

Alaska State Library – Historical Collections
MS 107 Diary 10

Diary 10, 1905-6 front cover	Dec. 4, 1905 to June 22, 1906.
Diary 10, 1905-6 inside front cover	James Wickersham's -Diary-
Diary 10, 1905 december04a	Dec. 4 th 1905- Since Nov 24, I have been engaged in attending to my Puyallup valley land matters, &c. Have been to Buckley & rented a room in the "Fidelity Bld – #323, as an office for preparing the 2 nd Val. of the Alaska reports – The Attorney Genl. has given permission to do the work here. Was over to Seattle today - Al. White from Valdez and Jesse Noble from Fair banks, took dinner with me. Also saw Jim. Fish, who told me that the Fairbanks lawyers – Pratt, Miller & Claypool were keeping the wires loaded with attacks – (bitter & malicious – so much so that Fish thought they would would be counteracted by its very virulence) - directed to the President. I think the danger lies in some chance idea being presented to the President with such force as to cause him to hesitate or conclude that even if I am all right it might be better to appoint some
Diary 10, 1905 december04b	one else and stop the row. Have purchased 6 or 7 acres more land adjoining my <u>Wynaco</u> Farm on the Puyallup reservation from Cornell Bros. for \$400.00 Also made written contract today with <u>Nick Glaser</u> to slash and pile in winnows all the brush & small timber on 70 acres in the valley & lying east of the Northern Pac. Ry. track, at \$15.00 per acre. Recd. telegram from Barnette {Nov. 29 th } suggesting that I come on to Washington by today – Dec. 4, - when Congress meets – but I telegraphed care McGinn at Raleigh Hotel that I would not come unless requested by Senate Com. or Dept. of Justice. <u>Busy working on 2nd Alaska</u> – We are located at " <u>The Sands</u> "- Went over to Seattle today – sent Telegram to Henderson to do assessment work on 2 claims on Cleary creek left limit.
Diary 10, 1905 december05and06a nd07	-Dec. 5 th - <u>The President reappointed</u> <u>me again today</u> – This is the fourth time he has

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	appointed me within a year. My fear that they would reach him with some story & it would prejudice him strongly was without foundation. Busy working on 2 nd Alaska. -6 th - Sent telegram to John L. McGinn Wash, D.C. saying " <u>Can come Wash</u> <u>ington if Senate Judiciary Committee</u> <u>requires provided Atty. Genl. approves</u> <u>Consult friends and Senator Clark</u> <u>and advise me.</u> " Working on 2 nd Alaska – have room 323 Fidelity Bldg. -7 th - Nothing but work on 2 nd Alaska Got letter yesterday from Lathrop saying that he had heard that he was accused of selling me out at Alaska convention & would see me in Spring at Valdez!!!
Diary 10, 1905 december11and13	-11 th - Working every day with Jeffry at room 323 Fidelity Bld, on 2 nd Alaska report – Nothing from Washington yet. Am doing nothing myself – Recd. letter yesterday from Mr. C. D. Lane, San Francisco – he said "why don't you quit the office & make some money." Everyone says that to me – as if money were the one great object of life! I would rather leave the 1 st and 2 nd Alaska reports as a monument of my work in Alaska – than to have money! -13- My nomination hung up in Senate by Senate Ankeny. Received letter from Barnette, Wash. D. C. saying that Senators Spooner, Carter & Baily were all working right. That <u>Bratnober</u> had seen Carter who would be all right. Bratnober also saw the President & Judge Day is working at Washington for me.
Diary 10, 1905 december14a	-14 th - Saw John Malone today about Crocker – who is Ankenys "boss." – He went & saw Crocker & then took me up. Crocker with brutal frankness said – "this is a hors trade – what will you do if Ankeny will get in & help you" – "He is a candidate for reelection – will you help him"? I said that I would not ask anyone to pledge himself in advance to vote for Mr. Ankeny & suggested that

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	<p>I could take care of a good man or two in Alaska as commissioners ? He then said that I was a friend of Perkins & could stop the fight that Perkins was making to assist Lorton who was recently Ankenys paper Editor at Walla Walla = I promised to go & see Perkins & see what I could do</p> <p>I went to see Perkins & told him frankly the situation – He will see Crocker tomorrow but I could not & did not ask him to do any thing – just to fix it if he could. He will -</p>
Diary 10, 1905 december14band19 a	<p>As one part of the effort to force Ankeny off Perkins sent Piles a telegram saying - “As a personal favor to the Perkins Press assist in confirmation of Judge Wickersham” – or to that effect. He thinks Piles will show that to Ankeny & he also thinks Piles will assist on his account – <u>but I am not so sure!!</u> Perkins also sent telegram to Senator Foraker asking him to assist.</p> <p>At work every on 2nd Alaska. -19th-</p> <p>Debbie & I went up to Enumclaw last Friday & paid a visit to Jennie & her family – her hubby – Chas. Hanson & his brothers & partners have a fine large logging & mill plant there. He is a good business man & they have a comfortable home - & two fine babies. Also met Dr. J.J. (state senator) Smith, & his family. Call was waiting me from Perkins who had received telegram from his to Sen. Piles saying that he wanted to assist in my confirmation – but that situation was</p>
Diary 10, 1905 december19b	<p>“delicate” &c. An accompanying tel =egram from Cushman explains that the “delicate” point meant Ankeny whom Piles hopes to use, and who has objected to my confirmation. Cush =man suggested that I get King Co. telegrams &c. asking Ankeny to act favorable. Perkins gave me the telegrams &c. and I went over to Seattle today. Saw State Senator “Dick” Kinnear & he went to work at once, to get the Ankeny forces there into line. Called on Gov. McGraw – who held in his hand a telegram from Genl. Carr Com. at Fairbanks, repudiating the actions of Nye at the recent Seattle convention. McGraw assured me of his (McG) friendship & support & that he had already acted for Carr. Called on C. J. Smith - & then on J.E.</p>

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	<p>Chilberg, Pres. Alaska Club, & strong business man. He sent telegrams to Piles, Ankeny, Joe Cushman, Humphreys & Dick Ryan</p>
Diary 10, 1905 december19cand24 a	<p>Recd. a fine letter of endorsement today from the Alaska Club – Dick Kinnear will send me copy of his telegram - & Mayor Ballinger of Seattle will also send telegram to Ankeny.</p> <p>Getting along OK on 2nd Alaska. -24th-</p> <p>Have pretty well fixed things with the Ankeny following & Crocker. Col. Int. Rev. & George Stevenson – Ankenys leaders in the state have written him to secure my confirmation – Was over in Seattle two days ago & Dick Kinnear procured the following Ankeny politicians to sign the following telegram: “Hon. Levi Ankeny, U.S. Senator, “Washington, D.C. “We personal friends of Judge “Wickersham would be gratified “to have you actively support his</p>
Diary 10, 1905 december24b	<p>“confirmation. Kindly show Senator “Piles.” R. M. Kinnear, J.J. “Smith, Link Davis, A.T. Van Deventer, “John Wooding, I. B. Knickerbocker, “Charles S. Gleason, Joseph Lyons, “W. H. Clarke.”</p> <p>P.C. Sullivan & Walter Christian are also doing what they can <u>now</u> to secure that result – the stand which the President has taken in reappointing me <u>four</u> times has brought them to realize that he intends to see me fairly treated by the Senate & Piles does not want to get in opposition to him – Sullivan has advised him not to do so, but to assist in my confirmation.</p> <p>S. A. Perkins, is also doing all he can by telegraph – Cushman wrote him in answer that Piles was willing – but in a delicate position - evidently with Ankeny with whom he desires to live in peace. – Perkins says confirmation is assured -</p>
Diary 10, 1905 december26a	<p>-26th- Christmas at “Sands” – pleasant but not hilarious. Received mail from Fairbanks today – letter from Genl. Carr, repudiating & condemning</p>

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	<p>Nyes treachery, - also strong resolutions from Chamber of Commerce of Seward – favoring my confirmation – original forwarded from there to Senate Com. on Judiciary. Letter from Abe Spring containing copies of telegrams signed by Pratt – Miller & Frazier – addressed to the Seattle “Times” and asserting that I had been condemned by the lawyers, press & miners at Fairbanks – also copies of telegrams sent by the Bar Assoc. & the Miners Assoc. denying the charges &c. Also copies of newspapers containing articles & minutes of meetings of miners &c. The miners are evidently ignorant of the true facts in relation to <u>Chrisman v. Miller</u> 197 U.S. 313, & think I made the law! These papers, letters &c. explain the defection of the miners & I will forward</p>
Diary 10, 1905 december26band31 a	<p>the whole to Barnette & McGinn who can use the same to advantage in explaining at Washington. Recd. letter from Barnette yesterday – says things look satisfactory in Washington – but who can tell what the verdict of a jury will be? He says Nye is there knocking!! But also there are Ed. Dunn, Billy Bass, Whitehead, & a score of friends to offset him. Had my photograph taken today - & worked hard all day in office. Recd. telegram from Ed. Steir, Clerk, who is at Valdez. Sent him an answer to come on to Tacoma, & take his vacation. <u>Dec. 31st 1905</u> Mr Perry & also Mr. Harlan are at Seattle & I am going over to see them today – B. D. Mills, from Fairbanks is also there. Debbie is going with me - (over).</p>
Diary 10, 1905 december31b	<p>Nothing of importance in matter of my confirmation this week. It now seems that Sullivan & Christian have concluded that they have something to win by being friendly & they are acting that way – All of the Ankeny influence is being exerted to get him into line – all of his supporters – Crocker, Stevenson, and the Seattle forces headed by Dick Kinnear have wired and written him and I judge his influence will be at least outward friendly. Perkins received a telegram a few days ago from Cushman saying that he and Piles</p>

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	<p>wanted me to wait in Tacoma until Jan'y 10, before going back to Alaska. Evidently they hope to get things finally agreed on – or know what to do – within that time. Barnette writes that Senator Carter is all right now – that Bratnober persuaded him that I was “all right”. Senator Bailey of Texas pledges Barnette that all the Democratic senators will be favorable & Perkins now</p>
Diary 10, 1905 december31c	<p>and the attitude of Carter suggests, that Hansborough of North Dakota will also be so mollified as to be at peace, - This means that the old McKenzie fight, which has held me up for nearly three years is defeated! While I have had many good & energetic friends to assist me, one stands higher than the rest in my list - <u>Walter E. Clarke</u> – and I hope yet to be able to offer the toast “<u>One Damn good friend beats the United States Senate.</u>” – for that is what his friendship for me has amounted to. It looks now as if I would be confirmed – but who can tell? Recd. letter from Erastus Brainerd, Ed. P. I. yesterday containing telegram from Carr, at Fairbanks, denouncing Nye & opposition there & asking Brainerd to assist my confirmation! Am nearly finished with manuscript of 2nd Alaska – but not yet the Index digest.</p>
Diary 10, 1905-6 december31dandjanuary01and04a	<p>B. D. Mills took lunch with us at the Rainier – Grand Hotel – he is just from Fairbanks & reports things flourishing there. Saw Mr. Perry, but not Mr. Harlan who is not yet in Seattle Neither Mrs. Perry nor Mrs. Harlan will come to Alaska till summer. <u>Jan'y. 1st 1906.</u> Mr. Perry in Seattle & Mr Harlan they go on Santa Clara to Valdez – but I have determined not to go Have written asking for leave till Feb. 1, & have adjourned court <u>at Valdez till Feb. 14th</u> -4th- Recd. telegram from Atty. Genl. granting my request for leave of absence till Feb. 1st Letter from Senator Piles to Perkins saying strong fight against me – he will help, &c</p>
Diary 10, 1906	<p>does not want to make enemies.</p>

<p>january04band05and06a</p>	<p>Rather a weak letter – and says that Ankeny will help if he can escape from his former promises to my senatorial enemies, but if not will vote against me – <u>formally!</u> -5th-</p> <p>Telegram from Cushman today asking if the division bill was not directed against me – I answered saying did not know – to consult with McGinn, whom I also telegraphed to see Cushman & Jones about the matter.</p> <p>Was in Seattle yesterday - & called on Judge Brown.</p> <p>Am nearly done with preparing syllabi for 2nd Alaska, and now begin on Index digest. -6th-</p> <p>Walter E. Clarke in the P-I. says that a special subcommittee of three will be appointed from the</p>
<p>Diary 10, 1906 january06band08</p>	<p>Senate Jud. Com. on Monday (8th) to hear all complaints against me. Also reports from Wash. D.C. say that Gov. Brady will resign – that Churchills report was adverse to him – and that he will become the head of the Reynolds Min. Co.</p> <p>Have received a dozen more opinions from Gunnison & Brown & working hard to complete the syllabi, 2nd Alaska, Rep- -8th-</p> <p>The opposite telegraphic dispatch explains the activity of my enemies in Washington.</p> <p>Packed juries in Nome are equal to packed juries in the U.S. Senate & equally criminal-</p> <p>[newspaper clipping:] “PACKED TO DEFEAT JUDGE WICKERSHAM WASHINGTON, D. C., Jan. 8.-(Special.) – Senators Nelson, Foraker and Pettus have been appointed a sub-committee to report on the renomination of Judge Wickersham, of Alaska. Apparently the committee is packed against Wickersham, as Nelson and Pettus have</p>

	<p>been fighting for two years, and are more bitter against him than any other senators.</p> <p>It is not now anticipated that judge Wickersham will be summoned here to face charges.</p> <p>Nelson is against Wickersham for personal or political reasons. Pettus is adverse because of San Francisco contempt proceedings.”</p>
<p>Diary 10, 1906 january09and12</p>	<p>-9th-</p> <p>Sent telegram to McGinn this morning: “<u>Who threw that brick</u>” and this evening received telegram from him saying “<u>We have every hope of success. No brick have been thrown.</u>” I do not understand the effect of yesterdays appointment of the subcommittee with Senator Nelson, Ch. and Senators Pettus & Foraker. = Two of the three are against me – a committee report against me without a blow struck It looks pretty near like defeat to me.</p> <p>I learned yesterday, for the first time, that some time ago Debbie had made a will leaving her interest in our home and other property to Darrell – without acquainting me with her intention, or taking my advice about it. -12th-</p> <p>This day made deed of our home on C. St. to Debbie – she is now the separate owner – it will go to Darrell if she should die before me!</p>
<p>Diary 10, 1906 january13and14</p>	<p>-13th-</p> <p><u>Ed Stier</u>, clerk of my court came into Tacoma today – also Fairbanks mail. I received the “<u>Fairbanks News</u>,” which gives me the details of the opposition to me three. It is managed by Pratt, Miller, Claypool et. al. The fight among the miners was carried on by Fields – the star witness in favor of the “<u>Muck Discovery</u>”, and the whole miners fight is based on the decision in the “Discovery” case where I quoted exactly and gave as the law the opinion of the Supreme Court in the case of <u>Chrisman v Miller</u>, 197 U.S. /o .</p> <p>Forwarded <u>papers</u> to McGinn</p> <p>Also sent telegram to McGinn asking him about the situation as I have heard nothing lately. 14th</p>

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	Geo. Esterly in Seattle & “Oregon” in tomorrow – will go over -
Diary 10, 1906 January 15	<p>-15th-</p> <p>Nothing new from Washington except this & letters from Bar Johansen & McGinn. They seem hopeful but Nelson as the Chairman of the Committee before which the matter is to be investigated angers McGinn. The most that Johan =sen hopes for from him is that he will be “<u>neutral</u>” – a <u>fine juryman</u>!!</p> <p>I went over to Seattle – saw George Stevenson – had letter from Ankeny – <u>O.K.</u> Called on the Esterlys – the “<u>Oregon</u>” came in later & saw Brown & Spring -both will go to Washington for me – earnestly. [newspaper clipping:]</p> <p>“WANTS WICKERSHAM TO BE QUESTIONED Senate Committee on Judiciary to Ask for Judge’s Appearance Post-Intelligencer News Bureau. WASHINGTON, D.C., Jan. 14. –The senate committee on judiciary has decided to ask the attorney general to authorize Judge James Wickersham to come to Washington for the purpose of appearing before the committee. Judge Wickersham has been in Tacoma some time on leave of absence from the Third judicial division in Alaska.</p> <p>His nomination to succeed himself as judge will, in the opinion of well-informed senators, be confirmed by the senate, but it is the desire of some members of the judiciary committee that he answer certain questions.</p> <p>Heretofore the charges against Judge Wickersham have been somewhat vague in character, and he would have been confirmed last winter had not Senator Nelson, who has opposed the judge ruthlessly, persisted in the statement that Wickersham secretly opposed the Nelson bill for dividing the Third district.</p> <p>Recently, however, new enemies of the</p>

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	<p>judge who have lost suits in his court have charged that he owns property in Fairbanks occupied by a saloon and gambling house.</p> <p>Fairbanks men here who are friends of Judge Wickersham say that he owns only the ground on which the building in question stands, and that the ground lease specified that the building should not be leased for a saloon or gambling purposes. WALTER E. CLARK”</p>
Diary 10, 1906 January 16	<p>-16th-</p> <p>Letter from Barnette, - he has bought a fine farm near Lexington, Ky. - \$60,000. also informs me that Reynolds, Gov. Bradys manager negotiated with him for conference with McKenzie, who proposed that if Lacy would support the division bill – Senator Nelson would support me! Says that Lacey agreed & the matter was well underway when he wrote. They first pack the jury by putting Nelson on, then sells his influence out the back door : Jury packing & bribery in the effort to confirm a judge before the Judiciary Com. of the U.S. Senate! We are getting well done with the 2nd Alaska – now working on the Index Digest. Room 323, Fidelity Bld. Brown & Spring are coming over to Tacoma tomorrow-</p> <p>Approved Steirs accounts as Clerk today. Telegram from McGinn saying appt. of Nelson was under Senate rules & not a matter of favor.</p>
Diary 10, 1906 January 17	<p>-17th-</p> <p>Recd. telegram signed by Barnette, Whitehead, Johansen & McGinn saying for me to apply to Atty. Genl. for leave to come to Washington, and come on at once. No explanation.</p> <p>-18th-</p> <p>Telegraphed Atty. Genl. as suggested - though with much reluctance - & this {last} evening received telegram from him saying: “<u>Unless you have been authoritatively informed by some member of the Senate committee on judiciary that your presence is desired the mere possibility that you may be called by such committee should not prevent you from going about your official business. Am informed that your presence has not been requested and that doubt exists as to your being called. Leave of absence must therefore be refused.</u>” Moody, Atty Genl”</p>

