

FULTON IS ACCUSED OF PROTECTING BROWNELL

SENATOR ATTACKED BY COLLIER'S FOR OPPOSING BRISTOL

Fulton Indorsed the Letter Written by Mitchell Telling Brownell to Draw Out of Race for District Attorneyship and His Brother Is Now Charged With Having Offered \$500 for Letter

(Special Dispatch to The Journal.) New York, Dec. 4.—Apropos of the renomination of William C. Bristol by President Roosevelt to be United States attorney for Oregon, Collier's Weekly of this city publishes in its issue dated Saturday next an extended account of the controversy, which it claims has been maintained over this appointment by Senator Fulton in opposition to the action of President Roosevelt and Special Prosecutor Francis J. Heney. Collier's article says, in part, that the story of Bristol's nomination is an incident in the history of the Oregon land frauds and will recite in detail the various incidents which led to the selection of Heney to prosecute the participants in these frauds.

It was at this critical period, Collier's states, that Senators Fulton and Mitchell had under consideration the recommendation of a successor to United States District Attorney John H. Hall. This then was the situation. Fulton and Mitchell earnestly desired the appointment of George D. Brownell. Failing in that they wanted the appointment of Brownell's law partner, Janes U. Campbell.

Hall Threatened Rivals. On the other hand, Hall was determined on his own reappointment, and he threatened his rivals with prosecution in order to force them out of the race. Then he hastened to Washington to secure the senatorial indorsement of the bargain he had made.

What took place at this conference with Senators Fulton and Mitchell is clearly set down in a most remarkable letter. It bears the date of January 18, 1903, and at the top of the first page, in the hand-writing of Senator Mitchell, is the warning: "Strictly confidential."

The letter, which was sent to Brownell, covers four typewritten pages. The important part of the communication is here given, as follows:

"My Dear Senator and Friend: I have received your several dispatches since Hall left Portland, and since he arrived here, and both Senator Fulton and myself have done everything in our power to protect you, and also Campbell, who is also under the ban of Greene and others, as we learn to our very great surprise and regret—and without going into particulars I think I have been able to so arrange matters as to protect you both.

In Strictest Confidence. "Of course, Friend Brownell, this letter is to you in the strictest confidence. The best way for the present is to drop all talk about the district attorneyship and let the matter rest just precisely as it stands for the present. Both Fulton and I have, for the purpose of fully protecting your interests, gone very much farther in a certain direction than we ever supposed we would. I cannot explain fully to you until I see you just what I mean.

"Hall leaves this evening for home. My advice would be for you to say nothing to him whatever, unless he says something to you. Just let the matter drift for the present. This is all important.

"Faithfully and sincerely your friend, (Signed.) "JOHN H. MITCHELL."

"I have read the above and fully concur in it. (Signed.) "C. W. FULTON."

As to this letter, Collier's article says: "What Senator Fulton thinks of the significance of this letter may be inferred from the fact that on the fourth day of January, 1906, Senator Fulton's brother, by appointment, met the recipient of the letter and offered him \$500 for it. When Brownell did not produce it G. Clyde Fulton warned him in this language:

"If you have given up the correspondence of Mitchell and my brother it will be your ruin, and you will be a traitor and an outcast."

To Thwart Confirmation. The article charges that Senator Fulton intends taking advantage of senatorial courtesy to continue to thwart the wishes of the president, who desires the confirmation of Bristol, and in conclusion says:

"While the responsibility rests on the senate as a whole, the direct burden must be borne by two members of the committee on judiciary, Senators Foraker and Kittredge. They know what manner of man is their colleague from Oregon. Yet they gave ear to Senator Fulton and refused to report the nomination which President Roosevelt had made to insure the prosecution of the criminals engaged in stealing the public domain of the United States."

ALLEGED \$500 OFFER FOR LETTER IS DENOUNCED AS A LIE BY FULTON



Senator Fulton.



District Attorney Bristol.



George D. Brownell.



John H. Hall.

BROWNELL DOES NOT REMEMBER GETTING LETTER

Oregon City Statesman Non-Committal on Subject of Being Promised Immunity From Prosecution by Both Senators—Hall Denies His Part.

