorney.

"I said I would do it."

"Did you think that made an agreement?"

"Well, yes, I did."

Hudson explained that he secretly intended to sell to some one else if he could get more money, adding with engaging frankness, "I don't know if I had the right to do that, but I know the drop on them is a very honest in me, but I meant to do it."

He instructed Beards to go before Biggs at once and execute the claim. The letter was written after the investigation of timber entries in Crook county had begun and at the time when Special Agent Neuhausen had been ordered to Prineville to look into the alleged fraud.

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SPECIAL OFFICERS ACCUSED

Police Committee Discovers That Old System Was Most Corrupt One.

EVIDENCE SHOWS THAT GRAFT WAS COMMON

Trugs Protected for a Price, Citizens Robbed and Resorts Populated by Men Wearing Badge of Authority Granted Them by City.

Recent investigations of the police committee of the city executive board has exposed a deplorable state of affairs in the old special police service of the city. Under the rule of officers of the law, many of the special patrolmen have been acting as special agents for notorious resorts and have been protecting lawbreakers, defeating the efforts of officials to bring them to justice.

A large number of the special officers who have had their appointments revoked are attempting to act as watchmen, but the police committee declares that it will not permit this. If any business house desires to employ men whom the committee refuses to appoint they are at liberty to do so, providing the watchman remains in the building during the time he is supposed to be on duty; otherwise he will be arrested by the police for violating the curfew law if found on the streets at night.

Not one of these private watchmen will be permitted to wear a police uniform or carry a pistol, although a large number have made applications for permits to carry firearms.

The committee has arrived at the conclusion, said Mayor Lane today, that this business has to stop. The special police force has been the source of more trouble than anything else in the city. We have found why we cannot get our hands on criminals. We lay the blame at the doors of the special officers, many of whom have been in league with the lawbreakers and are criminals themselves.

A large number of these men have been giving good service to stores and other big establishments and for this reason merchants are protesting against their taking off the committee. But at the same time these specials have been taking money from some of the notorious resorts of the city, have assisted criminals to escape and have been known to rob people themselves.

Hereafter we are going to have just a few special policemen as possible and if any of the men we appoint are caught violating the rules laid down for them to follow, the committee will take their stars away from them as quickly as from the old specials. We are determined to have as reliable men as specials as there are on the regular police force.

At Park and Flanders streets last night Johnson is said to have drawn a revolver and ordered Clements and Johnson to throw up their hands, saying "I want you."

W. Mott, a nightwatchman, whose place an special officer was taken by Johnson, arrived on the scene and asked the cause of the trouble. Johnson ordered him to throw up his hands.

Johnson then released Clements and placed Mott under arrest and took him to the police station where he was charged with roaming the streets after hours. Mott was released on his own recognizance. He appeared in the police court this morning and told his story to Judge Cameron.

"There is something very funny about this thing of special officers going around drawing revolvers and ordering men to throw up their hands," said Johnson. "I am Cameron and I am here to hear the further hearing of this case until tomorrow; in the meantime let Clements be subpoenaed as a witness."

SPECIAL JOHNSON HOLDS UP HIS PREDECESSOR

Man Discharged From Police Force Said to Be Free With His Revolver.

J. F. Johnson, who while intoxicated, assaulted Dr. Johnson and a friend, created a disturbance at the police station and resigned from the police force after charges had been preferred against him by the police committee.

Johnson, who was discharged from the police force, was seen at Park and Flanders streets last night. He was charged with roaming the streets after hours. Mott was released on his own recognizance. He appeared in the police court this morning and told his story to Judge Cameron.

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CORVALLIS CLUBMEN ARE HELD FOR TRIAL

(Special Dispatch to The Journal.)

Corvallis, Or., Sept. 14.—Three indictments were returned by Prosecuting Attorney Bryson late yesterday afternoon. The first is against Jack Milline of the Corvallis club for selling liquor to Keith Brown August 25, the second is against Merwin McMalines for selling liquor to Thomas Bell August 25, and the third is against George Plauster.

All pleaded not guilty and the trial was set for September 25. Notice of appeal was given by Hens.

Clare figures in three new cases also, and his total bonds are \$1,000. Jack Milline is under \$400 for two cases. McMalines' part in the affair is still unsettled. He is in independence. All are accused of selling liquor in violation of the prohibition law passed here by local option.

FOREIGN POWERS LONGING TO PUNISH VENEZUELA

(Journal Special Service.)

Washington, Sept. 14.—It is reported that Germany and France are aching to slap Venezuela and endeavoring to ascertain to what lengths this country will let them go in punishing President Castro. It is said that both governments have addressed notes to this government urging the United States to either be firm and enforce the rights of foreigners in Venezuela or to keep their hands off and let foreigners protect themselves with soldiers and marines. The state department denies the notes.

Low Excursion Rates to the East

On sale September 16, 19, 20 and 21, the Rock Island railroad will sell round trip tickets to eastern points at greatly reduced rates. For full particulars call on address A. H. McDonald, general agent, 148 Third street, Portland, Oregon.

