

## CHINESE SITUATION EXTREMELY SERIOUS

Russia's Note to the Powers is  
Notice That She So Re-  
gards It.

### RESULT OF JAP PROPAGANDA.

In Diplomatic Circle Note Thought to  
Be Designed to Induce Secy. Hay  
To Take Action.

St. Petersburg, Jan. 14, 2:15 a. m.—Russia's formal notification to the powers of the imminent danger of a general uprising in China as the result of a Japanese propaganda, which will threaten all foreign interests, coupled with a general protest against China's repeated violation of neutrality in connection with Japanese operations, is really a warning to the powers that Russia regards the situation as extremely serious and holds that the time has come for joint action by the powers for the protection of their own interests.

For herself, Russia feels that Japan has broken the pledge she made with respect to Secy. Hay's note at the beginning of the year, and further, that in this will, she holds, absolve her from further observance and leave her free to act for her own protection. The present note followed two preliminary warnings addressed to the powers, one in October and the other in November, "neither of which was heeded." It has an entirely different ring, setting forth breaches of Chinese neutrality, including the recent case, and also the use of the Miao case, belonging to China, as a base for the Japanese fleet, the constant dispatch of contraband from various Chinese ports, the employment of Chinese soldiers in the Japanese army and the hiring of Chinese bandits to attack Russian communications. Should Gen. Ma, or any Chinese troops, now move, Russia will feel free to cross the Liao river into the neutral zone. As for the powers, Russia believes the situation has become serious, owing to the stimulus given anti-foreign agitation in China by the fall of Port Arthur.

### CASSINI SEES HAY.

Washington, Jan. 13.—Count Cassini, the Russian ambassador, called at the state department today to talk with Secy. Hay respecting the formal and general protest made by Russia against alleged violations of neutrality by China during the present war.

The ambassador had been informed by his government by cable that the full text of the Russian circular note or protest was now on its way to him, and he was instructed to submit it to Secy. Hay upon receipt.

Upon the first announcement of Russia's intention to file this protest it was apprehended here that it might be the forerunner of some positive action on the part of Russia which would vitiate the agreement entered into by the belligerents at the outbreak of the war, to restrict hostilities to a certain well-defined area, which undertaking was effected through the United States government, with the early co-operation of the powers and of China.

Now the belief obtains that the action of Russia in dispatching this note to the powers is intended, not to indicate immediate action, but to obligate China to remedy the matters complained of at present, but rather to have on file a record of a grievance against the Chinese government which can be brought up for consideration at the conclusion of hostilities and during the negotiations which will effect a permanent settlement of the far eastern question.

## TESTIMONY IN THE SMOOT HEARINGS

[The following testimony in the case against Senator Smoot came too late for our last issue so is continued today that our readers may have it entire.]

Senator Overman inquired if it was understood that Senator Smoot had to get the consent of the church to become a candidate for the senatorship. The witness said it never had been understood that Smoot was the candidate of the church, but that it was necessary for him to have the consent because of his church position or get in trouble with the church. He declared that this consent was not in the form of a permission to enter politics, but that it was understood to be merely a leave of absence from his church duties.

Mr. Worthington asked concerning the attitude of polygamists in public toward their plural wives, and the witness said that he had not known of any case where these wives were exhibited in public.

"What is the standing of Senator Smoot as to his morals and his character?" asked Senator Foraker.

"No man in the state or out of it stands better," said Mr. Whitecotton. "Have you ever heard of any charge against him that could meet his standing?" the senator asked.

"I never have. I have known him intimately for fifteen years, and for a number of years he has been associated with him in business. I have been the counsel for the bank of which he is the president, and have been employed by him personally as counsel."

During the testimony of Mr. Whitecotton he was asked concerning prosecutions, and said that unlawful cohabitation was the charge invariably made against the "Mormons."

Senator Dubois inquired why the polygamists had not been charged with polygamy, adultery or bigamy, and the witness replied that no convictions could be had on those charges.

"Do the same conditions exist now?" asked the senator.

"I think they do," was the reply. "I think it would be impossible to convict except for unlawful cohabitation."

Mr. Whitecotton admitted that he had known of the relations of some plural families, and Chairman Burrows asked why he had not prosecuted these cases.

"Because I am not in the business

If it isn't right we'll  
gladly make it so.

## SMITH'S FLOUR

IS GOOD OR MONEY  
BACK.

of prosecuting my neighbors. If I  
were elected prosecuting attorney, I  
would do my duty," the witness an-  
swered.