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	Went out to reservation land today – Pd. clearers \$160.00 also packing Alaska boxes, & working on 2 nd Alaska – index digest.
Diary 10, 1906 january19	-19 th - Evidently McGinn & others “got busy” yesterday when I telegraphed him that Atty. Genl. refused permission to me to come to Washington, for today I got another telegram from him saying that it was <u>now</u> deemed desirable for me to appear before the Senate Jud. Com. and gave permission for me to do so. <u>I shall start tomorrow</u> Todays Washington dispatches in P.I- signed by Clarke, says that Nelson has formulated charges against me, the main one being that gambling is allowed in the Apple building in Fairbanks Abe Spring came over to see me today – he will go to Washington soon on private business but said he would go to Washington if he could. Telegraphed asking leave for Jeffrey to go with me- We have finished the work on all material on hand for 2 nd Alaska but Gunnison telegraphed that he had more opinions.
Diary 10, 1906 january20and21and 22a	-20 th - Shut up office, packed trunk &c 2 nd Alaska is ready so far as the material on hand allows it, but Judge Gunnison <u>writes</u> telegraphs me that he finds other opinions &c. Debbie remains at “Sands” – neither Jeffrey nor Brown will go. Abe Spring goes <u>via</u> Portland. Started from <u>Tacoma</u> at 8:00 <u>p.m. for Washington</u> -21 st - Spokane – country covered with snow – I am very much afraid that my trip is useless – Senator Nelson has “packed” the jury on me and it is a question of politics & not a “square deal” Ill get. Passed Missoula, Mont. <u>tonight</u> -22- Livingston, Mont. to Glendive. Sent 8 telegrams today from Billings, Mont. to.
Diary 10, 1906 january22band23a	James M. Griffin, Minneapolis & B. F. Millard, Chippewa Falls as follows: “James M. Griffin, Atty at Law “Minneapolis, Minn. “Meet me on Northern Pacific

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	“overland tomorrow Minneapolis “Pullman sleeper.” and “B. F Millard, Chippewa Falls, Wis. “On Northern Pacific train going east “Can you meet me at St Paul twenty “third arrival train expenses paid. Hope to get Griffin to do some mission ary work with McLean, & Nelson & Millard to state truth about McKen =zies hearing & approving my state =ments about division bill, before H. Com. on Ter. two years ago. -23- When awoke this morning found we were on side track at Tower City. N. Dak. - 25° below zero & a blizzard blowing – a west bound train is
Diary 10, 1906 january23b	stuck between us & the next station - now noon & no sign of moving – We cannot catch Chicago train out of St Paul tonight – <u>Left</u> Tower City at 2 oclock – Fargo for an hour or two thawing out water pipes &c. Left there at 5 p.m Bought a Fargo Forum. at 5 p.m. and cut out this foolish item – am afraid my fool friends or my astute enemies will make it hard =er for me by this means : I do not want to be Gov. of Alaska, & especially do not want the matter so used as to block my confirmation as judge – would rather have that than the office of Governor: [newspaper clipping:] “SEATTLE PEOPLE PLUG FOR JUDGE WICKERSHAM Seattle, Jan. 23 – A petition has been sent to President Roosevelt by a num- ber of Alaskans in the city asking that Judge James Wickersham of the United States district court of Alaska be ap- pointed governor of Alaska to succeed Governor Brady.”
Diary 10, 1906 january24and25	-24 th - We reached St Paul last night at 1:30 and I went to the Ryan & took a room. Went over to Minneapolis today – Griffin is in California but went to the Club with McLain & explained situation regarding Senator Nelson to him – He wrote to Jerma, correspondent for <u>Journal</u> , also for Seattle Times, & I am to see him as soon as I reach Washington. Called

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	<p>on West Pub. Co. Millard did not show up. Wrote letter to Debbie Left for Chicago at 8:30 p.m.-25-</p> <p>Arrived in Chicago at 9 a.m & left on the Penn. train at 11 a.m for Washington – went across town & spent the 2 hours in an old book store – wish I was rich enough to buy all the books I need. Across Indiana & Ohio today – no snow after we left Chicago</p>
Diary 10, 1906 january26and27a	<p>-26-</p> <p>Arrived in Washington at 11. a.m met Johansen in Raleigh Hotel lobby – he says Barnette & McGinn are both here, & Whitehead Did not ask him about prospects & he did not suggest anything – <u>Bath, haircut</u> &c. & clean clothes. 12 midnight. I am up against the hardest fight of my life – with a packed subcommittee of the Senate Com. on Judiciary – Senator Nelson is making the most bitter & malicious personal fight on me – but thank Clark, Barnette, McGinn & others Senators Knox, Spooner, Patterson, Bailey & a number of the strongest men in the Senate are for me. -27-</p> <p>Called on Senators Piles & Ankeny but neither in – Ankeny is sick in the Hospital. Also called on Cushman, Jones & Humphrey - & invited them to dinner</p>
Diary 10, 1906 january27b	<p>with me at the Raleigh – we had the most pleasant diner party I have had for a long time – Gov. McGraw & Land Com. Ross, of Washington came in & sat with us, & smoked while we ate - & then all came up to my room & we smoked & talked of old times in Wash. Ter. & politics &c. My inclination last night was to provoke and press the fight with Senator Nelson, who is my <u>one</u> strong and vigorous opponent – but Abe Spring McGraw & others – including Walter E. Clarke, oppose it. Clarke has made an appointment for me to go out to Senator Knox's house tomorrow (Sunday) morning at ten oclock to talk the matter over – Knox, as Attorney General, sent Judge Day to Alaska to examine my course there & is one of my strong friends. I intend to act on</p>

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	<p>his advice since he knows the traditions of the Senate and appreciates just</p>
Diary 10, 1906 january27c	<p>what effect any given act will be likely to have on the other Senators. Calle don Congressman Lacey of Iowa, also, - He & Cushman are relatives. McGinn telegraphed for Birch, Dr. Whitehead & Mike Sullivan to come over from New York to be prepared for <u>War</u> or <u>Peace</u> or <u>work</u> on Monday. Gov. McGraw & the Burleigh – McKenzie railroad people, are now up against <u>my</u> fight, and seeing that I have many strong sup =porters have begun to make earnest efforts to pull Nelson off. McGraw told me at dinner tonight that he would go to Nelson on Monday – that McKenzie had already done so, <u>hard</u>, and that they believed that they could succeed in inducing him to assume a state of <u>fairness</u> at least. The "<u>Washington</u> Post had a very nice notice of my arrival – it spoke very complimentarily of me & gave me a nice interview about Alaska – it was very satisfactory</p>
Diary 10, 1906 january28	<p>-28-</p> <p>By appointment I called on Senator Knox this (Sunday) morning at his residence - he advised me about the course I should pursue &c. Then called on Senator Piles & walked down town with him. He also advised me and will appear before the Com. and testify strongly for me and especially in the old blackmail Sadie Brantner case. As we got down town we met Senator Hem =enway of Indiana, who upon being introduced said promptly I am for you and to Senator Piles that he wished to be advised how he could aid me – Called later tonight & met Senator Money of La. who was equally friendly and advised how to meet Senator Pettus tomorrow. Wrote to Debbie. Dinner tonight with Capt & Mrs. Barnette, - Johansen, Abe Spring and McGinn. My chances for confirmation are even – not rosy but fair. Senator Nelson is the one active opponent.</p>
Diary 10, 1906 january29a	<p>-29th-</p> <p>A strenuous day! Went with Dr. Whitehead & called on Senator Pettus and told him that all I wanted was a "square deal" – a copy of the charges & a chance to be heard. He promised that I should have both. The Judiciary</p>

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	<p>Com. met in an hour afterward and Senator Pettus proposed that I should have copies. Senator Knox urged it, Senator Money likewise & when Senator Nelson saw the drift he agreed to it – but I much fear that he will prevent it or at least so delay is as to seriously annoy us- My purpose, as suggested to Senator Pettus, is to prepare an answer to each charge in writing & back it up by the affidavits of my witnesses, certified copies of records, &c. & then give each member of the Judiciary Com. a copy. <u>I want publicity.</u></p> <p>While I was at breakfast this morning Geo. K. French, whom I knew at Eagle City as Chief of scouts for Col. Ray, and later</p>
Diary 10, 1906 january29b	<p>as a lawyer, came into the dining room and said to me, “Judge McKenzie “(D. A. of Coldfoot)” is out at the desk, dont you want to see him – thought I would step in and tell you”. I answered, “No I dont want to see him.” French went out and in about two minutes McKenzie came in, walked up to me and said “How do you do, Judge” and held out his hand. I squared off and looked at him for a moment and then said: “No, “I dont care to have anything to do with you McKenzie. I never did anything or said anything about you except in the most friendly way – I was your friend & stood by you when you needed friends as badly as I do now, and you betrayed me without excuse. I dont want any thing to do with you.” – and went on with my breakfast. He remarked some thing about not looking at things that way and walked off- I want some <u>self respect</u> left when this matter is ended.</p>
Diary 10, 1906 january29cand30a	<p>Met Senator Baily again & he is in a fighting mood – he denounces Nelson viciously, as does Senator Money & Knox. Sent long telegram to Walter Christian to get statement from A. Reeves Ayres, and Doolittle saying that Sadie Brantner had admitted perjury in the old scandal case. “Bill” Jones, Pres. Tacoma Cham. of Com. & John A. Parker are in the city. Met Senator Clark of Wyoming – he is Ch. of the Senate Jud. Com. & a strong friend of mine.</p> <p>-30-</p> <p>Called on Senators Dillingham & Carter – also Ankeny – the later is friendly, & I think will be all right</p>

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	<p>Have not received copy of charges but am today informed that I will not be given copies of the charges but only the sum or substance thereof – without names, details or facts, - and formulated by</p>
Diary 10, 1906 january30b	<p>Senator Nelson who spends all the time devoted to conversations about me in damning me. Intend to appeal to the committee for a full copy of the charges, and fight like hell if I dont get them. I cannot believe that the bar of the east has so degenerated that the Judiciary Com. of the United States Senate will try a judge on confirmation upon anonymous and secret charges, - even if the Com. should so declare I will deny that the lawyers of the west are such contemptible cowards. They keep saying to me: “Sh – you mustnt say anything – you’ll shock senatorial courtesy” – but from the way Bailey and other senators call Nelson a Swede son of a bitch, & the like, I think Senatorial courtesy ought to stand a modest but firm demand for a fair hearing in public of the charges against one whom the President of the United States has first</p>
Diary 10, 1906 january30cand31and february01a	<p>fully investigated, and then reappointed four times. And by God they must give me that kind of a hearing - & then they can do as they please about their verdict.</p> <p>Received copy of substance of the charges formulated by Nelson & am surprised and made that he is so unfair & unjust in the matter. Went out to see Senator Piles, he will try to get me copy of the original charges.</p> <p>-31-</p> <p>Carefully studying charges and have about concluded to answer them in writing – Think will begin to do so in the morning. It seems impossible to secure any thing else.</p> <p>-February 1st-</p> <p>Have been at work gathering the records, and all afternoon and tonight in writing answer. Will have it printed. Called on Judge</p>
Diary 10, 1906 february01band03and 04a	<p>-Senator Turner, tonight at the New Willard – he proffered to do what he could to help me and characterized the charges against</p>

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	<p>me as an outrage. -3rd- Went up to call on Acting Atty Genl. Hoyt, about Valdez term – he said to do as my judgment suggested so I let the term go over. Worked all day on “<u>Answer</u>”. Marsh, whom Sulzer wants me to appoint as Com. in the Arctic precinct came to see me - I dont care for him – but will appoint him since he is going in to open up a wholly unexplored country. Had a very sick spell tonight - nausea – vomiting - &c. -4th- Steve. Birch came over last night He is greatly elated over getting his Bonanza mines railroad from Valdez into shape & it now seems a success.</p>
Diary 10, 1906 february04band05a nd06	<p>Johanson & Abe Spring went over to New York yesterday – will come back Monday – working on my “<u>Answer</u>”, and will do nothing until that is done, - then intend to push the matter to a final conclusion. -5- Working day and night on “<u>Answer</u>.” John Hughes of Fairbanks here. In friend of Flint, of California & also of Arkansas senators. -6- Did not go out of hotel until 11 oclock tonight – working continuously on my Answer – and have it just about done – an hour in the morning. Barnette tells me that an Indiana friend of his who took dinner with the Fairbanks said that Mrs. F asked if I was in town & why I did not call – and invited Barnettes & me to call tomorrow. Nothing new. Six days hard work – day & night.</p>
Diary 10, 1906 february07	<p>-7- Worked all day with McGinn on the law involved in the case of Nelson & Hensley v Meehan & Larson which is one of the charges – and finished it this afternoon, but it will not be received from the printer before tomorrow. <u>I am satisfied with my work.</u> Called with a Mr. Keeling of Indiana and Capt & Mrs Barnette on Mrs. Fairbanks – reception. She treated me very nicely and asked me to come & take dinner</p>

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	<p>with them soon & to come to their house and stay while in Washington – but I excused myself from the latter but promised to take dinner with them soon. Took dinner tonight with Mr. A. C. Frost, Pres. Alaska Cent. Ry Co. at New Willard – present also Barnette, Spring, Major Richardson, Dick Ryan, Johanson, Hughes, and McGinn.</p>
Diary 10, 1906 february08and09a	<p>-8th- Did not get printed “Answers” today on account of printers slow work. Breakfast with Mr. Frost of Alaska Cent. Ry & Mr. Delevan Smith, the owner of the Indianapolis News. Then went up and was introduced to Senator Spooner. After dinner tonight received telephone call to come out and smoke a cigar with Mr. Sam. Hill, son-in-law of Mr. J. J Hill, the great railroad man. He is an entertaining talker and interested me – but when I went to talk he looked bored – so I came home. -9th- I feel that a great load is thrown from my shoulders since today we received the “<u>Answers to the Charges</u>” against my confirmation – and filed the original verified copies with the Committee and also with it filed the bound volume of “Exhibits – 31 in No.</p>
Diary 10, 1906 february09c	<p>McGinn & Barnette went with copies for Senators and Johanson filed the official copies. I gave the newspaper boys copies and also Judge Turner, who is at the New Willard and very friendly and also to McGraw and Burleigh. Things look pretty good – more satisfactory than formerly – and I hope for a favorable ending – but the opposition is strong and led by the worst old Apache on the reservation – Senator Nelson of Minnesota. I am entirely satisfied with my “Answer” – I brought out my personal “skeletons” – set them up in the high way and exposed them to the light of day – a humiliating thing to do, but I did not shield myself in any respect - just did what Mr. Cleveland did when they accused him – he said to his friends – “<u>tell the truth about it,</u>” and thats just what I did – at length-</p>

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<p>Diary 10, 1906 february09cand10a</p>	<p>I think we will try and get the Senators from Wash. Or. and Cal. to go to Nelson and ask him to quit.</p> <p>Walter E. Clarke undertook to deliver copies of my answer to Senators Knox and Spooner at their houses. Sent copies to Judge Day & to Steve Birch, New York to the News, Fairbanks & to others – <u>also to Debbie</u></p> <p>-10-</p> <p>Nothing much doing today – except that Johanson went up to see Senator <u>Nelson & found Nye there consulting</u>. It seems that while I can not have a sight of the charges against me that Nye & those who are fighting me can have fullest access to them <u>Nelson</u> had evidently sent for Nye to come & help him to support the charges – but my judgment now is that we will lick them even with all Nelsons unfairness & damned Norwegian Crookedness. A new feature has come into it now -</p>
<p>Diary 10, 1906 february10b</p>	<p>W. W. Archer, who used to practice law in Tacoma & was a great friend of Ben Sheeks, is now one of the attorneys for the Beef Trust in Chicago & Hughes met him & told him about the fight - & through Archer and his friends one Col. Felder, attorney, is now here pushing hard to help my along. He says that Bacon of Geo. of Culberson of Tex will be all right – if so that will probably give us the Judiciary Comt. Judge (Senator Turner) of Spokane, is also busy at work with the Democratic Senators – he is well liked by them & can do much good.</p> <p>Called with Walter E. Clarke to pay my respects to M. D. Purdy, Asst. Atty. Genl. – while there he told us that my telegram for leave to come to Washington to answer charges had been referred to him – that he called up Senator Nelson by telephone who told him I was not needed here & that he so telegraphed me!!</p>
<p>Diary 10, 1906 february11a</p>	<p>-11th-</p> <p>Sunday and a beautiful day. Went out to visit Congressional Library but too early & did not get in. Called on Judge Turner at New Willard – Ashton, Bill. Jones, H. C. Wallace, Gov. McGraw there.</p> <p>Captain & Mrs. Barnette and I have been invited to dinner with Vice President & Mrs. Fairbanks this evening at 8 o'clock</p>

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	<p>- I am sorry that I have't a dress suit but I intend to go with Prince Albert coat. I enjoyed my call the other day, and went to the capitol yesterday to call on Mr. Fairbanks, but failed to find him in.</p> <p>Was entertained with Capt & Mrs B at the most elegant dinner I ever attended.</p> <p>[table setting transcribed vertically:] Vice Pres Fairbanks</p> <table border="0"> <tr> <td>Mrs B.</td> <td></td> <td>Mrs. Patterson</td> </tr> <tr> <td>I.</td> <td><u>Table.</u></td> <td>Chicago Tribune</td> </tr> <tr> <td>Mrs. Carey</td> <td></td> <td>Miss Carey</td> </tr> <tr> <td>Capt. B.</td> <td></td> <td>Ex speaker Keifer, of Ohio</td> </tr> <tr> <td></td> <td>Mrs. Fairbanks</td> <td></td> </tr> </table> <p>After dinner we retired – the ladies to the</p>	Mrs B.		Mrs. Patterson	I.	<u>Table.</u>	Chicago Tribune	Mrs. Carey		Miss Carey	Capt. B.		Ex speaker Keifer, of Ohio		Mrs. Fairbanks	
Mrs B.		Mrs. Patterson														
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<p>Diary 10, 1906 february11b</p>	<p>parlor the gentlemen to the library to smoke. Had pleasant and instructive talk with Ex-speaker Keifer about his experiences as one of the generals in our army in Cuba, - the yellow fever plague and how it was fostered and spread by the musquito – and then about Alaska. Vice Pres. Fairbanks and Capt B – talked Alaska, and often I was included - on the side I heard Capt B – giving the Vice President some of my difficulties with Senator Nelson. We then returned to the Parlor – Vice President and Mr. Keifer - who is an old man – white haired and patriarchal talked of Lincoln – and McKinley – comparing them and yet pointing out their differences. We spent a most pleasant hour – also looked at more photos of Alaska & the Bs – gave Mrs. Fairbanks the first large nugget of gold – probably \$130.00 from Cleary Creek – It was an hour long to be treasured.</p>															
<p>Diary 10, 1906 february12a</p>	<p>-12-</p> <p>Went up to the Capitol today & called in the Vice Presidents room – he was not in but Edward Everett Hale <u>was</u>, and being introduced to him by Sargeant at Arms of the Senate. Col. Ransdell, whom I met in 1903 at Rampart. I had a good long talk with him. Mr. Hale is old, and hairy and full of vigor and talk of future work. He inquired about a bevy of young women that the Emigrant Aid. Soc. sent out from Mass. in 1866, under charge of Asa Mercer – from Seattle. I think = told him to write to Edwin</p>															

