

HENEY MAKES MONKEY OF MAYS ON WITNESS STAND

Former Deputy District Attorney Badly Muddled by Prosecutor.

Edwin M. Mays, beaten back onto a weak defensive and floundering helplessly before the scathing cross fire of Prosecutor Heney, who held him up by his own testimony to the jury as a man who had failed in his duty as a public officer and by that failure had aided in the work of despoiling the government of its lands, furnished a climax to the week-long drama in the Hall case which left the spectators gaping and eager for more and openly expectant of still more startling things on Monday next.

Writhing under the stinging questions of Heney and parrying aimlessly in his effort to meet the onslaughts of the prosecutor, Mays put a startling period to the afternoon session of the weary trial and lifted the fog of monotony which seemed to have settled down helplessly over the courtroom. Following immediately upon the close of the long dragging cross-examination of John Hall and left unfinished Harry R. Robertson, former secretary of the late Senator John H. Mitchell, was called to the stand to hand a dispute directed at W. C. Bristol, the happening left the crowd in the courtroom wide awake and waiting for more to follow on Monday next.

Mays Begins Testimony.

Mays was called after 4 o'clock as a witness for the defense and came to the stand with the easy smile which he wore during the early days of the trial and which had broadened out still further when the charge of conspiracy held against him jointly with Hall was dismissed at the close of the government's case. When he was temporarily dismissed at 5 o'clock the smile had hidden itself and he was fighting blindly to save himself from the mass of questions hurled at him by Heney and smarting under the courteous but nevertheless effective rebukes of the court.

Judge Webster asked Mays when he took the stand if he remembered about the Claude Thayer Tillamook land-stealing case which he had handled before the grand jury of October, 1903. Hall had testified during his examination that he had not handled the Thayer case, but had given it into the charge of his deputy, Mays, and Mays was called to corroborate this story.

Mays said on his direct examination that he remembered the Thayer case. He said it had been turned over to him by Mr. Hall and that Special Agents A. R. Greene and Edward M. Deady had given him a list of witnesses together with a synopsis of their testimony. He had issued subpoenas for the witnesses at the request of Greene and Deady and had later examined these witnesses before the grand jury. The witness concluded that while his remembrance was vague in many things, yet he was certain that he had examined all of the witnesses who had been called to his attention.

Heney Breaks Loose.

Passing from the Thayer case Mays said he remembered having been shown a map of the Butte creek country by Hall, but he contended that the map introduced by the government as evidence in the case on trial was altered and changed until he would not have known it was the same one shown him by Hall previously.

"This closed the direct testimony" of the witness and Mr. Heney took him to task on behalf of the government. Mr. Heney asked him if he was a brother of F. P. Mays, if he had formerly been an attorney in Portland and a deputy in the office of John H. Hall, and a few other incidental questions and then turned loose the dogs of war.

"When you had the Claude Thayer case up before the grand jury investigating Thayer for having conspired to steal government land, didn't you know that your brother, F. P. Mays, was defending him?" he asked.

"No," said Mays, "I did not know that until much later."

"You lived in town? You had an office here? Your brother had an office here? How often did you see him?" Heney asked. The witness said he lived on the east side, while his brother's residence was on the west side. He sometimes saw him once a week and sometimes not at all.

"Did you know Charles E. Heney, a lawyer?" asked Heney, and the witness said he had met him.

"Did you see him during the grand jury of October, 1903?" was the next question, and the witness said he could not remember.

"Didn't Heney come to you and tell you that he was in possession of facts bearing on the Thayer case and didn't you refuse to allow him to go before the jury with it when he asked to do so?" demanded Heney. The witness said he did not remember whether he had met Heney then or whether he had been allowed to go before the jury. He said the case had been handed to him by Greene and Deady and he had called the men as they came on the list, so he did not remember much of the case, as it was a long time ago.

Rapid Fire of Questions.

"Do you mean to tell me that you, a prosecuting officer, attempted to put a case before a grand jury without ever knowing what the witnesses had to tell or what your evidence was or who your witnesses were?" Heney asked again. Mays said he had been given the case suddenly and that he had relied on the advice of Greene and Deady.

"You did not know anything about the case when you prepared to put it before the jury?" asked Heney. Mays said he did not.

"Did you know anything about Thayer?" Mr. Heney asked. Mays said he had seen him, but had never met him.