"Where did they get that letter?" demanded George C. Brownell this morning, when told of the sensational charge that Senator Mitchell and Senator Fulton gave him written assurance two years ago that they would protect him from prosecution for complicity in the land frauds. The letter was read to him and Brownell went on:

"Well, I don't know whether there was such a letter or not. I don't want to say anything about it. I was told that Senator Fulton admitted, in the lobby of the Imperial hotel, that such a letter was written, but I do not know whether he did or not. I had so much correspondence with Senator Mitchell and Senator Fulton that I can't remember about this particular letter."

"Did Clyde Fulton offer you \$500 for the letter?"

"I am not going to say anything about that," said Brownell.

"Did he ask you to let him have it?"

"Now, I won't say word about that. That part of it I do not wish to talk about. I have had trouble enough already," and Brownell continued: "Hall was trying to force me out of the race for district attorney. He had a scheme to bluff me out on account of some errors I had committed, though I was not guilty of any crime. I did not want to be bluffed out, but he kept this highest of prosecution to the front because I had happened to acknowledge a little field note of a government survey. I did not want to let other attorneys have done. He thought that he could drive me out of the race."

John Hall's Denial. To this accusation of Brownell's, John Hall enters emphatic denial. He declares that he never attempted to drive Brownell out of the field by threats of prosecution and that he did not go to Washington for the purpose of insuring his own reappointment as district attorney.

"I went to Washington in January, 1904, on the direction of the attorney-general, and on business connected with the prosecution of certain civil suits for the United States," said Hall. "I never at any time threatened Brownell or any other rival for my place with prosecution, and not until after my reappointment by President Roosevelt—made on his own motion and not on the recommendation of Senator Mitchell and Senator Fulton—did I ever have and papers or other data showing any unlawful act committed by Brownell."

(Continued on Page Ten.)

DID NOT TRY TO PREVENT BROWNELL'S PROSECUTION

Senator Says That His Indorsement of the Mitchell Letter Was Perfunctory and That It Was Added Merely to Make Recipient Feel Easier When Thrown Down for Hall

(Washington Bureau of The Journal.) Washington, D. C., Dec. 4.—Senator Fulton expressed much indignation today when shown a copy of Collier's Weekly for the current week attacking his action in the Bristol case and charging him with attempting to buy the original of the late Senator John H. Mitchell's letter to George D. Brownell promising the latter immunity from prosecution and bearing a notation of his approval.

"That's an unmitigated lie. I never offered to buy that letter or any other. I wouldn't give 3 cents to have it. As a matter of fact it was shown to me over a year ago, and I have had a copy of it since then and didn't want the original. The letter was originally brought to me by Senator Mitchell, who suggested that I add my indorsement, in order to make Brownell, who was smarting under my refusal to indorse him for the attorneyship, feel a little easier. My indorsement of it was perfunctory, and I never interceded to prevent the prosecution of Brownell beyond saying that I would hate to see the poor fellow indicted."

Senator Fulton is of the opinion that Collier's article was inspired by Secretary Hitchcock and Attorney F. J. Heney to confirm Bristol's nomination.

"I have not discussed the question with members of the judiciary committee," said Senator Fulton, "but I believe that this attack will confirm them in the stand they have taken against Bristol's confirmation."

Biggest Baby Born Here For Some Time. Newcomer Tips the Scales at Fifteen and One Half Pounds.

One of the biggest babies born in Portland for a long time is Master Daniel Edward Dooney, who appeared at the home of his parents, Mr. and Mrs. Michael Dooney, 511 Albina avenue, November 25, according to the birth report filed in the health office this morning.

Two More Victims of Cholera. Manila, Dec. 3.—Two more deaths have occurred owing to the mistaken use of cholera germs in the experimental inoculation of inmates of Bilbid prison. This makes 12 dead from this cause.

Man Auctioned Off For 9 Months For \$1. Shiftless White Man Brings Eleven and a Ninth Cents a Month—Buyer Cheated.

(Journal Special Service.) Elizabethtown, Ky., Dec. 4.—With bidding decidedly quiet, Dock Asbury, a shiftless white man, was auctioned off by Sheriff Yates and finally knocked down to J. J. Johnson, who will be entitled to the services of his purchase for a term of nine months. While the price, 11 1/9 cents a month, seems cheap for the labor of an able-bodied man, many express a doubt as to whether Johnson will come out even, as Asbury, in addition to having a reputation for incurable laziness, has that of having a ravenous appetite. The proceedings at the courthouse attracted a big crowd, being unusual, though perfectly regular under the vagrancy law.