A recess was then taken.  
At the afternoon session Judge Tay-  
lor, counsel for the protesting cross-  
examined Mr. Whitecotton. The wit-  
ness, when asked if President Joseph  
Smith had said if he observed the cus-  
tom which prevailed generally on the  
subject of marriage relations "he  
would be eternally damned," replied it  
would not surprise him, because Smith  
was a "thorough fanatic."

The witness said the act of Apostle  
Merrill, who is the husband of several  
wives, in performing the ceremony  
uniting his son to a plural wife met his  
hearty disapprobation, and that the  
whole outfit ought to be prosecuted.  
He had no doubt of the marriage of  
Apostle Cannon to Lillian Hamlin and  
said the controversy waged was not  
whether there had been such a mar-  
riage, but who performed the cere-  
mony.

The witness said that if eleven of  
the Apostles should perform plural  
marriage ceremonies on the highways  
or in out-of-the-way places, and Mr.  
Smoot, the other Apostle, did not, it  
would not involve him in moral, legal  
or any sort of culpability. He said  
he understood that President Woodruff  
and President Snow continued to live  
in polygamous cohabitation after 1890,  
and understood, too, that the basis of  
the plea for amnesty was a promise  
not to continue in polygamous rela-  
tions.

He gave the opinion that the "Mor-  
mons" were responsible for the man-  
ifesto, and said if it had not been issued  
there would have been a revolt. He  
said the manifesto would bring out a  
revelation saying polygamy should be  
resumed there was not an Apostle who  
could be sustained by his conference.

### H. E. BOOTH.

H. E. Booth of Salt Lake City, a non-  
"Mormon" lawyer who went to Utah  
from Iowa in 1885, and has been active  
in the politics of Utah, asserted that  
the "Mormon" church, as a church,  
did not interfere in political affairs;  
but that individuals took an interest in  
politics the same as other citizens did.  
On the subject of "Mormons" obtain-  
ing consent to run for political office,  
Mr. Booth's understanding was that all  
hostile were on a salary to serve the  
church and had duties to perform and  
owed something to the church. He  
said he believed the church opposed the  
election of Moses Thatcher for Con-  
gress, and was glad of it because  
Thatcher was a polygamist. It was  
his judgment that President Joseph F.  
Smith had kept the church out of  
politics. As to polygamy, the witness  
said:

"I believe polygamy is as dead as  
slavery. Ninety-eight per cent of the  
"Mormons" themselves are opposed to  
plural marriages."  
Booth testified that the sympathy  
with the women who were married  
in polygamy, and that there was a dis-  
inclination to prosecute the polygamists  
for that reason. He said he thought  
polygamists would die out soon of their  
own accord, and that it was better to  
permit them to live than to prosecute  
and leave their plural wives as outcasts.

His observation was that there had  
been no plural marriages with the sanc-  
tion of the church, except perhaps the  
case of Abraham Cannon. He asserted  
there would be an immediate revolution  
in the church if the president of it  
should sanction plural marriages.

The witness said that Senator Smoot's  
candidates for the Legislature would  
have been defeated if it had not been  
for the Gentile vote. He had no question  
but that Mr. Smoot received church con-  
sent to run for senator, but he be-  
lieved Mr. Smoot would have been  
nominated and elected had that consent  
been refused. He thought if conditions  
were allowed to go on as they were  
now, in a few years nothing would be  
heard of the "Mormon" question.

Mr. Booth, in conclusion, insisted  
that he had been a constant opponent  
of polygamy all through his residence  
in Utah, but said that conditions could  
not be changed any more rapidly than  
they were changing. Concerning non-  
prosecutions, Mr. Booth admitted on  
cross-examination that on both sides  
of his home President Smith main-  
tained houses for his wives, but until  
the Smoot hearing he had never  
heard of polygamous cohabitation  
had been practiced since the manifesto.

Asked by Senator Dubois if his  
sympathy for children born in poly-  
gamy, "is great enough to put a stop  
to bringing them into the world," the  
witness replied: "It is if a stop could  
be put to it without vesting penalties  
and hardships on those women who  
bring them into the world. If you can  
suggest a way to meet this problem, I  
will adopt it and carry it out."

Chairman Burrows asked Mr. Booth  
if he thought a constitutional amend-  
ment of the United States prohibiting  
polygamy would avoid and received  
the answer that it was not necessary.  
But witness thought it would put an  
end to polygamy.