"Now, then," said Heney, facing the witness with his combination smile and frown, "Didn't Captain Sladen, clerk of the circuit court, introduce you to Charles E. Heney in 1901 and say that Heney knew something about the Thayer case? The didn't Heney tell you all about the case and explain the operations of Thayer and Morris Leach and Hadley, his accomplices, and tell how they intended to take more than 40 valuable claims and divide the profits?"

"I don't know whether Captain Sladen introduced us or not, maybe he did," the witness said.

"Then didn't you know all about the Thayer story long before the grand jury investigated?" Heney asked.

"If Captain Sladen introduced us I suppose I did, but I do not remember now," answered Mays.

"Then if Morris Leach was ready to go before the grand jury and tell what he knew you ought to have allowed him to go instead of having refused to permit him to become a witness so you could make out your case and secure an indictment?" again insisted Mr. Heney.

"If he was there and was not examined it was because Greene and Deady asked for him not to be admitted," answered Mays.

Witness Forgotten.

"Do you mean to tell me that you would fail to secure an indictment by leaving out of the investigation a most important witness, a witness who could tell the whole story and make you a clear case just because some one asked you to leave the evidence out? Is that the way you discharged the duties of your office?" Heney asked.

"If it was my business to put a man before the grand jury, I would do it, but Greene and Deady had the Thayer case," said Mays.

Heney went back to the beginning of the case and asked another question. "Didn't Heney tell you in October, 1901, that he wanted to get information against Thayer, Morris Leach and Hadley because of their Tillamook fraud?"

"I don't remember the conversation," said Mays.

"Didn't you tell him that you could not convict Thayer without the evidence of the entrymen and didn't Heney tell you the entrymen would not testify unless they were assured they would not be prosecuted?" asked Heney.

"I don't remember saying it. I don't remember talking to him," said Mays.

"Didn't you tell him that you would prosecute the entrymen just as vigorously as you would Thayer?" demanded Heney.

"I may have said it," said Mays. "I would have prosecuted the entrymen. I may have told him I would prosecute all violators of the law."

Testimony of Witness, However, Has Little Direct Bearing on Hall Trial.

"Is that the kind of a policy you had when you were an officer of the court?" thundered Heney. "Is that the way you did, to cut off all hope of catching the big land thieves by forcing the entrymen to put their necks in a noose before coming to you with their story of land thieveries?"

"If you mean do I approve of your policies in carrying on such prosecutions as that and the others you have brought, I am very frank to say that I do not," retorted the witness.

Court Takes a Hand.

"No, of course not!" exclaimed Heney, facing the witness with finger extended in his face. "You favored the policy, where your brother represented the men who investigated and cut up the profits with them when your investigations failed. You favored a policy of letting the land thieves go on when it came close to your friends."

"I object to all this," interjected Judge Webster and then Judge Hunt took a hand.

"Mr. Mays, you would simplify matters and make it easier for yourself if you would answer the questions direct," said the court. "He is responsible to the government for his policies and his conduct of his office and it would be better for you to answer his questions."

"I thought he was trying to lead me into a trap," said Mays.

Heney then went into the arrest of Horace McKinley for trying to secure a large number of claims during 1901 and brought out the fact that Mays had made the arrest at the instigation of Attorney Moulton of the Northern Pacific, who had told F. P. Mays of the McKinley deal. McKinley was to take up the land and then transfer it to Pater and Fred A. Krebs. Mays' investigation failed of effect and the chapter ended, according to the testimony, by Moulton, F. P. Mays, McKinley and Pater dividing the lands.

Robertson Refutes Bristol's Evidence.

The prosecutor turned back once more to the Thayer case and showed that S. C. Spencer had asked to go before the grand jury and had demanded documentary evidence which Mays had in his possession, but which he denied having. This evidence consisted of letters written by Thayer and contracts signed by him making out a clear case. Mays said he did not remember ever having had the documents and was asked to refresh his memory by examining them. At this point he was excused until Monday morning in order that Harry Robertson might take the stand.

Robertson, by his testimony, practically gave the lie to Bristol.

H. H. Hendricks, during his testimony, said that Bristol had offered him immunity if he would become a government witness. Bristol later in the trial denied that he had ever had a conversation with Hendricks and Robertson was brought down from Seattle to rebut this testimony of Bristol's.

Robertson said he had been working in the United States attorney's office in August, 1904, and that one night Hendricks had come to the office between 9 and 10 o'clock. He had waited in the outer office for a short time and then Bristol had come out to see him. The two had talked for a few minutes and had then gone into the private office, where Hendricks had stayed for about half an hour.