MISSOURI DAY IS GREAT ONE

From Governor Folk to Humblest Citizen Oregon's Welcome is Extended.

THRONGS AT FAIR TO MAKE OCCASION NOTED

Spirit of Hearty Cordiality is Feature of the Ceremonies in Which Northwest Does Honor to Missouri Commonwealth.

The infant is ever tyrant of his own home, but Saturday his dominion will extend even to the ends of the Lewis and Clark trail.

A large number of the special officers who have had their appointments revoked are attempting to act as watchmen, but the police committee declares that it will not permit this. If any business house desires to employ men whom the committee refuses to appoint they are at liberty to do so, providing the watchman remains in the building during the time he is supposed to be on duty; otherwise he will be arrested by the police for violating the curfew law if found on the streets at night.

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GAVE PROFITS TO TRUST CONCERN

Ethics of High Finance From an Insurance Point of View Are Explained.

(Journal Special Service.)

New York, Sept. 14.—Before the legislative investigating committee this afternoon Treasurer Cromwell of the Mutual Life Insurance company enlightened the committee on the ethics of high finance from an insurance company's view.

He elaborated upon the question of honor which had prevented the Mutual from becoming a member of a syndicate to deal in bonds which they did not carry regularly. There was nothing halfhearted about the policy, but which allowed the company to reap profits through auxiliary companies, the stock of which the Mutual controlled.

The disclosures were brought forth when Hughes was questioned concerning the \$500,000 Missouri Pacific bonds which the company purchased. The bonds were sold to the Mutual and distributed among the companies controlled by the Mutual. The syndicate bought the bonds at 91 and agreed to sell at 95, promising a clear profit of 4 points.

Cromwell was asked why the Mutual abandoned the chance to clear a profit by immediately transferring the bonds to the trust companies. He answered that when at first called to join the syndicate, he demanded to know why he refused to participate in the syndicate and Cromwell excitedly exclaimed:

"I had rather you would not press the question. He said the company never had handled Missouri Pacific bonds and did not consider it advisable to go into a syndicate which had an avowed purpose in dealing with the securities of the Mutual did not handle them as an investment."

PIRATE SCHOONER IS FINED \$1,600 AT VICTORIA

Carmencita Must Pay Roundly for False Pretenses and Seek New Register.

(Special Dispatch to The Journal.)

Victoria, B. C., Sept. 14.—Collector of Customs Newbury of this port today fined the sealing schooner Carmencita, Captain Jack McLane, \$1,600. The fine was inflicted under three counts, namely:

1. False report of schooner when outward bound in taking clearance for Acapulco under previous register.

2. Landing skins a Clayquot before reporting to customs officials.

FAIR PROVIDES AWARDS FOR ALL SORTS AND CONDITIONS OF CHILDREN.

The Fair Management Provides Awards for All Sorts and Conditions of Children.

TOTS WILL RULE THE EXPOSITION SATURDAY

From Widely-Spread Compass Points Little Ones Will Come to Compete for Valuable Rewards in Oregon's Greatest Baby Contest.

The infant is ever tyrant of his own home, but Saturday his dominion will extend even to the ends of the Lewis and Clark trail.

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SHERIFF ACCUSES WIFE OF BEATING HIM

Canutt of Colfax Says Spouse Struck and Cursed Him So He Wants a Divorce.

(Special Dispatch to The Journal.)

Colfax, Wash., Sept. 14.—After 20 years of domestic peace, J. E. Canutt, sheriff of Whitman county, has filed for divorce from Mary Ida Canutt, on the grounds of incompatibility of temper and gross cruelty. The complaint charges that Canutt's wife has frequently repeated these actions in later years. Canutt charges that his wife is needlessly extravagant and that she has "blown in" more than \$100 of his monthly salary of \$133.33 for clothing and other things for her personal use.

Mrs. Canutt in an answer denies the charges, asks for \$250 attorney fees, \$100 for costs of suit and \$75 a month for maintenance. Judge Chadwick allowed Mrs. Canutt \$75 for attorney fees, \$50 for suit money and \$23.33 per month for maintenance.

Sheriff Canutt is serving his third term.

MAY BUY SITE OF FORESTRY BUILDING

After discussion the joint committee from the park board and the city council today voted to ask the city council to buy one or more acres as a site for the forestry building.

The legislature passed a law authorizing the state fair commission to give the building to the city if at least one acre of land was purchased by the municipality on which to place it. The proposal before the meeting this afternoon is to buy 20 acres, including the land on which the Forestry building is located, and extending toward Guild's lake to take in Lakeview terrace.

SIX CASES POSTPONED IN CIRCUIT COURT

Another record was broken in the circuit this morning when the six jury trials set at various times today had to be postponed for a number of reasons. The legislature passed a law authorizing the state fair commission to give the building to the city if at least one acre of land was purchased by the municipality on which to place it. The proposal before the meeting this afternoon is to buy 20 acres, including the land on which the Forestry building is located, and extending toward Guild's lake to take in Lakeview terrace.