### ARTHUR PRATT.

Arthur Pratt testified that he had  
served six years as chief of police at  
Salt Lake City, and under the territorial  
government he had been United  
States marshal and deputy United  
States marshal.

Angus M. Cannon, Jr., the witness said,  
had a bad reputation and his word  
could not be credited.  
Mr. Pratt denied that at the time the  
politics of Utah was divided along party  
lines some "Mormons" were set  
apart to be Republicans and some to be  
Democrats. He said in the three years  
Joseph Smith had been president of the  
church had been kept out of politics, but  
before that time it had been a factor.

**CALIFORNIA  
WHEATINE**  
Flaked Wheat Food  
For Breakfast  
and Dessert  
Cooks in two minutes  
WHEATINE pulverized with  
a rolling pin is excellent for  
breadings chops, cutlets, brains,  
fish and oysters

Valuable coupon in every package. See  
catalogue of premiums at your grocer,  
or we will mail one free on request.

Pacific Cereal Association  
San Francisco

## PRESIDENT AND PANAMA AFFAIRS

Sends a Message to Congress  
Recommending That He Be  
Given Discretion.

### FOR FEWER COMMISSIONERS.

Question of Labor on Canal Discussed  
By Secy. of War—Offers of Chinese  
And Japanese Coolies.

Washington, Jan. 13.—President Roose-  
velt, in a message transmitting to  
Congress today the first annual report  
of the Panama canal commission, to-  
gether with a letter from Secy. Taft  
relating to Panama affairs, recommends  
that he be given general discretion, as  
the president is charged with the re-  
sponsibility of constructing the canal.  
The board of canal commissioners, he  
says, should be reduced to five, or, pre-  
ferably, three, members, whose duties,  
powers and salaries should be assigned  
by the president. The president's mes-  
sage says:

"I concur with the secretary of war in  
the view that the present provision of  
law which the work of building the  
canal has to be done only through a  
body of seven members, is ineffectual  
and clumsy. Actual experience has  
convinced me that it will be impossible  
to obtain the best and most effective  
service under the limitations prescribed  
by law. The general plans for the work  
must be agreed upon with the aid of  
the best engineers of the country, who  
should act as an advisory or consulting  
board."

"The consulting engineers should not be  
put on the commission, which should  
be used only as an executive instrument  
for the executive and administrative  
work. The general plans agreed on by the  
commission, after receiving the conclu-  
sions of the advising engineers, must be  
done by an engineer-in-chief, and we  
must have an excellent engineer. It is  
in my judgment, inadvisable, therefore,  
to restrict the executive's choice of  
commissioners to representatives of the  
engineers' corps of the army and navy."

He adds that the man appointed as  
administrator of the canal strip should  
also serve as minister to Panama.

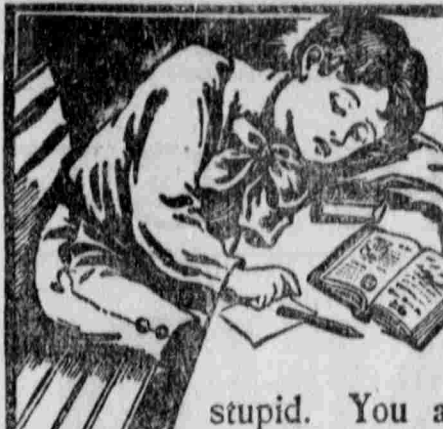
In his letter Secy. Taft says the  
commission has done a great deal of  
preparation, but it will require several  
months yet to restore proper conditions  
for canal building.

The secretary expresses the opinion  
that it may be necessary to increase  
from 10 to 15 per cent the rate of duty  
that may be collected by Panama on  
goods destined for the canal zone, and  
points out that the monopoly now ex-  
isting on tobacco will expire in 1906, and  
will not be renewed, so that the market  
will be opened to the United States.

He says that it will not be easy to  
secure all the Jamalese laborers, as  
required, as the governor of Jamaica  
is unwilling to consent to the com-  
mission's taking 10,000 laborers, except on  
a bond of five pounds sterling for each  
laborer, to protect the Jamaican gov-  
ernment against the maintenance under  
the poor laws of the families left be-  
hind.

Considerable voluntary immigration  
of labor is expected, and the secretary  
hopes satisfactory labor may also be  
obtained in Porto Rico. Offers also have  
been made to supply on trial 1,000 Chi-  
nese and a similar number of Japa-  
nese coolies.

