

THE BIG LAND FRAUDS IN WESTERN STATES

They Are Far More Gigantic Than People Generally Imagine.

SOME CLEVER DETECTIVE WORK DONE BY W. J. BURNS.

He Has Entrapped Culprits Both High and Low by His Carefully Laid Plans—How the Schemes of the Land Grabbers Worked—Some Startling Evidence.

Washington.—The story of the big land frauds of the west when all told is one of the most startling and interesting of modern annals.

It is a gigantic conspiracy, a detective story and a tremendous legal battle all in one.

The conspiracy reaches back through the years, involves hundreds of thousands of acres of the finest public lands in Arizona, California, Oregon and other states, and includes among its long chain of conspirators, men prominent in state and nation, government officials and employes, and wealthy corporations, including at least one railroad.

The detective story equals any of the Sherlock Holmes variety in the keenness and nicety with which the faintest clues have been followed up, mysteries unraveled and the guilty, high and low, at last cornered, in spite of unlimited power and influence and loads of money used to block investigation and checkmate the detectives.

The tremendous legal battle begun some time ago when sufficient evidence was secured to start court proceedings and which is still raging, is a conflict of giants. The government has employed the finest legal talent to be had to prosecute the cases and the men on trial, and to be tried, are sparing no efforts or money in trying to escape conviction. It is a fight every inch of the way, with several points scored by the government thus far.

And all this is included in the complete story of the land frauds—a story of fascinating interest because of its startling revelations.

It is a story one wants to read.

From the time some three years ago when Secretary Hitchcock, of the interior department, first received the hint that gigantic land steals were going on and started the machinery of

because the conspirators were bold and the prize to be won almost limitless in extent and value, they devised a system by which to operate. But more of this later.

Startling Summary

To summarize our story before attempting to develop it in its startling details, let us consider that its ramifications lead us through three states, with still others to hear from. Immense tracts of timber land, aggregating 1,000,000 or more acres in extent, are involved. In Oregon, one firm alone acquired 200,000 acres of the finest of the public domain by the use of the fraudulent system. And in California applications were made for 240,000 acres of school lands, indicating that the only limit to the fraudulent entries was to be the outermost boundaries of the land itself. It is estimated that the land grabbed is easily worth \$20,000,000 to \$25,000,000.

Sixteen of the principals involved in these land frauds have been indicted, and ten or 12 implicated in a greater or lesser degree. Ten men in the employ of the land office have been discharged for complicity in the frauds and several convictions have already been secured.

Among the indicted are one United States senator, one congressman, two state senators, an ex-district attorney, an ex-assistant district attorney, the former head of the general land office, special agents of the land office and a former judge.

In Oregon convictions have already been secured in the cases of Clyde Lloyd, S. A. D. Pater, Horace G. McKinley, Emma L. Watson and D. W. Tarpley. Franklin Pierce Mays, state senator from Portland, is now on trial, and the trial of Senator Mitchell is to begin shortly.

Judge A. H. Tanner, the law partner

and then sent evasive replies in an effort to suppress the matter. But when the letters became too persistent a special agent was at last sent to investigate to Tucson, Ariz., from which the letters had come. The report of this agent did not reach the department until September, and the clerk who read it was so impressed with its importance, as it stated that big steals and frauds were being perpetrated on the government, that he took it direct to Commissioner Hermann. There it rested.

Commissioner Hermann Exposed.
About this time Secretary Hitchcock received a confidential letter, intimating that such a report had reached his department. He at once sent for Hermann and asked for the report, and upon its being produced, the commissioner's resignation was demanded. The latter requested three or four weeks time, which, it is charged, he spent in destroying press books and other tell-tale evidences of corruption, and for this he has just been indicted at Washington.

Impressed with the seriousness of the situation, Secretary Hitchcock at once assigned Arthur B. Pugh, an attorney of the interior department, and Harry E. Steece, a special agent of the general land office, to make an investigation. When they reached Arizona they found that the man who had been instrumental in starting the investigation had changed his mind and refused to make any further statement. They then proceeded to California and after a brief investigation returned to Washington and reported that the frauds were evidently extensive and that the services of a detective would be necessary to work up the evidence. Chief John E. White, of the United States secret service, was called in and at his suggestion one of his operatives, William J. Burns, was placed in full charge of the secret service end of the case. As a preliminary to his work Mr. Burns spent a month in the general land office, familiarizing with the general details of the work and gathering all the evidence at hand.

Fine Detective Work.