For a while the sheriff had a hard time getting a bid at all. Finally 50 cents was offered. The sheriff ridiculed this. Johnson, who is a farmer near town, said he would give a dollar.

HALL WON FIGHT FOR FEDERAL JOB, BUT LOST PLACE

History of Struggle for District Attorneyship Preceding Reappointment and Removal of Hall—Brownell Defeated in Efforts to Secure Appointment

Closely interwoven with the charge that Senator Fulton and the late Senator Mitchell gave written assurance to George D. Brownell that they would protect him from prosecution for complicity in the Oregon land frauds, is the history of the struggle for the office of United States district attorney at the time when John Hall's second term was drawing to a close.

After Fulton's election as United States senator in 1903 Brownell became an active candidate for district attorney, to succeed John Hall. As president of the state senate, Brownell had been a large factor in Fulton's election, for whom he voted continuously through the season, although secretly carrying on negotiations with Harvey W. Scott in the latter's gumbush campaign for the top.

Agreed Upon Brownell. John Hall was himself a candidate for reappointment and J. C. Moreland, who had been promised the place by Senator Mitchell, was also an aspirant for the office. Fulton was supporting Brownell, and when it finally became apparent that Moreland could not win, Mitchell also tacitly agreed to throw his influence to the Oregon City candidate.

But the death of Congressman Tongue changed Brownell's plans. Believing that he could defeat Binger Hermann for the nomination, Brownell entered the congressional fight. The struggle in the Eugene convention was a memorable one, but finally resulted in Brownell's defeat and the nomination of Hermann. Brownell had previously withdrawn from the race for district attorney, assuring Hall of his support.

Secret Investigation Begun. Many months before these occurrences, indeed even before the legislative session of 1904, Secretary Hitchcock of the interior department had begun a secret investigation of the Oregon

(Continued on Page Ten.)

SHORTAGE OF CARS TO BE CONSIDERED

Willamette Valley Shippers Will Indulge in Some Plain Talk on the Subject

Railroads Alone Are Held to Blame for the Present Dismal State of Affairs Throughout the Pacific Northwest—Remedies to Be Discussed.

That the railroads will rush cars to Oregon points during the present month and will make a desperate effort to forestall hostile legislation on the part of the legislature is the statement of two prominent members of the legislature, who decline to permit the use of their names. Cars are being routed to Eugene land from all directions, they say, and in a short time there will be plenty of cars for all shipments. Legislators, however, will push the regulation measure at the coming session. Potato men report that there has been a gradual increase of cars during the past few days. Hop men are offered cars at Portland but would not be forced to pay local rates from valley shipping points. Eastern shipments from valley points to Portland by boat are being refused by the railroads at Fortland because the roads did not get the entire haul from shipping point to destination.

At Eugene tomorrow the railroad car shortage will be discussed by Willamette valley shippers. Indulgence in some very plain talk on the subject of railroad delinquency, lack of foresight, and parsimonious policy regarding equipment, is expected. Corrective legislation will probably be recommended. Indications are that the meeting will be largely attended by manufacturers and shippers from all over western Oregon. The general sentiment, so far as drawn out prior to the meeting, is in favor of immediate action by the Oregon legislature at its coming session, in the passage of laws that will compel the railroad companies to supply adequate equipment for the commercial needs of the state, to prevent a recurrence of the car shortages that have embarrassed shippers every year, and especially this year. At the present time the grievous lack of cars for shipping all products of the farm industry is working a loss in all lines of production, and in some cases financial ruin is threatened. It is maintained by shippers that the railroad companies are directly responsible by their dilatory tactics in the purchase of equipment in the last five years.

Blame the Railroads. Some of the more radical reconstructors—possibly those whose heavy losses have been most keenly felt—declare that the railroad companies are not really doing anything to relieve the situation in the Pacific northwest, and that the more influential sections of the railroad systems are using their power to take and use all the cars in sight.

(Continued on Page Five.)

