

ASSOCIATED PRESS DISPATCHES

Medford Daily Tribune.

THE WEATHER. Fair tonight and Wednesday; light frost tonight; westerly winds.

THIRD YEAR.

MEDFORD, OR., TUESDAY, MARCH 31, 1908.

NO. 10

FULTON BRANDS HENEY A WILFUL AND MALICIOUS LIAR

ALLEGED BRIBERY BY SENATOR IS DISPROVED BY EYE WITNESS

PROSECUTOR BECOMES PERSONAL PERSECUTOR

Oregon's Senior Senator Plays Prosecutor and Reads Affidavit Telling Story of Legislative Corruption by Eye-Witness--Unfair Methods Resorted to in Order to Besmirch Reputation--Defiance Hurlled.

Accusing Francis J. Heney of falsehood and of lying vilification, charging him with being the mouthpiece of a reckless conspiracy organized by his enemies to accomplish his defeat by a campaign based on falsehood and misrepresentation, United States Senator Charles W. Fulton, before an audience that completely filled the Medford Opera House last night, replied to the many accusations made by the land fraud prosecutor accusing him of corruption and bribery. It was Senator Fulton's first speech in his campaign for re-election and he handled Mr. Heney and his accusations without gloves. He also grilled Governor Chamberlain for his affidavit in connection with the story of bribery told by J. S. Smith, and read an affidavit signed by James P. Powell of Albany, which refuted the charges made by Smith accusing Fulton of having handled the sack in the 1897 campaign.

He Received Much Applause. Senator Fulton also defined his position on Statement No. 1. He declared himself in favor of the election of United States senators by the people, but said that he did not consider it his province as a candidate to attempt to dictate to candidates for the legislature the position they should take upon the question, though personally he would like to see all candidates in favor of Statement No. 1, as he considered it would be equivalent to his election, in case such a legislature should be chosen.

An Organized Conspiracy. Senator Fulton was introduced by W. I. Vawter, who stated that the senator had lived in the state long enough to establish his good name and that accusations made at the behest of government prosecutors by perjurers who were given immunity in payment would not have any effect on his standing with the people.

Beginning with his election, Senator Fulton detailed the history of his term in Congress and the various efforts made to discredit him before the people. He stated that he knew that a conspiracy had been at work both in Oregon and Washington with a well-arranged plot, but he had misjudged the desperate and reckless character of the campaign waged against him which was based entirely on falsehood and misrepresentation. "No man can wear Heney's clothes without looking crooked, and if he wears them long enough he will become crooked. Heney is a malicious and wilful falsifier," exclaimed the senator. "He has taken the machinery of the government and used it in order to find if possible some flaw in the individual, but after his work he had no facts to base his charges upon, so he had to manufacture them."

away with in Oregon. Senator Mitchell was my friend, but he was hounded to his grave and, I think, more sinned against than sinning. The glimpse shown is the outcome of a false system," he exclaimed.

Grills Governor Chamberlain. Senator Fulton told of his having informed Governor Chamberlain of Smith's being a grafter and of his surprise at the governor making affidavit connecting Fulton with the bribery story which Fulton had only learned after the adjournment of the legislature, and grilled the governor for the return of a friendly act. He admitted the truth of the accusation that he had been loyal to friends, and said that he hoped he always would be. He paid a tribute to friendship as the one thing in the world worth while.

The Powell Affidavit. "State of Oregon, County of Linn, ss: I, James P. Powell, being duly sworn, say: That I am a resident of the city of Albany, in Linn county, Oregon; that I am the James Powell referred to in the affidavit of J. S. Smith, subscribed and sworn to before Thomas B. Neuhansen, special inspector, department of the interior, and reported in the morning Oregonian of Portland, Or., in the issue of January 29, 1908, as part of the address of Francis J. Heney, delivered in the Congressional church of said city of Portland on the evening of the 28th day of January, 1908; that I have read said affidavit carefully and that same, so far as refers to myself and the facts therein stated that come within my knowledge is almost wholly false; that I know said J. S. Smith in Albany, Or., and was personally acquainted with him long prior to the convening of the session of the legislature mentioned in his affidavit, and did not introduce myself to him as stated in his affidavit; that I did not vote for Mr. Smith and never at any time represented to him that I had voted for him; that the facts attempted to be narrated by the said J. S. Smith in his said affidavit occurred as follows:

The Deal As Put Through. "One day during the session of the legislature of 1897, after the adjournment for the day, Smith came to me, and after remarking that I knew those people (referring to Senator Mitchell and his friends) and that he was satisfied that Mitchell had money and was using it there, and that he, Smith, needed money, asked me if I could put him into a position to get some of it or get his hand into the sack, or words to that effect. I told Smith that I thought I could manage to arrange for him to meet Senator Mitchell. I made arrangements for the meeting and time same evening at the appointed time went with Mr. Smith, and together we met Senator Mitchell. I introduced Smith to Senator Mitchell, introducing him as a representative of Linn county. They offered to leave the room, but both Smith and Mitchell insisted that I should remain. I then told them that whatever they did was between them and that I would have nothing to do with it, but that if they wished me to remain I would do so. They said for me to remain, and I did so. After some preliminary talk it was agreed between Senator Mitchell and Smith that Smith would, on the following day, go into

WHO CONTROLS IN MANCHURIA?

Russian Government Disturbed at Attitude Assumed by the American Consul at Harbin

ST. PETERSBURG, March 31.—The Russian government is disturbed at the attitude assumed by Fred D. Fisher, American consul at Harbin, in the matter of recognizing the jurisdiction of Russia in Manchuria. Fisher insists that Chinese sovereignty in Manchuria is supreme, and he has supported the protests of China against the establishment by Russia of municipalities in the railroad zone at Harbin and Chailair. His attitude in this Russo-Chinese difficulty has prompted Russia to seek an explanation of his course, both at the American embassy here and in Washington. The foreign office here has expressed the belief that it will be decidedly to the interest of the United States to recognize the Russian administration of Manchuria, inasmuch as foreign residents share in the privilege of this administration.

NEW BRIDGE CONTRACTED FOR ACROSS ROGUE RIVER

The Josephine county court has opened the sealed bids for the construction of a steel bridge across Rogue river in place of the present structure at Grants Pass. The bid of the Barrel Bridge & Construction company of Oakland, Cal., was the lowest, being \$287,730, and the contract was let to this firm. Work will be commenced at the earliest possible date and the structure is supposed to be finished by August 15 of this year. The specifications call for a steel bridge of two spans of 200 feet each, set upon three concrete piers. It will be considerably wider than the present bridge in order to provide space for a possible canal in the future.

INCREASED DEMAND FOR COPPER IN THE COUNTRY

The New York Times says of the copper situation: "The demand for copper has so increased that copper-producing companies have sold ahead to the extent of 100,000,000 pounds. This marks a vast improvement in the copper trade. Of these for future delivery it is said the United Metals Selling company has orders covering 50,000,000 and other producers for 20,000,000 pounds. Within the last two days the price, which had risen fractionally under \$2 cents, has again become firmly established at that figure, and yesterday sales were made at that price, orders ranging from 1,000,000 to 3,000,000 pounds are said to have been placed in fairly large numbers recently by domestic consumers."

FIREMEN RESCUE NEARLY SCORE OF CHICAGO WOMEN

CHICAGO, March 31.—Firemen today rescued nearly a score of women during a fire which destroyed a four-story brick apartment building on North Clark street. The loss is \$50,000.

JUDGE WARD M'ALLISTER CROSSES GREAT DIVIDE

SAN RAFAEL, Cal., March 31.—Judge Ward McAllister, son of the former society leader of New York, died today from the effects of an operation for appendicitis. He was born in Newport, R. I., in 1835. He was United States attorney for California from 1882 to 1884, and then appointed district judge in Manila. He retired from the government service to be retained by the Pacific Mail company.

