

LUMBER COMPANY IS ORDERED BY COURT TO FORFEIT 20,000 ACRES

C. A. Smith Co. Instructed to Surrender Coos Lands Under "Innocent Purchaser."

Twenty thousand acres of land in Coos county was yesterday ordered forfeited to the United States from the C. A. Smith Lumber company in a decree signed by Federal Judge Robert S. Bean. The forfeiture was made as a settlement under the "innocent purchaser" statute, passed by congress to protect the corporations and individuals who had purchased large tracts of timbered lands from the Oregon and California railroad company of the government grant.

Hearing in this case was held in May. Like all the other innocent purchaser cases that have been settled, the defendant timber company had purchased the land in one large block from the railroad company and more was paid for it than \$2.50 an acre. Under the terms of the land grant, the Oregon and California railway was authorized to sell these lands to actual settlers only in blocks of 160 acres at \$2.50.

The innocent purchaser's statute, passed just a year ago this month, authorizes those who purchased tracts of 160 acres or more from the railroad company to forfeit them to the government and in six months' time or less, to buy the land back at the regular price of \$2.50 an acre. It is one of the provisions of the statute that the lands have to be bought back by the original purchaser from the railroad company. Otherwise the government will institute a suit asking for absolute forfeiture of the property without any compensation to the party losing it.

The C. A. Smith company will have to pay \$50,000 to regain this acreage. The complaint was directed against the Oregon & California railroad, Charles A. Smith and the C. A. Smith Lumber company.

The stipulation of the defendants in this case is signed by John Lind, who has just gone to Mexico for the United States as an ambassador extraordinary in an effort to secure peace in the southern republic. Mr. Lind was attorney for C. A. Smith at the hearing in Portland in May. Glenn E. Husted, special assistant to the attorney general, presented the decree in behalf of the government this morning.

MASK OF ROMANCE TORN AWAY IN DIGGS WHITE SLAVERY TRIAL

(Continued From Page One.)

day owing to the lateness of Maury I. Diggs in reaching court. Judge Van Fleet fumed at the delay and said it must not occur again.

While the court was waiting for Diggs, Miss Warrington, supported by her sister, Mrs. S. Haley of Sacramento, entered the court room. She was heavily veiled, but seemed to be more composed than yesterday, and apparently, was prepared to face her ordeal with as near composure as was possible in the circumstances.

Attorney Devlin, for the defense, at this point admitted that he would attend to a cross examination to show that Miss Warrington might be a willing witness against Diggs because she "had been promised immunity possibly from criminal prosecution herself." He denied that he would attempt to impeach her testimony.

Marshall Warrington resumed the stand at 10:39. Her testimony began with the arrival of the elopers at Reno. "We at once went to the parlor of the Riverside hotel," she said, "and ordered some lemonade."

Her voice was considerably stronger than yesterday, she needed no coaching by Special Prosecutor Roche.

Diggs Watches Witness.

Diggs did not once remove his eyes from Miss Warrington while she was relating the details of the escapade that culminated in his arrest. He bit his nails nervously.

When the girls wanted to go back to Sacramento," said Miss Warrington "but Diggs and Caminetti persuaded us not to because it might lead to the discovery of their whereabouts."

"I was introduced as Diggs' wife at the real estate office," admitted Miss Warrington in relating the arrangements made to rent the bungalow where the four elopers were later discovered.

"Diggs and Caminetti told us not to leave the bungalow," Miss Warrington testified, "as we might be seen leaving."

"Diggs said it was up to us whether or not the woman was a voluntary witness," said Miss Warrington in explaining that her paramour had warned her to keep the facts from the authorities.

"He said 'don't tell the officers anything.'"

"When the officers knocked on the door Mr. Beasley came in, and we girls started to cry. Then he put his arms about us to comfort us."

"I telephoned to my father at the request of Mr. Diggs to have the warrants withdrawn. My father said he could not, as the matter was in the hands of the state authorities."

Called Her "Pickles."

Asked if Diggs had a pet name for her, Miss Warrington stated that he had often addressed her as "Pickles."

The "Pickles" letter was then identified by the witness.

Asked if she knew Miss Laura Barton of Sacramento, the girl named in the subornation and perjury charges against Diggs and his attorney, Charles Harris of Sacramento, Miss Warrington admitted that the Barton girl had called on her after the return from Reno.

The prosecution then relinquished the witness and she was at once substituted.

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TWO LITTLE VICTIMS OF NOTORIOUS WHITE SLAVE CASE



Left to right—Evelyn Diggs and Naomi Caminetti. In the photograph are shown the daughters of the two men on trial in San Francisco. Naomi is the daughter of S. Drew Caminetti and the granddaughter of the United States commissioner of immigration. Little Evelyn is the daughter of Maury Diggs, who with Drew is accused of spiriting two young women to Reno.

mitted to a grueling cross examination, with Attorney Nate Coghlan for the defense, leading.

