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DESERET EVENING NEWS.

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10 PAGES—LAST EDITION MONDAY, MARCH 7, 1904. SALT LAKE CITY, UTAH. FIFTY-FOURTH YEAR.

Prest. Jos. F. Smith Tells OF THE Government Of The Church.

SENATOR SMOOT IS MENTIONED.

It Develops That he Never Discussed Prest. Smith's Family Affairs With Him.

MR DUBOIS VERY ANXIOUS.

He Wants to Make It Appear That The Percentage of Polygamists Is Very Large.

POWER OF THE FIRST PRESIDENCY

The Weller Case Cited to Show That It Is Not Nearly So Great or Extensive as Claimed.

(Special to the "News.")

Washington, D. C., March 7.—The second week of the Smoot hearing began this morning with the usual double row of curious sensation seekers lined up on the north side wall. There were not quite as many ribbons, feathers and military confections on exhibition, owing to the fact that the morning opened with drizzling rain, which by 10 o'clock had developed into a steady downpour. The humidity of the atmosphere was perhaps responsible for the lateness of the committee in getting together as it was nearly 11 o'clock before Chairman Burrows called the committee to order. But the rain did not interfere with the crowds. The Capitol guides have added the committee room to the list of attractions which they have for sight-seers. In fact it seems to be the first in the list to present to visitors. In the corridor at 10:30 o'clock there were by actual count 55 men and women under the pilage of Capitol guides, craning their necks in a vain attempt to see the principal witnesses who were gathered around counsel.

Among the visitors were no less than three bridal couples. Wedged firmly against the jamb of the door was a negro at least six feet tall, who was the first colored man who has yet succeeded in getting his head inside the door. The atmosphere of the room itself was like that of the Black Hole of Calcutta. The "entailment" is atrocious, and still the women seemed less worried by the bad air than any of the men gathered inside.

The absentees this morning were Senators Hoar, Dewey, Beveridge, McComas, Clark and Bailey. The only senator present not a member of this committee was Millard of Nebraska. The house was represented by Congressman Howell, who is constant in his attendance upon all sessions.

CARLISLE ABSENT.

Ex-Senator Carlisle was again conspicuous by his absence. He met Mr. Taylor early in the morning at the hotel and had quite a long chat with him, but he did not come to the Capitol.

The morning session, which lasted less than an hour, was the dulliest yet. There were no "incidents" whatever which could be construed as sensational.

President Smith took the witness chair immediately after the committee was called to order and within six feet of him an artist took up a position and made a rapid sketch of the head of the church as he sat leaning forward that he might more easily understand the purport of the questions propounded.

Before Mr. Worthington could put the first question Mr. Dubois asked permission to submit some figures from the census of 1890 relative to the number of "Mormons" living in polygamy at that time. He reiterated his former statement as to the percentage and gave it as his opinion that there has been no material reduction in the number up to the present time.

METHODS OF GOVERNMENT.

The questions of Mr. Worthington in the way of cross-examination were directed with the idea of securing the insertion in the record of more detailed accounts of the methods of government of the church, and in particular to show that the apostles act as did the apostles of old in the promulgation of the doctrine of the church and not in any manner as a governing body. Well, Mr. Burrows, and Banpete cases were referred to as showing that conferences of wards and stakes control the selection of bishops. It was also brought out that at the semi-annual and annual conferences of the church the people decide whether or not the First Presidency and Apostles shall be sustained, showing that it is within the power of the people to depose the entire governing body and appoint advisers. Mr. Smoot's connection with the affairs of his associates was referred to when the statement was made that he never at any time discussed the family affairs of the president with Mr. Smith.

PREST. SMITH ON STAND.

He Testifies Regarding the Organization of the Church. [By the Associated Press.] Washington, March 7.—With Pres-

dent Joseph F. Smith of the "Mormon" Church, again on the stand for the defense, the second week of the investigation of the Smoot case opened today before the senate committee on privileges and elections. Senator Dubois put into the record the census figures for Utah taken in 1890, to show that instead of only three or four per cent in polygamy as Mr. Smith had said in reply there were about 24 per cent of the "Mormon" population of an age enabling them to be polygamists who were in that State in 1890. Senator Dubois gave it as his opinion that there has been no material reduction in the number of polygamists since 1890.

