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TRUTH AND LIBERTY.

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WEDNESDAY, MARCH 2, 1904. SALT LAKE CITY, UTAH.

FIFTY-FOURTH YEAR.

## Prest. Joseph F. Smith Makes A Favorable Impression.

### Will the Senator Retain His Seat?

The Investigation Into the Charges Made by the Protestants Begins—Mr. Taylor Defines Their Position—President Smith the First Witness—Every Attention Paid to His Testimony—He Will be on the Stand For Several Days.

(Special to the "News.")  
Washington, D. C., March 2.—It is always a difficult matter to get a quorum of a senate committee together on time. Senator Burrows, chairman, was in his seat at the head of the table before 10 o'clock, and the oldest senator in the country, Mr. Pettus of Alabama, was also on time with Mr. Overman of North Carolina, but it was 16 minutes after 10 before seven members of the committee, enough to constitute a quorum, appeared. In the meantime Senator Smoot, with his secretary and his counsel, A. S. Worthington and Waldemar VanCott, were on hand before the hour set. Messrs. Carlisle, Taylor and Critchlow, attorneys for the protestants, were also on hand. Aside from these were President Smith, Atty. Richards and other witnesses who came on from Utah yesterday, and ten or twelve ladies and perhaps a score of spectators. By 11 o'clock all members of the committee except Deppew, New York, and Clark of Arkansas, had entered the room.

**PRESIDENT SMITH ON STAND.**  
The first hour of the hearing developed the idea of Atty. Taylor, which is evidently to demonstrate that the Church controls politics in Utah. President Joseph F. Smith proved to be a willing witness, and every person in the room paid close attention to every word he uttered. His testimony was given in a clear voice, and his answers to Taylor's questions were direct and convincing. Naturally President Smith's personality and position made him more attractive to the committee and audience than any one who is likely to appear in this case. The impression he has created thus far is distinctly favorable.

President Smith continued on the stand until the committee took a recess at 10 minutes to 12 until 2 o'clock. Throughout the entire hour and a half he was on the stand he held the close attention of every man and woman in the room. The favorable impression which he created at the outset continued and it was apparent that he won for himself and the Church the respect of each individual who heard for the first time of the Church organization and its doctrines. Shortly before recess was taken Senator Dewey entered the room and he at once became one of the most interested listeners. No attempt at interruption was made by Mr. Richards, Mr. Worthington or Mr. VanCott. It was plainly evident that Senator Smoot is quite willing that Mr. Taylor shall obtain all the information he desires concerning his relationship to the "Mormon" Church and relation of his Church to the people of Utah.

Just how long the hearing will continue cannot be judged at this time. Every member of the committee is anxious to bring it to a close and some time during the day, a rule will be made as to the length of daily sessions. It is not probable that a further attempt will be made to get together as early as 10 o'clock in the morning for the reason that so many senators have business at the departments to which they must devote their time during the early hours of the day.

Mr. Worthington announced the willingness of the Smoot side to meet at 10 and sit until 5, but 10:30 will probably be the hour of assembling and sessions will probably occupy an hour and a half each forenoon and two hours each afternoon.

#### BEGINNING OF THE INVESTIGATION.

(By Associated Press.)  
Washington, March 2.—The investigation which is to decide whether Reed Smoot of Utah is to retain his seat in the United States senate and incidentally define the political status of the "Mormon" Church was formally begun today before the senate committee on privileges and elections.

Great interest attaches to the hearings because of the dual purpose of the inquiry. Other investigations have been directed at the rights of certain contestants to seats in Congress, but never before has there been inaugurated an inquiry into creeds or political factors to determine whether an unlawful influence is being exerted in the political affairs of the nation. Such is the nature of the Smoot inquiry and at the opening session today it was conceded that the hearings would extend over several weeks and precipitate a contest in which the noted legal talent will fight every inch of the way. Interest increased with the announcement that Joseph F. Smith, president of the "Mormon" Church, would be the first witness, and, in all probability, occupy the attention of the committee for two or three days. The attorneys for the defense, A. S. Worthington, of this city, and Waldemar VanCott of Salt Lake, arrived early and engaged in consultation with their client, J. G. Carlisle, former secretary of the treasury, and R. W. Taylor, former representative in Congress and the attorney who prosecuted the successful contest against Brigham H. Roberts retaining his seat in Congress on the ground of his violating the anti-polygamy law, are the counsel for the protestants. Half a dozen witnesses, nearly all of them officials of the "Mormon" Church, occupied seats in the rear of the large committee room.

