

## 1910

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### HERMANN ON TRIAL

His Part In The Attempt at Stupendous Land Fraud in Oregon to Be Ventilated.

Binger Hermann, who for 16 years represented Oregon in the national house of representatives and for several years was commissioner of the general land office in the United States district court at Portland is facing the charge of conspiracy to defraud the United States government of a part of the public domain. Facing each other before United States District Judge Charles E. Wolverton, on behalf of the government is Francis J. Heney, special prosecutor and senior counsel—the man who secured the convictions in the previous land fraud cases in Oregon; John McCourt, United States district attorney for Oregon, and Trasey C. Becker, assistant to the attorney general of the United States. Hermann is represented by Colonel A. S. Worthington of Washington, D. C., who secured his client's acquittal on a charge of destroying 40 letter copy-books alleged to have been the property of the government land office in Washington, and former United States Senator John M. Gearin of Portland, one of the most astute lawyers in Oregon.

The indictment under which Hermann is to be tried was returned in 1905, and the conspiracy it alleges was the most stupendous of all the Oregon land fraud cases. Hermann was jointly indicted with the late United States Senator John H. Mitchell, former state senator and ex-deputy United States Attorney Franklin Pierce Mays, former state representative Willard N. Jones, George Sorenson, a prominent politician, and H. A. Smith, deceased. Of these Mays, Jones and Sorenson were on September 12, 1906, convicted as charged in the indictment. Senator Mitchell and Smith died without coming to trial under it; Congressman Williamson was convicted under another indictment and following the procedure of the government prosecutors in the Oregon land fraud cases was not tried on this indictment.

Hermann's trial under this indictment has been postponed year after year, some times at his own request and some times by the inability, for various reasons, of Francis J. Heney to conduct the trial.

At the trial of Mays, Jones and Sorenson, who were convicted under this indictment witnesses testified that they conspired to have set apart as a forest reserve 200,000 acres of land in Oregon and other states.

In this State the reserve was to be known as the "Blue Mountain forest reserve," and comprised 150,000 acres in the eastern part of the state. This land, according to witnesses, was then covered mostly by sagebrush and bunchgrass. The testimony showed that Mays, Jones and Sorenson sought to benefit by securing the 44,000 acres of state school lands embraced within the reserve, which they proposed to use as "base" for exchange for valuable timber land located in other parts of the state, a privilege granted by the act of congress approved June 4, 1897.

Evidence was introduced apparently intended to show that this trio secured, though flatly in violation of the law, both advance information as to the identity of the government agent who was to pass on the merits of the proposed reserve and advance information as to the date the temporary withdrawals was made, and that the information on this latter point was given out by Hermann, then commissioner of the general land office.

#### Sells Hay Business.

Fearing that the bottom will fall out of the high priced hay market, B. F. Reed of Ellensburg, Wash., has sold his holdings for \$200,000.

### SCHOOL TAX, \$10 PER CAPITA

Attorney Wilson Handles Question Before County Board Convention.

The county court has raised the school levy from \$7 to \$10 per capita. The action of the court was in line with the prevailing sentiment that existed at the Third annual session of the County School Board convention, held at Pendleton Saturday.

S. F. Wilson and C. A. Barrett, directors and Ohas Betts, clerk of this district were in attendance and Mr. Betts was chosen secretary of the meeting. The convention was called to order by County Superintendent Welles. R. F. Robinson, superintendent of Multnomah county schools gave an interesting address.

He was followed by Mr. Wilson who chose for his subject, "Ways and Means of Taxation." He brought out the fact that it should be the duty of every citizen of the county to urge upon the county court a larger assessment of taxes for county school purposes and submitted facts and figures showing that by so doing a more equal adjustment of the tax problem might be had and that much property which now escapes such taxation would be brought under such tax. This point was the most important subject brought before the convention and action on the matter was taken in the following resolution which was offered and carried by a unanimous vote.

"Whereas the county court has taken the initiative movement in increasing the per capita in the county school levy fund from seven to ten dollars, and whereas it is the sense of this body that this method is more just and equitable to the taxpayers as a whole, therefore, be it

Resolved, that we heartily endorse this action on the part of the county court and earnestly recommend that this policy be continued in the future and in no event be less than \$10 per capita."

#### Bank Officers Elected.

At the annual meeting of the stockholders of the First National Bank, held Tuesday afternoon, the following officers were elected: T. J. Kirk, president; Henry Koepke, vice president; F. S. LeGrow, cashier; Edw. Koonz, assistant cashier; Ernest Zerba, bookkeeper; T. J. Kirk, Henry Koepke, A. B. McEwen, D. H. Preston, F. S. LeGrow, directors. A dividend of 10 per cent was declared and \$5,000 went to the surplus fund, making the surplus now \$85,000, with a capital stock of \$50,000, showing that the past season's business for the bank has been exceptionally prosperous. A. B. McEwen and Henry Koepke two well known and substantial men of this community have become stockholders in the bank, the policy of the institution being to localize the holdings of stock as much as possible.