FORGER KING UNDER ARREST

Jailed at Los Angeles for Impersonating Federal Secret Service Officer and Attempting to Marry Society Woman

M. E. King, well known in Oregon for his talent as a forger and who was sent to the penitentiary for two years from Umatilla county in 1904 for signing other people's names to checks, is in jail in Los Angeles for impersonating a United States secret service officer. The arrest was made just as he was about to marry a wealthy widow of the southern California city whom he had lured by his misrepresentations to believing that he was a man of wealth. King traveled under the name of Captain Charles Hartley in California and was cutting a wide swath when his career as a financier and government official was brought to a sudden termination by his arrest. Secret Service Officer John Foster of this city has been notified of King's arrest and asked to look up his record in this state. King was sent up in 1904 for two years and was released early this year. He lost his time in getting back into his old tricks and immediately after his release from the penitentiary went to Los Angeles. Representing himself as the engineer in charge of the Pan-American railroad, he sent out advertisements for employees. It is thought by the government agents that there was a money scheme to this and that King swindled many people on the promise of positions as soon as construction work began. The former Oregon convict also made quite a splash as a swell and passed himself off as a West Point graduate. To many people he said he was a Yale graduate, and he seemed to have no difficulty in making them believe him. King is a man of striking appearance and has a most engaging manner. He easily won his way into the confidence of one of the society women of Los Angeles who is reported to be worth \$50,000 and all plans for their marriage had been arranged when King's imposture was discovered by government agents, who at once placed him under arrest.

REV. RAWLINGS HANGS FOR KILLINGS CHILDREN

(Journal Special Service.) Valdosta, Ga., Dec. 4.—Rev. J. G. Rawlings and Alf Moore, the latter a negro, were hanged privately this morning for the murder of the two Carter children, who were killed as the result of a family feud.

Postmaster at Bremerton. (Journal Special Service.) Washington, Dec. 4.—Charles P. Kimball has been appointed postmaster at Bremerton, Washington.

MISSOURI CONVICTS GET ANOTHER TRIAL

(Journal Special Service.) Jefferson City, Mo., Dec. 4.—The supreme court today reversed and remanded for new trial the murder cases of Vaughn, Raymond and Ryan, the convicts who in November, 1905, broke out of the penitentiary, killing Guards Allison and Clay.

Judge Webber Hangs Himself. (Journal Special Service.) New Ulm, Minn., Dec. 4.—Judge Webber, a prominent jurist, hanged himself this morning.

CONGRESS HEARS MESSAGE

Washington, Dec. 4.—The president's message was laid before the senate today, ten minutes after its opening. Assistant Secretary Latta carried the message to the senate. Printed copies were placed on desks, and the senators closely followed the reading. Practically the full membership of the house was present for the reading of the message. A recess of 15 minutes occurred after the committee reported that the president had been notified that the house was in session. Secretary Latta then delivered the document. But few members listened to the end. In the senate Tillman left before the reading began. The southerners gave close attention to the discussion of the race problem and the denunciation of mob law. Platt and Dewey paid but little attention, and conversed and laughed jovially occasionally during the reading. The president's attitude on the Japanese situation stirred the ire of the California delegation. McLaughlin of Los Angeles says: "It is fierce. Tomorrow morning the Pacific coast will be ablaze with indignation. The entire west will fight the command that Japanese be naturalized. War with Japan would find every naturalized Japanese citizen in this country doing all in his power to aid his mother country." McKinley said: "If the president desires to take the part of Japan against the sovereign state, that is his affair; but the authorities in California will not long be able to prevent overt acts by the people." Knowland said: "It is a good thing for California congressmen that the president's message did not come before election." In the message the president advocates measures providing the prohibition of corporation contributions to political parties; right of appeal for government in criminal cases; death as punishment for rape or attempted rape; an eight-hour day; a woman and child labor act; compulsory arbitration for labor disputes; public ownership, but not operation, of coal mines; forest preservation; an inheritance tax; supervision by license or otherwise of great corporations; a bill for more elastic currency; ship subsidy law; uniform federal law for divorce; citizenship for Porto Ricans; reorganization of Alaska's government; ample army and navy appropriations; fair treatment for Japanese; and a special law to naturalize them. The president announces speedy retirement from Cuba of the army and a special assembly for the Philippines. The Peace conference and the Pan-American congress come in for praise. The tariff is not mentioned. The message is given on another page.