

# Former is Radical, Revolutionary, Hostile and Bitter in the Extreme. '

Other Just, Recognizing Senator Smoot's Right to His Religious Belief and Seat in the Senate.

(Special to the "News.") Washington, D. C. June 1,-Immedistely after the reading of the journal in the senate, Senator Burrows arose and presented the report of the majority of the committee on privileges and elections, which has had under consideration the question of Senator Reed smoot's eligibility to a seat in the United States senate. Senator Burrows presented his report in the most formal manner, and made no comment. As soon as Senator Burrows concluded Senator Foraker arose and presented the views of the minority on the case. Senstor Foraker gave notice that he would call the Smoot case up in the senate as soon as the business of that body would permit of its consideration. He also asked and secured consent for the printing of 10,000 copies of the majerity and minority report for the use of Congress, and for general informa-

Senator Bailey made the statement to the effect that while in the main he spreed with the report of the majority, he had just a few words to add to it. which he would have had incorporated. is the report but, unfortunately, he arrived at the Capitol this morning, too late. "He agreed," he said, "with the majority report in that Senator Reed Smoot is not entitled to his seat," but eder the Constitution he believed that Mr. Smoot could only be removed though a resolution which would call

committee for their appearance, and re-luse to appear after being requested to do so, warrant the conclusion that the allegation is true, and that said Taylor and Cowley have taken plural wives since the manifesto." Taylor and Cowley have recently been dropped from the list of Apostles and this action by the Church is offered as amounting to an admission by the first presidency and Twelve Apos-tles that Apostles Taylor and Cowley have each taken one or more plural wives since the manifesto. SAY FIRST PRESIDENCY KNEW.

Several instances of plural marriages by other church members are cited and the report adds:

to the committee showing such mar-riages by Taylor and Caunon stand

wholly uncontroverted and the further fact that Apostles Taylor and Cow-

'It is morally impossible that all these violations of the laws of the State of Utah by contracting plural marriage could have been committed without the knowledge of the First Presidency and 'Twelve Apostles of the "Mormon" Church. Furtherof the "Mormon" Church. Further-more it is shown by the testimony of one of the Twelve Apostles and other witnesses that "under the established law of the Church no person could se-cure a plural wife except by the con-sent of the President of the Church." On intensely interesting chapter of the remark is detected to the cherrer the report is devoted to the charge that testimony was suppressed "Mormon" leaders, through the send-ing out of the country of the apostles and other officials who were charged with taking plural wives since the man-

# ABSENTEE WITNESSES.

ifesto. The report says:

"It would be nothing short of selfstulification for one to believe that all these most important witnesses chanced to leave the United States at about the same time and without reference to the investigation. All the facts and circumstances surrounding the transaction point to the conclusion that every one of the witnesses left the country at the instance of the rulers of the "Mormon" Church and gvoid testifying before the committee. It is furthermore a fact which cannot be quesme of the witness obligations to shield corporate ofunder the direction and control the First Presidency and the Twelve Aposiles of the "Mormon" Church, Had those officials seen fit to direct fenders." Alluding to conditions in the meat industry, Mr. Bryan said: the witnesses named to return to the United States and give their testimony "The beef trust is not different in character and methods from other trusts. The inevitable tendency of a before the committee they would have been obliged to do so. The reason why private monopoly is to increase the price of product and to lower its qualithe said witnesses left the country and have refused to come before the committee is easy to understand, in Why should anyone expect anything else from a trust then the lower-ing of quality when a monopoly is es-tablished? Observe, I have used the words private monopoly, not public. In view of the testimony showing the contracting of plural marriages by prominent officials of the "Mormon" Church within the past few years. private monopoly a private interest set up against those of the whole peo-'Aside from this it was shown by the testimony and in such a way that the fact could not possibly be controverted. ie. Quite a different principle comes no operation when the interest of all that a majority of those who give the alone in view." Herman Ridder, of the New York aw to members of the Church are now aw to memoers of the Church are now and have been for years living in open, notorious and shameless polygamous cohabitation. The list of those who are thus guilty of violating the laws of the state and rules of public decency is headed by Joseph F. Smith, the First President, "Prophet, Seer and Revela-tor" of the "Morener" Church Zeitung, and Mr. Bryan had a long talk today on the political situation in the United States. Mr. Bryan will leave here for St. Petersburg tomorrow, and from there will visit Sweden and Nor-