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	Ealls about the matter – Mrs Barlow was one of the crowd – He also told me that his “great novel”, yet in the inkstand, was to be located in Alaska. We talked of Alaska for some time - the Vice President came in – and after the most cordial greeting I gave him a copy of my Answer to Charges
Diary 10, 1906 february12b	- and in the most polished and friendly way he thrust it in his drawer saying “No answer is necessary for me, Judge Wickersham. You have made a fine record as judge in Alaska and I do not even care to hear your answer – I know the charges cannot be true.” If I am confirmed I shall try to live up to that confidence. After I returned from the Capitol McGinn informed me that Alex. Mc Kenzie and he and Sullivan had had a long consultation last night – that he told McKenzie how he (McGinn) and I had prevented the Grand Jury from indicting both Judge Noyes & McKenzie at Nome in 1901, at the instigation of Fink & McGinn gave him proof of Fink & Richards joint efforts and crookedness – He says that McKenzie was surprised & declared that he would support my confirmation – since he dislikes
Diary 10, 1906 february12cand13a	Senator Nelson any way. It seems that the withdrawal of the McKenzie fight will leave Nelson about alone with such Senators as he can induce to go with him & such as are misled by the vague charges & hidden evidence. Col(?) Perkins, who thinks he ought to be governor of Alaska, came around to see me, but I positively will not become involved in that fight. -13- Went with McGinn & Hughes to call on Senator Nelson this morning to demand a hearing before the Subcommittee – We all expected him to act rough and brutal – but instead, when he saw me in his office he came across the full width of the room & shook hands with as much apparent pleasure as if I were his long lost brother. My friends were both surprised and amused at his meekness – but we realize that the most dangerous man is the coward & bully combined : We find it impossible
Diary 10, 1906 february13b	to secure a prompt hearing on account of Senator Foraker, who is so busy on

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	Committees that he cant spare the time till some time next week. Senator Piles introduced me to Senator Foraker who treated me with apparent friendliness & expressed an intention to read my Answer & understand it carefully &c. Hughes goes home tonight and Barnette is threatening to go – it looks as if they will all be obliged to go soon to be able to get in to Fairbanks before the ice breaks up – otherwise to wait till June. Frost and Poland of the Alaska Central are here & will work for me also – and now that McKenzie has quit things look more favorable. Spent quite a part of the afternoon at the Department of Justice assisting in closing up our old bills & in urging a new jail for Fairbanks. Met Senators Gearin, Oregon, Flint of Cal. and Clarke of Ark. today – all friendly – Gearin especially so.
Diary 10, 1906 february14	-14- Was introduced to Senator Beveridge by A. C. Frost of the Alaska Central Ry. Bought a lot of rare histories &c. from Lowdermilk & Co. today. Walter E. Clarke to dinner with me – tells me <u>that Governor Bradys resignation was filed today with the President.</u> Barnette left for home tonight - We cannot get a hearing for a week and he would not – could not wait longer. One is almost obliged to catch the March 1. steamer from Seattle to be sure of getting in to Fairbanks over the ice. Abe Spring Also left and that leaves McGinn and me alone – but I dont fear the result – if they will be fair. Senator Bailey & others say that there will be no doubt of the result – Wrote a letter to Debbie : also another to Alexander, Sub Com. on Ter. in House in favor of division of the District.
Diary 10, 1906 february15and16a	-15- Nothing doing – spent most of the day in Lowdermilks Old Book Store buying history & Ethnology of the Northwest Coast. -16- Went up and called on Senator Baily - he asked me to come to the Senate Member room at 1 o'clock – I did but Senate had adjourned until Monday. We met Senator Gearin of Oregon & he and Senator Bailey discussed Senator Nelsons fight on me – they united in

	denouncing it as – to use their own language – “a dam {n}ed outrage” I also called on Senator Ankeny & informed him that I would now approve the pardon of Charlie Hubbard whom I sentenced at Circle in 1900 for 15 years for killing his man at Ft. Yukon. Senator Ankeny has been trying for three or four years to get
Diary 10, 1906 february16b	Hubbard pardoned but so far without success owing to my refusal to recommend it. I also went to the Dept. of Justice – to the Asst. Atty. Genl. in charge of pardons & recommended the pardon or commutation of the sentences of both Hubbard and J. Notti, whom I sentenced at Fairbanks this last summer for 2 years for assault with intent to kill – a fellow who jumped his mining claim. This afternoon the Vice President called me up on the telephone and invited me to dinner – the second time, and I accepted. Luckily I had ordered a new dress suit this week and it was just done – so I looked in conventional shape – and I was glad of it, for it was the most beautiful scene of my life. There were 32 people at the table – the Vice President sat on one side of the table in the center – and just opposite him
Diary 10, 1906 february16c	on the other side sat Mrs. Fairbanks On the Vice Presidents right, Mrs. Nellie Grant Sartoris, and on his left Mrs. Senator Clay – On Mrs Fairbanks right Senator Clay and a Senator on her left whose name I did not hear. The second gentleman from Mrs. Fairbanks right was Mr. James A Garfield, the son of the President Garfield whom Guiteau assassinated. I had the honor to sit with Mrs. Timmons, Mrs. Fairbanks daughter & the wife of Lt. Timmons, U.S.N. – a most pleasant and beautiful woman. The great dining room was fairly gorgeous in its appointments – flowers, lights – beautiful silver & tableware – handsome men & beautiful women – dressed in the height of fashion – it was the most beautiful function I ever attended & I thoroughly enjoyed the evening!!
Diary 10, 1906	-17-

february17and18a	A great day for the social side of Washington – Miss Alice Roosevelt the eldest daughter of the President was married at noon to Mr. Nicholas Longworth, member of Congress from Cincinnati Ohio. A thousand guests are invited – and ten thousand are not – but the area around the White House is filled – and great interest is felt by everyone. Beautiful day – nothing done in my matter. -18 th - Sunday Recd. nice encouraging letter from Steve Birch, 45 Broadway, N.Y. He is laid up with attack of soreness in nasal passages – but he and his friends are at work in my aid. Wrote to him, also to Debbie. Sent Debbie copy of <u>Post</u> , with description of wedding, dresses &c.
Diary 10, 1906 february18b	Dr. Whitehead came back from New York last night & I took long walk out to Rock Creek with him & we discussed Governorship of Alaska. Dick Ryan, Perkins and Charles Herron have worked out a job – they sent for Ivey – and Alex McKenzie got him received at the White House – ostensibly to talk about coal land laws in Alaska - but <u>really</u> to put before the President the charge that <u>Jarvis</u> , <u>Hoggatt</u> and <u>Clum</u> were all anti Roosevelt two years ago and sought really to bring the delegates from Alaska in for Hanna! He succeeded in getting the President to listen, and he actually believed the story – which is a lie out of whole cloth. I explained the matter to Whitehead who is going out to clear it up & to expose the fraud to the President. I am now satisfied that the President is opposed to Fairbanks for 1908 -
Diary 10, 1906 february19	-19- Assisted Cushman with his report in favor of his Alaska Delegate Bill. <u>Was given written notice by Senator Nelson clerk today that the Sub-Com. would hear my testimony tomorrow morning at 10:30 at the rooms of the Senate Judiciary Committee.</u> At suggestion of Senator Bailey I called on him in the marble room at 3 p.m. and he introduced me to Senator Bacon of Georgia who talked to me

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	<p>squarely and entirely friendly – he said that he was glad to meet me – that he always wanted to see the <u>man</u>, rather than to hear the political stories against him &c. and that Senator Knox had already talked to him about me. My judgment is that he is entirely friendly. McGinn received word that the first of the appeal cases from my last Fairbanks term to be decided by the Ct. Ct. of App. was affirmed.</p>
Diary 10, 1906 february20a	<p>-20-</p> <p>Met with Sub. Com- of Judiciary Comt. in the Senate Judiciary room at 10:30 present, <u>Nelson</u>, Chairman, <u>Pettus</u> and <u>Foraker</u>. I testified for nearly two hours in support of my printed Answer: Think that Pettus and Foraker are with me, but Nelson is as virulent and poisonous as a rattlesnake – but he cant look a man in the eye, and when once I went after him and commanded him to finish a half completed reading he submitted like a true Norwegian peasant, that he is. The hearing was adjourned in an indefinite way – and I dont know what further will be done- but I still think Foraker and Pettus will vote for me, - if their questions and suggestions are any indication of the bent of their mind. <u>Have a new dress suit.</u></p>
Diary 10, 1906 february20band21a	<p>The Alaska governorship is now in a queer tangle – Brady has resigned the President has offered it to Jarvis, and Jarvis wants it but finds trouble to get out of his business arrangements with the N.W. Com. Co. who want him to continue with them. In the meantime Perkins, Ryan & Co. and their grafting “Knockers” are slandering Jarvis. Hoggatt and Clum, <u>who</u> and through Ivey are assuring the President that Perkins is the only Roosevelt man in Alaska! God, how theives do cloak themselves in virtues garb and strut the political highway - looking for pockets to pick. Perkins is a bargain counter politician and his appointment would be a calamity. -21-</p> <p>Went up to the capitol and called on Senator Foraker, and asked to have the further hearing set at once – as my witnesses must go to Alaska. He said that he did</p>

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Diary 10, 1906 february21b	<p>not think any further hearing necessary – that he was now satisfied and expressed a strong and complimentary opinion as to my qualities as a judge, and said that I ought to be confirmed at once. He was so cordial and friendly that I felt greatly relieved and pleased. He suggested that I remain here, but that my witnesses (McGinn & Spring) go home after making their affidavits. I am greatly pleased with his statements and now regard him as one of my strongest supporters. He told me that Nelson had given him an argument upon the law that against my opinion and action in setting aside the judgment in Nelson v Meehan. Then went over to see Senator Bailey who told me that he had talked with Senator Foraker since the hearing yesterday & that Foraker had told him that he (Foraker) said to Nelson “I am greatly impressed with the strength and character of Judge W and his statement to us”, &c. and that Nelson replied that he was to! The</p>
Diary 10, 1906 february21c	<p>old liar! Showed Baily Nelsons letter to me of Nov 1904. to convince him that Nelson was only continuing a long time fight, also telegrams & story that Nelson told Atty. Genl. in Jan. that he did <u>not</u> want me to come to Washington – and that it was an attempt on Nelson part to even prevent my having a hearing or notice of any kind. Bailey denounced his unfair methods and has started an investigation upon his own responsibility to ascertain just what Nelson has done – and will fight him in the open Senate, and will also give information to the members of the Judiciary Committee. Am going with Statler, Senator Ankenys, Sec. to see the Atty. Genl. this afternoon and recommend the commutation of the sentence of Hubbard, sentenced at Circle in 1900 for killing McNamara at Ft Yukon - also Notti, from Fairbanks.</p>
Diary 10, 1906 february21d	<p>Recommended commutation of sentence of both Hubbard & Notti. Also telegraphed Harlan to telegraph in his endorsment for Notti. Had McGinn telegraph to M. L. Sullivan, to see Boone - at Fairbanks, Alaska – and send us true name of Manley – also crime & locality from which he is a fugitive – & I intend to crucify</p>

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	<p>both him and Nye – intend to connect them with Nelson & then expose their character & animus. Abe Spring went to see Loeb, the Presidents Secretary & got him to work to induce Senate to act in my matter promptly. Loeb telephoned to Major Lacey (M. C. of Iowa) that “<u>we</u>” meaning the President, were for Wickersham & wanted him confirmed – Think now I will be confirmed soon – still – well, I wont quit till its done</p>
Diary 10, 1906 february22	<p>-22- Called on Senators Perkins, of California Fulton of Oregon & others – who are friendly. Also on Nelson who gave me a copy of his printed <u>Brief on the law in the case of Nelson & Hensley v Meehan & Larson</u>. It is a curiosity – it overrules the case of Holton v Davis. 108. Fed. 1138. decided by the Circuit Ct. of Appeals. for the 9th Ct. in which Alaska is – and is the appellate court whose decisions I must follow. Heard from Fairbanks tonight from telegram sent last night to M. L. Sullivan about Manley – his name in Texas was <u>Hilliard Knowles</u> & he is a fugitive from justice &c. & Nye represents him. Nyes affidavits are on file – Witte – Manleys partner, has a letter on file also. My oral testimony before Sub Comt. is to be printed & I am trying to get them to print my Answer again with it – Think it will be done tomorrow-</p>
Diary 10, 1906 february23and24a	<p>-23- McGinn goes home tonight His testimony & Springs taken by written affidavit. Telegrams from Fairbanks today saying that <u>Manley had wired money</u> & request that telegrams be sent from there to Foraker protesting against my confirmation – also that <u>Carr is securing a petition for his appointment as judge</u>. I will not believe that until I get more accurate information My telegram from Henderson. Am busy preparing a reply to Senator Nelsons printed brief against me – also to Nye & Manleys influence & affidavits. -24th- McGinn went home last night</p>

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	<p>More telegrams from Fairbanks in my favor – Foraker is the one whom they are attempting to reach</p>
Diary 10, 1906 february24band25a	<p>The <u>Washington Post</u> has a fine notice of me this morning – it gave me a good reputation for work in Alaska – for travel, mountain climbing, hunting & general pioneer work. Arthur Leith, of <u>Allyn</u> of years ago called – he is working in the Govt. Printing Office. A Mrs. Eppinger called me up – says she used to go to school to Nan, in Tacoma & asked me to call – Monday at 2 o'clock. -25- Beautiful Sunday- <u>Falcon Joslyn</u> & Parsons of Wash & Alaska Bank, Fairbanks in town – they went to see Foraker - found him all right – but they are not so sure of Pettus. The Lelands, of Nome are here. He went to see Senator Perkins of Cal. who is also all right. Tonight – John L. Wilson</p>
Diary 10, 1906 february25band26a	<p>reached the city from Belgium – he wil go to work for me tomorrow – Foraker thinks nothing can be done within 10 days. -26- Went up to Senator Nelsons room in the Capitol at 10. a.m to file some additional papers & <u>found him</u> and <u>Roy v. Nye</u> side by side with the papers in my matter spread out – filed my papers & turned to go when he informed me that he had just received another affidavit & he stated the substance of it – that the affiant had seen me on more than one occasion in the <u>California</u> Saloon, in Fairbanks, while gambling was going on there. I asked him who made the affidavit. He answered that it was not Nye, but said he would not give me the name. I said that the person was a liar and a perjurer, whoever he was & left.</p>
Diary 10, 1906 february26band27a	<p>Joslyn & Parsons working today - go to New York tonight. <u>Leland</u> saw Senator Perkins, Cal. who is now earnest, - with his coat off – Wilson – John L. also saw Clark. Ch. Jud. Com. Senate – he is all right. Recd. telegram from M. L. Sullivan</p>

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	<p>Fairbanks, tonight, saying that Carr, Dodge & Boarman have formed combination – Carr. for judge, Dodge for commissioner & Boarman for clerk – <u>Will not believe</u> that Carr is treacherous!</p> <p>-27-</p> <p>Spent day in my room working on my “<u>Reply to Senator Nelsons Brief & to Mr. R. v. Nyes brief and affidavit</u>”</p> <p>Snow storm and bad weather.</p> <p>Nothing new – except that Smith, the “<u>Post</u>” hotel man who wrote me up three days ago called, and I <u>think</u> he expected me to pay him a fee for it – but as I could not quite tell did not offer him anything – he will probably come back</p>
Diary 10, 1906 february27band28	<p>Recd. telegram tonight after theatre from Abe Spring saying that <u>Manley</u> got on his train at <u>Harrisburg {Pa.}</u> for Seattle – before the theatre I am almost sure I saw <u>Mrs. Rice</u> – Manleys partners wife pass through the hotel. Spring said in his telegram that Manley said he had just come from Florida - <u>I think he and Mrs. Rice have been laying up somewhere - & that she is now looking for me.</u> She is a natural born whore, & Manley would be fool enough to divide with her – a fine outfit to be fighting one – a fugitive from justice & a prostitute.</p> <p>-28-</p> <p>Working on my reply to Nelsons brief – it seems that Manley & his friends stirred up quite a row in Fairbanks & that my friends are sending as many telegrams as my enemies.</p>
Diary 10, 1906 march01and02a	<p>-March 1.-</p> <p>Finished writing My “<u>Reply to Senator Nelsons Brief, & to Mr. Nyes Brief and Affidavits</u>”</p> <p>Mrs. Ettinger telephoned for me to come out & visit her again tonight – Lord, but she is cold – a frozen potato - & she wants to talk about “consciousness after death” and other cheerful topics in that class – Excuse me! she ought to move to Boston.</p> <p><u>Mch. 2.</u></p> <p>Finished printing <u>Reply</u> to Senator Nelsons Brief. Turner tells me that Senator Pettus is still doubtful because he thinks I committed error in vacating the Nelson</p>

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	<p>judgment. I have taken the 31st Oregon from the library & hope to assist him to distinguish between Banks v Wilson 1. Alaska 241. and Nelson v Meehan, by comparing with the first Alexander v Ling, & with the latter Thompson v Connell. Its Hell</p>
Diary 10, 1906 march02band03a	<p>that the Judiciary Com. of the United States Senate should refuse to confirm a judge for an error – since the U.S. Sup. Ct. often stands 4 to 5 – and reverses itself even, it would follow that they ought to be disciplined – anyway – Recd. letter from Spring at St Paul saying Manley was with him & lying clumsily about fighting me. They must think we are dumb.</p> <p>-Mch 3rd-</p> <p>I called on Senator Pettus of Alabama today and went over the points of law raised against one by Senator Nelson in his brief. I did the same thing last night with Ex Senator Turner of Washington, who wrote a letter of Pettus asking him to let me explain to him. He treated me very nice & listened carefully & seemed to agree with me. He agreed to read my <u>Reply to Senator Nelsons Brief, &</u></p>
Diary 10, 1906 march03band04a	<p>I left him with a feeling that I accomplished the object of my visit – but he is careful not to commit himself.</p> <p>Capt Jarvis reached Washington today – he is now with the President who has offered to appoint him Governor of Alaska. - think Jarvis will refuse it, but I hope not.</p> <p>-4th-</p> <p>This morning I wrote personal letters to all the members of the Senate Committee on Judiciary asking them to read my Reply Brief to Nelsons 10 pages printed Brief against me &c. and sent them copies each. Jarvis & Walter E. Clarke took lunch with me – Jarvis complimented me highly on the “<u>Answer to Charges.</u>” he was greatly pleased with it & said many comforting things.</p>
Diary 10, 1906 march04b	<p>After lunch went out to see Senator Piles who also complimented me highly on my Reply Brief to Nelsons Brief & said that</p>

	<p>both on the law and on the facts I completely overcome him – but I knew that. Piles is getting ready to fight Nelson on the floor of the Senate & I think will have ample assistance.</p> <p>While at lunch Jarvis told me about his interview with the President yesterday – The President offered him the Governorship & Jarvis refused – on business grounds to accept it. The President asked him to recommend one of the candidates – Hoggatt, Perkins or Clum - & Jarvis recommended Hoggatt – and put Clum & Perkins last & on a level. Walter Clarke then informed us that in the meantime</p>
Diary 10, 1906 march04c	<p>the President had concluded to appoint Clum. I expressed dissatisfaction at that appointment and so did Jarvis. We agreed that Clum is incompetent – a weak man – though a good fellow – and I urged Jarvis to put the matter again to the President. He hesitates since the President gave him the opportunity to do that quite fairly and he did not urge it, but he is greatly exercised in his mind about it. Clum is a good man – and so far has a good reputation, but he is weaker than Brady - & no more competent.</p> <p>Clarke also told me that Justice Brown of the Supreme Court had called to see the President in the forenoon of yesterday – that he is just past 70 years of age – and that Senator Knox called in the afternoon by request. The intimation is that Judge Brown will resign soon and that Knox may have the place if he wants it.</p>
Diary 10, 1906 march05a	<p>-Mch 5th.-</p> <p><u>R. N. Stevens</u>, Ex Commissioner whom I removed at Nome in 1901, and who was the brains of the Noyes-McKenzie ring, is in Washington. He will hit me a lick if he can.</p> <p>Judiciary Committee did nothing today but it is understood that before a week the matter will be closed up. Steve Birch came over from New York last night & took breakfast with me this morning. He urges me to go over to New York and remain a few days as his & Mr. Ralphs friend, and I am</p>

