

## THE MISSOURI SENATORSHIP.

Rep. Cook Testified He Was Offered a Good Piece of Money if he Would Vote for Niedringhaus.

ALSO OFFERED A FEDERAL JOB.

Keren's Friends Have Not Formed a Combination to Defeat the Caucus Nominee.

St. Louis, Mo., Jan. 16.—A special to the Post-Dispatch from Jefferson City, Mo., says:

Representative Cook of Howell county testified at the executive session of the senate investigating committee today that he had been promised "a good piece of money if he would vote for Thomas K. Niedringhaus for senator." The proposition, witness declared, was made to him Jan. 4, or the day preceding the Republican senatorial caucus.

"M. E. Morrow, a personal friend of mine in West Plains, Mo., represented the party who made the offer," said Mr. Cook. Representative Cook was urged to give the name of the man who had spoken to Morrow. He hesitated a moment and then mentioned the name of a prominent postmaster in southeast Missouri.

"I was also informed," declared Cook, "that if I switched from Keren to Niedringhaus I could have a federal job paying \$6 a day, which is now held by a man named Grant Gillespie."

Cook was before the committee about 20 minutes. When asked by the Post-Dispatch relative to the testimony he was reported to have given, he said:

"It is true that an attempt was made to unduly influence my vote. The proposition did not come directly, but through a second party."

NO KEREN'S COMBINATION.

St. Louis, Mo., Jan. 16.—A special to the Post-Dispatch from Jefferson City, Mo., says:

Maj. John L. Bittinger, when asked today if he attended a conference Sunday night at the home of Col. R. C. Keren relative to the senatorial contest, said:

"There was no such conference held in St. Louis. If a dinner party was given at Keren's house to the legislators, I know nothing of it."

"Will you vote for Thomas K. Niedringhaus for senator?" the major was asked.

"I have always said that I would stand by the caucus rule and cast my vote for Niedringhaus. The story that a combination had been effected among the friends of Mr. Keren for the purpose of defeating the caucus nominee, I know was absolutely untrue."

"Will the result of the legislative investigation have any effect on the senatorship?"

"I cannot tell. The inquiry is not yet concluded. The senate committee is still pursuing the matter."

It was announced that a subpoena will be issued for Postmaster Hallenbeck and Morrow, of West Plains, and also for men named Smith and Black.

It is said that in amplifying his story before the senate committee, Cook said that Hallenbeck had not only told him in West Plains that he would be "taken care of" but that the day of the Republican caucus Hallenbeck met him in the Madison house here, and in the presence of Smith and Black, declared, "there would be a nice little sum of money in it for him if he would vote for Niedringhaus."

Cook also explained that when Hallenbeck first mentioned the subject at West Plains that he (Hallenbeck) remarked he had come straight from the Niedringhaus headquarters in St. Louis, where he had a talk with Mr. Niedringhaus.

It is authoritatively stated that the majority report being prepared by the senate committee will hold Mr. Niedringhaus culpable in accepting money from St. Louis brewers and then crediting an amount, including that represented by the brewers' contribution, to himself in his own statement of the Republican state committee's reports.

## My! My! You are growing old fast! Too bad!

And you know why, too. It's those gray hairs! Don't you know that Ayer's Hair Vigor restores color to gray hair? Well, it does. And it never fails, either. It stops falling hair also, and keeps the scalp clean. Sold for over sixty years.

ringhaus culpable in accepting money from St. Louis brewers and then crediting an amount, including that represented by the brewers' contribution, to himself in his own statement of the Republican state committee's reports.

## IOWA ANTI-CIGARETTE UPHELD BY U. S. SUPREME COURT

Washington, Jan. 16.—The anti-cigarette law upheld by the supreme court of the United States today in the two cases of Charles P. Cook and Robert E. Hodges, affirming the decision of the supreme court of Iowa. The cigarettes were shipped into the state in small pasteboard boxes and the contention was made that in enforcing the law the state authorities were interfering with interstate commerce. The court refused, however, to hold that the small boxes were original packages, and concluded that the action of the state authorities in assessing a tax upon Cook and Hodges was no violation of their constitutional rights.

The opinion was delivered by Justice Brown, who, in the course of it, said: "While this court has been alert to protect the rights of non-resident citizens and had felt it its duty, not always with the approbation of the state courts, to declare the invalidity of laws throwing obstacles in the way of free intercourse and communication between the states, it will not lend its sanction to those who deliberately set out to defraud the public conscience, and to trample upon the laws of a state, the power of Congress to regulate commerce is undoubtedly a beneficial one. The police laws of the state are equally so, and it is our duty to harmonize them."

