

BRISTOL CANNOT BE CONFIRMED

Senate Receives Evidence on Charges.

FEES FROM BOTH PARTIES

Accused of Attempt to Extort Blood Money.

AFFAIR IN MOODY'S HANDS

Nomination Will Be Withdrawn and New Selection Made—Action in Deal With the Coos Bay Company Exposed.

OREGONIAN NEWS BUREAU, Washington, Feb. 5.—W. C. Bristol's term as United States Attorney for Oregon is soon to terminate. Whether he will be removed or be permitted to resign is yet to be determined, but it is virtually agreed that he must go. The charge of "unprofessional conduct" that was lodged against him several weeks ago appears to have been fully sustained, and the conduct complained of so strongly savors of graft as to make it inadvisable to permit him to remain as District Attorney.

The only evidence against Mr. Bristol is one of his own letters, written on June 4, 1902, to the Coos Bay Land & Improvement Company at Portland, in which he inclosed a contract signed by Page & Hogart, whereby they agreed to purchase a certain tract of land from the Coos Bay Company for \$40,000, the contract being in the nature of an option. In his letter Mr. Bristol said:

Fees From Both Sides.

In this transaction, Mr. Bristol was the paid attorney of Page & Hogart, and the act complained of was his attempt to extort money from the other party to the contract. In other words, he was attempting to draw a fee from both parties to the contract, while employed to represent the interests solely of the purchaser. The Coos Bay Company acknowledged the receipt of Mr. Bristol's letter, and, while it looked upon his proposition as a hold-up, nevertheless agreed to pay him \$500 in cash if the sale was consummated. It made this concession, fearing that, if it did not, Mr. Bristol would do something to block the sale, but they looked upon this \$500 as pure blood money, to which Mr. Bristol was not entitled. It happened, from some cause not known, that the sale was never made, and consequently the Coos Bay Company never paid Mr. Bristol the sum demanded by him.

Letter Supports Charge.

When Mr. Bristol's original letter was first furnished the Senate committee on judiciary, before which his nomination was pending, it was sent to the Coos Bay Company, with an inquiry if it had received any such communication from Mr. Bristol. Its reply, received yesterday, stated that such a letter was received and confirmed other details.

By direction of the committee, Senator Fulton laid Mr. Bristol's letter and that of the Coos Bay Company before the Department of Justice, which in turn will send both letters to Mr. Bristol and call upon him for an explanation. When his answer is received, the papers will be sent to the President, with such recommendation as the Attorney-General deems proper to make. The facts of the case are said to be so clear that the committee believes no satisfactory explanation can be made, and in that event, the Attorney-General will be bound to recommend that Mr. Bristol's nomination be withdrawn.

Will Recall Nomination.

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ROAST ALIVE IN BURNING WRECK

Express Messenger Is Pinned Down With Two Others in Collision Near Helena.

BOTH TRAINS DESTROYED

Northern Pacific Freight Train Runs Away Down a Steep Grade and Throws Passenger Train Into the Ditch.

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HELENA, Mont., Feb. 5.—A runaway freight train on the Northern Pacific crashed into a passenger train tonight at 11:20, about 25 miles from here, resulting in the death of three persons whose names are known and of two others who were burned in the wreck and whose names have not yet been learned. Messenger Jessup was burned alive while four people were trying to pull him out of the wreck. He was caught under wreckage and could not be moved.

The passenger train consisted of J. S. ROBINSON, of Missoula; C. J. JESSUP, express messenger; CHARLES BRICKLEY, conductor on passenger.

Edward Brown, of this city, a brakeman, was so seriously injured it is thought he will die. Some of the passengers were slightly injured.

Every coach in the passenger train was burned and the freight train, which was made up of cars loaded with lumber, was also burned.

The passenger train proceeded the freight out of Austin, about eight miles west of Helena. At Austin the engine was detached from the freight. There is a heavy grade from Austin to Helena, and the freight train got loose.

The passenger train was waiting at a crossing, when the freight came thundering down. Before it could get out of the way the freight crashed into it, throwing all the passenger cars into the ditch.

The passenger engine became uncoupled and kept on the track ahead of the freight. After the freight had got a quarter of a mile beyond the passenger wreck, it went into the ditch and caught fire.

A carload of shingles was dumped on the passenger train wreck and made a terrible fire.

KEYBURN GROWS WORSE

PERITONITIS AGGRAVATES ILLS OF IRAHO SENATOR.

New Complications Add to Danger Caused by Appendicitis and Kidney Disease.

OREGONIAN NEWS BUREAU, Washington, Feb. 5.—Considerable anxiety is felt over Senator Heyburn tonight. He slept little last night, and today unfavorable symptoms developed which indicate that peritonitis has set in. The pain and inflammation heretofore confined to the region of the appendix had spread and his stomach is now affected.

Up to this morning the Senator was hopeful of early recovery; in fact, expected to get up tomorrow. Tonight he is decidedly depressed, and seems to realize the seriousness of his condition. If he does not show marked improvement by morning, another consultation will be held.

Sound Democratic Doctrine

Patterson Will Support Roosevelt in All Democratic Measures.

WASHINGTON, Feb. 5.—In an interview tonight Senator Patterson, of Colorado, made the following statement regarding his resolutions:

"I am a Democrat and could not become a Republican. But my Democracy runs in parallel lines with that of William J. Bryan. I heartily support every Democratic measure President Roosevelt is advocating, and he is working harder now for Democratic measures than for any other.

McLaurin Against Treaty.

JACKSON, Miss., Feb. 5.—Senator McLaurin stated tonight that he would be bound by the action of the Senate on the Democratic caucus of Saturday, although he was not present. He said he would vote against the Santo Domingo treaty.

Liberals May Not Oppose Balfour.

LONDON, Feb. 5.—The Liberals still hesitate to decide whether they will or will not oppose Arthur J. Balfour's election for the City of London, the constituency which Alban Gibbs, Conservative, resigned in the ex-Premier's favor. The executive committee of the Liberal Association held a third meeting upon the subject this morning, but again adjourned without reaching any decision.

Two Killed in Freight Wreck.

SALT LAKE CITY, Feb. 5.—In a wreck of freight trains on the San Pedro, Los Angeles & Salt Lake Railroad near Berry, Utah, early today, O. M. Myers, conductor, and W. S. Rieck, brakeman, both of Black Rock, Utah, were killed, and J. W. Minahan, engineer, was severely injured.

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