Heber J. Grant, an Apostle; M. F. Cowley, an Apostle; Charles W. Pen-

rose, an Apostle, and Francis M. Ly-

man, who is not only an Apostle, but the probable successor of Joseph F.

Smith as President of the Church; Brig-ham H. Roberts, one of the presidents of the Seventies and a leading official of the Church; J. M. Tanner, superin-

tendent of the Church schools; Andrew

Jenson, assistant historian of the Church; Thomas H. Merrill, a Bishop

of the Church; Alma Merrill, one of the presidents of a Church stake; An-

ham Young university.

resign his position as president

supreme authorities in the Church, of whom Senator-elect Reed Smoot is one

to-wit, the First Presidency of Twelve Apostles, not only connive at violation

witness set forth, that "the manifesto

SENATOR SMOOT'S POSITION.

responsible for as a member of that

own game."

Distinguishes Between Them-Party Platform Must be One of Progress and Reform.

ley, instead of appearing before the committee and denying the allegation, evade service of process issued by the Berlin, June 11 .-- "This is too sudden." said William J. Bryan, with a laugh, when he was told today of the adoption by recent state Democratic conventions favoring his nomination for the presidency of the United States in 1908.

"This is the first announcement of the news to me." Mr. Bryan continued. "I have been off the main curavan route for some time and have been absorbed in what I have been seeing and doing."

Mr. Bryan had been moving so rapidly. since he left Vienna\*on Friday that letters and telegrams for him did not reach him until today. As to the possibility of his nomination he had little to say, declaring it is too early to speak of that question, but taking up the subject of the political requirements of the day he said:

tingulai between Democracy and what can properly be called socialism. Democracy recognizes competition as legitimate and tries to protect the competitive principle from attack. Socialism sees competition as an evil to be eliminated by public ownership and operation of all means of production and distribution. While this dis-tinction between Democracy and Socialism cannot be overlooked the Democratic platform must be one of progress and reform and not merely of opposition to Republican policies or

Socialistic ideas. In our fight for the absolute elimination of private monop-olies and for the regulation of cor-ate interests that have, been dominatand interests that have, been dominat-ing American politics. To this end campaign contributions must be lim-ited to those who have the public in-terest to advance. I trust that public mentiment will require all marties to keep their books open so that nere-after no party will be under private term), relevant, and competent testi-mony offered with respect thereto, and their cooclevions deduced therefrom. They ask that the same may be print-ed for purposes of reference as a part of this report, and respectfully refer to the same as a more complete state-ment of the following indings and uropolitions and the testiment of as

propositions, and the testimony and ar-guments in support of the same, upon which they base their dissent from conclusions and report of the majority of the committee.

SENATOR SMOOT'S QUALIFICA-TIONS.

Reed Smoot possesses all the qualifications prescribed by the Constitution to make him eligible to a seat in the senate, and the regularity of his elec-tion by the Legislature of the State of Utah is not questioned in any manner. CHARACTER IRREPROACHABLE.

Aside from his connection with the 'Mormon" Church, so far as his private character is concerned, it is, according to all the witnesses, irreproachable, for all who testify on the subject agree or concede that he has led and is leading an upright life, entirely free from implural marriages, and probably did as much as any other member of the "Mormon" Church to bring about the "Before leaving home I tried to dis- prohibition of further plural marriages.

HAS RIGHT TO HIS BELIEFS.