"Undoubtedly a law may sometimes be successfully and legally avoided if not evaded, but it behooves one who stakes his case upon the letter of the constitution not to be wholly oblivious of its spirit. In this case we can not hold that plaintiffs are entitled to its immunities without striking a serious blow at the rights of the state to administer their own internal affairs."

## GALE IN ENGLAND.

Causes Much Havoc Along the Coasts.

London, Jan. 16.—A fierce gale last night caused much havoc along the coasts of the United Kingdom. There were a number of wrecks of small craft resulting in loss of life. A French ketch was driven ashore on the Isle of Wight, and her crew of five men were drowned. All arrivals report terrific weather. The harbors are filled with vessels seeking shelter. No less than 50 steamers have sought shelter at Holyhead. This morning the bitter cold is accompanied by a gale and the first skating of the winter commenced in Lincolnshire.

Nearly the whole of the fishing fleet of Ulloa, on Lochmow, Scotland, was driven ashore. Three of the boats were sunk and many were badly wrecked. Two coasting steamers have also run aground at Illopo. A fishing smack has been wrecked off the Orkney islands, and her crew was drowned.

Would be Assassin of Trepoff.

Moscow, Jan. 16.—The name of the would-be assassin of Gen. Trepoff is Poltavsky, his age is 19 years and he was a student at the commercial school of Moscow. The motive of the attack was revenge for the expulsion of Poltavsky's brother for participation in the Moscow university riots.

## 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 for our readers may have it entire.]

Washington, Jan. 16.—Judge William M. McCarthy of the supreme court of Utah, witness called for the defense in the Smoot investigation, today declared that there was a tacit understanding in Utah that one senator should be a "Mormon" and one a Gentile. He said the Gentile realized that if the "Mormons" should unite they could control and keep Gentiles off the ticket, and therefore Gentiles were apprehensive (until they knew whether they were to get "Mormon" support. The judge said it was his opinion that too much importance was attached to the Church as a political factor, and that as a matter of fact there was little interference.

JUDGE E. A. SMITH.

Elias A. Smith of Salt Lake, cashier of the Deseret Savings bank, was the next witness. He is a "Mormon" and was a member of the People's party (the "Mormon" party) until it was dissolved in 1891. He denied that at the meeting held for the dissolution of the party instructions were given by the Church that certain persons should be Democrats, certain others Republicans and some independent in politics. He said that every person was free to follow as they wished. Mr. Smith asserted that the "Mormon" Church does not control any business organization, although it does own stock in many concerns. Many companies alleged by other witnesses to be "Mormon" concerns were mentioned and the witness denied in every instance that the "Mormon" Church holds any interest in them. He declared that "Mormons" are independent in politics and that they resent "the whippersnappers" of "Mormon" officials seek to influence the "Mormon" vote.

Speaking of the Thatcher incident, Mr. Smith said it was because of differences with his brother Anthonies over religious matters that the Church objected to Thatcher's candidacy for senator.

Mr. Smith said he had been through the Endowment House, once for himself and twice for relations, but he objected to answer any questions concerning the ceremonies. He said he is the second cousin of President Smith.

On cross-examination, Mr. Smith said that in his opinion it would be a marriage ceremony than for an underling to do so. Since the manifesto, he said many polygamists have ceased to cohabit with their plural wives and that these women have not been ostracized because of their position. The witness testified that many young "Mormons" were being educated in Europe. He said the manifesto should be permitted to live out their plural marriages.

WILLIAM P. O'MEARA.

William P. O'Meara, a resident of Salt Lake City since 1890, testified that the sentiment of young "Mormons" is against polygamy and that many of them would be willing to have polygamous offenses punished by the federal government. He said he was not in Utah for missionary purposes and did not bother with the "Mormon" question, which he said is the position of most Gentiles on that subject. He was of the opinion that the Church does not interfere in politics and that the eligibility of Senator Smoot to a high political office had been recognized for a number of years.

Mr. O'Meara, at the afternoon session, testified that stocks of "Mormon" companies were offered for sale and not cornered by the "Mormons."

JUDGE C. W. MORSE.

Judge Charles W. Morse of Salt Lake, a judge of the district court, testified in regard to the work of a special grand jury in 1903, which investigated the question of polygamous relations. The jury was in session four weeks, and many witnesses were examined in regard to the alleged new plural marriages. The jury made a unanimous report to the effect that there were no new cases found. A certified copy of the report was read.