Mr. Worthington conducted an examination of Mr. Smith to ascertain the progress undergone in cases of excommunication. The witness explained the manner in which the church is divided into divisions of wards and stakes and the machinery of the organization through which charges against any person have to be brought and passed upon. He said the Apostles have nothing to do with the judicial affairs of the church. They preach the Gospel and send missionaries to other fields.

The full effort by President Brigham Young in 1875 to have Bishop Jacob Weller, removed from the leadership of a ward was related by Mr. Smith to show that the presidency does not exercise power over the wishes of the people and that the members of the church by the freedom of their vote in reality form the power of government. Several other like instances were related for the same general purposes.

REVELATION OF JAN. 19, 1841.

Mr. Worthington read the revelation by Joseph Smith, Jr., Jan. 19, 1841, naming Brigham Young as president, and all the members of the High Council and the Apostles. In this revelation was a command to accept the nominations or to reject them in general conference. Mr. Smith declared that even in the original revelation naming the successor to the first president it was in the power of the members to accept or reject. Mr. Smith in reply to an inquiry said that the revelation became an apostle April 9.

"Right here let me ask you when your last child was born," asked Mr. Worthington.

"I don't know whether that has any bearing on the case," said Mr. Smith, "but I believe it was on the day Mr. Smoot became an apostle."

"Then there has been none since," said Mr. Worthington.

"No, sir."

"Then, so far as you and Mr. Smoot were concerned, you were in harmony?" remarked Mr. Burrows.

DIDN'T DISCUSS POLYGAMY.

Mr. Worthington inquired whether at any of the joint meetings of the first presidency and the Apostles, the question of polygamous cohabitation had been discussed. Mr. Smith said it had been discussed. Mr. Smoot said it had been discussed in either advisory talk or in regard to the taking of the action to prevent the practice. He declared that when Mr. Smoot became an apostle, the status of most of the polygamists had been fixed, many years before.

EDMUNDS LAW CONVICTIONS.

In returning to convictions, Mr. Smith said there had been none since the manifesto of 1890, that all of the convictions under the Edmunds law were while Utah was a territory. Senator Dubois referred to Mr. Worthington as counsel for Mr. Smith.

"I protest," said Mr. Worthington, "an attorney for the witness."

"If I were the examination would have been far different."

A list of the first judges elected since Utah was a state showed that the judges were chosen without exception, and that all of them had formerly sent "Mormons" to prison for polygamous cohabitation. The purpose of this was to deny the inference that the "Mormon" church dominates the courts.

Mr. Worthington read the list of senators and representatives elected from Utah since the manifesto of 1890 to show the percentage of "Mormons" to the total.

A JOSEPHITE PROTEST.

It Denies That Joseph Smith Jr. Received Revelation on Polygamy Washington, March 7.—Chairman Burrows, of the senate committee on privileges and elections, has received from E. F. Shupe, president, and A. E. Tabor, secretary of the Eastern Colorado conference, Re-organized Church of Jesus Christ of Latter-day Saints, a telegram denying the testimony of Joseph F. Smith, president of the "Mormon" church, that Joseph Smith Jr. was the originator of the doctrine of polygamy. Chairman Burrows has caused subpoenas to be issued for Messrs. Shupe and Tabor. The telegram to Senator Burrows declares as untrue the statement of President Smith that revelations commanding polygamy were first given to Joseph Smith Jr. It asserts that Brigham Young alone is responsible for that "pernicious doctrine," and that the polygamy religion was introduced first by Brigham Young in 1832, nearly nine years after the death of Joseph Smith, who never had but one wife.

The telegram continues: "Statements to the contrary are false. Ask Smith to show any children from any of the alleged plural wives of the first Joseph Smith. The courts have decreed that the Utah 'Mormon' church is not like the church organized by Joseph Smith and that the first 'Mormon' church's successor is the Re-organized Latter-day Saints, headquartered at Lamoni, Iowa, consisting of a thousand honorable members who do not believe in, nor practice polygamy. The 'Mormon' covenants were changed in 1836, and what purported to be the polygamy revelation was inserted. The original book does not contain such a doctrine. If you will examine section 42, Book of Mormon, page 116, you will find it condemns polygamy in the strongest terms."

UNITED MINE WORKERS.

Question of Accepting Offered Wage Rate Left to Locals.

Indianapolis, Ind., March 7.—The United Mine workers in national convention today voted to refer the final decision as to accepting the wage scale offer of the operators to the locals.

