SENATOR FULTON MAKES SPECIFIC DENIAL OF HENEY'S CHARGES

sensational statement made by Mr. Heney that night, which was to the effect that in the memorable Senatorial campaign of 1897, Senator Fulton acted Mitchell at Salem and used money to bringing about Mitchell's election to

his church speech Mr. Heney created a profound sensation and one which extended boyond the boundaries of the state of Oregon, by reading an affidavit made by one J. S. Smith, who had been elected to the legislature of 1897, to the effect that Senator Mitchell, since deceased, and Senator Fulton. then a private citizen, in presence of one James Powell, offered the affiant, who had not than taken his seat, \$2000, one-half down, on condition that affiant (Smith) would qualify, take his seat, make a speech against further delay in organization, and advise the legislators assembled to efect Mitchell; that affiant told Mitchell and Fulton to give the money to Powell for him, and that shortly after Powell brought affiant the money, that the next morning when affiant Smith was in the State House lobby in presence of a large number of other persons, Fulton approached affiant and demanded that affiant go upon the floor of the House and carry out his agreement, and upon affiant's refusal, in a loud voice and in a manner which attracted the attention of the crowd, demanded the money back and threatened affiant

Set Trap for Mitchell.

Smith concluded his affidavit by stating that he had deliberately sought the opportunity to be offered a bribe, and had acted for the purpose of entrapping Mitchell and his campaign managers, having no intention of carrying out his agreement to support

It is to a complete and unequivocal denial of the charge contained in the Smith affidavit that a large part-and by far the most interesting part-of the Fulton statement is devoted, inasmuch as in course of his dental Senator Fulton mentions prominently the name of George E. Chamberlain, now Governor of Oregon and Democratic candidate for the United States Senate in opposition to Senator Fulton and other Republicans.

In substance Senator Fulton charges that two years ago, when it became apparent that there was no hope of invoiving him in a criminal prosecution, Hency, acting as the tool of the combine, resolved to play a desperate game and to enlist the ald of Governor Chamberlain in a political conspiracy, Hency himself being at that time a lifelong Democrat. Then, adds Senator Fulton, there was nothing left to do but to hire a hall, tap the sewer and turn the stream on Fulton. Thereupon this poor creature Smith was brought upon

Smith Also Fulton's Enemy.

Explaining further the facts underlying the affidavit, Senator Fulton assorts that the animus of Smith's charges was that he had once sought not a word of truth in the accusations to prevent Smith's appointment to a made in the church speech. He flatly job at the State Penitentiary, and as proof of his charge that Smith was a the Hammond Lumber Company or for grafter and unfit for the position had aformed Governor Chamberlain that dealer, individual, firm or corporation. Smith had deliberately filehed money corrupt agreement.

this charge against Smith was made to the Governor in confidence in the senatorial campaign that resulted in Senator Fulton's election was in full swing, and six years after the alleged The alleged facts concerning Smith's treachery, Senator Fulton says, were told him by a friend some time after was true, Senator Fulton expresses no opinion. He merely says that it is abjointely untrue that he was an actor In the drama as charged in Smith's affidavit.

Wonders at Moderation,

"I am not surprised at what I am charged with," he adds, bitterly. "The wonder to me now is that I am charged with so little. When I consider Mr. Hency's methods of obtaining testimony I wonder at his moderation."

In this connection Senator Fulton intimates that Smith was the political creature of Governor Chamberlain, who not only gave him the Penitentiary office, but also approved his conduct and honored him in robbing Mitchell. Incidentally the Senator scathingly rebukes the Governor for making pub-He what any man of honor would have treated as private conversation and in condoning Smith's admitted crime.

Senator Fulton dismissed concisely the charge made by Smith. He points out that it is manifestly false that he should have gone into the public lobby of the Statehouse to berate Smith for breaking a corrupt agreement, or should there have demanded the return of a bribe, or threatened a bribe-

taker with violence. *
He pointedly states that had he been engaged in bribing legislators for Mitch

profit, but to aid a friend. Well, I much prefer it so.

dating and adjustable principles, sessed by an irrepressible ambition to stand in the limelight. Hency's motive is twofold; Revenge

and politics.

vernor Chamberlain approved and honored him (J. S. Smith) for his admitted, deliberate filching of Mitchell's money.

