

DISMISSES TWO MORE OF FAMOUS LAND FRAUD SUITS

Indictments Against Former Congressman John N. Williamson Dropped by U. S. Attorney; 3 Cases Remain.

On motion of E. A. Johnson, United States Attorney, this morning, two more of the famous Oregon land fraud cases, which involved many of the prominent citizens of the state, were dismissed in the United States district court by Judge McIverton. Both of the cases were against John N. Williamson, former congressman, and now a well known resident of Prineville.

Back of the cases lies an interesting history. Williamson, along with Van Gesner and Marion E. Biggs, a prominent attorney of Prineville, were indicted early in 1905, during the regime of United States District Attorney Francis J. Heney, when the land fraud cases were started which eventually involved Senator Mitchell.

In this indictment they were charged with conspiracy to suborn perjury, and it grew out of efforts of Williamson and Gesner to obtain ranges for their sheep and cattle in Crook county. Biggs was jointly indicted for giving them legal advice that they were within the law in doing what they were accused of. It took three trials in 1905 to convict them. Gesner and Biggs were convicted early in the year, but it was not until the third that a jury said that Williamson was guilty. This was the famous alleged "hand-picked" jury of William J. Burns, the detective.

Refused to Ask Pardon. Judge DeHaven had presided at the former cases when the jury was dismissed. Judge Hunt of Montana presided the third time and ordered that the jury be drawn direct from the box containing the names of all the eligible freeholders of the state.

It was charged that the defendants had caused timber and stone cuttrmen to come in and settle on the lands they desired and to swear falsely in making their affidavits as to their intent as to permanent residence and ownership after they had proved up.

Williamson, because of being a member of congress, had the privilege of appealing direct to the United States supreme court under a constitutional provision. In 1908 that body reversed the conviction and ordered a new trial. The other two defendants were not so fortunate in their connections, and had to appeal to the circuit court of appeals. That body affirmed the jury decision.

Biggs was beseeched by his friends to apply for a pardon, on the strength of the charge that the jury had not been square. Biggs refused to do this, saying that he had never done any wrong, and at that time made some sensational bitter statements of his attitude toward the government. He and Gesner each served long jail sentences and paid heavy fines.

No fourth trial of Williamson has ever been had and this case was one of the two dismissed this morning.

Three Cases Remain. The other case was one in which Williamson was indicted along with Senator Mitchell, Binger Hermann, commissioner of the United States land office, Franklin P. Mayne, Willard Jones, and others, for conspiracy to defraud the United States of public lands. Mitchell died, of a broken heart it is said. Jones, Sorenson and Mays were convicted, and Hermann's case, after the jury had decided, was dismissed by Heney. As the same reasons applied in Williamson's case that had obtained in that of Hermann's, he was never brought to trial.

Negotiations for both dismissals have been going on for years, but final action has been held up pending efforts of the interior department to regain some of the claims that were alleged to have been granted through fraud.

This leaves only three of the old land fraud cases pending, but it is expected that all will be closed up before the end of this year.

U. S. INTERVENES IN TWO CENT FARE CASE

Washington, April 21.—Chief Justice White of the United States supreme court granted today the government's application to intervene "as a friend of the court" in the Minnesota rate case.

The government's brief supports the decision of United States Judge Sanborn that the Minnesota 2 cent fare law is invalid.

The department of justice filed a brief decrying the right of states to interfere with interstate commerce by issuing interstate rates.

The action of the court probably means final decision in the cases will be postponed until the fall.

The supreme court adjourned this afternoon without discussing other important cases pending.

Tillamook County Attorney Named. Salem, Ore., April 21.—Governor West today announced the appointment of M. J. Gersoni of Nehalem, as county attorney for Tillamook county.

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DISPUTE BETWEEN 35,000 FIREMEN AND THE RAILROADS SOON WILL BE SETTLED



Above are shown the three men in whose hands rests the settlement of the dispute between 35,000 firemen and 54 railroads. From left to right they are W. W. Atterbury, William L. Chambers and Albert A. Phillips. Below is a photograph of W. S. Carter, president of the Brotherhood of Locomotive Firemen, who led the men in their fight for higher wages.