Referring to the existing contract be-  
tween the Panama Railroad company  
and the Pacific Mail Steamship com-  
pany, giving the latter exclusive rights  
to issue through bills of lading on busi-  
ness between San Francisco and New  
York, the secretary says he thinks this  
contract is invalid under the laws of  
Columbia and of Panama; but, at any  
rate, he is sure that the United States  
government cannot, with due regard to  
its own public policy, make itself a  
party to such a contract. He has di-  
rected the commission to serve notice  
on the Pacific Mail Steamship company  
of the intention of the railroad company



**Always at  
the foot of  
the class**

Do not blame  
the boy for be-  
ing dull and  
stupid. You are the stupid one!  
Stupid because you never thought  
about his liver. There is where all  
his trouble lies. A sluggish liver makes  
a sluggish mind. A boy cannot study  
when his blood is full of bile!

**Ayer's Pills act directly on the liver. They are  
all vegetable, sugar-coated. Dose, just one pill  
at bedtime. Sold for 60 years. Always keep a  
box of these pills in the house.**

Made by the J. C. Ayer Co., Lowell, Mass.  
Also manufacturers of  
**AYER'S HAIR VIGOR**—For the hair.  
**AYER'S SASSAPARILLA**—For the blood.  
**AYER'S CHERRY PECTORAL**—For coughs.  
**AYER'S AGUE CURE**—For malaria and ague.

to withdraw from the contract at the  
end of six months.

The report says that the development  
of the final plans for both the deep-  
water channel and the inner harbor at  
either end of the canal, including about  
a mile of the canal line, will be con-  
cluded within the next two or three  
months.

The commission feels that the gov-  
ernment, which now owns more than  
88 per cent of the shares of the Panama  
railroad, should own the entire capital.  
The report says the present steamship  
equipment will be inadequate to meet  
the demands of passenger and freight  
traffic during active construction of the  
canal, and again plans for new steam-  
ships have been ordered.

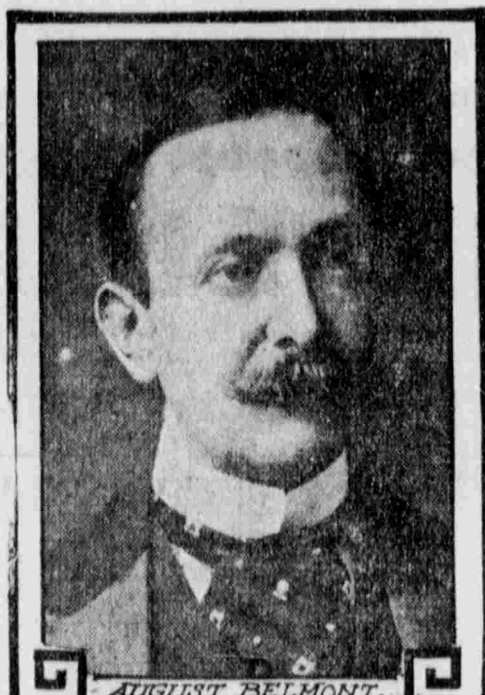
The first annual report of Maj.-Gen.  
Davis, governor of the canal zone, com-  
ments on the high telegraph and rail-  
road rates of the army and navy, and  
making the railroad and telegraph line  
a government line, and says that if

the government would go out of the  
steamboat business and would reduce  
rates across the isthmus 50 per cent,  
private competition would reduce  
steamship rates between New York and  
Colon and San Francisco and Panama.

### WOULD PREVENT T. C. PLATT TAKING HIS SEAT AS SENATOR

New York, Jan. 13.—At the meeting of  
the Postal Progress league in Cooper  
Union tonight, Chairman Post of  
Battle Creek, Mich., said he had prepared  
papers and would ask the United States  
supreme court for a restraining order to  
prevent Senator Thomas C. Platt from  
taking his seat. He said he would take  
this action on the ground that Senator  
Platt subverts the interests of the peo-  
ple he has sworn to represent in the in-  
terests of a corporation he really represents.  
The affair relates to the parcels post.  
Mr. Post made his announcement in a

### AUGUST BELMONT.



AUGUST BELMONT.