#### County is Out of Debt.

According to the annual report of County Clerk Salling, the receipts of Umatilla county from all sources during the year 1909 was greater than the expenditures by more than \$800,000. A great part of this has been reducing the county's indebtedness until the county is now practically free from debt and on a cash basis. The taxes for the year amounted to \$350,000, but \$23,000 was given back in rebates or was delinquent. The amount received from all other sources was \$87,300 making the total receipts for the year \$441,300. The total expenditures for the year amounted to \$119,900, leaving a balance in favor of the county of \$304,000.

#### Pendleton Girl Team Won.

By a score of 33 to 0, the girls basketball team of the Pendleton High school, defeated the girls of the Athena High school, at the Athena opera house, Saturday evening. The Athena girls made their first public appearance and while they met defeat, the honors went to a team that is recognized as being exceptionally strong and one that has had long experience. The Pendleton girls were accompanied by Principal and Mrs. Hampton. After the game a reception was held at the M. E. church. Refreshments were served.

#### A Rumored Change.

According to unconfirmed rumors, the Spokane train which at present arrives in Athena at 1:05 p. m. will soon be running on a new schedule that will bring it into this city at 8:40 a. m. It is also reported that the Portland-Pendleton special will leave Pendleton at 8 a. m. instead of 8:40 as at present, which would necessarily mean that the Walla Walla-Pendleton local would arrive here about 7:10 a. m. It is presumed that the time of the evening passenger will remain as it is now.

#### Arnold Murder Case.

Attorneys H. I. Watts and Will M. Peterson have been retained to defend Claud W. Arnold, alias George Tracy, indicted for the murder of Andrew Rabeal. The trial has been set for January 14.

### THE SCHOOL RALLY

Big Crowd Enjoys Addresses, Songs, Recitations, and then Participate in Association Banquet.

The local teachers institute and educational rally, held at the Methodist Episcopal church in this city Friday night, was attended by an assemblage of people that taxed the full capacity of the auditorium.

State Superintendent Ackerman who was to have been on the program for the principal address of the evening, was unable to be present on account of illness, but his place was ably filled by Prof. L. R. Alderman of the State University, who delivered just the sort of an address to conform with the occasion—a heart-to-heart talk with the teacher, pupil and parent.

In an impressive, pleasant way Attorney S. F. Wilson, who presided as chairman, delivered the address of welcome. He made every visitor feel the weight of Athena hospitality and the deep interest she takes in educational matters.

Prof. Alderman's address was well received. He held close attention of old and young, alike. He took for his subject, "Chums, Gumps and Spooks" and in the three divisions of his subject he unwound a skein of information which was indeed food for reflection and incentive for higher and better endeavor.

From "chums" he extracted the status of governing the toy through close association with the father in pastime and work, and drew vivid word pictures of sterling manhood as the reward of such association.

In "gumps" he depicted the mother drugging at household duties, while Mary, the daughter, found time to meet every train and visit the post office several times each day. And by the way, the particular Mary Prof. Alderman led forth in point of illustration never had her lessons at school but before he got through with her (with her mother's help of course) she had brought to him at school, bread of her own baking and displayed with commendable pride a waist finished by her hands. "Spooks" furnished material for illustration by the speaker of the fallacy some parents have of landing to others the virtues of their children, when in fact the children are devoid of the virtues attributed to them. In this connection the speaker cited the girl, who assisting her mother in the kitchen, wears out the floor between "her room" and the cookery, that the rat in her hair may always be properly adjusted.

Prof. Alderman readily found himself at home in Athena. Several of the alumni of the University, and old friends of his, reside here, among whom are B. B. Richards, Assistant Principal Mulkey of the Athena High School, Mr. and Mrs. M. L. Watts, and B. I. Watts, of the alumni, and several acquaintances including the Misses Edith and Blanche Orswell and Mr. Merle Robie.

Other interesting features of the program, rendered in the auditorium was the splendid singing of the Pendleton Quartette, the recitations and the High School chorus. The quartette is composed of Messrs. Akers, Landers, Owens and Welles, and every number rendered was warmly encored. The High School chorus was a pleasing feature and the recitations of Miss McIntyre and Miss Martin, of the Adams public were greatly appreciated, and little Miss Mattie-Lee Case captivated the big audience with her splendid recitation.

In the after part of the evening the crowd was taken in charge by the Commercial Association, a committee from which had prepared lunch and refreshments. The large basement dining room of the church after being thrown open was invaded by the hungry guests.