"Did he kiss you?" asked Miss Warrington. "He was with Mr. Austin, formerly of Sacramento, a friend of mine. He was in the saloon business—I mean Mr. Austin."

"Were you introduced by Mr. Austin under your right name?" queried Attorney Coghlan.

Girl Used an Alias.

"No, Mr. Austin told me that Diggs was not living with his wife at that time."

The first questions by the defense indicated that Miss Warrington would be subjected to a merciless examination.

"Didn't you ride frequently with Diggs in his automobile and stop at road houses?" demanded Coghlan.

"Yes, occasionally," she admitted, "but Mr. Caminetti was usually around, and I knew he was a married man."

"You had met Mrs. Diggs at Santa Cruz before meeting her husband, had you not?"

"Didn't Mr. Austin tell you to leave Diggs alone; that he was a married man?"

"He told me he was not living with his wife."

"Did not the four of you go to the Grand hotel in February, 1913?"

"Yes."

Shows Previous Relations.

"We desire to show," said Attorney Coghlan, "when interrupted by an objection, when previous relations existed between Miss Warrington and the defendant, Diggs."

Miss Warrington admitted that Caminetti and Miss Norris also remained at the hotel on the night.

"Did you give a false reason to your mother for your absence on that occasion?" pressed Coghlan.

"Yes."

Diggs, the girl said, told both herself and Miss Norris that the police would give them the "third degree" if they got them in their hands, and that the only way to avoid it was to leave town.

"But we can't go," I told him," she said. "My father would simply kill you."

"To all this, she said, Diggs replied, 'You simply have to go.'"

Miss Norris, the witness declared also corroborated, saying "It will kill my mother."

"Oh," said both Diggs and Caminetti, according to the witness, "she'll get over that all right."

Met Diggs at Restaurant.

On the night of March 8, Miss Warrington was in Reno—"Diggs telephoned me to meet him in the Peerless restaurant in Sacramento. I went there and met him. He said the Sacramento papers had the whole story of our affair and he could no longer prevent its publication. His father, he said, was about to come to town and intended to have both Miss Norris and myself and Mr. Caminetti arrested. He said the only way out was to go."

Shortly after that, she continued, Caminetti and Miss Norris arrived at the restaurant, where after a long discussion the two men partly persuaded and partly forced the girls by threats to agree to their plans. Diggs, as a final argument, then said he had seen his father, and that exposure was a matter of hours.

"Finally," she said, "both Miss Norris and I agreed, and we separated for the night."

In opening her testimony yesterday, Martha Warrington declared that the Reno trip was first talked of two weeks before the departure, when she, Miss Norris, Diggs and Caminetti were riding around Sacramento one night in Diggs' automobile. She said Diggs had urged them all to leave town because his father had learned of their entanglement and proposed to prosecute. She said Diggs declared the matter was also known to the newspapers and that he, Diggs, had been paying large sums of money to Attorney Charles Harris to keep the story out of the public prints.

Miss Warrington was then asked if, at the time she was going about Sacramento with Diggs, she did not know Diggs to be married. To this she answered, "Yes."

"And did Miss Norris also know that Caminetti was married?"

"Yes," she said. "We all knew. Mr.

Diggs told me that his life with his wife was very unpleasant, and that when he got a divorce we would get married."

Kissed Her Frequently.

"Did he ever show you evidences of his affection?"

"Yes, he did," was the reply.

"Did he kiss you?"

"Yes, he did that frequently."

"And you believed him?"

"Yes, I believed what he said. We often talked about getting married."

During this conversation the girl kept her eyes steadily on the floor. Diggs, with his impassive face, watched her closely but gave no sign of emotion.

Editor Gives Testimony.

Owing to the fact that business called him, John S. Chambers, managing editor of the Sacramento Bee, was allowed to take the stand this morning when court opened.

Chambers denied that his paper had in its possession the story of the Diggs-Caminetti scandal or intended publishing it.

M. J. Sullivan, probation officer of Sacramento, the next witness, denied that any complaint against either Miss Warrington or Lola Norris had been made to the juvenile court, prior to the elopement.

Sullivan admitted that Mr. Burke, father of Mrs. F. Drew Caminetti, wife of one of the defendants, had appeared at the chambers of Juvenile Judge Hughes to discuss the intimacy of Caminetti and Diggs and the Warrington and Norris girls. No official complaint, however, he stated, was made.

WIFE TAKES ALL BLAME FOR FAULT LAID UPON SULZER

(Continued From Page One.)

which investigated the charges against the governor called secretly at Governor Sulzer's office last night. He is said to have looked repeatedly over his shoulder, as if watching to see whether he was being shadowed. Frawley remained with the governor but 10 minutes. The visit gave rise to reports that reconciliation had been effected and that the charges against Sulzer would not be pressed, but Frawley emphatically denied this.