ALL PITTSBURGH MINES TO SUSPEND OPERATIONS

PITTSBURGH, March 31.—At a meeting of miners and operators this afternoon it was decided that all mines in the Pittsburgh district would suspend operations at midnight tonight until the wage-scale agreement was reached. About 30,000 miners of Western Pennsylvania are affected.

FEDERAL TROOPS PREVENT STRIKING MINERS RIOTING

WASHINGTON, March 31.—Infant violence by the striking miners in the Tremont mines seems to have been averted by the arrival of troops ordered there last week. The war department is advised that everything is quiet.

NOVA SCOTIA TO BUY ROAD

Resolution Calling Upon Government to Acquire Traffic Systems Passes Legislature.

HALIFAX, March 31.—A resolution calling upon the Dominion government to acquire all railroad lines in Nova Scotia and add them to the colonial system as branches has unanimously passed the provincial legislature. The resolution suggests the purchase of roads be on the basis of their original cost and their present earning capacity.

FAVORABLE REPORT ON CAYUSE WAR PENSIONS

WASHINGTON, March 31.—Representative Hawley of Oregon got a favorable report today of his bill to pay certain volunteers in the Cayuse Indian war of 1847 and 1848, \$1.50 a day for the time they served, as shown in the files of the war department. The maximum appropriated by the bill is \$1500. Beneficiaries of the bill are John Minto, Charles Bolds, Ellen Harkitt, widow of John C. Harkitt; Missouri A. Corbins, widow of Thomas O. Corbins; Mary J. Keizer, widow of John B. Keizer; Amanda R. Reese, widow of Willard H. Reese; Mary E. Caraban, widow of Hiram Caraban; Polly C. Butler, widow of Isaac Butler, and Sarah E. Schantz, widow of P. C. Schantz.

ALL BRITISH CLOCKS MOVED AHEAD EIGHTY MINUTES

LONDON, March 31.—The house of commons has passed on its second reading the Pearce daylight saving bill, which provides now British time for the summer months. The announcement of the vote was greeted with cheers and roars of laughter. The bill provides that all clocks shall be advanced 80 minutes, which will give an extra 240 hours of daylight. Thus a man getting up apparently at 9 o'clock in the morning will be really doing so at 7:40, thus gaining an hour and 20 minutes of daylight. That such a measure, which many regard as foolishness, should get attention in the house of commons is wormwood to the suffragists, whose woman suffrage bill was sent to a committee of the whole of the house, which virtually shelves it.

WYOMING TO INVESTIGATE MINE HORROR AT HANNA

HANNA, Wyo., March 31.—Under orders from Governor Brooks, State Mine Inspector Noah Young has begun an investigation of the causes of the two explosions here Saturday in which at least 30 lives were lost. No further effort to open the mine will be made until the fire has been smothered. It is hoped to resume the search for bodies Thursday.

SAN RAFAEL, CAL., MARCH 31.—JUDGE WARD M'ALLISTER, SON OF THE FORMER SOCIETY LEADER OF NEW YORK, DIED TODAY FROM THE EFFECTS OF AN OPERATION FOR APPENDICITIS.

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OWNERS OF LAND ARE SAFE

Senator Fulton Says that Suit Brought Against Railroads Will Not Endanger Titles.

"Persons who have purchased railroad grant lands in Oregon for development purposes do not need to fear for their investments," said Senator C. W. Fulton Tuesday morning, just before leaving for Grants Pass. "It is not the intention of the government to proceed against such parties, and I have the personal assurance of the attorney-general to that effect.

"When the original resolution is passed, as it will be, a second bill will be passed recognizing these titles or authorizing protection of these interests. This is necessary so as to keep the railroad interests from securing protection under an innocent purchaser clause.

"The entire trouble lies at the door of the Southern Pacific management, which, after disposing of 700,000 acres of land, absolutely refused to sell or otherwise dispose of over 2,000,000 acres, which it holds in defiance of the terms of the grant and refuses to develop or permit others to develop, thus retarding the progress of the state.

"It was not the stated price per acre that has brought judgment upon the railroad, but their refusal to sell at any price. This, coupled with the insolence in ignoring the reasonable demands of the people, brought the storm that is breaking and will blow to the root its forest domain.