The vote of the locals will be cast on

The Russian Vladivostok Squadron.

Believed to Be in Vicinity of the Mouth of the Tumen River, Covering Movement of Troops—Earlier Movement of Russians into Northeastern Korea, Proves to Have Been Much More Than a Diversion—All Quiet at Vladivostok.

Tokio, March 7.—It is believed that the Russian Vladivostok squadron is now in the vicinity of the mouth of the Tumen river, engaged in covering the movement of troops from Possiet bay to the valley of Tumen.

Russian scouts are reliably reported to have penetrated south as far as Kiuang Sung. The earlier Russian movement into northeastern Korea was regarded as a diversion, but it now appears that a considerable force participated. It is thought that the Russians may occupy and fortify some strong position on the Tumen river.

Reports regarding Russian movements in northwestern Korea are meager and unreliable.

The force north of the Yalu is being increased, but it is doubted if any considerable number of Russians have crossed that river.

Vladivostok, March 7.—Last night passed quietly. The inhabitants and troops are in unusually high spirits. A strict search is being made throughout the town for Japanese.

Tokio, March 7.—The Japanese cabinet will meet tomorrow to finally consider the program of financial legislation made necessary by the war which is to be submitted to the special session of the diet. It is understood that it has been decided not to introduce legislation affecting the tobacco monopoly.

Seoul, [Monday], March 7.—The Russian soldiers operating in the vicinity of Anju are committing all manner of excesses, maltreating the native women and perpetrating robbery upon every opportunity. Korean soldiers attacked a body of the invaders on Friday last, the 4th instant, and succeeded in killing thirty of them. It is reported that as the result of a collision between Russians and Korean soldiers at Kang Ge the Russians were driven beyond the Yalu river.

BOMBARDMENT FOR POLITICAL EFFECT.

Such is Russia's Interpretation of That of Vladivostok on Sunday.

MAY HAVE COVERED A MOVE.

No Change in Port Arthur Situation—Police Offer Rewards for Apprehension of Japanese.

St. Petersburg, March 7.—Although the prevailing opinion in military circles continues to be that the bombardment of Vladivostok Sunday was for the purpose of locating the guns of the batteries and to ascertain whether the Russian squadron was in port, some shrewd observers believe it indicates a move by land and sea against the city.

The Novoe Vremya advances the theory "that the bombardment was ordered for political effect on the Japanese diet."

It is considered especially unfortunate that the Japanese did not go close enough to Vladivostok to establish the identity of their ships, leaving the question whether they were a division of the Port Arthur fleet in doubt. It is not believed, however, the Japanese would dare to divide the latter, which would involve the risk of a sortie by the Russians and their playing havoc with the Japanese fleet. The Japanese fleet has not been sighted from Port Arthur for over a week and possibly is trying to lure the Russians out, side.

QUICK AT PORT ARTHUR.

Port Arthur, March 7.—There is no change in the situation here. The day is fine.

The police have posted placards on the walls offering a reward for information as to the whereabouts of the Japanese and threatening trial by court martial to any person found guilty of concealing them.

Outside of killing a woman and wounding a few men yesterday's bombardment of Vladivostok by the Japanese fleet did no material damage. The wooden cottage of an artisan was the only building wholly destroyed. It was pierced by a shell from a 12-inch gun, which after traversing the roof and wall fell in the yard, killing the woman previously referred to.

In the quarter of the city called the "dirt corner," a shell fell on the house of Col. Shukoff without exploding. It traversed a bedroom, destroying a stove, and penetrating the wall. It finally burst near the regimental safe, which was standing in the court yard. A sentry guarding the safe was covered with mud but was not injured. Evidently fearing an outbreak of fire, the sentry shouted: "Help! Save the regimental colors," which were in the house. These ultimately were brought out by the colonel's wife and the soldiers.

Five sailors were slightly wounded by the explosion of a shell in the court yard of the Siberian naval barracks. Outside of the casualties no one was killed or injured and there was no outbreak of fire anywhere in the city.

The fact that the Russian batteries did not reply to the Japanese bombardment was due partially to the slight chance of hitting the enemy's warships at such a long range and partially to

found on the Auditorium stage, and this has given rise to the suspicion that both theaters were set on fire by an incendiary. In response to a request from the local fire department aid was sent from the Elmina state reformatory, Elmina Heights and Horseheads, and at daylight the fire was under control. D. C. Robinson, owner of the Lyceum theater, is the heaviest loser, his damage being estimated at \$50,000. The theater was insured for \$25,000.