Board of Arbitration Under Erdman Act Is Preparing Its Decision.

(By the International News Service.) New York, April 21.—In the hands of three men rests today the responsibility of settling the dispute which has existed for the past several weeks between some 35,000 firemen and the managers of all of the railroads east of the Mississippi river and north of Virginia. It is no small responsibility that lies with these men. The firemen had threatened to strike, which would have meant untold expense to both the railroads and themselves and an industrial struggle that would cause all manner of inconvenience to the business world, and perhaps actual suffering to the poor.

These three men, who compose the board of arbitration appointed under the Erdman act to settle this particular industrial dispute, and who must reach their decision by Wednesday next, are W. W. Atterbury, vice-president of the Pennsylvania railroad; Albert A. Phillips, vice-president of the Brotherhood of Locomotive Firemen and Engineers, and William L. Chambers, formerly chief justice of the international court of Samon and a member of the Spanish Claims commission. Atterbury and Phillips, representing both parties to the dispute, were selected as provided by the Erdman act. They met in an effort to select a third member of the commission, but being unable to agree, Judge Chambers was appointed by Chief Justice of the United States Supreme Court of Commerce and United States Commissioner of Commerce and Labor Charles P. Neill.

Decision Will Be Final. When the arbitration board had finally been selected, public hearings on the claims of the firemen were held in the Waldorf-Astoria. Witnesses were called and testimony taken. Both sides summed up their cases and briefs were filed with the closing of the hearings. The board now has until next Wednesday to announce its decision. It may grant all of the demands of the firemen in full, or it may grant them in part or deny them altogether as justified. Under the Erdman act both sides must abide by the findings of the board. Recently some 50,000 locomotive en-

- Number of firemen involved, 35,000.
- Number of railroads involved, 54.
- Demands of firemen—Increase in pay; two firemen to all locomotives; to be relieved of work of cleaning engines.
- Estimated cost to railroads to make increases demanded, \$12,000,000.
- Arbitrators who will settle dispute: W. W. Atterbury, vice president Pennsylvania railroad.
- Albert A. Phillips, vice president Brotherhood of Locomotive Firemen and Engineers.
- William L. Chambers, formerly a member of the Spanish claims commission.

gineers had a similar dispute with the same railroads. Several efforts were made by the United States Commissioner of Commerce and Labor to bring both sides together in some kind of an agreement. Finally it was arranged to select a committee of seven to sit as a board of arbitration. This board, however, did not sit under the Erdman act, which the railroads insisted would allow the board too much latitude in its powers.

In the case of the engineers, the board consisted of P. H. Morrissey, Charles Richard Van Lise, Frederick N. Judson, Oscar Straus, Dr. Albert Shaw, Otto M. Eckstein and Daniel Ward. Some of the demands of the engineers were granted, but, according to the engineers, the railroads got a considerable advantage. They consented to continue working, however, and accepted the findings of the board.

When the firemen threatened to strike if they did not gain their demands, the committee of railway managers suggested that the matter be settled in a fashion similar to the dispute with the engineers. President W. S. Carter, of the Brotherhood of Locomotive Firemen and Engineers, however, strenuously opposed any such plan, and he was backed up by the firemen, who said that they would strike before they would submit their demands to any such court. They held strong for a board of arbitration under the Erdman act. To this the board of railway managers objected.

Commerce Court Interferes. Innumerable conferences were held between representatives of the firemen and the railroads at the Broadway Central hotel, but nothing definite came of them. Judge Martin A. Knapp, of the United States Court of Commerce, and Acting Commissioner of Labor Hangar intervened in an effort to prevent the threatened strike. They brought the opposing sides together several times, but the stumbling block appeared to be the Erdman act. Finally the situation

HIS MOUSTACHE IS BAROMETER

REV. AND REP. HOWARD IS TO TEACH CHINESE

Salem Bureau of The Journal. Salem, Ore., April 21.—Representative J. K. Howard of Douglas county is here today filing articles of incorporation for the Oregon Chinese training school of Glenade, Douglas county. Mr. Howard will leave tonight for Washington, D. C., to acquaint the government officials with the purposes of the school.