Webster Scores Robertson.

On cross-examination Judge Webster scored Robertson as a man who had been false in his trust. He asked him if he had not been picked up by Senator Mitchell when he was in need of assistance and had been made his confidential secretary after which he had turned about and betrayed all his confidential information to the government. Robertson denied that he had ever told anything except what had been dragged out of him by the government after he had been subpoenaed as a witness, and said that great pressure had been brought to bear on him to make him commit perjury in order to shield Mitchell.

TO WIND UP QUICKLY

A Four Per Cent Extra Discount on What's Left.

Only sixteen instruments altogether remain of nearly 125 more or less used pianos and organs which were offered so greatly under price at the commencement of this sale.

We are determined to dispose of each one of the remaining instruments, even though it is necessary to extend the sale for two or three days longer.

Since the assortment is not so complete as heretofore, we are going to make an extra inducement, a discount of four per cent on special sale price of any of these instruments.

A superb Hallet & Davis remains; we will take one third its original value.

A magnificent mahogany Colonial style Kimball, the \$375 style, now \$233.

A Decker piano, cost \$500 when new, now \$210.

A Steinway piano, like new; usual price \$450 to \$500, now \$218.

We will take \$15 or \$20 cash, and \$10 a month.

A New England piano, \$105.

A Conover upright, \$110, and a Krantz & Beach upright, \$90.

A superb Steck square, \$75.

A magnificent Lindeman, \$54.

A Gardner piano, good tone, \$41 and, think of it, a Pearson square piano, a rattling good one, in playable shape, \$18.

All of these last named pianos may be obtained for \$5, or \$8 cash and \$3 or \$4 monthly, if you like.

These can be had for \$10.

A Ceclian for \$100, and a genuine Pianola for \$162, all accompanied with plenty of music rolls.

These can be had for \$5 or \$8 a month, and will surely solve the "silent piano" problem in your home.

ORGANS, TOO.

A good little Bridgeport organ goes for \$23.50.

A fine quarter-sawn \$125 style Kimball goes for \$110.

Then there is a beautiful little self-playing organ, a lot of music rolls gone with it—we shall close this out at \$68, \$8 down and \$3 a month buys an organ.

Any of these used pianos and organs and piano players may be returned to us at any time within two years and full price paid will be allowed toward purchase of any new instrument desired.

Remember, the above prices are subject to four per cent discount if you make your selection within the next three days. Ellers Piano House, 351 Washington street.

REGISTRATION ROLLS MAKE RECORD GAINS

At the close of the fourth week of registration last night 7,670 names had been placed on the roll of qualified voters for the coming primaries and election. This is a daily average of 315. The number is 3,451 greater than was registered in the same period of time two years ago.

In 1904, the last preceding pre-constitutional year, the number registered in the first four weeks was 5,173.

The registration yesterday was a little under the average, the additions to the roll numbering 302. Two hundred and thirty of these were Republicans, 69 were Democrats and 13 members of other parties, or Independents.

The political preferences of those registered, as shown by their declarations, give the Republicans 5,853, the Democrats 1,334, and all others 350.

SPECIAL SALE



Men's Raincoats and Overcoats

\$12.85

Choice of 300 men's Raincoats and overcoats. All this season's make. Values to \$20 at the above price. This week—Every wanted style and size.

BOY'S OVERCOATS AT SPECIAL PRICES

IN OUR JUVENILE DEPARTMENT

BEN SELLING LEADING CLOTHIER

ROYAL BUSINESS MEN HAVE MANY PURSUITS

London, Feb. 1.—A monarch and a man of business is a more frequent combination than many imagine. Emperor William owns a well-equipped pottery, which brings him \$50,000 a year. The king of Wurtemberg is the proprietor of two large hotels which yield a similar amount.

The king of Saxony owns a porcelain factory at Meissen. The regent of Lippe (Detmold) runs a large model farm and sells butter, milk and eggs.