#### TAYLOR TOLD TO PROCEED.

Quite a number of ladies were in attendance and watched the proceedings with interest. Chairman Burrows, after ascertaining by roll call that a quorum of the committee was present, directed Mr. Taylor to proceed with the case. Mr. Taylor inquired the number of witnesses present, and Mr. Burrows read the following list of those on whom summons had been served: Mable Parker Kennedy, Mrs. Amos Charles Matthews, Ogden Hiles, Andrew Jensen, John Smith, Hyrum M. Smith, Thomas Merrill, Charles E. Merrill, Alma Merrill, Lorin Harmer, Moses Thatcher, M. W. Merrill, Joseph F. Smith and Francis M. Lyman.

Mr. Taylor announced his readiness to proceed and asked that Joseph F. Smith be sworn. After that had been done, Franklin S. Richards, a Salt Lake attorney, stated that he was present as an adviser of the witnesses, in the event any improper questions were asked.

#### THE FIRST QUESTION.

The first question asked brought out that Mr. Smith is President of the "Mormon" Church and was born in Far West, Mo., in 1838, and always has been in the Church.

Mr. Taylor asked Mr. Smith if he was a Prophet, Seer and Revelator. The witness said he was "so sustained." Further questions along the same line brought out the statement that he received his powers by reason of the position he held in the Church. He said the Apostles of the Church were "sustained" in the same powers as Prophets, Seers and Revelators. He was asked to name his predecessors as President of the Church and gave them in order back to the first President, Joseph Smith, Sr. The witness said he sustains the same power as his predecessors.

#### HIS BUSINESS OCCUPATIONS.

Questions directed to ascertain the business occupations of Mr. Smith in addition to the presidency of the Church brought out the following list of concerns of which he is president: Zion's Co-operative Mercantile Institution, with a capital stock of more than \$1,000,000; State Bank of Utah, Zion's Savings Bank, Utah Sugar company, Consolidated Wagon & Machine company, Utah Light & Railway company, Salt Lake & Los Angeles Railway company, Salt Lake Beach company and Salt Lake Knitting company. He said he was president of a number of other smaller concerns, the names of which he could not recall and that he is a director of the Union Pacific Railway company, editor of the Improvement Era and Juvenile Instructor, and director or official of a number of mining companies. A list of the First Presidency or Twelve Apostles governing the Church, was read by Mr. Taylor and identified by Mr. Smith. This list included the name of Reed Smoot.

Mr. Smith explained that the First Presidency is the President of the Church and two High Priests or counselors and that the Twelve Apostles are next in authority. The Presidents are elected by the council and the Apostles, he said, but he believed and it is taught that the Presidents are really chosen by divine revelation and they are then endowed with the authority of the Holy Priesthood by authority direct from God. He said the Apostles might elect to their number in the event of vacancy but that they would not go contrary to the wish of the First Presidency.

#### A QUESTION BY SENATOR HOAR.

Throughout the testimony Mr. Smith used such expressions as "I think," "I suppose" and "I believe." These expressions proved unsatisfactory to members of the committee, and Senator Hoar said he wanted to understand whether Mr. Smith's form of speech implied doubt or whether it was simply an unfortunate mode of speech. Mr. Smith said he used these expressions which were not positive when he referred to matters from memory but that

### PERSISTENT RUMORS OF PORT ARTHUR'S FALL.

Circulated in the Lobby of the House of Commons—Japanese Concentration of Troops Goes on Near Ping Yang, Korea—Russian Engineers and Sappers Go to the Front—Novoe Vremya Very Bitter Towards England and America.