	<p>going. He also suggests that personally he hopes I wont be confirmed as then they can employ me as the attorney for their Copper River Ry & mining schemes. Since talking to him I am not so anxious since I am sure I can do much better as lawyer than as judge</p> <p>Telegrams from Fairbanks from Sullivan & Attorneys denying</p>
Diary 10, 1906 march05band06a	<p>that Sullivan said at Bar meeting that I would have revenge & explaining the situation – also one late tonight from Birch asking me to come to New York - & I will go on the 12:30 Pennsylvania train.</p> <p>-6th.-</p> <p>Came over to New York arriving at Waldorf Astoria at 8. a.m. Called on Brumbaugh at Herald Square Hotel – at Ralphs office at 45 Broadway – met <u>Ralph Arthur Birch</u> & took lunch with them and Turner at Delmonicos After lunch Birch & I called at the Morgan bank – met Mr. W. P. Hamilton, soninlaw of J. P. Morgan: Mr. J. P. Morgan, Jr. and Mr. Charles Steele, partner. Later we called & met Mr. Edward Brush, Sec. Am. Sugar & Refining Co. Mr. Newhouse, of that co. in charge of Smelters, - we talked about</p>
Diary 10, 1906 march06b	<p>the Smelter at Tacoma and <u>Rust</u> whom we all agreed was a good man. In the afternoon I called on Judge Day, and spent an hour talking about his trip to Alaska &c & I then went with him <u>via</u> the <u>Under</u> ground – a Subway back to 33rd St. – my first ride on the Subway.</p> <p>This evening went to the theatre with Mr. Ralph & Judge Brundage. - Brundage defended J. C. Haines - lawyer from Seattle, years ago when he was prosecutor in New York for complicity in the Smuggling cases. Recd. telephone message tonight from Carruthers saying that Foraker told him that Pettus is <u>against me</u>. I am very much disappointed at that for I thought he was convinced – but Carruthers said they were also trying <u>now</u> to get Foraker away by saying that if I am confirmed it means a <u>Fairbanks delegation from Alaska!</u></p>
Diary 10, 1906	<p>Was amused while in the great</p>

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march06cand07and08a	<p>Morgan bank – the only bit of business I heard transacted was when a clerk presented to Mr. Hamilton a bill for a <u>mastadon</u> - for the Morgan museum, but the idea that the greatest bank in America should be buying a mastadon – was funny- -7th-</p> <p>Called on the Brumbaughs & went down town awhile. Dinner at Waldorf Astoria with Mr Ralph – Judge Day & Mr. Turner Went to the Hippodrome – the greatest spectacular play house in America. -8th-</p> <p>From New York to Washington Nothing new, except <u>Naval Orders</u> say that Darrell is an Ensign. Governorship of Alaska still in the air – has been offered to</p>
Diary 10, 1906 march08band09and10a	<p>Walter E. Clarke, correspondent of <u>Seattle P-I</u>, but he refused it. -9th-</p> <p>Called on Pettus again this morning and showed him Nelsons letters to me, &c. Also saw Piles who saw him yesterday – Piles says he is against me – and I now think so I am greatly discouraged and tired of the struggle & feel like resigning & going home. Have today telegraphed to Judge Day to come over – when he comes I intend to consult with him seriously upon the subject & <u>do something</u>. -Mch. 10th-</p> <p><u>W. B. Hoggatt of Juneau appointed Governor today.</u> I think it a good appointment and am greatly pleased – it is a much better appointment than</p>
Diary 10, 1906 march10band11a	<p>Perkins – Jarvis was my choice – Hoggatt second – with Clum 3rd & Perkins last. Hope Hoggatt will be confirmed without trouble. Recd. telegram from Judge Day saying he could not come over from New York just at this time. -March 11th-</p> <p>Took dinner this (Sunday) evening with Walter & Mrs. Clark. There was also present Mrs. Jarvis & Miss Dorothy, and Mrs Allen.</p>

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	<p>I think Walters sister. We had a nice little dinner – and a pleasant and friendly talk. Mrs. Clark & Mrs Jarvis are good women – just pure gold. Miss Dorothy is interested in Darrell and thinks his member =ship in the “<u>Red Mike Club</u>” is or was very funny – Mrs. Jarvis told me that Jarvis spoke <u>very</u> highly of my defense to Charges against my confirmation. Either Senator</p>
Diary 10, 1906 march11band12a	<p>Nelson or some one for him said to the President this last week that he – the President – had better be looking for some one to take my place since even Senator Knox was going back on me and would no longer support me – the President sent for Knox & told him and the Senator very forcibly denied it and told the President that he was stronger than ever for me. -12-</p> <p>A funny thing occurred just now. I was coming back from the Capitol in the street car. Just about opposite the old Metropolitan Hotel a man got on – came in the car – spread out his coattails to sit down – saw me – and flew out as if scared to death! It was Nye – He stood for a minute on the back end of the car, carefully hiding his face & then got off</p>
Diary 10, 1906 march12b	<p>& walked from the car with his face turned the other way – poor pitiful coward. I would’nt soil my hands with him but he is so cowardly that he fears I will.</p> <p>Before I came east I received a letter from Mrs. Mattie Johnson asking about Adams mines in Alaska - she said to direct my answer in care of an Insurance man by the name of Cave here in Washington- I did not answer – but Saturday I called Cave up on the telephone & asked him her address – he stammered & said he thought she lived on 11th St. – that he would find out & let me know. This evening while I was at dinner her card was brought in – after I finished I went into the ladys corridor & there she sat – with Mr. Cave!! Paint & powder</p>

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	- perfume and jewelry – she looked
Diary 10, 1906 march12cand13a	like a modern Cave woman! I judge he is keeping her as his mistress- -13th- Learned today that Senator Pettus is against me basing it upon the alleged fact that I erred in setting aside the decree in Nelson v Meehan!! This gives the enemy at least a majority of the Sub-Committee – Nelson & Pettus. Also called on Senator Blackburn of Ky. & found him an interesting man, - but non committal. I only wish they would act – so that I can go to New York & close up the Rosene suggestion that I look after the R.R. & mining interest for his people there- French and his wife (whom he married at Valdez) & Van Hook – my old Eagle City friends (?) are the
Diary 10, 1906 march13b	prominent features of Raleigh Hotel life these long days – French says he is running a news =paper in Arizona, & that he is lobby =ing against the administration State hood bill – against the bill creating one state out of Arizona & New Mexico - which Senator Foraker has succeeded in killing – so far. How French & Van Hook et. al. live - & what for, I cant find out. Recd. nice letter from Judge Day – New York – tonight – He says that he is just writing to Senator Knox, - and that if there is anything <u>specific</u> he can do he will come – but that he wants to be here when it will be most effective, &c. Telegraphed to Clum, asking him to come over & help me get <u>Frances S. Ettinger</u> , place on her civil service papers &c.
Diary 10, 1906 march14	-14- Went over to Dept of Justice & talked with Solicitor Genl. Henry M. Hoyt – told him condition of Nelsons fight & told him I thought of resigning & in my letter to the Pres =ident setting forth the facts of the exploitation of Alaska Judge ship & courts by U.S. Senators

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	Heyburn, Nelson et. al. He said he would talk to Knox about it tonight – Also told Walter E. Clarke. Clum came over & will introduce me to Cortelyou tomorrow. Also met Delegate M. A. Smith, from Arizona who hates Nelson like poison – The Nelson people are now working against me hard – and poisoning Senators as much as possible - it looks like a hard fight - and Nelson the sole judge & juror. But --
Diary 10, 1906 march15a	-15- My talk to Clarke yesterday started Jarvis out to do a little work – he saw Dillingham who told him the Jud. Com. would report on Monday – that my reply brief had made Nelson angry – that he took it as an attack, &c. which I am glad of, since the old square headed Norwegian was poison anyway – and the realization that other persons know his bias & prejudice may force him to be more decent. I am afraid that Blackburn is against me – will get Turner after him tomor =row - & Piles also – some of Pettus friends are still at work on him – but I fear with little hope of good. Sent a telegram to Geo. T. Reid, Tacoma, asking about Debbie – yesterday – but no
Diary 10, 1906 march15band16a	answer yet. Have not heard a word from her since she received copy of “ <u>Answer to Charges.</u> ” -16- <u>Louis P. Shackelford</u> , lawyer from Juneau came to see me this morning & has been spending the day helping to strengthen my chances for confirmation. He saw Senator Piles & waited over to see Senator Blackburn. <u>Talty</u> , the Raleigh Hotel Manager, also is interested – he invited Mr. Micou to lunch with me, and got us acquaint =ted. Micou is son in law, and law partner with Ex. Sec. of Navy Herbert, from Alabama, and I am to meet him in the morning - he is supposed to have great influ

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	<p>=ence with Senator Pettus – but I do not look upon Pettus as open to argument – I think</p>
Diary 10, 1906 march16b	<p>he is <u>sure</u> against me, - but I will go and meet Mr. Herbert. Dr. Whitehead is back & is at work – he has telegraphed - & so did I – to Henry Bratnober – at Piedmont, California, asking him to telegraph to his friends here - we want Mark Smith, delegate from Arizona to help with Senator Blackburn, & so advised him. Am sorry but Senators Bailey & Gearin are both out west – both are my friends. <u>Nothing from home yet.</u> Newspaper men are nearly always good to me – <u>E. B. Smith</u>, is the hotel reporter for the <u>Washington Post</u>, and works for me in season & out – he just came in to tell me that Bratnobers telegrams are coming in - one to Ex. Gov. Murphy of Arizona, has started him & others to work – Smith feels quite confident.</p>
Diary 10, 1906 march17and18a	<p>-17th- Recd. telegram from Walter Christian Tacoma saying Debbie all right & later one from her to same effect & saying: “<u>Am well and proud of you fight to a finish.</u>” Louis Shackelford did not get to see Blackburn – looks bad – but may be Judge Turner can do some thing with him. Nothing much today – but much on Monday. -18th- Called on Jarvis & wife at Shoreham & Dr. & Mrs. Whitehead at Riggs. Walter E. Clarke & Louis P. Shackelford present. Also Major Richardson. Tonight E. B. Smith, reporter for the <u>Post</u> came to see me. He told me two or three weeks ago that Col. Phil Thompson of Ky. had long been a lobbyist & controlled Senator Blackburns vote – through his unreasoning friendship & trust & now tells me that <u>Gov. Murphy</u></p>
Diary 10, 1906 march18band19a	<p>of Arizona, a mutual friend, tells him that Thompson has prevailed upon Blackburn to vote against me – we believe & Murphy seems to, that Thompson is working for a fee from some one- I can hardly believe that a Kentucky Senator is so venal or cheap!!</p>

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	<p>If it is true that money has been used for that purpose it explains Manleys presence here in hiding. Well. I wont buy any Senators pimp – even if I am defeated! -19th- The Judiciary Committee of the Senate met at 10 oclock – and <u>did nothing, but fix my case for next Monday.</u> Have learned that Mrs. Clarke is a relative of both Senators Bacon of Georgia and Daniels of Virginia – and she is a most charming woman besides. Jarvis telephoned</p>
Diary 10, 1906 march19b	<p>asking me to take dinner with him this evening – Mrs. Jarvis has gone to Baltimore. Had a fine dinner with Jarvis & Clarke at the old <u>ante bellum</u> “Hancock” restaurant on Pennsylvania Ave, south side. block west Post Office – fried chicken & gravy & hoecake – cooked by a big fat negro “Mammy.” Dick Ryan says that he inquired & found out that no formal report of the Sub Committee will be made to the full Judiciary Com: That Nelson wants to make a strong report against me – but that Pettus wont sign it - & will make a very mild one – & Foraker one in my favor – so they will just state their views orally to the Com. & let that body take the responsibility That is better than I expected even if it is not what I wanted -</p>
Diary 10, 1906 march20and21a	<p>-20- Nothing new – Jarvis goes home today or tomorrow. -21st- Telegraphed Harlan today that <u>there would be no court at Fairbanks till June</u>- cant get in if I wanted to. <u>Jarvis saw Nye & Col. Phil Thompson meet in the Willard Hotel & go off together</u> – that connects with our information that Senator Blackburn will support Nelson in his fight against me – for Thompson is known to be the advance agent for Blackburn. Pettus told Ex. Sec. of Navy Herbert – that he was against</p>

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	me – but that I would be confirm =ed, and also told my friend E. B. Smith, of the <u>Post</u> , the same. Major Richardson & Talty, Mgr. of the Raleigh Hotel
Diary 10, 1906 march21band22a	are now at work also. Called & paid my respects to Postmaster Genl. Cortelyou today – he treated me very nicely. <u>Senator Baileys father</u> <u>died today & he went south.</u> Am afraid this sad event will keep him away when my case comes up before the Senate. -22 nd - Saw Senator Patterson & told him about Blackburn – he will fight for me & said Blackburn was doing wrong – also saw Piles & same. Letter from Arthur – lawyer & he wrote me to send copies of my Answer &c. to Mr. Frederick de C. Faust. Dept. of Justice, who thinks he can do something with Senator Pettus!! Patterson told me that both he & Spooner had attended Jud. Comt. meetings regularly on my account, & had made arrangements to be
Diary 10, 1906 march22band23a	notified if my case came up in their absence. -23 rd - Went up to capitol today with Ex Governor Swineford (of Alaska) & called on Sulzer (N.Y.) They went & called on Senator Tillman (S. C.) who promised to support me, and also on Culberson (of Texas) & Bacon (of Georgia) both of whom, they report, are friendly. This afternoon Major Richardson, U.S.A. & my newspaper friend <u>Ed. B. Smith</u> , of the Post, called on Culberson at his house – they had a long & satisfactory interview. The situation seems better today than ever & I now have confidence – but – wait! The Committee meets tomorrow - Saturday – though I dont quite know about it. Sulzer says he can reach & control Col. Phil. Thompson & Blackburn – but I doubt it. Saw Nye today at National Hotel.
Diary 10, 1906 march23b	I called at the Smithsonian Institution today & paid my respects to Prof. Dall who wrote " <u>Alaska & its Resources</u> " &

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	at the National Museum to see Prof. Otis Mason – had long and interesting talk with both about Alaska & Pacific coast ethnology. Prof. Mason agrees with my theory of the Asiatic origin of the American Indian. E. B. Smith, reporter, calls Senator Pettus " <u>Old Confucius</u> ," and the idea is not inappropriate. He is 84 years old, a typical man of the south & west – a "49er" in California, a leader of the Confederacy - and very much of a philosopher. Smith was praising my good qualities and the old Senator in his broad southern brogue said to him, " <u>Whaw did you know him?</u> " Smith has been a reporter on the Post for 15 years & Pettus knew it – Smith greatly enjoys
Diary 10, 1906 march23cand24a	his " <u>Whaw did you know him?</u> " it demonstrated that the old man knew that Smith was a partisan friend rather than an unbiased and knowing witness. -24 th - It was a mistake about the Com. meeting today – there was none – it is to be held Monday. Was invited to dinner with Dr. Whitehead and the gentlemen interested in his Alaska banks, but on yesterday I invited Major Richardson to dinner with me, so declined. Talty dines with us. Very quiet but enjoyable dinner with Talty & Richardson – Talty was drunk to start in on – so the Major and I were so chagrined with his antics that we refrained from getting full. Dr. Whitehead & the Ailes Bros & friends had a fine dinner
Diary 10, 1906 march24band25a	in the Rathskellar – Gene. Ailes leaves tonight for Seattle & from thence in June for Nome- -25 th - The P.I. today of the 20 th at Walter Clarke's office announces the death at Valdez, of <u>Ed. Harlan</u> I am greatly shocked and sorry at the news – for it will just about break Mr & Mrs Harlan's hearts, and I know the sorrow and loss - Howards death cut me off from the happiness of a son in my old age – I must grow old

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	<p>alone, and they will feel the same - though they have grandchildren.</p> <p>Letter from Debbie who tells me that Ed. Harlans death resulted from blood poisoning. She writes unhappily – Damn the office of Judge! I wish I were out of it.</p> <p>- may be after tomorrow & dont care.</p>
Diary 10, 1906 march25b	<p>Dinner tonight (Sunday) at the New Willard Hotel, with Governor W B. Hoggatt, Senator Hemenway & Major Richardson & Newell, late of the White Pass Ry. Hoggatt & Senator Hemenway (of Indiana) will go to work now to secure my confirmation. Also met lawyer Francis J. Heney, who defended Judge Noyes and prosecuted Senator Mitchell, of Oregon. Heney is a small man but with a bright & piercing eye – he looks the lawyer that he is reputed to be.</p> <p>For three days my left jaw has troubled me – it seems to be at the junction of the upper jaw bone & the ear bones – if any ear bones reach that point. Have been putting a plaster on it at night – but it is worse tonight It seems to be from cold-</p>
Diary 10, 1906 march26	<p>-26th-</p> <p>Senator Nelson asked that my matter go over until next Mon =day <u>so that he could have a statement and report printed!</u> Evidently he now knows that the Com. is against him & Col. Phil Thompson & Nye have urged him to procure their arguments on the law and facts – an arraignment anew – to be printed so that it can be used with other Senators. It was stated that his report &c was to be “<u>secret</u>” – from me evidently. It went over at his request.</p> <p>I telegraphed result to Shackelford Judge Day & Ralph – New York. I also telegraphed for Birch & I intend now to organize a working fight – will ask Committee for copy of Nelsons report & a chance to answer it in writing. <u>Birch will be here tomorrow.</u></p>
Diary 10, 1906 march27	<p>-Mar. 27th 1906.-</p> <p>Went up to See Sulzer (N.Y.) today & he told me that he had</p>

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	<p>a talk with Col. Phil. Thompson of Ky. who told him that he had been employed by Manley & paid a fee to fight me – that the post=ponement of my case on Monday was at his suggestion & that he prepared Nelsons report to be printed for Nelson. He also said that if I was Mr. Sulzers friend he was sorry that he had assisted Manley – that he would quit & <u>would tell Senator Black to vote as he pleased now,</u> &c Gov. Hoggatt went up to Atlantic City to consult Sec. of the Interior E A. Hitchcock – will be back tomorrow – Birch will be here tomorrow also. Saw Piles but he knew nothing new – Dinner with Walter & Mrs. Clarke – Brumbaugh in City – at Ebbitt.</p>
Diary 10, 1906 march28and29a	<p>-28-</p> <p>Automobile ride with Mr & Mrs Brumbaugh – Birch here & spent day with him – He & Gov. Hoggatt took dinner with me.</p> <p>Saw Baring of the old Copper Case from Wilkesbarre, Penn. at the New Willard – the “pack” is here to fight me – and Nelson is to do the work for them in the Senate. Birch went back to New York tonight. Wish I could go home - I hate to sit around here as if I wanted the damned office – When I would be much better off without it. – But I intend to make them earn their victory if they get it.</p> <p>-29th-</p> <p>Went to Geological Dept. with Hoggatt, to get map of Copper river railroads, &c. Telegram from Ralph, N.Y. that a Mr. Goodwin would come over to assist in fighting the Copper trust thieves from Penn. – Am told that O. P. Hubbard is here “knocking”. Birch saw Senator</p>
Diary 10, 1906 march29band30a	<p>Carter of Montana before he left, & says Senator is all right. Theater party with Sulzer tonight at New National. - his guests were: Miss Kirby, Gov Hoggatt, Capt. Dickens & I. Lunch at New Willard with them.</p> <p>-30-</p> <p>Took breakfast at New Willard this morning with Hoggatt, to meet Capt. Radcliffe of English army &c.</p>