Lunch was served and after a while the cravings of the inner man were satisfied. President Richards of the Association presided as toastmaster and a number of guests and townspeople responded. The assemblage greatly appreciated the association's social feature of the evening, but much of the pleasure of listening to the toasts was marred by the noise made by obstreperous youths in the upper part of the house.

The success of the big gathering was largely due to the interest taken and efforts put forth since its inception, by Prof. Case of the Athena High School and County Superintendent Welles. These gentlemen had hoped to have Superintendent Robinson of the Multnomah county schools present for the occasion, but through unavoidable circumstances, he was unable to attend.

#### Verdict of Not Guilty.

The jury in the Morse home stealing case brought in a verdict of not guilty, yesterday morning. The defendants, Clarence and Harry Morse, John Pamburn and Roy Ellsworth were discharged. This was the second time the case has been before Judge Bean. In the former trial, the jury failed to agree after being out all of one night and a great part of the next day.

### STREET STRAWING PROHIBITED

Ordinance Prohibiting Practice Here-tofore employed to Keep Dust Down.

Hereafter there will be no more straw used on Athena streets for the purpose of keeping down dust during the summer months. An ordinance to this effect was passed by the council at a recent meeting. The ordinance follows:

Section 1—It shall be unlawful for any person or persons to place on the streets or alleys of the city of Athena any straw, manure or other refuse of a like nature.

Section 2—This ordinance shall not prohibit the placing of straw or manure adjacent to the owners property for the purpose of removal.

Section 3—The violation of this ordinance shall subject the person or persons upon conviction thereof, to a fine of not less than \$5 or imprisonment in the city jail not less than three days.

Section 4—All ordinances or parts of ordinances conflicting with this ordinance are hereby repealed.

Section 5—This ordinance shall take effect and be in force from and after its passage and posting as required by law.

#### Weston Bank Officers.

The stockholders of the Farmers' Bank of Weston, at the annual meeting held Friday, elected the following officers: Robt. Jamison, president; G. W. Froebel, vice president; I. M. Kemp, cashier; Fred Kershaw, assistant cashier; Robt. Jamison, O. C. Turner, G. W. Froebel, G. DeGraw, Joseph Wurzer, J. M. Price, directors. The past year has been the most prosperous in the history of the Weston Bank. The deposits equal more than twice the amount in the bank at the annual meeting last year. A ten per cent dividend was declared and 10 per cent went to the surplus fund, which now aggregates \$13,000.

#### New Telephone Equipment.

A new switch board equipment is to be installed in the local telephone office in the near future. A portion of the material which will be used in installing the new fixtures is already here. District Manager Van Horn came over from Walla Walla Wednesday, and in company with H. A. Barrett went over the lines in this city and at Weston. The manager promised to take up the matter of cabling Fourth street, with his company at once. Mr. Barrett informs the Press that the rates will not be raised on the rural lines entering Athena.

#### Ice Stops River Traffic.

The White Bluffs country, which according to oldtimers on the Columbia river reaches from Pasco to Priest Rapids, is under blockade by the ice floes now filling the stream from bank to bank. The steamer Mountain Gem, Captain Henry Bailey, made her last round trip between Kennewick and Priest Rapids Monday, fighting through the large field of ice for 65 miles. So closely was the steamer pressed at times that she was compelled to float with the current on the downriver trip using her wheel only for steering.

#### To Warm Strawberry Plants.

A hot water heating plant in a garden is the novel idea which C. R. Delpine of Kennewick, will put into practice next spring to protect his strawberry beds from frost. Mr. Delpine has two-thirds of an acre of strawberries and is now constructing a furnace with which he hopes to save his crop next year. This will be accomplished by means of a submerged boiler from which the water will run in pipes to the furrows along the berry rows. He believes he will be able to raise the temperature of the water to 80 or 90 degrees.

#### Four From Scarlet Fever.

With the death of 4-year old Oscar Stephanzon early Monday morning, the parents Mr. and Mrs. O. P. Stephanzon of North Yakima have lost four children since December 3. The oldest son died on that date, and the day before Christmas two other children were carried off with scarlet fever. Three other children are now afflicted with the disease. The family is in poor circumstances.

#### A Burns "Smoker."

On the evening of January 25, the anniversary of the birth of Bobby Burns, the Scotch poet, the members of the Umatilla county Caledonian society will have a smoker in honor of the occasion. The Caledonians will meet in the Masonic hall in this city, where, it goes without saying, an enjoyable evening will be spent.

#### The Athena Cup.

The "Athena Cup" which will be presented to the school winning the highest number of points at the county school track meet to be held in this city, has been received by Bill, the jeweler, through whom it was ordered. The cup is a beauty and exceeds the expectations of the committee appointed to make the selection.