So far as mere belief and membership in the "Mormon" Church are con-cerned, he is fully within his rights and privileges under the guaranty of re-ligious freedom given by the Constitu-tion of the United States, for there is no statutory provision, and could not be, prohibiting either such belief or membership. such

such membership. Moreover, having special reference to the Mormons residing in Utah and their peculiar bellef. It was provided their peculiar bellef. It was provided in the act of Congress, passed July 16. 1894, that the people of Utah should provide in their Constitution by ordinance irrevocable without the sent of the United States and the people of said states-"1. That perfect toleration of rell-

that no finabilitation of refi-shall be secured, and that no finabilitant of said state shall ever be molested in person or protectly on account of his or her mode of religious worship. Provided, that polygamous or plural marriages are forever prohibited,"

Wherever One State Contributes porting, educating, and caring for them; but if the father was thus to Enough for Building State Name live with, support, educate, and care for the children, it seemed harsh and Will be Given. unreasonable to exclude from this relationship the methers of the child-

A matter of considerable importance. will be brought to the attention of the of for the lack of a public sentiment to uphoid successful prosecution for polygamous constitution after 1890. It city board of education at its special meeting tonight when some action will is unnecessary to recite others, for it is enough to ray that whatever the real reason or explanation may be, the fact was that after 1890 it became probably be taken towards giving ain to San Francisco in rebuilding its school houses destroyed in the recent disaspractically impossible to enforce the ter. Ulty Supt of Schools Christenson law against these offenses, except in has received a communication from lingrant cases. Supt. Alfred Rencovier) of San Francisco in which it is stated that contributions have been received from many cities throughout the country and, as Forn was the situation when the territory applied for admission to the Union and Congress passed the en-abling act of July 18, 1884, by which the people of Utah, in order to entitle them to admission into the Union, on the finances of that elty will be such that the schools can probably hot be rebuilt for several years, it was sidered advisable to a cept aid from terms prescribed by Congress, were

the outside. The letter states that 34 school buildngs were destroyed at a loss of \$6,000 .-000, and the contributions received have been from the school children and teachers. All money received from searce will be placed in a special bala ing fund and it is the intention the where any one state sends sufficient poncy to rebuild one building sus building shall be named after that state. It is quite likely that the board state. It is quite likely that the board of education will tonight decide to ask the school people and children for do-nations for that purpose.

At the meeting tonight the board will also consider the report of the committee which examined applicants for cer-tificates to teach in the city schools. Sixteen teachers took the examinations and of that number only five passed while 11 failed. Of those who passed four will receive primary certificates and one a grammar grade certificate. Four of the certificates will be renew-able and one not renewable.

the few instances established by the testimony where plaral marriages and polygamous cohabitation, as a result of them, have occurred since 1890 they have been without any encouragement, countenance, or approval whatever on his part.

reme court of Utah, a non-"Mormon and an uncompromising opponent of polygnmy, who has held many import-As to polygamous cohabitation in

That Was His Comment. Declaring They Are Entirely Superficial.

To British Reporter He Said: Americans Wash Dirty Linen in Public; Englishmen do it in Private.

New York, June 11 .- Bishop and Mrs Henry C. Potter arrived yesterday of the White Star liner Celtic, after a trip Such was the situation when the to Great Britain and the continent. Or the way up from the quarantine the bishop talked of his experiences while abroad. Referring to the relationship between Great Britsin and the United States, he declared that there was no love lost between the two countries. This remark came when he was asked whether the beef disclosures had reached Great Britain before he left there He replied that they had, and with much amusement told of his meeting with reporters there.

"Representatives of the press met me when I arrived in England," he said, "and asked me if I would give them my impression of the tosurance scandal. I replied that I would, if they would print it. They agreed to do this, and I said: The insurance scandal amounts to this: In the United States we wash our dirty linen in public, but in great Britain they do it privately. I looked carefully in the papers, but could not find my statement

Bishop Potter was then asked if he thought the friendly relations existing between the two countries were super-

position, among non-"Mormons' as well as "Mormous." JUDGE M'CARTHY'S TESTIMONY Indee William William Article Strategy and Strategy and

Is it true that in Great Britain they think the Americans are grafters?" was asked.