Chairman John Hennessy of the investigating committee appointed by Governor Sulzer is considering legal

steps today to enable him to examine Senator Frawley regarding the latter's business and political past. It is reported that Tammany Hall is apprehensive of this move.

Tammany members of the assembly spoke practically all night, killing time until they were able to muster enough votes to put through the impeachment resolution. At 2:30 o'clock this morning the real surprise of the proceedings came. It was brought about by Minority Leader Harold Hinman of Albany, fighting for the governor, who announced that Mrs. Sulzer had issued a statement which bore directly on the issues before the assembly. Mrs. Sulzer's statement, Hinman declared, said that the governor had known nothing of the Wall street transactions laid at his door by the Frawley committee, and that she alone was responsible. Hinman declared that Mrs. Sulzer had told her confidantes that she had invested \$900 along with other sums in the stock market without the governor's knowledge or consent.

Would Not Hear Statement.

Hinman then moved that the assembly adjourn until Mrs. Sulzer's statement could be considered, but it was quickly voted down on a roll call by a vote of 73 to 49. Immediately thereafter Majority Leader Levy took the floor and spoke for three hours, ostensibly defending Hinman's resolution, but in reality filibustering until the arrival of a sufficient number of Tammanyites to put through the impeachment resolution. When five Brooklyn Tammanyites arrived noses were counted and the resolution was put to a vote. It was adopted exactly at 5:16 o'clock.

The naming of committees and other formalities required two hours, and at 7:35 o'clock this morning the assembly took a recess until 11 o'clock. The speaker of the assembly named Assemblymen Van Woert, Cole and Bradley as a committee to notify the senate of the adoption by the assembly of the impeachment resolution, and appointed Assemblymen Levy, Delta, Kelly, Daly

and Bryant members of an impeachment board to prepare formal articles.

Mrs. Sulzer Will Testify.

Mrs. Sulzer may request an opportunity to appear before the assembly and tell her story. It is certain, however, that she will be the chief witness for the defense when the trial is held one month hence.

Friends of the governor deny that he will be automatically removed from office when the impeachment charges are filed with the state senate. They maintain that the constitution provides they admit but insist that the present constitution does not cover this point.

The impeachment provisions in the new constitution, they contend, apply only to the removal of "judicial officers."

Lieutenant Governor Glynn is taking no part in the proceedings, asserting that it is a matter that the senate must settle.

The most radical of Sulzer's friends assert that the governor will call out the National Guard if an attempt is made to oust him from office before the end of his actual trial.

Will Appeal to Courts.

Governor Sulzer and Mrs. Sulzer waited in the executive offices until the Levy resolution was adopted. The governor then declared that he would fight the impeachment proceedings and apply to the supreme court to restrain further action. If necessary, he said, he will carry the case to the United States court of appeals.

The impeachment court which will try Sulzer will consist of the state senate and the state court of appeals. The judges of the state court of appeals are Chief Justice Edgar Cullen and Associate Judges John Gray, William Werner, William Bartlett, Frank Hiscock, Emory Chase, Frederick Collins, William Cuddieback, John Horgan and Nathan Miller.

Mrs. Sulzer told the story of her Wall street operations to Senator Palmer, an old time friend. She gave him the details when he called to consult with the governor, and after the latter had left the room for a few minutes. Mrs. Sulzer, it is said, broke down while narrating the details of her operations. She told Senator Palmer that she, and not the governor, had used the portions of the campaign fund. She said she had taken entire charge of her husband's financial affairs because he was overworked at the time.

Wife Shoulders the Blame.

Mrs. Sulzer said she thought she could help him most by so doing, and had deposited all his campaign checks. Then she admitted using some of the funds "because the household needed the money."

Mrs. Sulzer also explained that she hoped to help out, and invested some of the money in railroad stocks, and insisted that Governor Sulzer spoke the truth when he said he never heard of the brokerage firms or stock deals mentioned at the hearings before the Frawley investigating committee. Governor Sulzer, she said, knew nothing of the stock deals until she made a confession to him.

Horgan Advised Her.

Mrs. Sulzer declared that Matthew Horgan, secretary of the Frawley committee, knew she had indorsed and deposited the governor's checks. Horgan

and his wife, she said, were practically members of the Sulzer household at the time, and that Horgan had given her financial advice.

At the time of Sulzer's nomination, Mrs. Sulzer declared, they needed money to meet pressing obligations amounting to \$40,000. As a climax to her story, she declared that she and her husband had been subjected to continued espionage, and that her bank books and important papers and even

loose papers, written before their marriage, had been stolen.

Tammanyites ridiculed Mrs. Sulzer's story today, declaring that it was a slick move to save the governor at the last moment.

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