	<p>& Paul Niedieck – a German who hunted two years ago in Kenai peninsular, and whom U.S. Dept. Mash Geo. Sexton arrested – they are interested in that row, and in a rumor of an ibex which they (and I, too) have heard about in the Alaskan mountains. Am to take lunch with them at 1 o'clock. The went out walking with Pres. Roosevelt yesterday - he run them out through the woods, & over the hills & nearly killed both with the violence of the exercise. Birch is back this morning & Goodwin is out to see the Pennsylvania outfit to discover what their game is – (over)</p>
Diary 10, 1906 march30band31a	<p>30th continued Goodwin reported to me that he had talked to Penrose who said that the Wilkesbarre “copper crowd” had been to see him in force yesterday & had urged him to oppose me, but that he had not agreed to do so, &c. I am glad that that fact is established as it makes more certain the truth that my opposition comes largely from that crowd. Birch busily at work. Saw Sulzer this afternoon – he had seen several senators & insists that <u>Pettus will vote for me!</u> – but I dont believe it. -31st Falcon Joslin saw Dillingham - he was <u>not</u> friendly – and seemed to take the view that since <u>there</u> was so much objection – it might be better to change – to refuse to confirm. Joslin found out that Hubbard had been to see him & to “knock” He told Dillingham about the char =acter of those who were doing the knocking & says he left him</p>
Diary 10, 1906 march31bandapril0 1a	<p>in a better frame of mind. Dilling =ham gave Joslin a letter to Nelson & asked him to go and tell him the story that he told him – but Joslin could not find Nelson tonight I went up to see Dubois – Senator from Idaho, but did not find him. But little done today. <u>Gov. Hoggatt saw the President who told him he wished me confirmed & gave the Gov. a letter to Senator Knox to that effect.</u> -April 1st 1906- A beautiful sunny Sunday – Falcon Joslin went & interviewed</p>

	<p>Senator Nelson today – he is bad! Joslin says he is loud & frantic in his denunciations of me & will fight me bitterly. He says my enemies are good – and I am bad. Joslin was disgusted with his malice & prejudice and thinks that nothing can be done to get him to hear or consider my defence or my</p>
Diary 10, 1906 april01band02a	<p>side of the case. Took dinner tonight at New Willard – Joslin took dinner with me & Hoggatt Birch & Goodwin smoked, &c. Wrote letter to Debbie – received one from her this morning – Carruthers, of Ohio, saw Foraker this morning & says he is O.K. -April 2nd- <u>Monday – My case came up today before the Judiciary Committee of the Senate</u> – Senator Nelson read a charge & made a statement of the facts in support of it against me – Senator Foraker defended &c and thus for the two hours. Then the matter went over as unfinished business until next Monday. Gov. Hoggatt saw Senator Knox, who told him that I would be confirm =ed – though he criticised me for criticising Nelson in my <u>Reply Brief</u>. But if Knox knew the provocation he would not feel so.</p>
Diary 10, 1906 april02b	<p>Falcon Joslin saw Senator Bacon & had a very interesting talk with him – <u>he is for me</u>. Joslin had another talk with Dillingham & says <u>he</u> is also, and strong reports of Blackburn in same way. Goodwin reports Penrose quiet & probably friendly. Birch & Goodwin – also Joslin – went to New York this evening. Things look more satisfactory – so far as the Committee is concerned than ever. Forakers strong support is greatly appreciated & strengthens me generally. It may under =mine Pettus opposition and will certainly weaken his inclination to fight me – if he has any – Lopp – of Cape Prince of Wales – at dinner with me tonight – Joslin has done me much good & offers to come back the last of the week and do more</p>

	- I want him to see Kittredge
Diary 10, 1906 april03	-April 3 rd - Telegraphed to Tacoma for N.P. Agent to send me receipt for my fare to Chicago – intend to make up quarterly account against the U.S. for my expenses to Washington & try & get it paid. Also drew my March salary. Walter E. Clarke took lunch with me at the Raleigh – Spent a couple of hours with Gov. Hoggatt at the Willard – he is packing & will leave Washington for New York tomorrow & then westward! He says that Senator Hemenway of Indiana & Vice Pres Fairbanks will not let any thing be undone to secure my confirmation. He thinks it is sure, and so do they. Hoggatt is my strong friend – and says he will come back to help if I think it necessary &c. C. A. Snowden, of Tacoma is at Willard – My affairs look satisfactory generally.
Diary 10, 1906 april04and05a	-April 4 th Everything quiet – Went up to the House & with Gov. Swineford called on Sulzer – he is at work and declares everything satisfactory. Saw Senator Bailey in the Library of Congress : he was very kind & said he would go to work at once & that Blackburn would be all right. -5 th - Went up to House and saw Sulzer again – he says there is no doubt about the Judiciary com – that <u>Pettus & Blackburn have both promised him to vote for me</u> ; he advises me to let the Committee alone – that the situation is so good that more work would only do harm - but, Sulzer is <u>so</u> optimistic! Also saw Senator Gearin, and talked with him about extending the U.S. water laws to Alaska - & called his attention to my decision in the Revenue Mining Co. case &
Diary 10, 1906 april05b	to Judge Browns opposing position in the Kethican Waterworks case; He will look into it and asked me to prepare a bill to extend the law – Sulzer saw he would attend to it

	in the House. Thumm, a miner from Rampart, Alaska, called on me this afternoon & I invited him to dinner & then we went to the New National Theater – to see the Irish comedians. After we were seated Senator & Mrs. Ankeny came in & sat beside us – Mrs. A. next to me. The Senator introduced me & I had a pleasant time between acts talking to her about <u>baskets</u> - Indian baskets, Alaska &c. They were both very pleasant to me & seemed to try to be friendly - I accepted their kindness & returned it in kind. Thumm is going to call on Nelson tomorrow & tell him that the working miners in Alaska want me confirmed.
Diary 10, 1906 april06	-6 th - Called on Senator Piles & during the conversation I promised to give his brother a deputy clerkship – at \$250 per month – so as to help him get into business – Piles put it on that ground distinctly. He also says that I will be confirmed & that Senator Overman, of North Carolina, has assisted in the matter. Saw Vice President Fairbanks on Pennsylvania Ave & he stopped to shake hands & also to introduce me to a Senator Prepared a bill for Senator Gearin of Oregon – to extend to Alaska the U.S. laws of water right, and rights of way for ditches &c. Goodwin, of Pa. is at work with his people to keep Penrose from opposing me – hope he will succeed.
Diary 10, 1906 april07and08a	-April 7 th - It now seems probably that my case may be closed up before the Committee on Monday – of course Nelson may carry it over again but it ought to be closed up then & the Committees report made to the Senate. <u>Birch & Goodwin</u> here & at work. Received a telegram from Metson, Atty, San Francisco offering aid & answered that he could influence Senators:

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	<p>Recd. bundle of Fairbanks News, of date of Manleys telegrams for protests to Foraker, and they contain the efforts of my friends to offset Manleys efforts – will file them with Patterson for use with Comt. Papers also disclose that Harlan has appointed <u>Geophegan</u> as his stenographer instead of Ed – -8th-</p> <p>Called to see Senator Patterson at Highlands Hotel this morning & gave him recent copies of the Fairbanks News about</p>
Diary 10, 1906 april08b	<p>telegrams &c in my favor & he promised to be on hand at the Committee meeting tomorrow & fight my battles. He seems confident of victory & complimented me highly – said that all the evidence when the Senatorial Sub-Com. was in Alaska in 1903 – Dillingham, Nelson, Burnham & Patterson – was favorable to me & that their judgement was also favorable & so announced when they returned. He now scores Nelson for unjust and arbitrary actions against me.</p> <p>Dinner with Birch, Sulzer & Goodwin at New Willard. Whitehead & Jarvis there, too.</p> <p>We are all looking forward to tomorrow hoping that my matter will be about finished. Long rides on street cars today.</p>
Diary 10, 1906 april09	<p>-9th-</p> <p>Went up to Senator Pattersons office in the Capitol & gave him list of precincts & petitions for my confirmation &c. The matter is now before the Judiciary Com. & I must submit patiently to their judgment – be it good or bad.</p> <p>Committee met but Foraker was not present & case went over till next Monday – after some discussion.</p> <p>Will go over to New York for two or three days for a change. Am damned tired of Washington. Went to New York on afternoon train. Birch went to Chicago. Clarke & Smith both agreed</p>

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	<p>to keep me informed. Arrived Waldor-Astoria - met Joslin, Ralph & with Goodwin.</p>
Diary 10, 1906 april10	<p>-10th-</p> <p>Down town this morning & to Leggatt Bros. Book store – 81 Chambers St – but found nothing of importance Am satisfied that Lowdermelks in Washington, and McClurgs in Chicago are the best book stores in America – especially for Americana. Called on Judge Day – who is now the Auditor of the Equitable Life Ins. Co. and took lunch with him at the Lawyers Club - 120 Broadway. He is much interested in my confirmation, and is aiding me. Went to the theater – the Lyceum, 45 St. between Broadway & 6th Avenue, & was greatly interested in Grace Elliston who played “Shirley Rossmore” in the <u>Lion & the Mouse</u>, - a protest against the control of the courts by the great money power in connection with the U.S. Senate. It is my case to a dot, & I am tempted to send her a copy of my briefs &c. as an actual case.</p>
Diary 10, 1906 april11	<p>-11th-</p> <p>Got up late – went to Ralphs office & consulted about Barrett & others from Alabama trying to induce Senator Pettus to get into line & sign report with Foraker. Lunch with Turner Arthur & Mr. Ralph at the Lawyers Club. Afternoon went in hansom with Mr. Ralph the Bowery & Mott St.s, and other down town streets. They do not look particularly bad from the hansom, but still I suppose they are more so at night. Went to the Victoria Theater with Mr. Ralph & saw “The Vanderbilt Cup,” an extravaganza of New York life – Birch back from the west and saw him for a moment after theater. My trip to New York uneventful, and I go back in the morning to Washington to renew the wait for Senatorial action.</p>
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april12	<p>Back to Washington this after =noon at 4 oclock. Walter Clarke knows nothing new. Ed. Smith says that Clark, chairman of the judiciary Com. said he thought I would not be confirmed: Governor Swineford says there is no doubt but that I will be. Norman Shultz, Mr. Ralphs partners is here tonight – but I am afraid that he talks too much & with no sort of judgment. He was in my room just now – and was champagne talkative. .</p> <p>Recd. letter from Clum containing copy of his printed announcement of his candidacy for delegate to Congress from Alaska, - with his picture on both front & back page. I am afraid he is going to spread it on too thick altogether & will estrange the people by his imprudence.</p>
Diary 10, 1906 april13	<p>-13th-</p> <p>Saw Bailey this morning & he will talk to Foraker & try & get the Com. to <u>do</u> something Monday – Sulzer says that Knox told him it was O.K-. Sulzer went over to New York today with Gov. Swine =ford, but promised to come back on Saturday Sunday night so as to be present Monday.</p> <p><u>Walter E. Clark</u> is in trouble with the President about an alleged betrayal of newspaper secrets – the President is wrong – clearly wrong – and has not given Walter a chance to explain. He has gone to see Senator Knox, to have him explain the matter to the President. Mr. Frank Arthur of New York is here – Shultz is also here & working with Barrett & other southerners to get Pettus into line.</p> <p>Saw Shultz & Barrett just now at New Willard – Barrett will see Pettus in morning – he is against me – but they may keep him quiet.</p>
Diary 10, 1906 april14	<p>-14th-</p> <p>Clarke got Senator Knox to go to the President this morning & straighten out his trouble – it was done successfully – though Walter yet feels badly hurt at the reckless manner in which the President treated him without a hearing.</p> <p>Knox and Piles both say I will</p>

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	<p>be confirmed – but I will feel safe after it is done & not before. Patterson has gone out to Colorado and wont be on hand to vote on Monday.</p> <p>Heard the President deliver his “Muck Rake” speech at 2:30 at the laying of the corner stone of the Office building of the House of Represen =tatives. Joslin is at work & so is Shultz & Barrett, but nothing done of great moment today.</p> <p>Was rather disappointed in the Presidents “Muck Rake” speech. He is largely responsible for the existence of the “Muck Rake” in the Magazines - and is open to the criticism that as soon as they attacked his friends he denounced them!!</p>
Diary 10, 1906 april15a	<p>15-</p> <p>Schultz and Barrett with all their Alabama influence have been unable to move Pettus – he cannot be brought to vote for me – but is rendered much less harmful than formerly – Joslin saw Blackburn and says he is hostile – There will be three votes against me sure – Nelson Pettus & Blackburn – with Kittredge doubtful. I think all the rest are safe – but no battle is won until it is ended. Much criticism of the Presidents speech yesterday on account of its alleged socialistic tendencies. Dinner with Walter & Mrs Clark - & Miss Dorothy – tonight. They are very much irritated over the Presidents threat against Walter & denounce him & Loeb for unfairness. Beautiful Sunday. Spring is here.</p> <p><u>Recd. letter from Debbie.</u></p> <p>Joslin did not see Kittredge</p> <p>Nothing known about him yet.</p>
Diary 10, 1906 april15b	<p>[photo caption:] “SENATOR FORAKER OF OHIO, WHO LOOKS”</p> <p>after my interest before the subcommittee, & also before the Judiciary Committee.</p> <p>[photo caption:] “SENATOR KNUTE NELSON OF MINNESOTA”</p> <p>The worst apache on the reservation. My one bitter opponent.</p>
Diary 10, 1906 april15c	<p>[photo caption:] “SENATOR PETTUS OF ALABAMA”</p>

	<p>the third member of the Sub Committee who “chaws terbaccer” – and wont sign a report one way of the other, and says to my friend Smith “<u>Wha did you know im</u>?” “Old Confucius” – Smith calls him.</p>
Diary 10, 1906 april16a	<p>-16th- Nelson stole a march on me today by asking that the matter go over another week – that he had new charges to formulate and desired more time. Senator Bacon denounced the action but senatorial courtesy carried it. But I intend to stay by the damned old Norwegian peasant and fight him to the end and beat him if possible. The Chairman, Clarke of Wyoming suggested that if they resorted to new charges every time the matter was closed – there would be no end to the matter – he is now resorting to what he so viciously denounces in the Nelson v Meehan case. Wrote to Debbie – not a pleasant letter, but as pleasant as I felt. Intend to go to work <u>myself</u> tomorrow & end this fight – next Monday. Senator</p>
Diary 10, 1906 april16band17a	<p>Pettus was not present at todays meeting of the Committee – his wife is very sick, and reported to be hopelessly so. He has shown so much consideration for me notwithstanding his judgment against me, that I shall be sorry to hear of her death – it will kill him too if it happens since he is 84 years old. -17th- Went up & saw Piles & Bailey this morning & urged them to put their personality into my fight – they will. Also called & gave Nelson a letter asking for the new charge - Senator Clark, Ch. of the Jud. Com. had told me it related to the injustice!! done to Marshal Richards at Nome – Nelson said that he had received 4 affidavits on Monday morning about it – but that they amounted to nothing – that the accompanying letter referred to an affidavit</p>

	<p>from Seattle that would contain the</p>
Diary 10, 1906 april17b	<p>facts upon which the real charge would be based – that if that affidavit did not get here by Monday he would pay no attention to the charge at all. I understood the whole matter from his statement – the four affidavits are made by some of Richards friends and the one which they expect to get in Seattle is from Lena Walton! I wonder they did not send the one she made in U.S. v Richards & Jourden! I immediately telegraphed to Walter Christian for him & Sullivan to see Lena Walton & get her to make a favorable affidavit, - that I wished to keep the Richards matter out of sight on Sullivans account much more than my own &c. I also wrote Judge Day, asking for so much of his report as related to Richards: & telegraphed to the Clerk U.S. Ct. Ct. of Appeals, San Fran for record & briefs. Ans. received saying that record was not printed but briefs forwarded. Wrote to Dr. Whitehead informing him of situation – he is in New York. Heard today that Pettus was annoyed by the onslaught made</p>
Diary 10, 1906 april17cand18a	<p>on him by the Barretts – Editors of Demo. newspapers in Georgia & Alabama - think that Schultz overworked it. <u>Cushman also told me that Kittredge is against me – without doubt.</u> That leaves the Committee 8 to 4 in my favor – Nelson, Pettus, Blackburn & Kittredge hostile. I am not sure though about Dillingham – but am of all the rest. I think this last move has hurt the opposition about as much as Barretts hurt me with Pettus. I will keep my fool friends away from here after this – but I could nt drive Schulz away – he came without invitation, and raised merry hell. <u>April 18th 1906.</u> <u>Great San Francisco Earthquake</u> Telegraphic dispatches all day about terrible earthquake in S. F. I went & called on Atty. Genl. Moody - & urged pardon of Notti, - he did not respond very favorably.</p>
Diary 10, 1906 april18b	<p>After we had finished that he asked me about my confirmation & I told him about the last move of Nelsons – He seems friendly enough – I also had</p>

	<p>a good talk with Solicitor General Hoyt, & told him the details. He expressed surprise that Kittredge is against me and promised to see him and explain the Departments position. Col. Clay, Genl Agt. Dept. of Justice promised to recommend \$10,000. appropriation for a jail. Talty[?], Mgr. Raleigh Hotel told me today that Col. Boynton, Mgr. Assoc. Press, had talk with President Tuesday & the Pres. told him that he was anxious to see me confirmed & spoke highly about me, but said that he could not control the situation in the Senate, &c.</p> <p>Wrote letter to Debbie today - Nothing from Walter Christian yet. Assisted E. G. Rathbone with his contract with Spaulding in re. collection postmasters acts hope he succeeds – he is also trying to get hearing on his Havana postoffice charges of embezzlement.</p>
Diary 10, 1906 april19and20	<p>-19-</p> <p>Wrote to Debbie & sent her a check for \$200. also clipping out of magazine (May, Cosmopolitan) of picture of Darrell in charge of sailors at Cherbourg, France, in charge of Admiral John Paul Jones, body. Nothing new today except a nice letter from Falcon Joslin sending copy of a strong telegram to Senator Piles urging my confirmation</p> <p>San Francisco horror grows – the city is practically destroyed – first by earthquake & then by the fire.</p> <p>-20-</p> <p>Senator Piles told me today that a Senator – a member of the Judiciary Com. (think it was Clarke) told him that Spooner was against me. Walter Clarke saw Spooner & says he is not enthusiastic – <u>is doubtful</u>. I telegraphed McGraw & Abe Spring, Seattle, for telegrams strengthening him, & Piles will urge him also. Sulzer says we are all right. - and Foraker says they must do something on Monday.</p>
Diary 10, 1906 april21a	<p>-21*-</p> <p>Genl. Drain, Dave Wilson & J. M. Frink in town. Wrote letter to Clarke, Ch. Judiciary Com. today – defence against Lena Walton – Marshal Richards charge. After writing letter showed it to</p>