On cross-examination, Judge Morse said the investigations were made into marriages alleged to have taken place

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since the manifesto in Salt Lake county. It was brought out that the statute of limitations in each case of polygamy was four years, and that there had been no plural marriage for the past three or four years.

"Taking into consideration the matter of public sentiment, do you think there will be movement now to put a stop to polygamous cohabitation?" asked Chairman Burrows.

Judge Morse said he thought there would be no prosecution unless there is some unlooked for change of sentiment.

JUDGE W. M. MCCARTHY.

William M. McCarthy of Salt Lake, a judge of the supreme court, who had served as assistant United States district attorney for Salt Lake county in Sevier county and was known as a vigorous prosecutor of cases of polygamy, testified that after these prosecutions he was elected district judge in a "Mormon" county.

Judge McCarthy said that he made inquiry among young "Mormons," and found the consensus of opinion to be in favor of closing eyes in toleration of conditions and not prosecuting cases of polygamous cohabitation where the marriages were contracted before the manifesto. He said that he did not agree with President Smith that the people of Utah condone the offenses of old polygamists.

"I believe that the sentiment is decidedly against the practice of polygamy, even in cases where the marriages took place before the manifesto, but the people do not want to go on record as prosecutors."

Judge McCarthy was asked concerning his prosecutions of polygamists in the United States court in 1898. He said he stopped bringing actions before the commissioners because his superior officer shut off his fees. He thought the United States district attorney had received a letter of justice to "ease up" on the prosecutions. He thought both political parties became opposed to criminal prosecutions.

Continuing, he said: "And that was the cause of all the trouble—this coquetting with the 'Mormon' Church. Men in both parties sought to learn whether the territory would become a Republican or Democratic state. I won't say they sought out the Church as a political organization, but sought the politicians among the 'Mormons.'"

Judge McCarthy testified that he ran away ahead of his ticket in 1898.

On cross-examination Judge McCarthy said he was the son of a "Mormon" but that his father left the Church in 1872 and did not go back until the manifesto. When cases of unlawful cohabitation were brought before him, Judge McCarthy said he moved upon the defendants mild lessons in the form of fines.

Chairman Burrows asked Judge McCarthy whether he thought the president of the Church confessedly living in polygamous relations, had a tendency to promote or discourage the practice among the people.

"To promote it, unquestionably, I should say," was the response.

"But if I thought if the president of the Church should put aside his plural wives and declare against polygamous practices there would be an end of the practice except in a few instances."

Chairman Burrows offered a remonstrance of certain prominent citizens of Utah against the testimony of certain witnesses, including President Joseph P. Smith of the "Mormon" Church that the people of Utah condone the practice of polygamy.

Atty. Worthington, in a heated argument, said the committee protested against the introduction of an unwarranted statement of that character, but the chairman permitted the examination of the witness in regard to it.

Taylor avoided referring to the remonstrance, but read the language and asked Judge McCarthy if it represented the state of public mind in Utah. Before permitting an answer Mr. Worthington demanded a ruling and questioned the right of the committee to bring in testimony of that character without giving an opportunity for cross-examination. He charged that the remonstrance had been back until it was known that there would be no opportunity for another.

Chairman Burrows told the witness to answer the question, and he said that the people generally approved of the conditions and said: "I am surprised that those remonstrators should express surprise at the conditions under which the committee was proceeding. I knew that President Smith, Apostles John Henry Smith, Lyman, Cowley and some others were living in polygamous relations."

He was asked about the statement of Mr. Booth, who was a witness recently before the committee, and who testified that he was the neighbor of President Smith and did not know he was continuing to cohabit with his plural wives. Judge McCarthy replied that Mr. Booth's view must have been very much circumscribed.

In answer to question by Senator Duboué, Judge McCarthy said that "Mormons" in Utah may unite to exclude every Gentile from the state ticket and therefore the Gentiles were apprehensive until they knew whether a right was to be made against this, but he said he thought too much prominence was given to the Church, and that the "Mormons" as a Church are not taking the notice part in politics that has been attributed to them.

He was of the opinion that Mr. Smoot had to get consent of the Church to run for senator, and that when a high Church officer makes a statement, as in the case of Mr. Thatcher, it is understood that he had obtained the consent of his superiors in the Church. He said there was a tacit understanding that one senator should be a "Mormon" and one a Gentile.

Mr. Taylor asked Judge McCarthy if he approved of this agreement and he said: "No, I don't. It recognizes the 'Mormon' Church as a factor in politics and I believe that we should get the best men on the ticket, and that fitness for office should be the only consideration."