Steamer Sunk in Collision.

Baltimore, Md., March 7.—In a collision today off Fort McHenry, between the Norwegian ship Siberia, Capt. Jacobsen, from Baracoa, with a cargo of bananas, and the Norwegian steamship Slunga, Dunlop, Capt. Newman, from Banas, the former was sunk. The latter was damaged and returned to port.

British Trade Returns.

London, March 7.—The board of trade returns for the month of February show that imports increased \$17,749,599, and the exports increased \$5,587,000. The increase in imports includes foodstuffs to the value of \$8,343,180 and cotton to the amount of \$3,429,435. Among the exports the only notable increase was cotton fabrics \$4,251,585.

Berlin Bankers Fail.

Berlin, March 7.—The failure of Bode & Co., a banking house of minor importance, was announced today. The firm was established in 1878. The difficulties of the concern are attributed to the embezzlement and speculations of a clerk who has absconded.

Gold for South America.

New York, March 7.—Gold to the amount of \$1,250,000 will be taken from the sub-treasury today for shipment to South America. Export engagements to that country already aggregate \$1,750,000.

SEEKS PASTURES NEW.

Murray Hotel Keeper Leaves a Number Of Unpaid Bills Behind.

The sudden disappearance of Mrs. Klensch, proprietress of the Loomis hotel, Murray, is the cause of much concern among a number of merchants of that town. Mrs. Klensch and husband left the old home for pastures new about two weeks ago, and nothing has been heard of them since. The couple had a pretty stormy time of it while they tarried in that burg, fighting like cat and dog on different occasions. They came here from Colorado Springs, where the woman claims to have considerable property. She is about 35 years of age and red haired, and on this clue the officers are working to secure her apprehension, and incidentally the settlement of old accounts.

DEATH OF GEO. WALTON.

Pioneer Resident of Mill Creek a Victim of Appendicitis.

George Walton, an old-time resident of Mill Creek, died at his home on Fourteenth South and West Temple streets, on Saturday, March 5, of appendicitis. Mr. Walton had been ill for about five days but his condition was not considered critical until a short time before his death.

The deceased was born in Whitton, Herefordshire, Eng., Feb. 1832, and came to Utah in 1853, settling in Mill Creek, where he has resided ever since. He was a faithful Latter-day Saint, a devoted husband and father and a good citizen, and his death is a distinct loss to the community. He leaves a wife and 15 children.

The funeral will be held from the Mill Creek ward meetinghouse tomorrow, Tuesday, at 11 a. m. Friends are invited.

POSTMASTERS APPOINTED.

(Special to the "News.") Washington, D. C., March 7.—Postmasters appointed, Utah—Gibson, Tooele county, George N. Hunch, vice R. E. McQuerry, resigned. Idaho—Basalt, Blingham county, Emma Firth, vice Marion Korr, resigned.

WAS WITH "BLUEBEARD."

Stage Director of "The Silver Slipper" Tells of Chicago Horror.

W. T. Carleton, stage director of "The Silver Slipper" company, held a corresponding position with "Mr. Bluebeard" at the time of the Iroquois horror in Chicago, and was one who narrowly escaped with his life.

The recollection of the event is anything but pleasant to Mr. Carleton, and he has concealed the fact of his connection with the "Bluebeard" show; so effectively, in fact, that until now no newspaper on the "Slipper's" route seems to have learned it.

The information got out in a peculiar way last Saturday and Mr. Carleton was accused for an interview.

"Interview be—," he exclaimed, "I am so sick and tired of that subject that I almost wished I had never got out of the theater."

Mr. Carleton did finally answer a few questions, however. He was standing out in front, watching the show—frequently a custom of stage managers during matinees. He had just put two new people into the "Pole Moonlight" specialty and had gone to the auditorium on this occasion to watch their work. Suddenly he noticed the oft-mentioned "fringe of flame" and the next thing he realized was an attempt to lower the asbestos curtain. He started back on the stage, making his way as swiftly as possible through the dark, and then he saw the curtain stop half-way up.

"It seemed that before I took another step the audience was in pandemonium," said Mr. Carleton. "I was in a perfect panic. I was caught in it, unable to reach the stage. I was half-shoved, half-pulled and half-thrown out through one of the exits, but luckily was not severely hurt. I gathered my senses and rushed around to the stage entrance after that, and did what I could to help out. That is all. It is all I remember—more than I care to remember."