	<p>Piles who suggested a change – made the change & gave the letter to Clarke. Did this so that the case could be heard on Monday without delay. I am now in real doubt about the outcome of my case. If Spooner goes against me I will have a slim show & will lose courage because he is – or ought to be an unprejudiced juror and Nelson would be so encouraged with his being against me that he could easily get enough more to do me up – Gave Walter Clarke letters of Nelson & he will see Knox & try & get him to show Spooner the truth. <u>Piles is to see him too.</u></p>
Diary 10, 1906 april21band22a	<p>Received telegram from Walter Christian, Tacoma, today after I filed my letter saying that Lena Walton <u>had not</u> and <u>would not</u> make an affidavit in the Richards case, - if Nelson is depending on that, then, he will not file his additional charge on Monday – But it may be something else.</p> <p>Called on Senator Burnham today and had good visit with him; D. A. McKenzie was in his office – and from remarks made by him I gathered that Mc has been “working” some sort of a scheme among the Senators friends up in New Hampshire.</p> <p>-April 22-</p> <p>Well I am in Washington now nearly 3 months, and it looks as if I might fail to get the confirmation after all. I can hardly beleive yet the Spooner is against me, but the steady effort – earnest, masterful and</p>
Diary 10, 1906 april22b	<p>malicious which Nelson has been making may bring about that result after all. I hardly seems possible that the Judiciary Com. of the U.S. Senate will permit a <u>packed jury</u> to violate truth and justice in that way – but then they are men – just mere men, with their own important matters to look after – and really abstract justice is unimportant when politics or self interest is at stake.</p>

	<p>Went out and saw Sulzer at his rooms (131 B. St. S.E.) today – he is sure of tomorrows result – but I am less sanguine. If Spooner is against me, <u>then</u> I am afraid of Dillingham also and possibly Culberson – and that beats me. I felt feel like resigning and roasting the whole bunch in my letter to the President – then going home. For two years now I have been under constant fire, and though</p>
Diary 10, 1906 april22cand23a	<p>I have won so far – it is at a great expense of comfort and happiness. I am willing to sacrifice myself to uphold the courts – the law and justice – but I am growing to believe that longer sacrifice, including my wife, is worse than to step aside & let someone else bear the burden. Still I hate a coward – I will let the matter go to a test tomorrow - & <u>then</u>? <u>April, 23rd, 1906.</u> The Judiciary Committee today made a favorable report in my case by a vote of 6 in my favor and 4 against me. <u>For me:</u> Knox, Foraker, Bacon, Clarke, Culberson, Patterson <u>Against me</u> Nelson, Pettus, Kittredge, Blackburn Absent. Depew, Spooner & Dillingham</p>
Diary 10, 1906 april23b	<p>Foraker was instructed to report the matter to the Senate. <u>My! But it is a relief.</u> While this does not by any means end the fight it gives me a great advantage & without it I must have been defeated. There as no political significance in the vote, for 3 who voted for me – Knox, Foraker & Clarke are Republicans - the other three are Democrats.- while Nelson & Kittridge are Republicans & Blackburn & Pettus are Democrats. I suppose the matter will come before the Senate at once & at any rate it will be settled – for or against me, so that I can go to work- Telegraphed Debbie the result, also to Mr. Ralph,</p>

	<p>Falcon Joslin & Judge Day in New York. Clarke sent McGinn a telegram to Fairbanks. My friends are pleased – <u>so far.</u></p>
Diary 10, 1906 april23c	<p>Had lunch tonight at New Willard with Wm Sulzer (M. C. from New York) a Mr. Beebe from Mass. and Harry White, Seattle. Sulzer was just from a White House reception where he met Senator & Mrs Blackburn - he chided the Senator for not voting for me today as he had promised Sulzer he would – Blackburn told him that he intended to do so but that Nelson appealed to him to vote with him, saying that since they both knew that I had six votes I was sure to be confirmed & that Blackburn ought to vote with him to prevent his failure from being so bad – that if he would vote with him, he (Nelson) would agree not to oppose me in the Senate – and Blackburn said he did it upon that promise. He said he would vote for me in the Senate & would make a speech in my favor in Nelson did not keep his promise: Recd. telegram from Ralph, N.Y. asking me to come to New York before going west.</p>
Diary 10, 1906 april24a	<p>-24th- A new wrinkle now – McCumber of North Dakota has given notice that he wishes my confirmation postponed two weeks so that he can read the record - affidavits, &c. and can oppose me in the open Senate. <u>Kittredge is acting with him.</u> Had a talk with Senator Foraker today & he told me that I had the greatest array of vigorous enemies that he had met for some time – Piles is working to get McCumber to withdraw his opposition – but I think we are now up against a Nelson-McCumber-Heyburn combination - whether Carter is in it or not I cant yet tell – but think he is. Wrote situation to Mr. Ralph & told him that the Hill railroad influence - if exerted – could make the opposition withdraw – Also wrote to Debbie. Recd. telegram of congratulation from Judge Day & answered in kind – Nelson is playing the baby now – says that I attacked him & that</p>
Diary 10, 1906	<p>the Com. sustained me & turned</p>

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<p>april24band25a</p>	<p>him down, &c. Evidently I am up against a new phase of the old fight – but I intend to make it so vigorous that they will feel the effects of the victory if they win one.</p> <p>-25-</p> <p>Called & had a good talk with Senator Bailey – he will see Senator Kittredge and try and get him to listen to reason. Sulzer said that Senator Dillingham told him yesterday that he intended to give me a warm support but that he was unavoidably absent from the Com. when my case came up. Telegraphed to Mr. Ralph to have strongest New York influence telegraphed to Senator Aldrich & tell him that I would call & to help me – Recd. telegram this afternoon saying that he had talked over the telephone with Aldrich & to call & that he was using influence on others – meaning Carter, McCumber</p>
<p>Diary 10, 1906 april25b</p>	<p>and their “push” I suppose.</p> <p>The Appletons Booklovers Magazine for May was first on sale today – “<u>The Looting of Alaska</u>” is concluded in it, - and it does criticise Carter, McCumber & Hansborough most unmercifully & gives me full credit for cleaning up the Nome mess left by that gang upon Noyes & McKenzies arrest for contempt of U.S. Circuit Ct. of appeals, San Francisco in 1901 – This will greatly aggravate McCumber – <u>but can do me no harm</u>.</p> <p>Sent Peterson- Tacoma – <u>Seven</u> hundred & fifty (750) dollars today to pay on Glaser contract for clearing</p> <p>Tonight sent letter & copy of May “Booklovers” to Senators Foraker, Piles & Bailey so that they would understand & will call on Aldrich in the morning.</p>
<p>Diary 10, 1906 april26a</p>	<p>-26th-</p> <p>Yesterday Senator Piles said to me that he had suggested to Senator Beveridge that Nelson & I ought to get together and make up – compromise our differences”, and “he said, “I said to the Senator that you would “apologise for attacking him in your “Answer to Charges” – I stopped him and said “Apologise? Well</p>

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	<p>“I wont. I have only defended “myself so far, and I wouldn’t “apologise for the office.” I said “If he wishes to submit his action “in my case to a committee I will “meet him on the issue, and if I “dont show that he maliciously “packed the Committee on me “& acted unjust and unfair the “Senate may refuse to confirm “me – but apologise I wont.”</p> <p>He “tut-tuted” a little and dropped the matter, as he saw the suggestion was distasteful & might do more harm than good.</p>
<p>Diary 10, 1906 april26b</p>	<p>Recd. telegram from Mr. Ralph to go and see Senator Aldrich which I did this morning - he asked many questions going to the very point of <u>who</u> and why. I gave him a copy of Booklovers for May & called his attention to the “<u>Looting of Alaska</u>” as the cause of McCumbres animosity. Gave a copy of the Magazine to Sulzer & he gave it to Senator Tillman – Senator Teller said he had read it, and Sulzer saw Penrose whom he reports as mild.</p> <p>Warren E. Wilkins, of Nome is here & saw Senators Smoot & Sutherland, Utah & reports them O.K.</p> <p>Learned tonight that in Executive Session this afternoon McCumber objected to my confirmation & asked leave to have testimony printed & this necessarily carries the matter over till next week – I expected this and yet I feel disappointed- but I can wait - & fight in the meantime</p>
<p>Diary 10, 1906 april27and28a</p>	<p>-27-</p> <p>In Executive session yesterday my case was discussed & McCumber got it put off till <u>May 8th</u> – upon the request for time to print the evidence.</p> <p>Saw Senator Clay today & gave him Judge Erwins letter - he told me that he had talked the matter over with his colleague – Sen Bacon, and that both would vote for me. Sulzer, Hemenway & others say that I will be confirmed: though Dick. Ryan tells me that Spooner will fight me. Think I will go over to</p>

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	<p>New York tomorrow evening & stay a day or two. -28th-</p> <p>Went to see Clarke, Chairman Jud. Com. Senate, - saw his clerk – nothing yet done about printing evidence in my case – Wrote a letter to him asking that my “Answer to Charges” – “Reply Brief”, & affidavits - &c. &c.</p>
Diary 10, 1906 april28b	<p>be printed. Wrote another letter to the Atty. Genl. in favor of commuting sentence of Joseph Notti. Called on Genl. Humphrey, Quartermaster Gen. U.S.A. & he gave me an old Sharps rifle which he captured from the Chinese arsenal at Tien Tsen, China.</p> <p>Sulzer telephoned me saying: He had just seen the President and spent 15 minutes or more in discussing my case: The President said he wished me confirmed. Sulzer told him about Nelson McCumber opposition & President said he could send for them & ask them to cease their opposition. Pres. said that Nelson agreed to do so if I carried the Com. & the President now looks upon McCumber opposition as bad faith on Nelsons part.</p> <p>Went to baseball game with Walter Clark, who took dinner with me.</p>
Diary 10, 1906 april29	<p>-29th-</p> <p>Saw Senator Piles & told him what Sulzer said about the President & Piles will also go to the President & urge him to influence McCumber. Instead of fighting me McCumber ought to be aiding me, because in Oct. 1901, at Nome I stood between him & ruin. The Grand Jury, at the instigation of Fink, intended to indict Noyes, Mc Kenzie, McCumber & Hansborough - but McGinn & I stopped it.</p> <p>- the U.S. Ct. Ct. of App. was then hearing the charges against Noyes, et. al. for contempt, - the indictment against them at Nome was to have been for “conspiracy” and the Ct. of Appeals in the Contempt cases said that there was a conspiracy. But for my active</p>

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	<p>efforts the indictments would have been returned & McCumber ruined – and this is the thanks I am getting!</p>
Diary 10, 1906 april30a	<p>-30th-</p> <p>As I was walking opposite the Treasury Bld. on 15th St. this morning I met Vice President Fairbanks and he stopped me to inquire how I was getting along – he said I was in good shape in the Senate, he thought, with more friends than ever, - that the only danger was that my opponents might talk it over from time to time & thus get it over the session. He was friendly & seemed to want to encourage me - & did –</p> <p>Dr. Whitehead & I called on Roberts Director of the Mint – he promised to get Dolliver into line for me.</p> <p>Presented my quarterly act. to Mch. 31 including all expenses to Washington, hotel bill, printing, &c. to the Dept. of Justice for payment - they raise some question about the printing but seem to concede the rest.</p> <p><u>Got salary for April - \$416.66.</u></p> <p>Matters look pretty good, but what a wail it is – I wish I had that old square heads thumb between my teeth – I’d make him move faster.</p>
Diary 10, 1906 april30b	<p>There is a good editorial in the Seattle <u>Post – Intelligencer</u> just received headed “<u>Judge Wickersham</u>” and commending me, but suggesting that I am tactless and skilled in the gentle art of making enemies!</p> <p>Also received the <u>Fairbanks News</u> in which Barnette – just home – in an interview failed to mention my name or the question of my confirmation, but spoke highly of Senator Nelson as a friend of Alaska! and in an editorial the News said “<u>God save us from such friends.</u>” Walter Clark was inclined to swear at Barnette, but I am convinced that Barnette did it with the distinct motive to mislead the enemy. If he had “cussed up” the Senator, and spoken favorably about me – it would now be on file with Nelson as evidence against me!! But as it is – well Nelson cant use it as evidence, whatever he may think about it.</p>
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may01and02b	<p>Beautiful Mayday – Washington is the most beautiful place I ever saw <u>now</u>. Wide streets, stately trees in their spring suits, flowers, & spring.</p> <p>Telegraphed McGinn at Fairbanks to telegraph me the facts about how we prevented the Grand Jury from indicting Noyes-McKenzie, McCumber & Hansborough at Nome, in Oct & Nov. 1901. I intend to inform McCumber that but for my interference he, too, would have been indicted!!</p> <p>-2nd-</p> <p>Recd. telegram from McGinn in answer to mine of yesterday – O.K. Saw Bailey & Clarke & they both said their was little I could do except wait – but no day has passed since I reached Washington that I have not done <u>something</u> in aid of my fight. I was called to the Dept. of Justice today & informed that my efforts to get</p>
Diary 10, 1906 may02b	<p>Joe. Notti pardoned had succeeded – that upon my letters the President today pardoned him & instructed the pardon attorney - Gordon – to telegraph to the U.S. Marshal at Tacoma to release him!! That is a satisfaction to me, and an act of justice that will have a good effect in Fairbanks. Col. Clay & Capt Glover, of the Dept. of Justice also asked me to go before the Appropriation Com. of the House with them in support of an appropriation of \$10,000 for a jail at Fairbanks - we did not reach that item & I am to go in the morning. Wrote to Debbie, & also to Mr. Ralph. Birch & Joslin will be over from New York in a day or two to help me. Walter E. Clarke took dinner with me.</p>
Diary 10, 1906 may03	<p>-3rd-</p> <p>Spent most of today with Col. Clay & Capt. Glover, before the House Appro. Com. in aid of an appropriation of \$25,000. for jails at Nome, Fairbanks & Valdez –</p> <p>Walter E. Clarke tells me that Sulzer told him that he saw the President today & that he said</p>

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	<p>that I would be confirmed next Tuesday, the 8th – but –</p> <p>I saw Sulzer afterward & he said that the President told him that he could do nothing with Nelson, McCumber or Spooner – He also said that McCumber would fight me hard & Nelson too, and – <u>but Sulzer is a liar!</u></p> <p>Birch came over tonight & is at the Willard. We will go to work through Senator Carter of Montana to get a vote on Tuesday & let the matter be settled one way or the other. I think we can beat them, but I dont know.</p>
Diary 10, 1906 may04a	<p>-4th-</p> <p>Birch took breakfast with me & I gave him my telegram asking McGinn to give me a brief statement of our effort to prevent the indictment of Noyes, McKenzie, McCumber, et. al. at Nome in Oct. 1901, & McGinn's reply of May 1, and he took them with him intending to put the case squarely before Senator Carter – if it appears that McCumber lacks every manly quality then I shall not hesitate to expose the fact of the threatened indictment and my service in protecting him to the public = Birch reports that he saw Carter & the Senator said he would go & see McCumber &c. He took the telegram of McGinn's & Birch thinks he is earnest and will do what can be done – he says though, that I am sure to be confirmed anyway. Birch also saw Senator Aldrich who told him that he was doing & would do all that he could to bring about confirmation – and tonight I saw Senator Piles - who promised</p>
Diary 10, 1906 may04b	<p>me on Sunday to go and see the President – he did so yesterday & says he found him very much exasperated at the action of McCumber - Piles wanted him to send for McCumber and attempt to press him to quit - but the President swore roundly that he would not do it, <u>and would not talk to him about it even, but would now, since I had been formally approved by the Judiciary Committee reappoint me, if they failed or refused to confirm.</u> He told Piles that he had said – unfortunately to Nelson &</p>

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	<p>my enemies, that if the senate did not act favorably at this session he would not reappoint me – that he had done so four times now & that in the interests of peace he would not again, but “now”, he said, “<u>the Com has approved my former four appointments and his enemies have resorted to unfair means, - to filibuster to defeat him, and by God I intend to reappoint him whether they confirm him or not, and I will notify them at once of my change of mind.</u>” It seems to me that this will leave me in a position to go home very soon.</p> <p>Wrote to Debbie tonight & gave her the new position of the President Piles said that Sulzers story about talking to McCumber & Spooner was untrue and it seems to have been strained to say the least.</p> <p>Had dinner at New Willard with Birch tonight – he suggested that if I wished to resign next fall after they were certain about their enterprises in Alaska, they would like to have me take charge of their legal business. I told him I would be willing to make some arrangement on that line.</p> <p><u>Piles said the President spoke strongly and feelingly about the fact that I had come on to Washington, and had met and answered every charge & won a victory from the Judiciary Committee, and now he intended to see that I was not mistreated by filibustering and unfairness.</u></p>
Diary 10, 1906 may04c	<p>-6th-</p> <p>Sunday – nothing much except visiting with Falcon Joslin and Harrison, also Dr. Whitehead – The latter tells me that he saw Rex Beach in New York - that he has dramatised “<u>The Spoilers.</u>” & that Frohman accepted it without a change & will stage it, that they are now looking for a “Cherry Malotte.” I suggested that they might be able to get the original Judge “Stittman” – (Noyes), for the judge is now out of a job and in hard luck. The “Spoilers” is now in its 4th Ed. = 40,000. copies.</p> <p>Have a very bad cold – sore throat & am doctoring with cold compress & going to bed.</p> <p>-7th-</p> <p>Cold better: <u>Application by Ankeny for Hubbards pardon denied.</u> Buying photographs of my friends: the Pres : Vice Pres : Senators Knox, Bailey & others who have been friendly to me.</p>
Diary 10, 1906 may05	<p>-5th-</p> <p>Joslin had a good talk with Dillingham & says he is all right and also Burnham. Joslin is also deeply and suddenly interested in the Burleigh scheme to get a railroad charter & Congressional grant of a right of way - it is being urged and likely to be won in opposition to Canadian attempts to secure advantages in Alaska. Joslin sold his bonds for the Tanana Mines Ry. at Fairbanks, to English Capital and they are threatening his situation – I advised him to get in and secure part of the good of the Burleigh scheme for his road & he is at work to see what he wants.</p>

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	<p><u>E. S. Harrison</u>, newspaper man from Nome came in to the Raleigh tonight – Major Richardson still here – am thinking of going over to New York to spend a day or so. Recd. my McGinn telegram back from Senator Carter.</p>
Diary 10, 1906 may06and07	<p>-6th-</p> <p>Sunday – nothing much except visiting with Falcon Joslin and Harrison, also Dr. Whitehead – The latter tells me that he saw Rex Beach in New York - that he has dramatised “<u>The Spoilers.</u>” & that Frohman accepted it without a change & will stage it, that they are now looking for a “Cherry Malotte.” I suggested that they might be able to get the original Judge “Stittman” – (Noyes), for the judge is now out of a job and in hard luck. The “Spoilers” is now in its 4th Ed. = 40,000. copies.</p> <p>Have a very bad cold – sore throat & am doctoring with cold compress & going to bed.</p> <p>-7th-</p> <p>Cold better: <u>Application by Ankeny for Hubbards pardon denied.</u> Buying photographs of my friends: the Pres : Vice Pres : Senators Knox, Bailey & others who have been friendly to me.</p>
Diary 10, 1906 may08and09a	<p>-8th-</p> <p>Went to see Senator Clarke Ch. of Jud. Com. of the Senate: He said the printing in my matter was done – showed me copy – but refused to give me a copy. Said that case would not be taken up before end of the week – not until the “<u>Railroad Rate Bill</u>” was disposed of. Called on Senators Bailey & Gearin - & also on Piles & Foraker, but the latter were out. I now think I will go over to New York & stay a few days - cant do anything here.</p> <p>Came over to New York on the evening train – met Joslin & Judge Dubose – Mr. Ralph not in town – am at Waldorf Astoria.</p> <p>-9th-</p> <p>Breakfast with Judge Dubose & Whitehead at Waldorf-Astoria Went down town after lunch & called on Birch & Schultz – 45. Bd. & went with Birch &</p>

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	met Dan. Guggenheimer
Diary 10, 1906 may09b	of the Copper Trust – who is going to Alaska this summer - I urged him to go into Fairbanks but he said he could not spare the time. Also met Mr. Steele, their general counsel, who is brother to Mr. Steele of Morgans Guggenheimer told me that both Senators Elkins & Aldrich would look after my confirmation It is singular but true that New York reminds me of Puget Sound - Tacoma & Seattle – probably it is the constant sound of the tug & steamer whistles & the knowledge that I am on a harbor - a trade harbor of the ocean – It is a homelike feeling!! Took dinner tonight with Mr. A. J. Robertson – who is the owner of the La Foriche Mine (copper) in Prince William Sd. & also owns the St. Andrews Hotel at 72 nd & Broadway – he is just my age – a confirmed bachelor & a millionaire.
Diary 10, 1906 may10a	-10 th - My cold is better today but I took a good Turkish bath & rubbed it out. Lunch at Delmonicos old place down town, dinner with Birch & Mr. Ralph at the “Belmont” – a new hotel - & went to the Majestic Theater to see De Wolf Hopper in “Happyland”. Nothing from Washington today. Key Pitman and his wife are here – I knew Key at Mt. Vernon, Con. where he was a poor struggling lawyer & also at Nome – he is now a wealthy miner from Tonipah Nev. Also met “Tex” Rickard at Nome gambler – now from Tonipah, - <u>he told me that the gamblers at Nome paid Richards & Al. Cody *15% in all & a greater percentage in other games as blackmail.</u>
Diary 10, 1906 may10band11a	He says that he has an account book – which he offered to show me – giving the items of money which the gamblers paid to them for protection – Dr. Whitehead is at the “Breslin” Hotel.