"The more acute thinkers," he re-plied. "do not think we are grafters that we are easily tempted by gain." Whiting Egypt, the bishop said, he went up the Nile to the first cutaract, and in describing the change that had come over the country in the 20 years since his last visit quoted Lord Cro-"You can change the face of the label by canals, railroads and irrigation, and your can lift the physical condition of the people by introducing a better government and good hospitals, but you cannot change the mind of the oriental in a quarter of a Century The bishop added: "This is a fact which we must rec-omize in all our dealings with the oriental" While abroad. Dr. Potter, as bishop of the American Episcopal churches in Europe, visited many American Episcopal churches in Florence, Milan, Mutich, Dresden, Geneva, and Paris. He spent the winetr in Easist. In the three weeks which he spent in England he said, he made some interesting discoveries concern-ing the ancestry of Gen. Washington and Laurence Weshirgton. He said the Washington yeat-of-arms was not stolen from a manor house at Sel-grave. Northampton, but was taken from an entablature in a church in Wilkeshire, sold to an American and taken to Southampton,

te a two-thirds vote expelling him.

# BURROW'S REPORT.

The reasons for the action of the senate committee on privileges and elections in declaring, by a majority vote, that Reed Smoot is not entitled to a seat in the senate as senator from Utsh, are stated in a report submitted to the senate today by Chairman Burrows and signed by Senators Burrows. Dolliver, Dubois, Pettus, Bailey, Overman and Frazier, to be as follows:

# MAIN CHARGE.

That Mr. Smoot is one of a self-perpetuating body of men, known as the First Presidency and Twelve Apostles of the Church of Jesus Christ of Latterday Saints, commonly known as the Mormon Church; that these men claim divine authority to control the mem-bers of said Church in all things, temporal as well as spiritual; that this authority is, and has been for several Pears past, exercised by the said First Presidency and Twelve Apostles as to encourage the practice of polygamy and polygamous conabitation in the state of Utah and elsewhere, contrary to the constitution to the constitution and laws of the State of Utah and the law of the land; that the said First Presidency and Twelve Apostles do now control, and for a long time past have controlled, the political affairs of the State of Utah, and have thus brought about in said state a union of church and state. to the constitution of said state of Utah and contrary to the Conof the United States and the aid Reed Smoot comes here, not as accredited representative of the tate of Utah, in the senate of the inited States, but as the choice the hierarchy which Church and has usurped the functions of the state in said State of Utah."

CLAIM POLYGAMY ENCOURAGED.

The report mays it is shown beyond feasonable doubt that the authority of the First Presidency and Twelve Aposis so exercised over the members of the "Mormon" Church as to inculcate a bellef in the divine origin of polygamy and polygamous cohabita-Quotations from the Book of and other publications are clied to prove the alleged "Mormon" at the revelation on the subof polygamy is of higher authorty than the manifesto forbidding the

"It is very evident," the report says, that if polygamy were discounten-Ty soon be a thing of the past ng the members of the Church. On contrary, it appears that since the laston of Utah into the Union as a state the authorities of the Mormon Church have countenanced and encouraged the commission of the crime " polygamy instead of preventing it, as they could easily have done."