"Some inconveniences may result to property owners because of clouded titles in borrowing money, but the titles are sure to be confirmed eventually."

JOHN BURNS SAYS ROOSEVELT IS WRONG

LONDON, March 31.—John Burns, labor leader and president of the local government board in the cabinet, has taken issue with President Roosevelt on the race suicide question. "I do not plead for a desolating flood of babies," he said, speaking to the delegates to the national conference on infant mortality. "I attach more importance to quality than to quantity. Let us first look properly after those we have before starting an agitation to produce a greater number. Let us mitigate the slaughter of innocents under a year old, and cease our cruel neglect of those above that age before shouting to the nation to give us a higher birth rate."

POLICE STOP LYUNGBERG IN SUBMARCH OF ATLANTA

ATLANTA, March 31.—The timely arrival of police with loaded rifles stopped a threatened lynching at Brownsville, a suburb of this place, today. B. E. Chapin, a young white, was surrounded by negroes, when two officers came to his aid and drove the mob back. The negroes claimed that they found Chapin in a negro house and dragged him out, and, according to the police, were about to suspend him from a tree when the officers arrived.

POLICE TAKE CARE TO PROTECT TAFT FROM HARM

CHICAGO, March 31.—Unusual precautions will be taken by the police, according to the News, to protect Secretary Taft from possible harm during his visit to Chicago this week. He will be guarded constantly and even the name of the railroad over which he will arrive is to be kept secret. He will make one public appearance, Saturday, at the Hamilton club.

RESUME INVESTIGATION OF SUBMARCHINE SCANDAL

WASHINGTON, March 31.—Investigation of the charges made by Congressman Lilley against the methods pursued by the Electric Boat company in securing legislation was resumed by the special commission in the house today. Isaac L. Rice, president of that company, pronounced as a "malicious lie" the statement of Lilley that "the Electric Boat company had no confidence and repeated efforts to influence the action of the navy department."

MADE NO PRO MISE IMMUNITY

Judge Dunne Gives His Version of the Midnight Meeting with the Jewish Rabbis.

SAN FRANCISCO, March 31.—Superior Judge Frank H. Dunne, in an affidavit filed today with Judge Lawlor, for the first time gave his version of the "midnight meeting" with Assistant District Attorney F. J. Heney, W. J. Burns, detective for the prosecution, and Rabbis Nieto and Kaplan, when Dunne, according to the affidavits of the rabbis, promised that if Abe Ruef pleaded guilty to the charge of extortion he would later permit Ruef to withdraw that plea, upon the request of the district attorney. In his affidavit Dunne specifically contradicts the averments of the revved gentlemen that he promised that Ruef be allowed to withdraw his plea of guilty and declares that Ruef's name was not even mentioned.

Dunne was summoned to his chambers by Burns just before midnight, April 29, 1907. The judge declined to go and told Burns that if Heney had anything to communicate, to do so in open court the following day. Burns said Rabbi Nieto was going to Europe, and as an accommodation to him, Dunne went to his chambers, where Heney asked him to explain for the information of Nieto and Kaplan, the procedure of his court as to the recommendations of the district attorney, and to also state if he had confidence in Langdon and Heney. Dunne says that he replied: "I have confidence in you, Mr. Heney, and in the District Attorney, and while I have that confidence in the district attorney, whenever recommendation or suggestion is made by him in the cause pending in my department, it is my practice to entertain and be guided by it, provided, of course, it is in the interest and the furtherance of justice."

Pleading of Dr. Kaplan. Thereupon Dr. Kaplan said: "But, your honor, suppose a man pleaded guilty and afterwards asked to change his plea?" I replied: "You have heard what I have said, gentlemen, as to my practice. Of course in all cases of such recommendations, and which I insist shall always be made in open court, whenever the district attorney fails to convince me that he is well advised, or that good and sufficient grounds exist for his motions, it must be remembered that final determination must always rest with me."

