

INTRODUCED TO APPLICANTS IN A BURNSIDE SALOON

J. D. Mann, Witness in Hermann Trial, Says They Looked Like "Burns"—Juror's Question Him.

Members of the jury turned prosecutors in the Blinger Hermann case this morning and gave J. D. Mann, secretary of the Star Brewing company, a very bad few minutes.

This, added to the pertinent questions which Colonel Worthington asked of George G. Brown, clerk of the state land board, in regard to the action of the old state land board under the Geer administration in regard to fraudulent school land transactions, added the only spice to the morning session of the court.

Mann Acknowledges Applicants.
J. D. Mann was put on the stand to show that he had taken the acknowledgments to a large number of applications for school lands for George Sorenson during 1901. He testified that Sorenson had taken him down to his office, on Front and Stark streets, one evening and there had introduced a large number of men to him, "who looked like saloon bums," and that he had sworn them to blank applications for school land and that at the same time he had made out blank assignments of the same lands in favor of Sorenson.

"Were these assignments dated on the same day as the applications?" asked Albertus H. Metcalf, one of the jurors. The witness said they were.

"Then you did not know your business, did you?" asked the juror. The witness preserved a dignified silence, and Mr. Heney said that such a construction was one way of looking at the transaction.

"Didn't you know that your action was a fraud and that the applications were a fraud?" asked John B. Thompson, another juror.

Witness Pleads Innocence.
Mann denied it most emphatically, making explanations which made a smile wrinkle the face of the audience. He said that he had read the applications to each man when he swore him, and that he did not know anything about what Sorenson wanted. The first time he knew of anything wrong with the transaction was when he got the land fraud indictments.

C. F. Pearson, another juror, got into the question box with another shot. "When you were given your commission by the governor, you had to put up a bond of \$500 that you would be responsible for your official acts, didn't you?" he asked. Mann said he did.

"Are you still a notary public?" asked Colonel Worthington. The witness said he was.

"When you had your commission renewed you had to get two witnesses to swear that you were of good moral character," Mann said he did.

"Who were those witnesses?" asked Worthington. Mann said they were Sol Blumauer and Eugene Hoch.

"You did not ask Sorenson or Mays to be your witnesses, did you?" interjected Mr. Heney. Mann said no.

"No action has been taken to keep you from being a notary," asked Colonel Worthington. Mann said none had, and the attorney from Washington sank back with a sigh of disappointment while the witness fled from the room.

Saw Sorenson Pay Money.
Mr. Heney sent after Mann, however, before he had gone far and brought him back to read a statement he had made to the prosecutor, before the Mays-Jones trial, in which he said that he had seen Sorenson pay money to the applicants, following their having made application. He had just testified that he did not see any money pass.

Mann said he remembered differently after having had his memory refreshed. George G. Brown testified to the manner of receiving school land applications in the state land office. Before he left the stand he was asked some pointed questions by both Mr. Worthington and Mr. Heney about the knowledge of the old Geer land board in passing upon applications for school lands.

Brown said that he had been instructed by the board to pass all applications and take the money for them when they were presented in the regular way. He was simply a clerk in the office at that time and, while he may have had a suspicion that there was fraud in the applications, he had nothing to do but follow the instructions of the board. These instructions were not in writing, he said.

had never been any suspicion of fraud in connection with the land deals, though when Hyde and Benson came into Oregon he had read of it. This rumor grew until the grand jury investigated and brought some indictments, and then the trouble ceased.

C. E. S. Wood knew F. P. Mays for a great many years. He was the agent for the owners of the Cascade wagon road grant. Mays came to him June 15, 1901, and asked to purchase some of the lands. Mays said he wanted two townships, that it was comparatively worthless, and he would take two townships if the price was right. Wood told him the rule to hold the grant intact would not be broken.

On June 25, Mays again asked about the land. He advised that the lands be appraised at 15 cents and \$1 an acre, and that when they were included in the reserve he would get half of the increased value. He wanted Wood to hurry up, as it was getting close on the time the boundaries would be fixed and he, Mays, would have to confer with his parties in Washington.

Wood told Mays that he would not treat with him. He told him that if the lands ought to be put in the reserve for the public good, they ought to go in without any payment; if not, they should be left out. The lands were not included in the boundaries of the reserve as recommended.

J. D. Mann was a notary public in 1902, and took affidavits for George Sorenson. One time he went to Sorenson's office and acknowledged a number of affidavits. Another time he went to a saloon on Second and Burnside streets. Sorenson would bring the applicants in and introduce him, before the acknowledgments were made.

Tarpley Continues Testimony.
Continuing his testimony at the afternoon session, Dan Tarpley, old acquaintance with S. B. Ermsby, and identified the school land certificates secured by himself and McKinley.

On cross-examination Colonel Worthington made it plain to the jury that Tarpley had suborned perjury in securing the school land certificates. Tarpley admitted that when he affixed his seal as notary to the documents he knew them to be false and fraudulent.

Worthington also made it plain that Tarpley was convicted of conspiracy to defraud the government, and that there was another indictment still hanging over him. He drew out the fact that Tarpley had never been sentenced in spite of the fact that his conviction was four or five years past.