# ALLEGED INSTANCES CITED.

A sufficient number of specific instances of the taking of plural wives burch since the manifesto of 1890 have been shown by the testimony, says the "to demonstrate that aders, the First Presidency and the These e Apostles, connive at the practise of taking plural wives and have done so ever since the manifesto was issued, which purported to put an end to the practise

It has been shown by the testimony, to clearly as to leave no doubt of the fact, that as late as 1896 one Lilifian talin became the plural wife of Abreham H. Cannon, who was then an Apostle of the Mormon Church, George Teasdale, another Apostle of the Mortion Church, contracted a plural marliage with Marion Scholes since the manifest of 1890. It is also in evidence

way. He will arrive in England early in July and will then visit France, Italy and Switzerland. He expects to sail on the steamship Princess Irene from Gitor" of the "Mormon" Church. LIST OF ALLEGED POLYGAMISTS. oralitar on Aug. 20 and to arrive in New "The list also includes George Teas-York on Aug. 29. dale, an Apostle; John W. Taylor, an Apostle; John Henry Smith, an Apos-tle; Merriner W. Merrill, an Apostle;

them by his silence. The report continues: NOT ENTITLED TO SEAT.

"In the judgment of the committee Mr. Smoot is no more entitled to a seat In the senate than he would be if he were associated in polygamous cohabltation with a plurality of wives." The report discusses the political domination of the First Presidency and Twelve Apostles of the Church, which is described as most injurious to the interests of the state.

ELECTION, HOW OBTAINED.

gus M. Cannon, a Patriarch of the "Mormon" Church; a man named Greenwald, who is at the head of a "Not only is Mr. Smoot one of those by and through whom the political af-fairs of Utah are dominated," says the Church school; George Reynolds, one of the presidents of the Seventies and first report, "but his election to the senate was, it is believed, the result of such assistant superintendent of Sunday schools of the world; George Brimhall, domination. When Mr. Smoot concluded president of Brigham Young university. to become a candidate for the senate ha and Joseph Hickman, teacher in Brigwas careful to obtain the 'consent of the First Presidency and Twelve Apos-"The officials named were appointed, either directly or indirectly, by the First tles to his candidacy." But this so-called 'consent' of the rulers of the Presidency and Tweive Apostles; and in the case of J. M. Tanuer, his ap-pointment to his present office was made after he had been compelled to Church was naturally regarded by the people of Utah, who were famillar with the ways of the "Mormon" High Prissthood, as being under the circumstances equivalent to an endorsement, and agricultural college because of the fact that he was a polygamist. made it impossible for any one else to become an aspirant for the same posi-"These facts abundantly justify the assertion made in the protect that 'the

# tion with any hope of success.

ALLEGED OATHS.

The final chapter of the report just preceding the conclusions of the committee quoted at the beginning of this abstract is devoted to the oath of venof, but protect and honor these viola-tors of the laws against polygamy and geance, administered to those who go polygamous cohabitation."" Another chapter is devoted to the through the ceremony known as "Tak-ing the endowments." The committee manifesto and the statement of one says it was proven that an oath was administered expressed substantially in

is only a trick to beat the devil at his his form: You and each of you do covenant and promise that you will pray and never cease to pray Almighty God to

The majority report characterizes as evenge the blood of the prophets upon this nation, and that you will teach "wholly untenable" the position that because Smoot himself does not procthe same to your children and to your children's children unto the third and fourth generations." tise polygamy, and there is no evide show that he has personally and into show that he has personally and in-dividually encouraged the practise in others, he ought not to be condenned because of the acts of his associates. It is charged "that Smoot is an insepar-able part of the governing body of the "Mormon" ("burch, and those who com-pose that organization form a unit, an "There can be no question," dares the committee, "in regard taking the eath of vengeance by Mr. Smool. He testified that he went through the ceremony of taking the endowments in the year 1880 and the head of the 'Mormon' Church stated in his testimony that the ceremony is now the same that it has always been. entirety, and whatever is done by that organization is the act of each and every member thereof, and whatever policy is adopted and pursued by the body which controls the "Mormon" Church Mr. Smoot must be held to be

"An obligation of the nature of the before mentioned would seem to be wholly incompatible with the duty which Mr. Smoot as a member of the United States senate would ows to the nation. It is difficult to conceive how

de-

The report declares that Smoot knew the polygamous practises of President Smith and other Church efficials he has

In consequence there was embodied n the constitution of the State of Utah a compliance with this requirement, and thereupon the territory was duly admitted as a state of the Union Accordingly, members of the Mormon Church, open and avowed believers in

its doctrines and teachings, have been admitted without question to both houses of Congress as representatives of the state.