Fortunate circumstances favored him and before he started for the west he had secured a confession from J. J. Barnes, who had been employed in the general land office for 35 years. This gave him inside information which he was not slow to use on reaching California. His investigations led him into Arizona and Oregon and other western states, and when he had the details well in hand, he boldly faced B. F. Allen, who for years had been a trusted agent of the interior department and who at the time was forest superintendent at Los Angeles, Cal., and charged him with complicity in the frauds, with the result that Allen broke down and confessed that he was connected with F. A. Hyde, an extensive land speculator, and at present under indictment for conspiracy and awaiting removal to Washington for trial.

The trail now led to the office of the forest supervisor, Grant I. Taggart, whose reputation up to this time had been above suspicion. Burns' rigid examination forced the details from Taggart of how he had established the boundaries of the forest reservations in his territory, under the direction, he said, of John A. Benson, who was another land speculator, and who with Hyde is now under indictment.

Trap Set.

With the inside information thus obtained, the secret service man returned to Washington, and proceeded to entrain certain men in the general land office, for by this time he knew the men he wanted. There were two men especially implicated in the chain of evidence which he had thus far forged link by link. One was W. D. Harlan, chief of the special service division, and who up to this time had the entire confidence of the department. He had charge of the special agents whose duties are to investigate all depositions of the land office. The other man was William E. Valk, who had charge of the line selections. Burns succeeded in wresting confessions from both men, and Harlan admitted, it is said, that he was in the habit of communicating with Benson in California by letter, using plain paper and attaching no signature.

At the dictation of the detective, Harlan wrote a decoy note to Benson, stating that he had a matter of great importance to communicate to him and asking him to write him care of Geneva, as he feared his mail was being watched. No reply was received to this and it developed later that by some means Benson had been warned of the trap. Another letter was written and mailed to Benson and this time Burns made certain that Harlan did not send any warning. The result was that Benson on the receipt of the letter in Washington came on at once, and from the New Willard summoned Harlan and Valk to visit him. All three men were now under the closest surveillance of the detective, and Burns told Harlan and Valk to keep the appointment and to take any money which was offered them. The trap was sprung and Burns, it is said, has \$100 given to Harlan, marked and held for future reference.

An Important Arrest.

Benson was immediately arrested and taken before the United States commissioner. He gave bonds for \$5,000, but defaulted and skipped to New York, where he was again arrested and where he has been fighting the removal proceedings ever since. The case has at last reached the United States supreme court, from which a decision is expected soon.

How Clerks Were Bribed.

And now just a word here as to the skillful way in which the clerks in the general land office at Washington and the special agencies in the western states were approached and finally completely brought under the control of the unprincipled land sharks. One of the conspirators would call upon them and ask for ordinary information that had nothing whatever to do with the land steals, and which was perfectly proper for the clerks to give. This information would require a little research on the part of the clerk, and when it was finished the inquirer professed himself to be deeply grateful and on leaving would press a \$10 bill into the hands of the clerk, and if he raised any protests, would say: "Oh, give it to your wife."

Here was a temptation easy to yield to, for it seemed so innocent and harm-

less, as he had only furnished information which was legitimate and the inquirer had merely given an expression of gratitude for services rendered. But that was but the first step. In a few days the conspirator would call again and want still other information which did not have to do with the land cases. The clerk, eager to oblige, supplied the information, and \$50 offered by the grateful inquirer was more readily accepted than the \$10 had been. Now the clerk was fixed, and when the conspirator came out boldly and sought information in regard to land cases, and the clerk would protest that he could not give it, he was coolly informed that he must do as he was bid, for he had accepted two or three bribes from him already, and if it became known he would lose his place and perhaps go to the penitentiary. The clerk, realizing his position, would yield, and in a short time would be deep in the meshes of the great conspiracy.

After Big Game.

But the big game had not been winged as yet, and it was really the big fellows which the department was anxious to get. But step by step the trail was lead-



ing up higher and higher, and desperate as were the efforts to end the investigation, powerful as were the influences exerted to discredit the work and place Secretary Hitchcock in false light, strong as were the counter charges brought against the secretary of the interior to have him removed, not for an instant did he hesitate or pause in his purpose to run to the ground every one in any way connected with the land frauds, whether United States senator or poor \$1,200 clerk, the tool of the real conspirators.

The first hint from Arizona had led to unearthing big frauds in California, and especially in Oregon, where the confession of Frank H. Walmott brought about the conviction of a pretty bunch of prominent people, among them S. A. D. Pater, who is alleged to have had dealings with Senator Mitchell in the land frauds. From this beginning all the timber land prosecutions in the state of Oregon started. It is charged that a Portland man and a millionaire lumber dealer of Minnesota had acquired more than 200,000 acres in Oregon. With the conviction of Pater, McKinley and others, Burns did not rest, but proceeded to worm from them information which resulted in the charges of the bribing of United States Senator Mitchell, of Portland.