At the meeting yesterday of the Oregon Woolgrowers' association the following men were elected officers: President, Robert Keys, Mitchell; vice-president, H. G. Warner, Pendleton; H. C. Rooper, Antelope, secretary; T. R. Hynd of Heppner, J. H. Dobbins of Joseph, J. E. Smith of Pendleton and W. J. Ayre of Durkee, members of the executive board. The next meeting of the association will be held at Condon.

Lightning Strikes Tent

Indiana, Iowa, Sept. 14.—Lightning this morning hit a tent at the county fair and killed four and injured a score, some of whom may die.

CRUSADE BEGINS FOR ESTABLISHMENT OF MORE CHRISTIAN ENDEAVOR SOCIETIES HERE.

Charles U. Underwood Kills Dick Bennett of Tygh Valley From an Ambush.

SHOOTS HORSE AND PUTS TWO BULLETS IN RIDER

Homicide the Result of a Quarrel Over Fruit and Follows a Forced Midnight Apology to Wife of Slain Man.

(Special Dispatch to The Journal.)

The Dalles, Or., Sept. 14.—Sheriff Sexton received from Tygh Valley word this afternoon with Charles U. Underwood, accused of the murder of Dick Bennett of Darnell, who was killed night before last.

Underwood had leased a ranch from Bennett and the two frequently quarreled. Tuesday Mrs. Bennett demanded some fruit from the ranch and was refused. Bennett returned home late and when told of the refusal he started for Underwood's ranch, where he forced Underwood to accompany him home and apologize to Mrs. Bennett at 13 o'clock at night. Bennett said that he would be over in the morning and settle their accounts and made threats that he would kill Underwood if the latter did not leave the country.

Underwood says that he determined to take no chances, and lay in wait behind a stone wall, and shot Bennett when he saw that he was armed. Underwood used a 30-30 calibre rifle and first killed the horse that Bennett rode and then shot Bennett through the head and side, killing him instantly.

Bennett was said to be of a quarrelsome disposition. He was 45 years old, married and had several children. Underwood is unmarried, about 23 years of age. Neighbors think it a case of justified homicide and sympathize with the murderer.

The prisoner does not seem to be affected. He bought a newspaper on his arrival. He does not look like a criminal and has a good reputation.

The coroner's jury finds that Bennett fired one shot, but cannot tell at what time or at whom. Underwood fired the shot, as he is seen to have raised his position.

Prizes will be given for the most beautifully appointed carriage and the most novel feature of the parade.

So many of these little folk are superior in good qualities that the judges have solved a great difficulty by securing about 100 prizes for their various merits. The biggest, the smallest, the fattest, the tallest, the prettiest, the ugliest, the most comely, the most disagreeable—have a chance, and that babe must be wonderful indeed that cannot secure a prize from such a list.

Over 300 are listed and classification requires no time, but no entry will be received after 6 o'clock this evening. Beld Back, the Chinese merchant, has secured his part of the town for the finest specimens of oriental babyhood, the Japanese, such as they desire, are ready to tempt war in this way.

One child who will undoubtedly secure a prize is a lineal descendant of Clark of the famous expedition, and another was born on the 16th anniversary of the setting out of the expedition.

There are to be 10 judges who will award prizes, and their names will be kept secret forever, and a day, as they are very kind of this life.

\$200,000 FIRE IN GRAPEVILLE

Three Blocks in Heart of Business District of Idaho Town Are Wiped Out.

(Special Dispatch to The Journal.)

Grangeville, Idaho, Sept. 14.—Fire this morning broke out in B. B. Wilson's saloon and before the conflagration could be checked three blocks of the business part of the city were burned, entailing a loss of at least \$200,000. The greatest loss was that sustained by Alexander & Friedenrich, general merchants, the stock valued at \$75,000 and the handsome brick building before destroyed.

The fire started shortly before 7 o'clock and spread rapidly to adjoining buildings. The entire town turned out to assist in fighting the fire, but the flames could not be checked until three blocks had been consumed. Telephone communication with the outside world was destroyed soon after the fire started, but assistance was secured from Doreau and at noon the fire was practically under control. The following is a list with the estimate of loss sustained:

Alexander and Friedenrich, \$75,000; George K. Reed, Jersey House, \$30,000; Basler building, completed last week, \$10,000; H. E. Mattison, \$2,000; B. B. Wilson, \$3,000; Hogan, the barber, \$1,000; Richards & Gramstrom, \$500; A. E. Bennett, \$200; W. C. McArthur, \$1,000; E. H. Smeafer, \$2,000; W. C. McArthur, \$1,000; two Grange buildings, \$4,000; George K. Reed, \$500; Parker & Robinson, \$1,500; Mrs. A. C. Hawson, \$1,000; Lyall, \$500; Braden, \$500; Standard, \$1,000; F. A. Campbell, \$500; Seales & Taylor, \$500; Mr. Hattabaugh, \$200; Bank of Camas Prairie, \$2,000;