. GROUNDS OF CONTEST. There remain but two grounds on which the right or title of Reed Smoot to his sent in the senate is contested They are: 1. That he is shown to have taken

what is spoken of in the record as the "endowment oath." by which he obligated himself to make his allegiance to the Church paramount of his allegi-ance to the United States; and

That by reason of his official relation to the Church, as one of its Aposties, he is responsible for polygamous cohabitation which yet continues among the "Mormons," notwithstanding it is prohibited by law. As to the "endowment oath," it is

sufficient in this summary to say that the testimony is collated and analyzed in the annexed statement, and thereby shown to be ilmited in amount, vague and indefinite in character, and utterly unreliable, because of the dis-reputable and untrustworthy character of the witnesses,

## UNRELIABLE WITNESSES.

There were but seven witnesses who made any pretense of testifying about any such obligation. One of these was shown by the testimony of two uncon-tradicted witnesses to be mentally unsound. Another, to have committed perjury in the testimony given before the committee on another point. The third was shown by the uncontradicted testimony of a number of witnesses to have a bad reputation for truth and veracity, and to be thoroughly unreliable. A fourth admitted that he had been for years intemperate, and was shown by indisputable to have lost his p testimony his position that account, and thereupon and for that reason to have withdrawn from the Church and to have assumed such a hostile and revengeful attitude as entirely discredit him as a reliable witness. The other three witnesses were so indefinite as to their statements that their testimony amounted at most to nothing more than an attempt to state an imperfect and confessedly un-certain recollection.

### CONTRADICTED BY SENATOR.

All that it is stigmpted to show as to the character of this oath is posi-tively contradicted by Reed Smoot and a great number of witnesses, whose tauding and character and whose reputation for truth and veracity are un-questioned, except only in so far as their cerdibility may be affected by the fact that they are or have been members of the "Mormon" Church. Upon this state of evidence we are of online that he grand has been as

of opinion that no ground has been es-tablished on which to predicate a find-ing or belief that Mr. Smoot ever toak any obligation involving hostility to the United States, or requiring bin to regard his allegiance to the "Mormon" Chard his allegiance to the "Mormon" Church as paramount to his allegiand and duty to the United States.

### HIS RESPONSIBILITY.

The only remaining " question whether or not by virtue of his official relation to the Church as one of its Apostles he has any responsibility for the continuation of polygamous cohap-itation by members of that Church. The testimony on this point is also

carefully collated and analyzed in the annexed statement.

it will be found by an examination of that lestimony that he has never at any time, and particularly he has not since the manifesto of 1890, countenanced (d encouraged plural marriages; but that on the contrary he has uniformly up-Than ites of 1890. It is also in evidence that Waiter Steed, a prominent Mor-far the manifest of 1890. Charles a ter the manifest of 1890. Charles a Merrill, a Bishop of the Mormon Church, took a plural wife in 1991, more tes, but on the contrary has sustained by the calling down the vengeance of the vengeance of the situation has had a con-trolling influence upon public sentiment trolling influence u

psequence of ered into before the manifesto of 1890. there is no testimony to show that he has ever done more than sliently acquiesce in this offense against law. In view of his important and influential position in the Church, this acquies-conce might be regarded as inexcusable if it were not for the pecultar elecum stances attending the commission of this offense.

#### SOME HISTORY RECALLED.

To understand these circumstances it is necessary to recall some historical facts, among which are some that indi-cate that the United States government is not free from responsibility for these violations of the law. Instead of discountenancing and prohibiting polygamy when it was first proclaimed and practised the Congress remained stient and did pothing in that behalf. While Congress was thus at least man-ifesting indifference, President Fulmore and the senate of the United States, September, 1850, gave both recognition and encouragement by the appointment and confirmation of Brigham Young, the then head of the Church, and an open and avowed advocate and repre-sentative of polygamy, to be governor of the Territory of Utah. When his term of office expired under this au-pointment he was reappointed by Presdent Pierce and again confirmed by the senate.