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	-11 th - I took a long ride through the Park - and out to Grants Tomb, & around the upper end of the City to see the residences &c. with Mr. Ralph in an electric automobile – a fine car & a most glorious morning. We went to the Museum at 77 nd St. also – saw Schwats new house After lunch, alone, I visited the last river water front in a cab, - saw Blackwells Is. – the Piers for the new Brooklyn Bridge - then took the elevated road & went out to 155 th St. & across to Harlem. Tonight went to the theater with Mr. Ralph & Birch & saw Sam Bernard play the “Rollicking Girl”. Mr Ralph
Diary 10, 1906 may11band12and13a	sends Mrs W a handsome comb & a bracelet. Told me tonight that Havemyer received telegram from Senator Elkins son yesterday saying that I would be confirmed - but, Oh Lord, when? -12- Spent the forenoon with Mr. Wilber =force Eames, Librarian, Lenox Lib. talking & looking at “Americana” A splendid mass of early history. This afternoon went to Harper Bros No 14, West 22 nd St. & bot a few books – and “Bibliographies” Met Capt. hall, formerly of tugs at Tacoma: Tex Ricard, Dubose, &c. &c. Joslin took breakfast with me. -13- Rode up 5 th Ave to Central Park – by Grants tomb – on north & across Harlem river over Washington Bridge - back along north side Harlem River to 155 th St. thence south along 7th
Diary 10, 1906 may13band14a	or 6 th Aven. to the Park & back to Waldorf-Astoria – with Mr. Ralph in carriage. Beautiful sunny day - park glorious – a thousand equipages of every kind out. Lunch & then at 3 oclock started back for Washington. <u>Reached Washington</u> at 8:30 p.m. -14 th - Recd. good letter from Debbie. Called on Bailey, he signed photograph for me, so did

	<p>Knox & Clarke of Wyo. Nothing will be done in my matter till the Railroad rate bill is off hands. I gave E B Smith \$100. tonight – he is going into the “Standard” – a newspaper venture. Saw Cushman to =day – he is tied up with the Burleigh crowd in their Orca scheme, & damns those who oppose them. Dick Ryan is now in a fight with</p>
Diary 10, 1906 may14band15and16	<p>Sen. Nelson who swears that he will fight all Alaska legislation on my account. Something must hurt the old Norwegian.</p> <p>-15- Spent part of the day at Dept. of Justice arranging for the payment of the Nushagak & Unalaska jail accounts. Nothing in my cases yet - not till the Rate Bill is off hands.</p> <p>-16- Nothing doing in my matter. <u>P. C. Sullivan</u> appointed U.S. Dist. Atty. for Washington! Cushman agreed to go to work to poll Senate on my case – thinks Dolliver doubtful & I have got Major Lacey. M. C. from Iowa to go and see him. News today that Senator Gamble of S. Dak. has beaten Kittridge & his crowd in his fight for reelection – hope so, for Gamble is friendly to me.</p>
Diary 10, 1906 may17	<p>-17- Smith interviewed Senator Carmack today - & reports him all right. He has been gone for 2 months & is just back. Sulzer says that he has a distinct promise from [Laliferro?] of Florida & Dubois from Idaho is for me – also <u>Heyburn</u> from Idaho is sick - he is strongly against me – <u>but</u> – Sulzer told me that Penrose of Penn. told him that he, now, would not only vote for me, but intended to say when the matter came up that the most determined opposition to me had come from the Copper people in his state, but that he had fully examined into the matter and was</p>

	<p>now satisfied that his friends were wrong & that I ought to be confirmed. Dr. Whitehead is here & he & Major Lacey are at work. Frank Cushman is “working” me, - but I know that he is doing nothing & dont care a damn!</p>
Diary 10, 1906 may18	<p>-18th- I have my days of doubt and my days of victory – and this is one of the latter – I really think today that I will win out – but what the morrow will bring forth I cant tell. Major Lacey saw Senators Allison & Dolliver & they are both all right. I must now look after an <u>organized</u> effort about the first of next week! Dr. Whitehead & wife went west this afternoon. John Corson of Nome & Seattle is here with a Maine “bunch” fighting Judge Reed, of Nome – Commissioner at Nome. Will let them fight him – I dont care for he and every friend he had went off with Richards & Sullivan & against me. It is apparent from what Cushman says to me that Claypool has been exerting his most malicious influences against me & that it has had some effect – I wont do a thing to that ungrateful hound!!</p>
Diary 10, 1906 may19	<p>-19th- Called on Senator Burkett of Nebraska this morning & as soon as he knew who I was he said: “Oh, you are judge Wickersham I am glad to meet you – yes that” (letter)” is from J Harlan. Well I dont care about him. Mr. Lacey talked to me about you and your case – the Senators from North Dakota are on your back. Well, you dont need to talk to me. I am for you, and will do all I can to help you, good morning”. He was very kind and I am sure of him. Called on Senator Carmack of Tenn. who frankly said about the same – and that means that both Senators from Tenn. and Neb. will be all right – 4 votes. Also met Senator Hopkins from Ill</p>

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	<p>who promised me his assistance Hot weather!! -20th-</p>
Diary 10, 1906 may20and21a	<p>Sunday & a beautiful day but I felt homesick & unhappy. Nothing doing, Geo. V. Borchsenius[?] - Ex Clerk. U.S. Dist. Ct. at Nome is here – and I wonder why? -12- Called to see Senator Foraker but he was not in – saw Sen- Piles & Hemenway & both promised to see Foraker & organize effort to get my case up in Executive Session This afternoon I went to see Solicitor Genl. Henry M. Hoyt, and told him that I now thought of going home – that I could see nothing more to do and that I had now been here 4 months & felt that my own self respect compelled me to go home. He opposed such action – said that if I left my enemies would spring some new lie to my injury and that it was now an executive and departmental fight and that the President would</p>
Diary 10, 1906 may21b	<p>not want me to go – he repeated that the President having appointed & reappointed me – four times was bound to see me confirmed & that I owed it to the President to stay & fight – His statement was so forceful that I could not refuse & <u>told him I would remain until next Monday anyway.</u> while I was talking to him Mr. Kratz, Sec. to the Atty. Genl. came in & said that the Atty. Genl. had concluded that my expenses to Washington could <u>not be paid</u>, since he took the view that I was merely defending myself from personal attack. I answered that every attack upon me came from the performance of my official duty, that the principal charges were the outgrowth of decisions as judge – and that I thought that not only had the Dept. of Justice the <u>power</u> but that it was its <u>duty</u> to assist me in defending the action of the court, since my actions had</p>
Diary 10, 1906 may21cand22	<p>been examined & approved by the Atty. Genl. and the President before my reappointment. Hoyt</p>

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	<p>distinctly agreed with me, and after Kratz had gone out quite plainly intimated that the opinion was that of Kratz & not the Atty Genl and advised me to contest the matter further. I saw Mr. Kratz again & asked to see the Atty. Genl. personally & will go tomorrow for that purpose. Met Senator Allee of Del. tonight – we talked of Dr. Boyle of Valdez, & the Senator was very kind & will support me for confirmation He told me that he had heard Senator Knox speak very highly of me, - so very flattering, indeed, that he was anxious to meet me: That Knox said I was the best judge in Alaska &c. -22- Senator Patterson of Colorado has returned to the city – I am delighted because he is one of my strongest friends – nothing done today – Wrote to Debbie.</p>
Diary 10, 1906 may23a	<p>-23rd- The Atty. Genl. again informs me that he will not allow my expense account while here defending myself against the fight being made on me <u>because of my decisions in Alaska.</u> I suggested that every charge against me had been previously investigated by the Dept. of Justice and that the decision was in my favor – that the President had approved the findings and reappoint =ed me – not once but <u>four</u> times – and that I was not so much defending myself as the court and the adminis- =tration of law in Alaska, - & that the greater part of my effort was an answer in support of decisions and a reply to Senator Nelsons briefs on the law involved in the case of Nelson v Meehan, - but he stands firm & wont pay. I intend to let the matter rest, and if I am confirmed take it up again & show that Noyes & Grigsbys expenses were paid through they were removed for cause by the Dept.</p>
Diary 10, 1906 may23b	<p><u>I shall certainly resign after a short time, in case I am confirmed, if these accounts are not paid.</u> <u>Its enough to give my time and strength to the support and establishment of law and justice in Alaska without paying my own expenses while doing</u></p>

	<p><u>so.</u></p> <p>[newspaper clipping:] “FIRE AT FAIRBANKS, ALASKA. Business Section Wiped Out – Food Supply in Jeopardy. SEATTLE, Wash., May 23.-A dispatch to the Post Intelligencer says that the en- tire business section of the town of Fair- banks, Alaska, was destroyed by fire which started in the Fairbanks building, a three- story frame structure, yesterday. Details of the disaster are meager, but it is feared that the food supply of the town has been destroyed and great suffering may result. Nothing was left standing in the section lying between the water front and 3d ave- nue, and Stacey and Turner streets. The work of the fire fighters was centered in the block of warehouses owned by the Northern Commercial Company, in order to protect the food supply of the town, and the result is still in doubt. The loss is estimated at a million dollars, and it is announced that the heavier busi- ness interests of the town are already plan- ning to rebuild. No lives were lost.”</p> <p>This means that the Apple building - Mrs. Cards restaurant & Miss building as well as the News building all of which I own – are burned – and that my rents of \$400 a mo. are cut off. Well, let the tail go</p>
Diary 10, 1906 may23cand24a	<p>with the hide. Gov. McGraw is back in Washington & promises me to see Senator Spooner tomorrow – while Borchsenius, the ex-Clerk from Nome is here and will see La Follette. -24th- <u>I learned this morning certainly that the Fairbanks Court House & Jail were burned</u>, so I went to the Dept. of Justice early & got Genl. Clay – the general agent, interested, and we prepared maps, letters, &c. & saw Tawney, Ch. House Com. on Appro. & he agreed to put into the Sundry Civil App. bill an item for court house of \$15,000 – the item for a jail being already in. It took us nearly all day – but a good days work. Also saw Senator Piles – he told me that my matter was up one day this week but went over till Saturday or Monday – on “Senatorial Courtesy”</p>

	<p>but that on either Sat. or Mon. it would be settled. Also saw Foraker who told me he was busy, but had let it go over as a measure of discretion.</p>
Diary 10, 1906 may24band25a	<p>Met Senator Clark of Montana tonight & had long and interesting talk with him about Alaska – he seems to me to be a good man. Sent Stier telegram saying: <u>“Twenty five thousand dollars appropriation guaranteed today rebuilding courthouse and jail.”</u> Tonight received telegram from him saying records saved, and needed \$60,000. to rebuild. Also telegram from Mrs. E. Monroe saying that if I could extend lease = <u>“Will rebuild if you extend lease one more year, burned out completely.”</u> -25- Sent answer to Mrs. E. Monroe <u>“Offer accepted lease extended one year rent two hundred and fifty dollars monthly.”</u> Called to see Senator Ankeny – he was out. Talked with Statler, his secretary who advised me not to talk with the Senator but said he would do it. Just then the Senator came in and I</p>
Diary 10, 1906 may25b	<p>began to talk with him about the loss of Fairbanks – the appropriation for court house & the Hubbards case. Statler went out & in a few minutes in came Senator Piles, who seemed to know I was there & at once began to ask Ankeny if we were talking about my confirmation &c. and said “Will Senator you are going to vote for Wickersham – of course – you told me you would,” and went on to crowd Ankeny hard insisting on his voting for me. Ankeny was evidently embarrassed and showed some little spirit in criticising Sullivan for getting him to oppose me and now insisting that he vote for me. The discussion continued for a few minutes – Ankeny did not finally say he would vote for me but only that he would do the right thing or something of that kind. He will not vote for me and the best I can hope for is that he wont vote against me. During</p>
Diary 10, 1906 may25c	<p>the conversation Piles said that Senator Flint of Cal. was going</p>

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	<p>to vote for me at the request of the judges of the Circuit Court of Appeals at S. F. – that Judge Ross had spoken highly of me and asked him to support me.</p> <p>Walked down town this morning with Senator Reed Smoot, the Mor=mon, from Utah, who told me that he intended to vote for me – and he also said that he would win out in the contest urged against him – to remove him because he is a Mormon.</p> <p>Took dinner this evening with Mr & Mrs. T. A. Wickersham & their son at the “Sherman”. She is a fine woman - a Christian Scientist, and a woman of strong character. They have fine apartments – he is the agent & general real estate manager for Thos. F. Walsh, the millionaire miner from Colorado - where they lived for many years. He is of the Ohio branch of the family, - about 50 years old and a fine business man & a good fellow.</p>
Diary 10, 1906 may25dand26and27	<p>They tell me that Senator Clapp, of Minn. is not unfriendly to me, & that Dillingham is all right. -26th-</p> <p>Called & saw Senator Hemenway - no Senate today. I think my matter will come up Monday & I am to get my friends there - & that is all I can see to do. <u>I have not neglected anything that I can see will aid me</u>, I could have personally interviewed more Senators – but I dont think that would have assisted – in fact my judgment has suggested - & I have acted accordingly – that I keep as much out of the sight of senators as possible. So that if I am defeated I have done the best I could. 24th-</p> <p>Nothing: Visited the Congressional Library - looked up genealogy of Wickersham family – inspected prints, books & called & talked with Sulzer, M. C. about tomorrows effort, he feels confident, - says confirmation, &c. but -</p>
Diary 10, 1906 may28and29a	<p>-28th-</p> <p>Called on Senators Gearin, Bailey Hemenway. Baily asked me to write him a short letter & give him a copy of my “Answer to Charges” to show that</p>

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	<p>I had not seen original charges & did not (<u>do</u> not) know names of accusers. Also called & had a very pleasant interview with Senator Callom of Ill. who told me that had been working for me & would continue to do so. Spent portion of afternoon with Dept. of Justice preparing requisition. -29th-</p> <p>All forenoon in Dept. of Justice preparing requisition for furniture & other supplies for court house at Fairbanks. Sent telegram to W. H. Parson, Fairbanks, in answer to his offer, saying that Dept. said the courthouse block could not be sold.</p> <p>The Attorney General (at the suggestion of Col. Cecil Clay; General Agent, Dept of Justice).</p>
Diary 10, 1906 may29b	<p><u>today wrote personal letter to Senator Clarke, Ch. of Judiciary Com. Senate, asking that my confirmation be acted on promptly on account of fire at Fairbanks & immediate necessity for court.</u></p> <p>Finished requisitions for all supplies, & for furniture for courthouse at Fairbanks – sent my books - Americana, purchased in New York & at Lowdermilks, in Wash. home by mail – Am ready to go home now on a few hours notice – Walter E. Clark took lunch with me & went to New York to arrange for a trip to Alaska – if he can so arrange it.</p> <p>Judge Neville, from Mississippi has become my friend & today had a talk with Senator Money, of Miss. who told him that he thought I was being persecuted – that a lawyer by the name of Scott, met me in Alaska & being nicely treated formed a high opinion &c. and had already spoken to Sen. Money, about me. Neville says Sen. Money is my fighting friend!</p>
Diary 10, 1906 may30	<p>-30th-</p> <p>Decoration Day, and no session. Recd telegram from Joslin & he came on from New York tonight to urge the sale of the Courthouse block in Fairbanks to his bank. I took him out to see Genl. Cecil Clay, the Genl. Agt. of the Dept. of Justice, who soon convinced him that (1) It would sign in a Special Act of Congress (2) which could not be had before next winter (3) and that</p>

	<p>would kill the present appropriations for courthouse & jail &c. &c. in short that it could not be done. Joslin will go back to N.Y. tonight satisfied that it is utterly impracticable to even urge the matter.</p> <p>Recd. copy of "Confidential. Ex. Doc. No 7." being the secret <u>dosier</u> in my case printed by Sen. Nelson, this evening from Sulzer. Also saw him – it does not add much if anything to the fight, but gives me a list of the witnesses against me – the prominent one being Bion A. Dodge.</p> <p>Recd. letter from Debbie.</p>
Diary 10, 1906 may31a	<p>-31*-</p> <p><u>First Days Fight.</u> My case was launched in the Senate today at 2 o'clock and fought until 6 - for four hours my character, habits, fitness, and judicial ability was the storm center. When executive session was called for at 2 o'clock Nelson & my enemies fought to prevent it, but lost. Then they began to attack me. Nelson, Pettus & McCumber attacked – Piles, Hemenway, Bailey & Foraker defended. It was not settled at 6 o'clock and will come up again tomorrow. Bailey has been requested to take up my defence in the case of Nelson v. Meehan, & I am to go up in the morning and give him the authorities. Piles says he is satisfied that we will win without a dozen votes against us, - but – well I won't quit until I am out of the woods. I am greatly moved by the strong friends who are coming to my support, - from most unexpected quarters.</p>
Diary 10, 1906 may31andjune01a	<p>[newspaper clipping:]</p> <p>"It is not likely that any time will be devoted by the Senate in executive session to the nomination of Mr. Benjamin F. Barnes as postmaster at Washington. The Senate went into executive session at 2 o'clock. The entire time was taken up on the nomination of Mr. Wickersham to be a judge of a judicial district in Alaska."</p> <p>Went to Navy Dept. & ascertained that the "<u>Tacoma</u>" will not reach Norfolk from the Mediterranean before June 15. which will in all probability prevent me from</p>