The plot thickened and as it did so the barriers to investigation became more determined and effectual. But as Secretary Hitchcock and Attorney General Knox came to appreciate the extent of the land frauds, they decided to have more legal aid, and Francis J. Heney, one of the ablest criminal lawyers of the Pacific coast, was secured to look after the Oregon end of the cases. And here is where Senator Mitchell and others of the big fry come in, and right here is one of the most interesting and startling portions of the land fraud story. When the grand jury had been summoned and a vigorous investigation begun, Attorney Heney tried to induce Senator Mitchell to go to Oregon from Washington as a witness, but this he at first refused to do. But when he was informed that matters were becoming serious for him and Hermann, they both started for the west.

Startling Developments.

But if the grand jury could not get hold of Senator Mitchell as a witness, it could and did secure his law partner, Judge A. H. Tanner, and the developments resulting from his testimony, the keen work of the detective and the subsequent confession of Judge Tanner are almost tragic in their bearing. While Tanner refused to produce the partnership books kept by the firm of Mitchell and Tanner, on the ground that it might incriminate him, he did produce a partnership agreement, dated 1901, that on its face appeared to be genuine.

But Mr. Burns thought differently. To make a long story short, the clever detective noted that the agreement was written on paper which bore the watermark of Edinamplé. The books of the firm showed that the first Edinamplé bond purchase had been made on March 30, 1903, almost three years subsequent to the writing of their original partnership agreement. Burns also noted that the document had been written on a typewriter using a black ribbon, and investigation proved that during the period between 1901 and 1905 green and purple ribbons had been used, and that black was used for the first time in December, 1904. It was discovered also that the profits of the concern were divided equally between

Mitchell and Tanner, and that a clause in the original partnership agreement read: "That all moneys received from practicing before the department at Washington was to be the exclusive profits of John H. Mitchell," while in the agreements presented before the grand jury the name of Tanner appeared in the place of Mitchell's. Misspelled words in the agreement furnished a clue, and Tanner's son in a test before the grand jury misspelled those same words, and finally admitted that he had written the agreement in December, 1904. Judge Tanner was now called before the grand jury again, and persisted in his former statement that the agreement was genuine, and the grand jury promptly indicted him for perjury. Later, it is said, he made a confession to Burns, implicating Mitchell in the fraud.

The "Burn-Without-Fail" Letter.

In the meantime Harry C. Robertson, the private secretary of Senator Mitchell, at Washington, had been subpoenaed as a witness by the government, and on his arrival at Portland was immediately taken by Mr.

that can be found in the public domain. By the creation of forest reserves within the states of California and Oregon—generally in the mountainous regions—large tracts of undisposed school lands, frequently of a worthless character, were included in such reserves. Under the act of June 4, 1897, referred to above, these states could relinquish the school lands to the United States and select other lands outside of these lands then selected at prices from five to 20 times as much as the prices that could be obtained for school land inside the forest reserves before the government withdrew them. In this way the land grabbers have acquired school lands for which they paid \$1.25 an acre, and sold for \$5 to \$20 an acre.

Government Employes Involved.

"The system" extended to Washington, for to further their schemes employes in the general land office there, who had been drawn into the conspiracy by liberal bribes, kept certain men informed regarding the exact date when the withdrawals of land would be made for the purpose of creating new forest reserves. The advance information thus obtained would enable them to file in the state land office their fictitious applications to purchase school lands within such forest reserves ahead of anyone not in the combination. Arthur B. Pugh, in his report to the secretary of the interior, stated that one firm had secured in this way the filing of applications to purchase about 240,000 acres of school lands within proposed forest reserves, the withdrawals for which were made only a few months previous to the beginning of the investigation.

And now as to the railroads. Under similar provision they were able to acquire thousands of acres of valuable land. The Northern Pacific obtained 400,000 acres of Oregon timber land by relinquishing desert land and locating script received for it. Although the road has but 40 miles of track in Oregon, it obtained large tracts of valuable timber lands, and the exchange of the 400,000-acre grant for timber lands in Oregon is at present the subject of investigation by the legislature of Oregon.

The Government Position.