Mr. Belmont is in every respect the worthy son of a distinguished father.  
His conduct of the great interests he inherited from his father has been  
noteworthy. He has an important task before him in the presidency of the  
national civic federation, having succeeded the late Mark Hanna in the po-  
sition.

speech entitled "Our Errand Boy." After  
having referred to the postal deficit and  
to the fact that the people of the coun-  
try pay more for the parcels post than  
they receive, Mr. Post said:

"Senator T. C. Platt of New York is  
president of the United States Express  
company. Word was passed around to  
other senators that no definite action  
should be taken on the parcels post bill.  
Senator Platt was approached by my  
representatives to know his attitude  
on the question, and he clearly de-  
clared the fact that he was opposed to  
the measure because it was contrary to  
the interests of the express companies.  
In other words, after having taken the  
oath of office to represent to the best  
of his ability the people of New York  
he ignores their interests or the inter-  
ests of the public where those interests  
conflict with his own company and would  
directly affect his own earnings. In still  
further words he is drawing two sala-  
ries."

"We met with strong opposition from a  
New York state man in a position to lay  
some heavy blocks in front of the wheels  
of progress. Mr. Post Roberts, treasurer  
of the United States."

"I have the papers already prepared  
and will ask the supreme court at Wash-  
ington for a restraining order to prevent  
Senator Thomas C. Platt of New York  
from occupying his seat in the United  
States senate on the grounds that he  
does not fulfill his duties according to  
his oath of office, that he subverts the  
interests of the people whom he has  
sworn to represent to the interests of a  
corporation, which he really represents.  
It is possible that the supreme court may  
not grant this restraining order. We  
shall make an urgent effort for it, how-  
ever."

"The laws should intervene to prevent  
any man who prostitutes the mantle of  
the United States senate from accepting  
this high position of trust from the hands  
of the people."

After the meeting closed in answer to  
questions Mr. Post said that his lawyers,  
D. E. Dawson and Nathan Wilson, would  
present the matter against Senator Platt  
to the United States supreme court next  
week, but would not specify the day.

"A question of the constitutionality or  
of the right of the court to interfere will  
be raised by the application for the re-  
straining order against Senator Platt. It  
may be that the court may decline to  
interfere with the jurisdiction of the sen-  
ate, but that should happen we shall appeal  
to the senate itself. This is the first  
time, as far as I understand, that a re-  
straining order will have been asked  
from the United States supreme court  
against a senator taking his seat."

Mr. Post said that he had no intention  
of making any such presentation to the  
court against any other senator except  
Mr. Platt.

### ADAMS' ANSWER TO PEABODY'S PROTEST.

Denver, Jan. 13.—The house today re-  
solved to meet the senate in a joint  
session next Tuesday for the purpose  
of taking action regarding the contest  
instituted by James H. Peabody for the  
governorship.

Gov. Alva Adams will file an answer  
to the Peabody contest on Monday. He  
will demand that all the ballot boxes  
of Denver, Las Animas and Huerfano  
counties be opened.

Mr. Peabody asked for the opening of  
part of the Denver and Las Animas  
boxes, but none of Huerfano. Mr.  
Adams will also ask for an investiga-  
tion of the election in Leadville, Cripple  
Creek and several other cities.

Five informations were filed today  
by Dist. Atty. Stidger, charging elec-  
tion crimes in this city. Among the  
accused are Joseph Hay and Charles  
Kofsky, who are now serving jail sen-  
tences imposed by the supreme court  
for disregarding the election orders.  
They are charged with receiving illegal  
votes when acting as election judges.

Altogether 20 informations for al-  
leged violation of the election laws  
have been filed by Dist. Atty. Stidger  
during the four days since he took of-  
fice.

### ARBITRATION TREATIES WITH MEXICO AND S. A. REPUBLICS

Washington, Jan. 13.—The senate to-  
day ratified and made public the five-  
year arbitration treaty for pecuniary  
claims which was signed at the second  
conference of American states at Mex-  
ico City on Jan. 30, 1902. It provides  
for the submission of such claims not  
settled by diplomacy to the Hague,  
unless both parties prefer that a spe-  
cial jurisdiction be organized in the  
countries signing the treaty are Argentina,  
Colombia, Costa Rica, Chile, the Domini-  
can republic, Ecuador, San Salvador,  
United States, Guatemala, Hayti, Hondu-  
ras, Mexico, Nicaragua, Paraguay,  
Peru and Uruguay.

The senate today made public the  
letter of the president to the senate re-  
garding the arbitration treaties sent

## Your Heart

May Be Weak. One  
Person in Four Has  
a Weak Heart.

One of the surest signs of a weak  
heart is shortness of breath after exercise.  
Your heart is not able to pump the  
blood fast enough to your lungs.