The (Smith) story is a deliberate and malicious raisebood, so far as my participation in that transaction So far from being Mitchell's sack-

I never was the legal adviser of the Hammond Lumber Company, It never at any time paid me a dollar. person, company, firm or corporation engaged in acquiring timber lands, or

other public lands.
For two years before the rate law containing the anti-pass provision was enacted I declined to ride to and from Washington on a pass.

conviction, have been assured of testify to something that would eriminally involve me.

The assertion that I was present when any such chribery; proposition was made to Smith is absolutely

I am proud of the fact that the campaign for my own election is known as one of the cleanest ever

Brownell testified for immunity, and I pity him. It is a sirange nature that in order to save himself he is willing to bear false witness against another.

ber land deals. Senator Fulton dismisses this charge briefly. He says that Mr. Hency deliberately misstated the facts to any wise to profit by the result. suit his own purposes and that there is declares that he was never attorney for

from John H. Mitchell by accepting of the numerous Hammond corporations a bribe and then refusing to keep a and one only. This was the Astoria & But Mr. Heney contends that I have gone Senator Fulton goes on to say that Senator Fulton denounces as unqualified Winter of 1903, at the time that the ber lands. Mr. Honey's utter disregard for facts is well proved in this matter, says the Senator, for this company does not own, and never did own or purchase, incident in the lobby of the Statehouse. even so much as an acre of timber land. At no time, Senator Fulton asserts, did he ever oppose the administration's forest reserve policy on account of his inthe occurrence. As to whether the story terests in timber lands, though he admits that he did oppose the policy of administering the forest reserves, for good

With equal brevity the Senator dismisses Mr. Heney's charge that he is the tool of the railroads. He ceased the practice of law, he says, when he entered the Senate and even resigned as attorney of the Astoria Railroad, although it was a purely local corporation. Furtherthe Senate and even resigned as attormore, he says, two years before the rate retary of Interior for his manner of adminisbill was passed he refused railroad passes to Washington for himself and family and forbade his clerks to accept railroad

As to Brownell's Letter.

kindred matter of the Butte Creek fenc-ing case, recently tried in the Federal forts to the work of disging up some scanda Court in this city, in which Brownell and ex-District Attorney John H. Hall were now appears, at least two years ago, for the involved.

charge that he was implicated in a conspiracy to secure the reappointment of No. it was too early. They must wait until heal as District Attorney, Senator Fulton known I would have to be absent from the makes a strong denial and backs up his makes a strong denial and backs up his state, attending to my duties in Congress. It evidently was also a part of the conspiruable passed between himself. Browniell and medium through which to Injure me by in-

acy, Senator Fulton says, more in sor- it row than in anger, that both Brownell and W. W. Steiwer, who took the immunity bath and testified for the Government, garbled the facts in their testimony. There was nothing in the testimony. There was nothing in the testimony. flected upon him.

Appended is the full text of Senator Fulton's statement.

TEXT OF FULTON'S STATEMENT

tury, I have resided in the State of Oregon. During 14 years of that time I was a mem-ber of the State Senate, and for a quarter of During 14 years of that time I was a member of the State Senate, and for a quarter of a century more or less active in the politics and the state. During most of that period the Republican party was rent and torn by internecine struggles and factional strife, yet never at any time during all those etermy days did even my most bitter enemies bring the question my knoor or integrity. During the 29 years previous to my election to the Senate every contested election of United States Senator was attended with numerous and notorious charges of bribery and lavieh expenditure of money. My election occurred at the January session, 1963, and was noted for having been conducted in a decent and of myself. for having been conducted in a decent and honorable manner, without scandal and without the use of money. It was so because ! times that could I not secure the office with-out the use of money, I did not want it. It is quite true that I had no money to use of money; to go to the Senate with clean hands and free of obligation to any and every interest. I did so. It has been left to Mr. Hency to bring the

first charge that has ever been made against my character for integrity. One thing ob-servable, however, about his several charges stimed, as he would have the people believe, it has not been for my own advantage or profit, but to aid a friend. Well, I would much prefer it so. I confess to warm and strong friendships, and I have ever been will ing to do more for a friend than for myself. I am glad of it and it is the great solnes of my life that, though I have not made