## FIRST ANTI-POLYGAMY ACT

There was no legislation or action of any kind by Congress on this subject until the act of July 1, 1862, which was in language, as well as legal effect, nothing more than a prohibition of rug-amy in the ter itories and other places amy in isdiction.

After this act, for a period of 20 years, plural marriages and polygain-ous cohabitation continued in the Territory of Utah practically unrestrained and without any serious effort on the part of the United States to restrict the Bame,

## LAW OF 1882.

Finally, in response to an arouged public sentiment, Congress passed the act of March 22, 1882, by which is prohibited both plural marriages and polygamous cohabitation, but legitimized the children of all such marriages bern prior to the first day of January, 1853. Under this act prosecutions were fa-sugarated to enforce its provisions, but It was soon demonstrated that public sontiment was such that only partial and very unsatisfactory success could be secured.

#### EDMUNDS-TUCKER ACT.

Then followed what is known as the Edmunde-Tucktr act of March 2, 1887, by which, among other things, the rules if evidence were so changed as to make it less difficult to secure evidence in prosecutions for polysamy and poly-gamous cohebitation. Again, by the terms of this set, all the delideen born within 12 months after its passage were legitimized.

#### THE MANIFESTO.

This statute was uplield by the su-preme court of the United States, and efforts to prosecute such offenses were redoubled with such success that on the 26th day of September, 1890, the then president of the Church, Wilford Woodruff, issued what is known as the manifesto of 1890, forbidding further plural marriages. So far as the tes-timony discloses there have been but few plutal marriages since, perhaps not more than the bigamous marriages during the same period among the non "Mormons."

### NUMBER OF POLYGAMISTS.

The evidence shout 2,400 polygamous families in the Territory of Utah. This number was reduced to 560 and some odd families in 1965. A few of these tradition from a speech by Sonator Dubals, reported in the Congressional Record of Feb. 5, 1965, page 1729 et seq. is to the number was reduced to 500 and some odd families in 1965. A few of these families may have removed out of the State of Utah, but so far as the textmony discloses the great reduction 11 number has been on account of the

and offices of trust, among others that of assistant United States attorney for Utah, and who, as such, was charged with the duty of prosecuting these offenses, testified as follows:

Such are some of the reasons assign-

PROHIBITION OF POLYGAMT.

required to incorporate in their con-stitution a proviso that "polygamy or

plural marriages are forever prohibit-ed;" not polygamous cohabitation, it

will be observed, but only polygamous marriages. The testimony shows that

there was a common understanding both in Congress and Utah that there

were not only to be no more plural marringes, but that prosecutions for polygamous cohabitation had become

the only certain solution of the per-

This soutiment has not only ever since continued, but with the constant

diminution of the number of polyga-

nous families and the rapid approach

of the time whom all will have passed

away, there has nome a natural strengthening of the southment. The

testimony in this respect is set forth at length in the superved statement, but

we make the following quotations in order that it may appear in this sum-

Judge William McCarthy of the su-

plexing problem.

difficult that there was a practical spendion of them, and that time was

"I prosecuted them, (offenses polygamous cohabitation) before the United States commissioners up until 1893, when the United States at-torney refused to allow my accounts for services for that kind of work, and then I quit and confined my investigations before the grand jury in those

CREES In explanation of his action he restified-we quote from the annexed .