Mr. Pugh, as attorney for the interior department, in speaking of the government's position in the case, says:

"There is no doubt that a great conspiracy can be shown in these cases and that the exchange of these lands with fictitious titles for lands with perfect titles would be a gross fraud upon the government. This was one of the most ingeniously planned and devised in the history of the United States that the government has had to deal with. While the school lands used as a basis for the selections under the act of June 4, 1897, are located within the states of California and Oregon, the public lands selected in exchange for such school lands are scattered throughout the various public land states and territories. The very best of the undisposed lands were selected in exchange. In the timbered sections the most valued timbered lands were taken. In the arid regions, land containing springs, or on which sources of water supply were found, were taken. If the fraudulent actions had not been arrested there would have been obtained in this manner patents from the government to hundreds of thousands of acres of the very best public lands."

FIND SUBSTITUTE FOR HAIR.

French and German Chemists Devise an Extraordinary Process of Making Locks from Collodion.

Washington.—Invention has now found a substitute for human hair. It was discovered incidentally in a long quest for some method for making artificial silk. After 150 years of failure a French and a German chemist have solved the artificial silk problem, and the department of commerce and labor is informed that they are soon to be started in the United States for making silk from collodion. The same factories will make hair for wigs, scratches, switches, and other comforts of baldness.

In the matter of hair for the head, nature has not been able to keep up with art. The collodion-spun hair is lighter, softer, cheaper and altogether better than hair cropped from the human head. The inventors of the artificial silk process are Dr. Lehner, of Augsburg, and Count Hilariree Chardonnet, of Paris. Two factories are running in Germany, two in Switzerland and one at Besancon, in France, turning out the product, of which one of the German factories sold the United States \$138,312 worth last year.

Collodion is the basis of the artificial silk, and this is obtained generally from carded cotton, although it may also be obtained from corn and other grains. After being subjected to certain secret chemical treatments, it is spun wet into the brilliant threads such as the silk worm spins to make its cocoon.

JOKE TO COST THEM \$10,000.

Tenderfoot Sues Men Who Held Him Up "Just for Fun" for Big Sum.

Tacoma, Wash.—A practical joke played upon a tenderfoot has resulted in a suit for \$10,000 damages against seven men at Lewiston, Idaho. Ray Naanes, recently from Kokomo, Ind., was the victim of a fake hold-up at Waha, Idaho, several weeks ago. He was employed by John Hames, who conduct the post office, store and hotel at Waha.

The defendants, it is alleged, frightened him by telling him how fast tenderfoot was killed off in that part of the country. One man rode up leading a riderless horse and told Naanes how his partner had been killed and he was hurrying out of the country. The climax came when Naanes and others were held up in the store.

Two of the defendants, with coffee sacks as masks, entered the store armed with revolvers, and ordered the men inside to hold up their hands.

The complaint adds that Naanes was recovering from appendicitis, and that the fright has made him permanently ill. He is now at Lewiston under a physician's care.

Argentine States.

The Argentine states have greater individuality than ours. They may, with the consent of congress, make treaties for the fostering of industry, immigration, colonization, railroads and canals.

What's Man to Do?

The average woman thinks it's just horrid if her husband is jealous of her, and just horrid if he isn't, so there you are.—N. Y. Times.

KEEN-EDGED SABERS

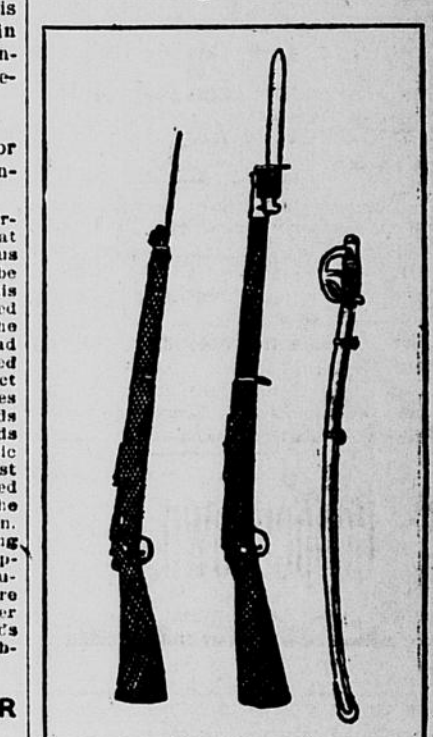
UNITED STATES ARMY TO PROVE IT BY CONFLICT IN FAR EAST.

Cavalry's Weapon to Be Remodeled, and Sharp End Replaced to Be Replaced by Those with a Knife Edge.

Military experts of the United States army have been watching with keen interest the conflict in the far east and have been quick to note the directions in which improvements can be made in the equipments of our soldiers, and in fighting methods. It has become evident that the hand-to-hand conflicts in the trenches and in the open will decide the battle of the future, and for this reason Secretary of War Taft has just issued an order that blunt sabers of the cavalry should be sharpened to a keen edge. Another change which is likely to be made soon is the adoption of the knife bayonet. This is the old-fashioned attachment of the Krag-Jorgensen rifle, but is more effective than the short rod bayonet of the new army rifle recently adopted, and for this reason a great prejudice has developed against the latter.