read Mr. Heney's blography by his chose notives throughout his career, he is a man of most accommodating and adjustable prinhave been his motive on other occasions, however, in the present instance it is idle for him to pretend to be animated by any mo-tive that is either creditable to him as a man or as an official. His motive, then. let it be known, is twofold, revenge and poli-tics. Revenge because I opposed his ap-pointment to the work of assistant prose-cutor and insisted on the appointment of an Government was enlisted to that end. Spectal agents and detectives were put at work to find something against me, and every few months some vile slander was published. I The remainder of the Senator's statement is devoted to a discussion of the celebrated Brownell letter and the found, although my record had been searched Smith affidavit was taken before Neuhause As to the Brownell letter itself, Senator
Fulton says that he has heretofore fully
stated his position. As to Mr. Heney's

their time to that work? Revenge and poliunpublished letters and thegrains and passed between himself. Brownell and sinuation and innende. Hence, although indicated three years ago, or thereabouts, Hall was not permitted to come to trial until now, was not permitted to come to trial until now.

criminal case that was later brought, and in which Hall was convicted of conspiracy, Senator Fulton says, more in sortium to the constitution against me, that I am charged with the constitution against me, that I am charged with the constitution against me, that I am charged with the constitution against me, that I am constitution against me, that I am charged with the constitution against me, that I am constitution against me that I am constit mony. There was nothing in the truth, would they but testify to something that Senator Fulton says, that would have reflected upon him.

Why Smith Story Is False. Now I submit to any candid mind that there are at least three convincing and, I conclusive reasons why that story, ex

Senator Answers Charges Made by
Francis J. Heney.

For over 32 years, near a third of a century, I have resided in the State of Oregon.

Second-While possible, it is altogether improbable that, had we been engaged in

Violation of a Confidence.

the money on a promise to go, in and break the "hold-un." with a view not to comply with his promise, but to keep the money; this the Governor considered perfectly honorable in promise in the promise of the money; this the Governor considered perfectly honorable in promise in the promise in

What Mitchell Used Money For.

Now, it may be well to recall that the contest of 1897 was exceptional. It was not a fight for voice for Senator, it was a fight for and against organization. Mitchell was seeking to secure organization and his opponents were laboring to prevent it. Whatever money was used was not used to purchase voice, but either to induce men who had been clerised to the House to take their oath of office or to refuse to do so. Everybody knew that Mitchell had anfficient law to pay a man not to accept an office to which he had been elected. Now, let us see what Smith charges in his affidavit Mitchell and I did. He says: "Fulton said to me in Mitchell's bearing

Why Hency Changed Politics.

He says that he was attorney for one of the numerous Hammond corporations and one only. This was the Astorias & Columbia River Railroad Company, and Senator Fulton denounces as unqualified falsehood Mr. Heney's charge that this her lands of the people of Oregon, and her lands of the people of Oregon, and her lands of the people of Oregon, and her lands of the great some that the unearthing of the angle of the Governor at the ment that the unearthing of the office of warden in the Penitentiary. I had heard that this fellow Smith was an applicant for the office of warden in the Penitentiary. I had heard sufficient about his robbery of Mitchell to satisfy me to a moral certainty that he had deliberately applied for and received the money. I thought and said to myself, the following the voluble was a large purchaser of timber lands.

be a statement made by Mr. That risted, when the statement made by Mr. That risted and another made and the statement made by Mr. That risted and another made and the statement made by Mr. That risted and another made and the statement made by Mr. That risted and another made and the statement made by Mr. That risted and another made and the statement made by Mr. That risted and another made and the made and the statement made by Mr. That risted and another made and the statement made by Mr. That risted and another made and the made and the statement made by Mr. That risted and another made and the made and t

HENEY'S CHARGES AGAINST That Charles W. Fulton was Sena-

tor Mitchell's sackholder and dis-

tributor of funds during the Legislature of 1897. That Pulton used his influen State Senator as attorney for the Astoria & Columbia River Bailroad and corporations, as United States laws that he was sworn to uphold and to protect his friends from in-

distment and presecution. ing the "hold-up" Legislature of

That in 1899 he did his utmost to defeat justice and prevent the enforcement of law by aiding and abetting the land frauds as attorney for the Hammond lumber interests.