This will be the third school of this kind on the Pacific coast, one being in Washington and another in California. The idea is to bring Chinese boys to this school and teach them in the elementary grades and then send them to higher educational institutions for special work, all the while keeping surveillance of them and seeing that they are deported when they have completed their schooling.

It is this point about which Mr. Howard is to consult with the government officials. He states there has been some trouble over bringing Chinese students to this country, and then turning them loose without seeing that they are ever returned to their own country. Besides Mr. Howard the incorporators are William Reid and William Tom, a Chinaman. Mr. Reid will go to China after the students. Eventually the school is probably to come under the direction of the Presbyterian church.

Disc Harrow Runs Over Boy. Walls-Walla, Wash., April 21.—Elmer McCauley was probably fatally injured Saturday night, when he was thrown from a disc harrow which he was operating on his father's farm near Dayton. The team the young man was driving became frightened and ran away, throwing McCauley in front of the machine, which passed over his body, almost severing one leg. The boy was removed to the Dayton hospital.

Actor's Wife Killed. New York, April 21.—Following fatal injuries received in an automobile accident at Seaford, L. I., Mrs. Henry B. Warner, wife of the English actor, is dead.

SAYS THEY BELONG TO SALOON RING

Rev. D. H. Trimble Names the Mayor and Certain Members of Council.

Rev. Delmer H. Trimble, pastor of Centenary M. E. church, in his yesterday morning's sermon, in keeping with the promise he had made the week before to name the members of the city council, who, he says, were directly or indirectly connected with liquor interests, gave a detailed statement based on a report by H. L. Sheldon, superintendent of the Oregon Anti-Saloon league. He outlined the alleged connections of Mayor Rushlight, Councilmen Baker, Wilhelm, Menefee, Jennings, Dunning, Monks, Watkins, and Langford and ex-councilman Burgard, with liquor interests.

In making this report, Rev. Mr. Trimble said: "Mayor Rushlight is the owner of a building at Grand avenue and East Morrison street, which is occupied by a saloon conducted by Penny Brothers. He is also interested in a plumbing shop that does all the plumbing for the Weinhard Brewery and its saloons."

"G. L. Baker is part owner of the Baker theaters and one of the largest bond holders in the company is Paul Wessinger, manager of the Weinhard brewery."

"Councilman Wilhelm is the half owner, with his brother, of property located at 123 Third street, known as the Panton saloon."

"Councilman R. E. Menefee is agent for saloon property at 65 Russell street, which is held under a lease by the Star Brewing company."

"Councilman Jennings holds a long lease for property at Broadway and Washington, which is used for saloon and pool room purposes."

"Councilman Dunning was indicted for being the owner of an alleged disorderly house, which had a government license to sell liquor."

"Councilman Monks and father are owners of the Portland Boiler company, which supplies all boilers and tanks for Portland breweries."

"Councilman Watkins, of the firm of Parlish & Watkins, is chairman of the liquor license committee and is agent for 40 saloons."

"Councilman Langford is the son of a contractor who has done all the contract work for the Weinhard brewery for 25 years."

"Ex-Councilman Burgard is the agent

for the Alaska building, which is used by the Gasbrius Brewery for the bottling and grill location. He also receives large amounts for insurance from the breweries.

SAY UNITED STATES NO PLACE FOR ASIATIC

"There is no room in this country for the Asiatic—there is no use for him, and for this reason I am profoundly in sympathy with the Californians," declared Dr. C. E. Cline in a discussion of the Asiatic anti-landholding bill now before the California legislature at today's meeting of the Methodist Ministers' association.

"It is my opinion," continued the militant minister, "that our efforts to convert the Asiatics through our system of foreign missions are largely responsible for the trouble we in America are now having with these people. Our missionaries have awakened within them a desire for our system, for our homes and, even inspired them with a covetousness for Anglo-Saxon women."