Some of the other symptoms of Heart  
Trouble are: Pains in the Side, Back  
and Shoulder; Fainting or Weak Spells;  
Dry Cough; Swelling of Feet and Ankles;  
Cold Feet or Hands.

No one can afford to allow a weak  
heart to go without medicine, because  
weak heart means poor circulation, and  
poor circulation means weak lungs,  
stomach, liver, kidneys, etc.

If, therefore, you suspect heart trouble,  
begin taking Dr. Miles' New Heart Cure.  
The Heart Cure will do you good, as it is  
a splendid tonic for the blood and nerves,  
and will revitalize your entire system.

Finally, remember, Dr. Miles' New  
Heart Cure is sold under a guarantee  
that the first bottle will do you good.  
If it doesn't—your money back.

"I was afflicted with heart trouble for  
three years. I would be apparently all  
right, and without a moment's warning  
would fall as though shot. The attacks  
were frequent, and a terrible dread pos-  
sessed me. I never knew when or  
where, nor under what conditions I  
would be attacked, and whether I would  
survive them. I consulted and was  
treated by some of the most eminent  
physicians of the state. Not finding re-  
lief from this source, I began taking  
Dr. Miles' New Heart Cure, and began  
to improve. I used ten bottles,  
which entirely cured me, as I have not  
had an attack for five years."—MRS.  
JOHN FRESBACH, Leipzig, CO.

**FREE** Write to us for Free Trial  
Package of Dr. Miles' Anti-  
Pain Pills, the New Scientific Remedy  
for Pain. Also Symptom Blank. Our  
Specialist will diagnose your case, tell  
you what is wrong, and how to right it.  
Write to Dr. J. C. Miles, "The Heart Cure"  
LABORATORIES, ELKHART, IND.

to the senate Dec. 13, 1904. In this let-  
ter the president says:

"These conventions do not go so far  
as I could wish in scope and object,  
but they form, taken together, a very  
important step in the progress of the  
world toward a policy of peaceful so-  
lution of such difficulties as cannot  
conveniently be settled by diplomatic  
negotiation. Their very limitations,  
which seem obnoxious to many ad-  
vocates of a policy of arbitration, are  
not without compensating advantages.  
They commit none of the contracting  
parties to any action in opposition to  
their national interests, thus the policy  
of their aspirations. Their principal value  
is that they constitute a considerable  
advance in the direction of the purpos-  
es so ardently desired, of the reign of uni-  
versal peace and good-will."

"No discrimination has been made  
among the powers signatory to The  
Hague convention who have desired to  
enter into these friendly relations, and  
it would be undesirable from the  
standpoint of what this government is  
striving to accomplish to make any  
such discrimination. I should, how-  
ever, willingly exchange ratifications with  
any of the powers unless the series of  
conventions as a whole should meet  
with the favorable consideration of the  
senate."

### New Danish Cabinet.

Copenhagen, Jan. 13.—The new cabi-  
net is composed as follows: M. G. Christen-  
sen, premier and minister of war  
and marine; Count Raben Ledsgaard,  
minister of foreign affairs; M. Albert,  
minister of justice; Ole Hansen, minis-  
ter of agriculture; Enevold Sorensen,  
minister of instruction; Svend Hede-  
bro, minister of public works; Simmel  
Borg, minister of the interior; Wilhelm  
Lassen, minister of finance. Christen-  
sen is the first civilian to administer  
the military and naval departments of  
Denmark.

### TEA

We don't grudge the  
money, we want you to  
have it, if you don't like your  
tea; for we want you to like  
your tea

Your grocer returns your money if you don't like  
Schilling's Tea

**You  
Needn't be  
Timid  
About Ask-  
ing for  
Credit at  
the I. X. L.**

It's a favor ac-  
cording to all—we  
cheerfully grant you  
the privilege of the  
most liberal credit  
system ever devised.

**\$1 on \$10;  
\$10 on \$100**  
PAYABLE MONTHLY  
NO INTEREST.

# YOUNG MEN!

## GET BUSY!

You catch the bird,  
We'll feather the nest,  
You marry the girl—  
We'll do the rest.

We carry a full line of the best, stylish  
and dependable Home Furnishings in  
the City, and our **PRICES** are the **LOW-  
EST** and **TERMS** MOST REASONABLE.

# IXL

## FURNITURE & CARPET INSTALLMENT HOUSE,

The Complete Home Furnishers

Both Phones 490.  
48 E. Second South Street, Salt Lake City.