land deals continued after that time, particularly in 1902. That he agreed with Sengtor Mitchell to shield Brownell from prosecution by the reappointment of

in my mind that it was Gossin, but he in-forms me that he was then absent from the state, so it must have been some of Mr. Hammond's office force. Be that as it may

What Impropriety About That? What Impropriety About Tinity
Now I am at an utter loss to know what
possible impropriety there was in all that.
The truth is I never thought I did enough
in the matter to charge a fee. I felt personally friendly to Gossiln and who had
often accommodated me, hence I never put
in a bill either to him or Mr. Hammond, or
any of his companies, I thought so little of any of his companee, I thought something my part in the matter. I never got a cent directly, or indirectly, out of it. That which I did I did in the utmost good faith. I have none of the correspondence here; it is all in Oregon, but in one of the letters introduced.

Heney's Disregard of Facts.

Mr. Heney says, as Senator, whom do I represent? Then he answers by saying that I oppose the forest reserve policy because my clinent, the Hammond Lumber Company, is purchasing timber lands. That statement fairly illustrates Mr. Heney's utter disregard for facts. He has no reason to make the statement, did not, could not, know it to be a fact, for it is not and never was a fact. I am not and never was a fact. I am not and never was a fact. rporation into the reserves of untin

me. Hoping that you are well and succeeding in your new life. I am sincerly yours, "GEO.C. BROWNELL."

Observe that not a word did he say to me about Hall threatening to prosecute him. On November 5, 1905, I received the above letter, and answered it as follows:

"Washington, D. C., Nor. 3, 1908.—Hen. Geo.C. Brownell, Oregon City, Oregon, My dear Brownell: I have just received your letter of the 28th uit. In which you request me to support Mr. John Hall for the position of United States District Autorney, I cannot understand your purpose in writing such a letter, Nor that I am unfavorable to Mr. Hall for the mosition, on the contrary there is no man I think mornight of than I do of him. But that is not the question. If you absolutely withdraw from the race, as I assume you do by writing this letter, then I will have to consider the claims of all my friends who are applicants. Before leaving Oregon, however, at your very earnest request and representations that it would be to your interest to have Mr. Campbell appointed, I met. Mr. Campbell in your presence and assured him of my support. It is true, he understood, and I understood, that it was to your interest and that you and he were to be associated in some way, the particulars of which I did not inquire about, nor did I care to be informed. I assume from your lotter recommending Mr. Hall that satisfactory explanations have been given Mr. Campbell, and yet I would like to have something from him showing that he has refrired from the field. Before taking further action in the matter I will write him. As I have said. I entertain a very high orinion of Mr. Hall. He is my personal friend, and he rendered me very valuable aid and support in my contest for the Senatorshing. But there are others to whom I am under great obligations also. For innance, our friend Eddy, of Tillamook, would like to have the sestion, and you know what my obligations are to him. Then, there is Kelly, of Linn, who is also a candidate, and a warm friend of mine. Hence, in view of the fact th I said I could not secure bonds for the parties in Portland, indeed, probably could not come up to defend them when the case came on for trial, and so eugested that Judge McGinn be retained, and I was authorized to see and retain him. I saw him and he secured bonds for the parties. I suggested an immediate cancellation of the filings and a compromise with the Government on those lines and took the matter up by letter with Mr. Hall and the Department of the Interior. I also personally saw Judge Bellinger and explained the came to him. He advised, under the circumstances, that the case be dismissed, and after some correspondence with the Department, that was done. you which you know and which it is unnecessary to mention, all of which ought
to be, I think, some evidence of my friendship for you. Now, I do not talink, that is
view of what I have done you ought to
accuse me of either want of earnestness in
your support, or of having done anything
against your interest, without some proof
of it. Sincerely yours,
"C. W. FULTON."

Characteristic Hot Air From Brownell.

Brownell answered, but said nothing about Hall. The following is his letter:

again.
"With kindest wishes for your health and
also Senator Mitchell's. I remain, sincerely
your friend,
"GEO, C. BROWNELL."

He pointedly states that had be been search in the boundaries of the country of t