Mr. Carleton, although his initials are identical, is not related to Will Carleton, the once famous baritone.

ROSE SMILES AT DEATH PENALTY.

With an Air of Unconcern he Says "All Right I'll Take the Shot."

TO BE EXECUTED APRIL 22.

Sentence Will be Carried Out Within The Exterior Walls of the State Prison on That Date.

AN APPEAL IS NOT PROBABLE.

Prisoner Writes a Letter to the Public And Serves Notice on Wayward Women as to Wife's Fate.

With an ironical smile on his face, Frank Rose, who on Christmas day murdered his young wife in their room at 48 west Third South street, faced Judge Morse in the criminal division of the district court this morning and heard the death penalty passed upon him for his infamous crime. He appeared to be the least concerned person in the court room, and after sentence had been passed upon him, he said with an air of bravado, "All right," and then resumed his seat.

"I'LL TAKE THE SHOT."

About 100 persons were in the court room to hear the sentence and the feminine sex was well represented in the crowd. Rose, when asked if he had any legal cause to show why sentence should not be passed upon him, replied in the negative. When asked which manner of death he preferred he replied without hesitation, "I'll take the shot."

CAME IN HANDCUFFED.

The prisoner, securely handcuffed, was brought into the room by Deputy Sheriff Cowan. He wore the same dark suit which he wore during his trial and had a white silk handkerchief tied around his neck. Upon entering the court room he took a seat beside his attorneys, Kinney & Christensen, and engaged in conversation with them until court was convened. He stated to a "News" representative that he was feeling good and that he was glad this was his last trip to the court room. District Attorney Elchorn, who conducted the prosecution, was present during the proceedings, but Assistant County Attorney Smith was not in the room.

MURDERER STANDS UP.

When Judge Morse called the case of the State vs. Frank Rose, he instructed the defendant to stand up. Rose immediately complied with the instruction of the court and stood with his hands clasped behind him and looked the judge square in the eye while sentence was passed upon him. "Mr. Rose, you have been charged in the information of the district attorney," continued Judge Morse, "with the crime of murder in the first degree. To that charge you refused to enter a plea and the court ordered a plea of not guilty entered for you. You were tried by a jury and found guilty as charged in the information, and have appeared this morning to receive the judgment of the court. Have you any legal reason to show why the judgment of the court should not be passed upon you at this time?"

"No, sir," was the reply of the prisoner.

"Under the laws of this state the penalty for the crime of which you have been convicted is death. The law also provides that you may choose the manner of your death, whether by hanging or shooting, which do you prefer?"

TO DIE APRIL 22.

"I'll take the shot," was the unhesitating answer of Rose.

"It is the judgment of the court that you, Frank Rose, be taken in charge by the sheriff and confined in some secure place until Friday, April 22, between the hours of 10 o'clock a. m. and 2 o'clock p. m., at which time you shall, within the exterior walls of the state prison, be shot until you are dead."

"All right," said Rose, as he resumed his seat.

BACK TO THE COUNTY JAIL.

A few minutes afterwards he was taken in charge by Deputy Sheriff Cowan and was taken from the court room and back to the county jail. The people crowded out of the room and followed him to the elevator and some attempted to enter the elevator with him, but were denied admittance by the elevator operator. Rose will probably be taken to the state prison this afternoon or tomorrow, when the death warrant will be issued by Judge Morse. He will then be placed under a death watch until the date of his execution.

APPEAL NOT PROBABLE.

It is not probable that his attorneys will take any further action in the case, so an appeal to the supreme court or an application for a commutation of sentence at the hands of the state board of pardons will not be made and nothing so far as known will interfere with the execution of the condemned man upon the date set by the court.

Yesterday the condemned man wrote out a statement to the public in regard to his case which he requested the newspapers to publish. In the letter he states that he feels justified for his act and still has no regrets. He says that the fate of his wife is a lesson to all adulterous women.

ROSE'S LETTER TO THE PUBLIC.

Rose's letter to the public follows in full: March 6, 1904.—Citizens and Friends: As tomorrow, Monday, March 7, is the day set for me to go before the judge, to hear my death day set, I wish to extend my thanks to all whom I think have done justice by me. First the officers, both police force and sheriff