At the conclusion of the testimony of Judge McCarthy, Chairman Burrows said that he found that the remonstrance objected to by Mr. Worthington had been introduced in the senate last April and was a part of the public records.

## LETTER CARRIERS AS POLITICIANS.

They Were Prepared to Make Deals and Put Up a Big Game of Bluff.

DISMISSAL OF JAS. C. KELLER.

President of Association Was Absent From His Post of Duty Without Leave.

Washington, Jan. 16.—Postmaster Gen. Wynne transmitted to the house today "a statement of facts" relative to the dismissal, Dec. 16, 1904, of James C. Keller, president of the City Letter Carriers' association. The information is in response to a resolution introduced by Representative Hearst and agreed to by the house.

The response says Mr. Keller was dismissed for being absent from his post of duty without leave. In his showing to the department Mr. Keller says that he received leave from the late Postmaster Gen. Payne to be absent from duty for a year. When the department ordered his return to duty he filed a letter saying it was impossible for him to do so at present. His dismissal followed.

The campaign of the rural carriers for an increase of pay is set forth in the communication in a number of circular letters credited to the three named carriers, and all are based on an expedition of Carrier Cunningham to New York, where he interviewed Chairman Cortelyou of the national committee, Chairman Hays of the national committee and Representative Overstreet, secretary of the Republican congressional campaign bureau.

The plan was outlined at a dinner in St. Louis and Cunningham was instructed to "make the best bargain possible," with the "politicians."

It was proposed that Representative Overstreet should give out a newspaper interview to the effect that at a coming session he will allow to be reported out of the postoffice committee the Fairbanks bill (the situation in Indiana is that Fairbanks will be defeated; the Republicans are of the opinion and should be glad of a chance to make this trade). Then what? This interview will be flashed all over the country by the Associated Press, that Overstreet will do this.

"We will then get in our work of getting congressmen and candidates to commit themselves to vote for the bill. We will then get out the Free Delivery News with an extra whooping up Overstreet; that he is not such a bad fellow, after all, and urge the carriers to support the whole ticket."

"But if Congress does not agree to this plan, then we must do our turn in a game of bluff—say to him that we will support the head of the ticket, but as we have nothing to expect from a Republican house, we will support the Democrats for the remainder of the ticket."

The comment is then made, "It is a bold plan, but it is better to go along with the standstill than to have the political parties think and believe we have much more strength, many more members in our organization and a more perfect organization than we really have. This is very much in our favor, and all committees judge from the quantities of telegrams and petitions sent to Washington last winter."

Carrier Cunningham reported to Carrier Tumber by letter from New York on Oct. 14, 1904, as follows:

"I saw Cortelyou today and he said he had a long talk with Overstreet and that he could not give me any encouragement, as Overstreet would not commit himself. I saw Mr. Taggart this afternoon and he talked as if the Democrats would without doubt pass the bill if elected. I told him that we would support a Democratic house. I will meet him again tomorrow morning."

After a meeting between Cunningham and Tumber in Buffalo Oct. 19, 1904, a long circular letter to carriers was prepared by Tumber. In it he says:

"I have presented to you the advice of the executive board. It is their best judgment that all carriers and their friends should support the head of the Republican ticket, but a Democratic house."

The postoffice department states that all of the rural carriers named were absent from duty without leave, in addition to their activity in politics.

First Bridge Over Willamette.

Portland, Or., Jan. 16.—The new steel bridge at Morrison street, which replaces the first structure ever thrown across the Willamette river between Portland and East Portland, was today opened to traffic. The bridge cost about \$400,000, and has required 13 months to construct.

Asthma Can Be Cured

The statement of Mr. J. F. Homan, 20 E. Adams St., Chicago, proves that the worst cases of Asthma in the world are not only relieved, but are readily cured by Dr. Schiffman's Asthma Cure. He says: "Asthma kept me in terrible misery for ten years until I used your Asthma Cure. After the first trial I was a changed man. I went to sleep at night and awoke next day much relieved and I have gotten entirely over the Asthma. It is now nine years since I was cured."

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Please to remember and teach your children also that the genuine Syrup of Figs always has the full name of the Company—California Fig Syrup Co.—plainly printed on the front of every package and that it is for sale in bottles of one size only. If any dealer offers any other than the regular Fifty cent size, or having printed thereon the name of any other company, do not accept it. If you fail to get the genuine you will not get its beneficial effects. Every family should always have a bottle on hand, as it is equally beneficial for the parents and the children, whenever a laxative remedy is required.