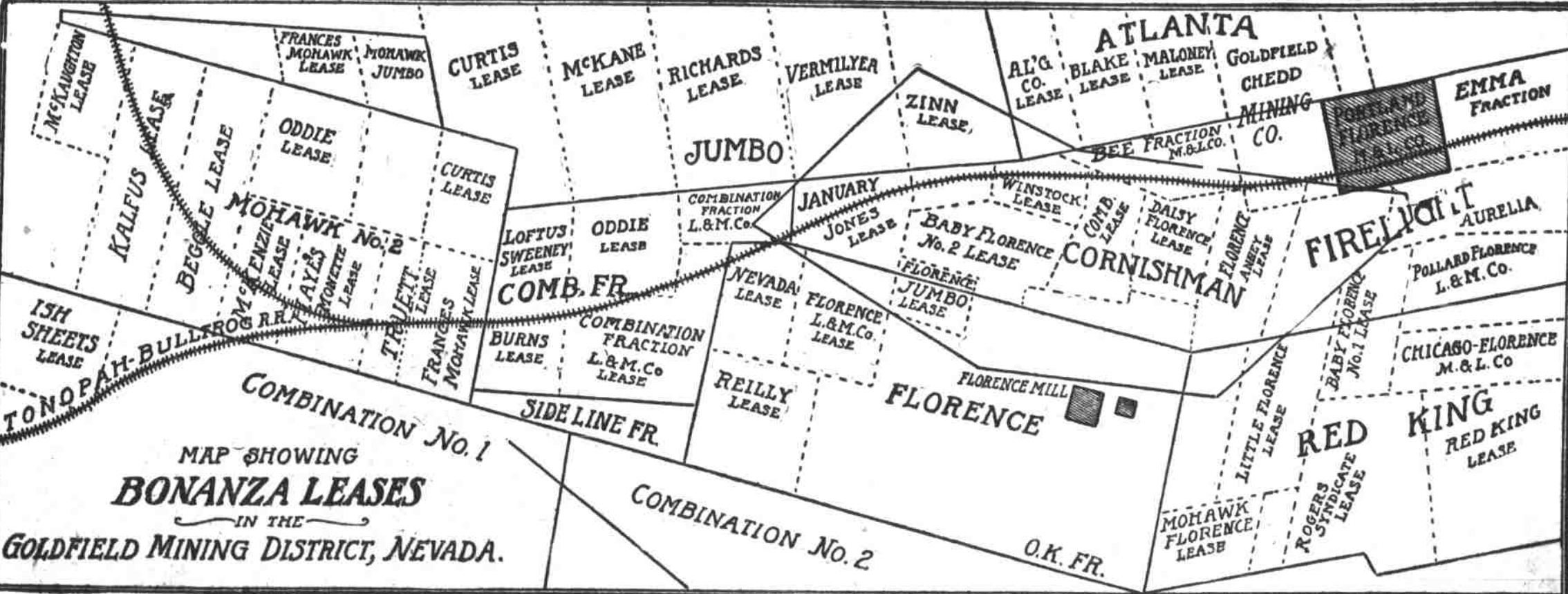
The best way to sympathize with some is to shake them.

The Portland-Florence Mining and Leasing Company

OWNING 100 ACRES IN THE HEART OF THE GOLDFIELD, NEVADA, DISTRICT AND A FULLY EQUIPPED LEASE ON THE WONDERFUL FLORENCE MINE, OFFER FOR SUBSCRIPTION 250,000 SHARES OF TREASURY STOCK AT 10 CENTS PER SHARE.

No Promotion Stock! No Preferred Stock!

Our five claims of 100 acres lie in the Golden circle about half way between Goldfield and Diamondfield. To the southwest is the famous Sandstorm, on which was discovered the first rich ore in the camp and from which Loftus & Davis took over a quarter of a million dollars. Also the Kendall and Jupiter. To the east are the Daisy, Great Bend, Diamondfield, Black Butte and many other producers. The ground is as favorably located as any in the district, but very little work has been done. The surface showing is as good as the average of the Goldfield mines.



The Stock Can Be Paid for on the Following Terms:

1000 shares or upwards 10 per cent down and 10 per cent per month.

Everybody gets the same treatment on this purchase. The company is organized under the laws of Oregon for \$100,000; one million shares par value 10 cents, fully paid, non-assessable. For further information call or address

Portland-Florence M. & L. Co.
ROOM 15, 268 STARK ST., PORTLAND, OREGON
Opposite Chamber of Commerce Building.

The above map shows the bonanza section of the Goldfield district and the exact location of the PORTLAND FLORENCE M. & L. Co.'s lease on the Florence mine. The lease is equipped with a 25-horsepower electric hoist and all necessary machinery. The shaft has been sunk to a depth of 260 feet and is as favorably located as any of the big producing leases. There are three veins crossing this block of ground and a few months of systematic work should develop an ore chute equal to the best in the district.