	<p>seeing Darrell this trip. Senator Piles made a special & strong speech for me today on the old Brantner charges & thinks he convinced the Senators that I was more sinned against than sinning <u>This places me under many obligations to him which I can never fully repay.</u> but Ankeny left the Senate and abandoned me – still that is about all he can do, on account of his former attacks on me.</p> <p>-June 1*-</p> <p><u>Second Days Battle.</u> I seem to be up against the Filibusters McCumber told one of my friends</p>
Diary 10, 1906 june01b	<p>today that if it came to a vote I would be sure to be confirmed as the Sugar Trust was for me!! He also said that he did not intend to let it come to a vote, & that they intended to talk it to death. On the other hand Senator Piles, Foraker & Bailey tell me that we have them beaten by a big majority – It seems that on yesterday they had regular row. Senator Hemenway accused Nelson of packing the Com. on me & it took Nelson an hour to explain how he came on the Com. & then his explanation was not a good one. Nelson begged Hemenway not to attack him since if it got out it would do him great harm. Senator Foraker told me today that Piles completely destroyed the woman story in his speech yesterday. I gave Senator Bailey a short outline & the books to use in his speech in explanation of the charge in re. Nelson v. Meehan case, & also prepared a statement at Forakers</p>
Diary 10, 1906 june01c	<p>for use in a new charge that McCumber is pressing that I did wrong in finding Richards guilty of jury fixing at Nome.</p> <p>Senate went into Ex. session from 3 to 6 today & fought over me - not finished. <u>Senator Foraker said that he intended to call it up everyday & makes my enemies talk – when they quit he will move for a vote & compel them to talk again & thus keep them talking or make them vote. He says we will have a big majority.</u></p>

	<p>[newspaper clipping:] “Judge Wickersham’s Nomination. Most of the executive session of the Senate yesterday afternoon was devoted to consideration of the nomination of Judge James Wickersham to be judge of the United States court for the district of Alaska, but he was not confirmed. The charges against him, which have prevented confirmation for three years, were urged strongly by Senators McCumber, Hansborough, Nelson, Teller, Pettus and a number of others. He was defended by Senators Foraker, Dillingham, Bailey, Culber-son and others. No vote was had, nor did it appear that one is imminent. He is serving on a recess appointment.”</p> <p>Teller is not against me & there were not a “number of others” against me – just McCumber, Hansborough Nelson & Pettus. Judge Day is in the city – he denounces the filibustering tactics of my enemies as infamous.</p>
Diary 10, 1906 june02a	<p>-June 2- The plan of my enemies is now well understood – under the rules of the Senate no matter can go to vote if any Senator desires to talk, and the plan is that McCumber and Nelson will talk as long as the Senate considers my case. They can talk, read reports, &c. &c. until the Senate adjourns and that in spite of the fact that I have a large majority of Senators favorable to my confirmation. <u>And that is what they are determined to do.</u> Instead of feeling disappointed at this turn of affairs I am pleased - next to a confirmation. It gives me the public vindication that I desired & puts my enemies in the position of unfair politicians. Wrote to Debbie & Mr. Ralph & explained the situation to them & will go to work Monday to try to get one of my friends to tie up some of <u>their</u> legislation in retaliation – until the drop loose.</p>
Diary 10, 1906 june02band03	<p>[newspaper clipping:] “Wickersham’s Case Considered. The Senate in executive session yesterday resumed its discussion of the nomination of James Wickersham to be judge of the cir-</p>

	<p>cuit court for the district of Alaska. Opposition to confirmation was again led by Senators McCumber and Nelson. After two hours’ consideration the Senate was adjourned without action.”</p> <p><u>Barnes nomination as Postmaster of Washington is also held up by Dillman – and it may yet present the spectacle of both of us held over indefinitely by filibustering!</u> -3rd- <u>Sunday</u>- spent the afternoon in the Congressional Library looking up the 3 Japs. who were cast away on Cape Ozette in 1832 – the book “The Voyage of the Himmaleh & the Morrison” & Perrys Japan Ex. contain most of it & I think it will make a most attractive book or magazine article. Judge Neville from Miss. told me that sympathy was general & growing in my favor on account of my hold up by Senators McCumber & Nelson.</p>
Diary 10, 1906 june04and05a	<p>-4th- Senator Baily told me this morning that it was planned that my friends should make Nelson & McCumber talk in my matter – talk – talk – until they disgusted the Senate – while my friends would work quietly and out of session. Senator Gorman, of Md. died this morning & the Senate held no session today. I prepared a statement today for Baily Foraker & Piles, showing <u>Motives</u> of those who have complained against me. -5th At his request I prepared a statement for Senator Bailey explaining the Richards Contempt case, which McCumber is urging against me – gave Foraker copy – Major Lacey called my attention to an editorial in this evening “<u>Times</u>” Sulzer says Foraker told him that McCumber agreed to talk only 5 hours – but McCumber told Foraker <u>6 days</u>, and Nelson 2. Got my friend T. A. Wickersham, of Colorado & the representative of Walsh, the Colorado mining millionaire &</p>
Diary 10, 1906 june05b	<p>Col. E. B. Smith to work & they say they can get the “Washington Post” and the “Times” to work for immediate action by the Senate & roast Nelson & McCumber</p>

	<p>The Times editorial “The End of the Funnel” after referring to the fact that the Oklahoma Statehood Bill, the Rate Bill, the Meat Inspection bill &c. are yet pending, said:</p> <p>[newspaper clipping:] “Thus the big business of the session is jammed in the small end of the funnel. Everything is crowded into the last days of a session of which everybody is wearied and for whose end everybody is anxious. It is a great opportunity for manipulation and trades. Back of all these features lies the Wickersham Federal judgeship case, before the Senate in its executive capacity. Nothing in years has aroused such intensity of feeling in the executive sessions as this case, and trades and influences otherwise unexplainable are accounted for by reference to it.”</p> <p>Sulzer asked Senator Teller {of Colorado} about the statement a the paper on the 1st that he was opposed to me: Sen. Teller said it was a mistake – that he was for me strong and intended to make a speech for me if necessary.</p>
<p>Diary 10, 1906 june06and07a</p>	<p>-6th- Nothing much today – Sulzer says things are coming – but I think they’ve stopped!! Nothing new in the newspaper line today – except that I am afraid of the “Times” – Am afraid that my enemies have them loaded for me, – but one should’nt borrow trouble – its enough when it comes. Wrote to Debbie today –</p> <p>-7th- Went over to the “Times” office this morn =ing and talked first with <u>Mr. Richardson</u> asst. Ed – or City Ed. about the proposed attack on me by the Times – he said he knew nothing about it – that Mr. E B. Smith had spoken to him, but would I step over & see Mr. Woolover. He introduced me to Mr. W , a dapper young man with positive and fixed ideas that I was wrong & Nelson & McCumber right – said he had talked with both of them and had promised McCumber that he would not say anything about me before Sunday.</p>

<p>Diary 10, 1906 june07band08</p>	<p>Had quite a long talk with the young man who promised me that he would not say anything without seeing me in advance. - my impression about him is that he is already worked up to fight me as hard as his paper will allow him. Had a short talk with Richardson as I came out – he seemed very friendly – but I am afraid that its a plant against me. -8th- Nothing!! My friends in the Senate seem to have quit. Piles told me this morning that I would be confirmed sure! but I am satisfied that old Nelson is “smoothboring” – he is trying his best to get between me & Piles & is really having some influence on Piles. Senator Hemen =way told me about his row with Nelson. It seems to have been hot & personal. Went out to Cabin John bridge with Smith this evening. Letter from Debbie. Darrell ought to be in Philadelphia tomorrow.</p>
<p>Diary 10, 1906 june09and10</p>	<p>-9th- Nothing: Wrote a letter to Norman Shultz, 45. Broaday, N.Y. stating how McCumber & Nelson are fighting. He will show it to Everybodys Magazine & Appletons Booklovers Magazine – which published Rex Beach’s Nome Stories. I want to get one of them here to see Nelson & McCumber - see the climax to those stories. Darrell will be at Philadelphia tomorrow or next day & I am going over to see him. -10- “Tacoma” is in Philadelphia & I must go and see Darrell. Went out & saw Senator Hemenway & explained some things about my defense to him - & stopped & told Sen. Piles that I was going to Phil. Took 4 oclock train & Dar =rell met me at the “Bellevue – Strat =ford Hotel”. Bless his heart he looks just as he did years ago only a little more manly. Staid with me till 11 oclock & then back to vessel. We had a good visit & home talk.</p>
<p>Diary 10, 1906 june11</p>	<p>-11th- Went out this morning to the “Tacoma”, off League Is. Navy Yard.</p>

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	<p>Lunch with Darrell – met Micheal, his classmate, Hanrahan, chief engineer, Nav. Officer Mr. Hulme - his wife & Phillip, & other officers. Darrell seems to be well liked - & likes his brother officers. After lunch he came to town with me, & first went to the tailor to be measured for clothes. We then hired an automobile & went riding through Fairmount Park & along the Schulkill river – we rode for two hours & reached the hotel just in time for dinner. After dinner we went to Keiths Theatre - vaudeville – It was a beautiful day – and Darrell certainly enjoyed it – and so did I. Bless my boy – he is pure gold. He is anxiously looking for tonight's mail, for he has not heard from his mother – except what I told him – since he left the Bermudas. He kissed me good night & went back to his ship for at 11:30 p.m.</p>
Diary 10, 1906 june12and13a	<p>-12 Spent the day in old book stores – “Rosenbachs” & Rhoads – “The Franklin Bookshop.” Bought Rafinesque’s “American Nations” “Townsend Narrative” & a few others. Left Phil. at 3:20 arrived Washington 6:20. -13th. Saw Senator Foraker & he shakes his head – thinks opposition will talk me over the session. Also told me that McCumber was now charging that I am responsible for publication of “The Looting of Alaska” in Booklovers. Also saw Senator Bailey who told me that he thought the matter would come up - that objection would be made to taking up the Barnes case until mine was disposed of! This may entangle me in politics! Went up this afternoon & saw Solicitor Gen. Hoyt. & explained things to him. He says the President ought to take hold & will see Senator Knox. But I feel sure Knox won't do anything – he is warmly for me – but detests political strife – the struggle for place.</p>
Diary 10, 1906 june13b	<p>I telegraphed the Booklovers Mag & to Frank D. Arthur & Shultz, N.Y. asking them to get statements from the Booklovers Mag, saying that I had nothing to do with publication</p>

Diary of James Wickersham
Dec. 4, 1905 Through June 22, 1906.

	<p>Called on Major Lacy, of Iowa, to ask him to see Foraker about “Looting of Alaska” story & told me that Senator had seen & asked him to see Lacy & have him (Lacey) assist in getting a bill reported out of Public Lands Com. of the House of which Lacey is Chairman. Lacy told that he did not feel opposed to the bill – but that the Com. did – but that he should say to that Hansborough & McCumber were holding up my confirmation because I was his friend - returned & told the that McCumber & Hansborough could not be appeased & intended to talk me out at the end of the session. “Well”, Lacy said “I'll return good for evil & will report his bill & he did so against odds & with Hansborough present. However, Lacy there asked to see Senator & have them quit – the bill cannot pass without Lacy's active help & it is a matter of great moment to N. Dakota.</p>
Diary 10, 1906 june13cand14	<p>- it is a bill appropriating a million dollars to drainage of the Red river valley. - all this happened this afternoon. Lacy also told me that Walliver, of the Times who threatened to write me up, is from Iowa - he is a Cummins striker - & against Lacy – therefore for McCumber & Nelson. 11. p.m. Mrs. Walter E. Clark just called my telephone to tell me that they had some news at the office – N.Y. Sun – about my case. Called up the office & they say that the <u>Senate steering Com. today put my case on for one of the matters to be voted on & settled before the session closes!!</u> -14th. Darrell came over this afternoon & had dinner with me & Cushman – we went to the theatre. McCumber is now charging me with responsibility for publication of “Looting of Alaska.” Piles is “cock sure” as is Sulzer, but Foraker says that I can't get a vote this session. Foraker is a “quitter”. A flying machine came into town from Luna Park today, circled around Wash. Monument, White House & Capitol & thence back – no breeze – conditions ideal - machine so far a plaything – impracticable.</p>
Diary 10, 1906 june15and16and17a	<p>-15- Prepared answer to McCumber's charge that I am responsible for publication of “The Looters of Alaska.” Frank D Arthur from New York is here – he is trying to get</p>

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	<p>copies of the letters written by the Pennsylvania copper gang in opposition to me, for use in his litigation against Helm, et. al.</p> <p>-16-</p> <p>Ex. Gov. John G. Brady in town! More trouble for me. Nothing today in Senate. Dinner with Harry White, of Seattle, who will try to do something with Brady. Arthur also worked on it some & will do more from New York – he says that Blackburn is evidently working with us now.</p> <p>-17-</p> <p>Darrell came over & spent part of the day with me – we called on the Clarks & Miss Dorothy. It seems now that Welliver, the Times man, to whom I talked the other day went & told McCumber about it & gave the most damnable turn to it – told McCumber that I wanted him to attack McC the liar! That was now what I wanted – but only to stop attacks on me!!</p>
Diary 10, 1906 june17band18	<p>Major Lacey saw me again today – he said Hansborough called on him & wanted him to get in & work for their North Dakota drainage bill – Lacey told him he would not do it as long as McCumber attacked me. It seems that the Northern Pacific & Great Northern R.R.s want it – their attorney called on Lacy – who told him the situation – he started west to Chicago to see the officials of those roads & reported to Lacy today that he thought the matter could be arranged in a couple of days. Lacy told me that he favored their bill – had already reported it favorably from his committee, but that <u>no one would be recognized in the house to bring up the bill, but Lacy</u>, and that he would not do it until they confirmed me. If that club dont fail it may bring some result in a few days – nothing but a club will bring my confirmation now.</p> <p>-18-</p> <p>Saw Foraker – he asked me to rewrite my letter about “Looting of Alaska” & leave out references to McCumber - thought them too pointed! Did so. You cant tell the truth about a Senator else he gets mad & says you are attacking him. Nothing new.</p>
Diary 10, 1906 june19a	<p>-19th-</p> <p>Recd. telephone message from Mr. Alden Sen. Forakers clerk & went up to see him. He said the Senator told him to say to me that McCumber now</p>

Diary of James Wickersham
Dec. 4, 1905 Through June 22, 1906.

	<p>gave up the charge that I was party to the publication of “Looting of Alaska” articles, but was furious about the charge that I sought to inspire the Washington Times to attack him & his friends & that Foraker thought it hopeless to do anything now in the matter as it would only be talked to death – <u>“that it was really the Presidents fight anyway, and not his.”</u> He said the Senator would, of course, bring it up if he could – but – no hope, &c. Foraker is a quitter : McCumber has been working him & Nelson has been working Piles & both have quit.</p> <p>I went & saw Col. Boynton, Mgr. Assoc. Press, & he told me to go back & see Richardson & Welliver of the Times – may be McCumber was not telling the truth. I saw Richardson the city editor of the Times & he was frankly honest & remembered the facts just as I did : Welliver</p>
Diary 10, 1906 june19band20a	<p>was not present & I am to go back & see him in the morning – there is where the trouble lies – but I am surprised that he should repeat such a story – its against news -paper ethics!! Richardson is all right – now if I can get Welliver to tell the simple truth – another lie will be nailed – but too late I feat to help me out this session.</p> <p>Senator Piles says they had my case up again & McCumber fought me on the allegation that I had tried to get the “Times” to attack him & Piles says he was much afraid of the result!! What a damned, incompetent & miserable mess the Senate is as triers of fact! Secrecy & lying are the foundation stones.</p> <p>-20-</p> <p>Went to see Welliver & Richardson, the Times newspaper men – and to my surprise they both agreed at once to make a statement of the true facts of our conversation – it seemed to me that Richardson had been talking seriously about it to Welliver, who wrote & signed a statement denying that I had ever sought to have him or his paper attack McCumber & Richardson O.K. it I then prepared a full statement in answer</p>
Diary 10, 1906 june20band21and22a	<p>to McCumbers allegations – made four type written copies &c. Gave one to Foraker, one to Bailey & another to Piles.</p>

	<p>The matter did not come up today but may at any time. Bailey told me that he though seriously of blocking confirm=ations until mine was voted on – he did not say positively that he would do so. -21st-</p> <p><u>Nothing</u>, except that Major Lacy has failed to work his scheme to press the Dakota senators to let go, as I expected he would. Have not learned particulars but will in the morning. Gov. Brady & Sheldon Jackson are “knocking.” Foraker has practically “flunked” on the ground, as Alden, his Sec. said: “It’s the Pres=idents fight, not his,” and the N.D. senators are pressing that on Foraker hard, while Nelson is mollifying Piles by lies. -22</p> <p>The morning <u>Post</u> discloses that the Barnes, Washington Post matter case was put ahead of mine yester=day, upon motion of Carter. This was done because Senator Tillman who is fighting Barnes, agreed to present his objections</p>
Diary 10, 1906 june22b	<p>to Barnes & then let it go to a vote, but in my case no agreement could be reached, except that Nelson & McCumber said they intended to fight me to the end of time!! [sideways, left:] For Continuation of this book see Book beginning this date. [sideways, right:] “Post”, June 22, 1906. [newspaper clipping:] “NO VOTE ON POSTMASTER. Senator Tillman Promises Not to Delay Action After To-morrow. No vote was taken in the executive session of the Senate yesterday on the nomination of Benjamin F. Barnes as postmaster of Washington, but on the promise of Senator Tillman that after to-morrow he would do nothing more to delay the vote, it was agreed to take the nomination up then and dispose of it. By a vote of 29 to 17 the Senate in executive session displaced the nomination of James Wickersham to be judge of a United States District court in Alaska, and gave preference to the Barnes’ nomination. The Wickersham case was discussed without a conclusion being reached. It is doubtful, in view of the action of the Senate yesterday, whether this nomi-</p>

	<p>nation will be voted on at all at this session.”</p> <p>Major Lacey has been trying for some days to get the N.P. Ry & G. N. Ry. interests to force McCumber to quit but so far without avail. He tells me that a Mr. Carroll, an attorney from St Louis, and an atty. for the N.P. went to Chicago to see Pres. Elliott of the N.P. who was very much incensed at McCumbers bull headedness, but could do nothing, as J. J. Hill, of the Great Northern is the North Dakota boss.</p>
Diary 10, 1906 inside back cover	<p>Mary had a little watch But she swallowed it one day. And then she ate some cascarets To pass the time away.</p>