The army saber has been regarded as an obsolete weapon for the past 20 years or more. Now it is coming to the front again. So useless has it been considered that up to a month ago our government had not bought any since the civil war. Secretary Taft has just entered into a contract for the purchase of a large number of sabers from the Ames Sword company, of Chicopee Falls, Mass. An order for several thousand has also been placed with the Springfield arsenal.

The command to sharpen the edges of the instruments applies to officers as well as to enlisted men. The cavalrymen will now be drilled with more care in the flourishing of their blades so that



NEW AND OLD ARMY RIFLES AND ARMY SABER.

they will not be snipping Woodcock's ears or gouging out their cheeks with careless sweeps.

Following out instructions from the president, a board of special officers is considering the advisability of dropping the rod bayonet that was adopted only a few years ago. This device was one of the developments of the Boer war. That conflict made it appear that days of hand-to-hand fights between opposing armies had passed, and that long range artillery duels would determine the victories of the future. Accordingly the old knife bayonet, which had been employed in our army for years, and with which our soldiers could cut down an enemy, or throw up entrenchments with equal facility, was tossed on to the junk heap. In its place was substituted a slender rod with a pointed end, which is described by officers as neither a good ramrod nor a good bayonet.

This rod bayonet was adopted at the time the Krag-Jorgensen was abandoned for the new Springfield rifle. The latter weapon has a barrel six inches shorter than the Krag, and measures but 24 inches. This makes the rifle used by the American troops the shortest carried by soldiers anywhere in the world. Extensive experiments with 24 and 28-inch rifles showed that the shorter type could be adopted without loss of accuracy or penetrating power. Instead of increasing the length of the bayonet to make up for the lack of "reach" of the gun proper, this attachment was shortened also. Now, the strategists of the war department realize that the army is equipped with a rifle that is anywhere from seven inches to a foot and a half shorter than those used by the leading military nations. In view of the reports of battles that are being won in the far east by bayonet charges, this fact is giving much concern not only to Secretary Taft and members of the general staff, but to President Roosevelt as well.

The length of the United States army service rifle with bayonet is only 54 inches. The extreme length of the Lebel rifle, with which the French army is equipped is 71.85 inches, or a foot and a half longer than the new Springfield. Germany clings to the Mauser rifle, with an extreme length of 69.68 inches or 15.59 inches longer than ours. The rifle employed by the Russians is of the Mouzin pattern and measures 63.11 inches from butt to bayonet tip. The Japanese weapon is a rifle less than three inches shorter. English troops are equipped with the Lee-Metford rifle, which is the shortest weapon in use, excepting the new Springfield. It measures 61.45 inches and is 7.45 inches longer than ours. The greatest objection to the rod bayonet is based on the fear that our soldiers, realizing that they are at a big disadvantage in the matter of "reach" when it comes to a hand-to-hand struggle, will shrink from collisions and give way at the crucial moment of combat.

Insulting.

Lawyer (cross-examining witness)—Where was your maid at the time, madam?

Lady—She was in my bedroom arranging my hair.

Lawyer—And were you there also?

Lady (indignantly)—Sir!—Cassella.



Investigation, news items in the papers of the country have told of the developments in the case. Occasionally the public has been startled by the name of some prominent man being connected with the frauds, as was especially the case when Senator Mitchell was indicted on the charge of accepting a bribe in connection with some of the land cases, and his now famous, "burn this letter," was made public.

But at best the public has been able to obtain only a very incomplete and confused idea of the case as a whole, and has little idea of its magnitude, the startling boldness of the plot and the extent of the operations of unscrupulous men.

One Gigantic, Systematic Plot.

First of all we want to remember that the land frauds are not an aggregation of isolated cases, independent of each other in methods and purpose, but are really one gigantic, deep-laid and systematic plot which was being persistently and successfully carried on in Arizona, California, Oregon and other western states by men of wealth and influence who had a lust for the public domain.

Lawson, in his revelations of Wall street methods, speaks of "the system," but the New York money kings in their alleged raids on the stock markets and the pocketbooks of the small investors never worked a more thoroughly organized system than have the land-grabbers of the west. First, we have the conspirators, bold, rapacious, unprincipled, insatiable. Next were the vast tracts of valuable government land as a stake for which these conspirators were ready to play, and judging from the hundreds of thousands of acres of land fraudulently obtained up to the time the investigations were begun the stake was an elastic one, which ultimately was to include millions. And