That he found the press was against the prosecutions; that the public proscutor, whose attention he invited to he matter, refused to proceed. From this and other facts which came to his knowledge, Judge McCarthy reach. timent was against interfering with men in their polygamous relations, who had married before the manifes-

E. B. CRITCHLOW'S TESTIMONY. E. B. Critchlow, a non-'Mormon" attorney at law of Salt Lake City, one of the principal managers of this proceeding against Mr. Smoot, who gave the case his personal attention, at-tending most of the meetings of com-mittee, testified before the committee, again quoting from annexed ment

"That after the manifesto of 1890 there was no inclination on the part of the prosocuting officer to "push these matters as to present cohabita-tion' thinking it was a matter that tion' would immediately die out; that was well known that Aposile Jo over which the United States had juf- Henry Smith was living in unlawful isdiction. erally made no objection to H; that they were disposed 'to let things ago,' and that was the general feeling from

the time of the manifesto in 1890 'down to very recent times-pretty nearly up to date, or practically up to date."

cause they, the non-"Mormons," felt satisfied that there would be no more plural marriages; that the thing would work itself out to the future, and that where the polygamists had their wives in separate houses and simply kept up the old relations without the offensive flaunting of them before the public. it had been practically passed over,

HON., O. W POWERS.

Orlando W. Powers, Esq., a leading lawyer of Utah, who was associate jus-tice of the supreme court of the terri-tery, and who showed by his testi-mony much hostility to the "Mermon" Church, testified that there was th church, testined that there was this general feeling after the manifesta nat-to interfere with these whose mar-ringes were prior thereto. He then added. "There is a question for states-men to solve. We have not known what was best to do. It has been dis-

cussed and people would say that such and such a man ought to be pros-

anything would be gained; whether we would not delay instead of hasten-ing the time that we hope to live to see: whether the institution would not fourish by reason of what they would torus persecution. And so, note ith-manding a protest has been sent down here to you. I will say to you, the people have acquiesced in the condition that exists."

He explained that by "the people" The evidence shows that there were he meant the Genilles.

same general effect.

DUBOIS QUOTED.

"Mr. Dubols. \* \* \* Various

"It has been recovered," he added, and I am now having it mounted in ie wall of Garssion church," When asked about his remark at

the London Pilgrims' club that the American Eagle had it's tail between legs in the stream of Cairo, Bishop Potter said.

I had reference to the advertising of certain specifics in Cairo in which the American fing was used."

# PRESIDENT ENDORSES GOV. GUILD'S COURSE IN CASE.

International Academic State

Mr. Critchlow further testified that the non-"Mormons" were disposed to public today a telegram received by Boston, June 11 -- Gev. Guild made overlook the continuous polygamous cohabitation of those who had taken plural wives before the manifesto, hehe had been requested to interfere with the execution of Charles L. Packer, de-clares that in his judgment Gov. Guild's decision not to interfere with the entrying out of the sentence on Tucker seemed is him entirely sound and commended his hearty sympathy Tacker is under sentence of death this week, probably ionight, for the murder of Makel Page at Weston, March 11, 1984 Fresident Roosevelt's

telegram follows: "The White House, Washington, June 10, 1986. "Gov. Curtis Guild, Boston, Mass,

"Have been requested on behalf of certain parties in Boston to interfere with the execution of Tucker, it being slieged that it is my duty so to do in-assnuch as 1 have the power under the federal laws

"No showing has been made to mu that I have such power but without regard to this I desire to state to you nat in my judgment your decision por the interfere with the corrying out of to interfere wint the corrying out of the sentence of Theker seems to me coticely sound and continueds my hearty sympathy. It seems particu-larly a case in which there should be no interference with the carrying out of the sentence

"THEODORE ROOSEVELT."

Tucker' nyoke in the cell as the Charlesten prison today with a realiza-tion that his last day on earth had ar-rived. He continued to demonstrate his remarkable serve and informed the death waten that he had enjoyed a good diships store.

a good alght's steep. After heraktast the prisoner began preparations to receive the sacrament of baptism. It was for the purpose of administering this rite that Tucker's spiritual adviser, fire, Thomas W. Bishop secured a postponement of the death sentence. Tucker having con-