"The Asiatic cannot help the Anglo-Saxon—a mixture of the two bloods produces an inferior race. My experience as a city missionary in Portland taught me that the average Asiatic comes to the city missions chiefly for the purpose of meeting the attractive white teachers. Asiatics should not be allowed to own a foot of American soil, and I hope the California legislature will stand by its guns."

In replying to Dr. Cline, Father Flynn quoted the well known biblical expression: "God hath made of one blood all nations to dwell upon the face of the earth."

Rev. Lewis H. Thomas read a paper on the "Supreme Function of the Minister."

WOMAN LAWYER MAY PRACTICE IN U. S. COURT

Frances M. Kempf, a woman attorney of Woodburn, was admitted to practice before the bar of the United States district court this morning by Judge Wolverton. She was introduced by Attorney Charles Schnabel of this city, and immediately after her admission the newest federal practitioner in Oregon filed two bankruptcy matters. Miss Kempf is the second woman attorney to be admitted to federal court practice in Oregon. The other one is Miss Langley of this city.

ACCUSED FIGHTS BIGAMY CHARGE

C. H. Duffy, Accused by Anna Bock, to Oppose Extradition.

C. H. Duffy, alias Joseph B. Ellis, alias Rev. Frank T. Richards, now under arrest in Dunsmuir, Cal., is going to fight extradition and on Tuesday started habeas corpus proceedings. He is wanted in this city to answer a charge of bigamy brought by Anna Bock, who alleges that after she married Duffy, he swindled her out of \$2450.

Requisition papers will be forwarded this afternoon to Deputy Sheriff Curtis, who is now in California, where he went to get Duffy. Yesterday Duffy was taken from Dunsmuir to Yreka, the county seat of Siskiyou county, later followed by Curtis. With Duffy, now being held by the California authorities, is a woman and three children, said to be the wife and family of Duffy.

It may be necessary for Anna Bock or Mrs. Duffy number two, to go to California and identify Duffy. She may leave this afternoon, and will go to Sacramento where Duffy will be taken, held by the California authorities, in a woman and three children, said to be the wife and family of Duffy. It is alleged, wrote to them of a sawmill scheme in which he wanted them to invest their money. According to Sheriff Word, probably the charges were made by Duffy in a number of cases.

Anna Bock married Duffy in Macon, Ga., March 24, after the couple had corresponded for some time. It was shortly after Mrs. Duffy number two received a letter from Rev. Frank T. Richards, telling of the character of Duffy, that she sent him \$700. The address given on this letter signed by Richards was 1279 East Thirty-first street, which is now known to have been the Portland address of Duffy.

It is now believed that this letter of recommendation was written by a young girl, presumably the daughter of Duffy, at his dictation. After Anna Bock married Duffy and the couple came to Portland, she gave Duffy \$1950. Friday he left her only to take a family with which he had lived on the east side, to California. Sheriff Word was notified and Duffy was arrested at Dunsmuir, Cal.

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SPEEDERS CAUGHT ON LINNTON ROAD

Number of Autoists Forfeit \$10 Rather Than Appear in Court.

Several autoists and motorcycle riders who have been in the habit of speeding along the Linnton road in the stretch between Clearmont tavern and Linnton have learned during the past 10 days, at an average cost of \$10 apiece, that eight miles an hour is now the legal limit of speed in the Linnton city limits.

Warning signs have been put up, and J. F. Mitchell, constable, has been on hand to see that the warnings are heeded. As authorized by the state statutes the speed limit is fixed at 10 miles an hour along the road in the county, while in the settled districts the limit is cut down to eight miles.

In nearly all cases where speedsters have been halted for violation of the law a \$10 deposit has been required to assure the appearance of the offenders. In each case, however, the \$10 has been forfeited by default. The cases in which violation of the statute is charged are tried before J. E. Williams, justice of the peace at St. Johns.

"We have no desire at all to interfere with the sane pleasures of motoring to be derived from the Linnton road," said Mr. Williams this morning, "but protection from the speeders is imperative. At several points along the road the constable has seen sharp turns and heavy grades that increase the dangers, and it is necessary that all precaution possible be used to prevent accidents."

The Linnton road offers one of the most beautiful automobile rides in and about Portland.