Dunne also asserts he had no knowledge of the much-discussed "immunity contract" when Ruef pleaded guilty and did not even know the prosecution was negotiating with Ruef. Referring to the incident in January when District Attorney Langdon called upon Dunne with reference to the withdrawal of Ruef's plea of guilty, Dunne avers:

Turned Langdon Down.

"Mr. Langdon called upon me in my chambers and said in effect: 'Ruef is outside, and wants to make a motion to withdraw his plea of guilty in the extortion cases.' I promptly told Mr. Langdon, with some emphasis, that I would not consider such a motion at that or any other time."

NEVADA WOMEN SEEK TO COLONIZE MANLESS ISLAND

RENO, Nev., March 31.—George W. Place, a Reno man, has advertised for 150 women to help settle a colony on a co-operative plan on an island near Honolulu. He states that the colony will be settled and governed by women and that they will make certain conditions under which man may enter the colony. He also states that no money will be needed by these women, who desire to become members of the new colony. He refuses to give out any other information concerning the proposed colony.

Anaconda Dividend.

NEW YORK, March 31.—Directors of the Anaconda Copper Mining company declared a quarterly dividend of 50 cents a share today, unchanged from the last quarter.

DR. HILL SENT TO GERMANY

President Sends Diplomats Name to Senate for Confirmation--Incident Regarded as Ended.

WASHINGTON, March 31.—The president has sent to the senate the nomination of Dr. David Jayne Hill to be ambassador extraordinary and minister plenipotentiary to Germany. He also named Arthur M. Beaupre of Illinois to be minister to the Netherlands and Luxemburg, and Spencer P. Eddy of Illinois to be minister of the Argentine Republic.

BERLIN, March 31.—Advices received by the foreign office from Washington indicate that in the American capital as well as in Berlin the Hill episode is regarded as having been happily adjusted. The best diplomatic opinion is that if Hill chooses to come to Berlin he will find his position not only agreeable, but more important than would have been the case if the incident had not happened.

Ambassador Tower, in fulfillment of his letter to President Roosevelt last September, in which he said he would like to resign, has informed the president that he will retire June 12. The house which Tower occupied is advertised for rent. It may be purchased by the Japanese government for the ambassador from that country.

RAPID PROGRESS OF WORK ON KENO CANAL TRENCH

KLAMATH FALLS, Or., March 31.—Work on the Keno canal, a part of the Klamath project that was commenced last year, has been resumed. A small force is getting everything in readiness for the large force that will be put on April 1. This spring should see the work completed as far down as the power plant that Moore Bros. will operate in conjunction with the canal.

Surveyors are still at work on the extension of the canal down the river to Keno, but it is not known when work on that part will go on.

CALIFORNIA TO HAVE ENORMOUS FRUIT CROP

SACRAMENTO, Cal., March 31.—In response to an inquiry from Rufus F. Jennings, manager of Alden & Anderson of the California fruit distributors, the biggest shipping concern in the state, has replied that more than twice as many men would be needed to handle the fruit crops this season than last. From all parts of the state come reports of the most favorable indications for enormous fruit crops which will go far toward solving the great problem of the unemployed.

POPULISTS TO VOTE FOR WATSON FOR PRESIDENCY

ST. LOUIS, March 31.—In response to a call issued on December 2 by Chairman James H. Ferris of the people's party national committee, the populist convention will be held here on April 2, in the Olympic theater, for the purpose of nominating candidates for president and vice-president of the United States and transacting such other business as may come before the convention. Chairman Jaw W. Forrest of the National provisional committee, said yesterday:

"There will be 1100 delegates in the convention, all of whom are instructed to call issued on December 2 by Chairman James H. Ferris of the people's party national committee, the populist convention will be held here on April 2, in the Olympic theater, for the purpose of nominating candidates for president and vice-president of the United States and transacting such other business as may come before the convention. Chairman Jaw W. Forrest of the National provisional committee, said yesterday:

NOW AND THEN
+ In upside-down land the very diff-
+ ferent man, he with much money +
+ to spend foolishly, would not be +
+ found wearing a "No Name" +
+ Hat. +
+ | +