Puter Informed.
Tarpley said that he told S. A. D. Puter about the demands made by Mays, and that he had checked up the lands with McKinley and found that they were so close to the Mays lands that they concluded Mays could not cut them out of the reserve without cutting his own holdings.

When they refused to meet the Mays demand about 3000 acres were cut out along the valley of the Silver river, however.

Horace G. McKinley made his first public appearance for some time by taking the witness stand following Tarpley. His testimony corroborated that of Tarpley in regard to their securing school lands in the Blue Mountain reserve.

McKinley also told of going to see Mays about the deal made by himself and Tarpley.

Fifty Cent Offer Insufficient.
Mays told him, the witness said, that the 50 cent offer would not pay the people in Washington, who had to be paid.

On cross-examination McKinley said Mays had never indicated whom he meant by saying he had to pay "those people in Washington." The witness said he had asked Sorenson who Mays meant, and Sorenson told him he did not know. McKinley said he had never met Hermann.

On cross-examination Worthington drew out of the witness that there was an indictment for conspiracy pending against him.

Heney then put the witness through a redirect examination, showing that he had been promised immunity in return for his testimony in later cases.

Indictments Not Dismissed.
Worthington then elicited the fact that the indictments had never been dismissed, and Heney explained this by saying that civil suits were pending as an outgrowth of the indictments, which made it desirable not to dismiss until their settlement.

J. L. Wells, the next witness, was an old friend of W. N. Jones. Jones had requested the witness in 1900 to receive as a notary public applications for school lands. Wells was to find applicants and was to receive \$5 for each one, paying the applicants whatever they agreed upon between themselves.

G. G. Brown, clerk of the state land office, identified the Tarpley-McKinley school land certificates.

to organize a Christian church in Beaverton. Gus Rosel is confined to his home with rheumatism.

Mr. Michael Ford, who has been visiting at the Summers home, returned to Gardner, Mont., yesterday.

The Newberg Brick & Tile company, who anticipate the erection of a brick and tile plant here, expect to obtain the power for their machinery from the O. W. F. people, and ask the town of Beaverton to take enough arc lights to pay for the conveying of the "juice" to this place. This seems to be a splendid opportunity for the people of Beaverton to pull themselves out of their chronic lethargy and improve the town, at the same time assisting a new industry.

Beaverton has not made a move for a quarter of a century, whereby home-seekers might be induced to locate here. However, there is a general feeling here that we need some paved streets, cement walks, electric lights, city water and a general house cleaning, and it is to be hoped that all this will take place in 1910.

Mayor Simon's Plan.
Mayor Simon announced shortly after entering upon his term of office that these bonds would not be sold, but that he would build the crematory on the

NEW CREMATORY

(Continued From Page One.)

the east side of the river. The council would not pass an appropriation ordinance for an incinerator at that point so great was the opposition on the part of property owners of that vicinity.

No matter what site would be suggested opposition from one quarter or another developed and the council hesitated to enact legislation which would incur the displeasure of a large number of voters.

Finally a movement began by The Journal was carried to a successful conclusion when the people at the last election voted to issue \$150,000 worth of bonds to build a garbage burner.

Mayor Simon announced shortly after entering upon his term of office that these bonds would not be sold, but that he would build the crematory on the

site of the present plant and that the money for this purpose would be taken out of the general fund.

Soon after this announcement was made bids were advertised for by the health board, and after weeks of discussion the board decided to accept the tender of the Lewis & Kitchen company, the lowest bidder. Before the council could take action on the recommendation of the board, the Lewis & Kitchen company asked to be allowed to withdraw its bid, stating as a reason for the request that Frederic F. Smith, who submitted it, was not authorized by the company to do so.

The bid was withdrawn and the board rejected all bids and advertised for new offers which were opened January 3. Since that time numerous meetings of the board have been held, and the result of the board's laborious investigations was that the incinerator offered by the Willamette Iron & Steel company was today selected as the one which will best suit the demands of this city.

Councilman Lombard, who was appointed a committee of one to examine crematories in different parts of the

United States, has taken an active part in the discussions of the board. Some days ago he expressed himself as in favor of any standard type of crematory, so, while he is not entirely satisfied with the choice of the board, it is not thought that he will seek to delay the building of the crematory by opposing the passage by the council of the appropriation ordinance necessary before the health board can award a contract.

No Deception.
From Tid-Bits.
"No," said the old gentleman sternly, "I will not do it. Never have I sold

anything by false representations, and I will not begin now."
For a moment he was silent, and the clerk who stood before him could see that the better nature of his employer was fighting strongly for the right.
"No," the old man cried again, "I will not do it! It is an inferior grade of shoe, and I will never pass it off for anything better. Mark it 'A shoe fit for a queen,' and put it in the window. A queen does not have to do much walking."

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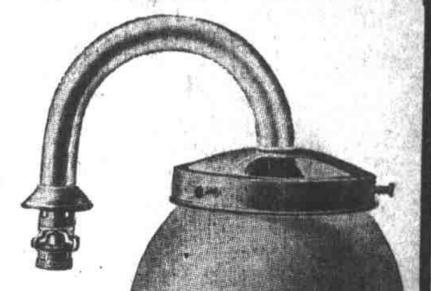
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