London, March 2.—A rumor was circulated in the lobby of the House of Commons today that Port Arthur had fallen. The origin of the rumor could not be traced and no confirmation whatever was obtainable.

Paris, March 2.—Information reaching here from official sources shows the Japanese concentration of troops is going on extensively in the neighborhood of Ping Yang, Korea. Large forces are debarking from transports at nearby ports, from which it is assumed that an extensive land engagement is imminent in Northern Korea.

Kolping, Russia, March 2.—The companies of pontoon engineers and sappers were embarked here on trains today bound for the front.

Libau, Russia, March 2.—The cruiser Almaz, presented by the Czar to Viceroy Alexieff for use as a private yacht, returned here yesterday.

The Almaz was reported to have left Brest, France, January 8, for the far east.

Port Said, March 2.—The Russian cruiser Aurora, recently in the Red Sea, left today for Candia, Island of Crete.

One of the five Russian torpedo boat destroyers which left here yesterday for Algiers has returned.

St. Petersburg, March 2.—The Novoe Vremya today prints an editorial on the "Anglo-Saxon Rejoicing in England and America at the Reports of Japanese Victories," in which it says:

"The whole world with those exceptions realizes that the Russian occupation of Manchuria would benefit civilization."

Suez, March 2.—The Russian armored cruiser Dmitri Donskoi, which applied for permission to remain here for repairs, has been allowed five days in which to complete the necessary work.

In all matters of the Church, of revelations and the powers of the Church he was certain and did not want to be misunderstood.

#### ABOUT REVELATION.

In regard to the revelations the witness said the Church holds that any Elder may receive a revelation for his own guidance.

"Then Mr. Smoot may receive such a revelation direct from God?" asked Mr. Taylor.

"For his own guidance, yes," was the answer.

In response to direct questioning, Mr. Smith said only those revelations to the President which had been presented to the Church and accepted by the members were binding upon them. Mr. Overman wanted to know what happened to those who did not believe in the inspired revelations.

"Were they unchurched?" he asked.

"They unchurched themselves," was the response.

After more direct questioning concerning the rights of the Church members to reject revelations, Mr. Taylor put the situation in this form: "May the members of the Church say to you 'We deny that God has told you to tell us that and we will not receive your revelation?' Could that occur in the Church?"

"It could," was the reply.

"Has this ever been done?" asked Mr. Hoar.

"Not that I know of."

"Now, that is just what I have been calling attention to," said Mr. Hoar.

"The witness says 'Not that I know of.'"

Turning to Mr. Smith he remarked that the answer expressed doubt and more pointedly he asked the witness:

"Has the Church ever rejected any of your revelations? Have any of the revelations to the Presidents been rejected?"

"May I say a word on that first?" asked Mr. Smith.

#### PREST. SMITH EXPLAINS.

He stood up and was noticeably concerned at the trend of the questioning.

In an extended explanation of the relations of the members of the Church to the revelations, he said that the members of the Church are among the freest, most independent people of all the Christian denominations. They have freedom of speech, freedom of thought, they are not all united on every principle of the Church. They are not expected to be. They are entitled to their own conception in regard to the principles of their Church, their conception of what appears to them to be the right or the wrong. So long as one accepts God and his opinion is not in conflict with the accepted standards of the Church he enjoys fellowship in the Church. He who denies God, he who commits adultery or steals, or lies, or bears false witness against his neighbor in any way, or goes contrary to the cardinal principles of our Christian religion, is compelled to withdraw. But one who is honest, virtuous, believes in God and has a little faith in our religion is nurtured, though he may not believe in the Church in all that it teaches. In that book (Mr. Smith pointed to one of the volumes that had been introduced earlier in the proceedings), is a revelation on plural marriages. Not three or four per cent of the entire membership of the Church have entered that state. All the rest have abstained from plural marriages and many thousands have rejected the principle entirely.

#### REVELATIONS ON POLYGAMY.

During the progress of the Smoot hearing this afternoon President Smith stated that notwithstanding the second revelation stopping polygamy he believed the first revelation permitting it was correct.

"I cannot help my belief,"

Senator Dubois remarked:

"I noticed that you say many thousands rejected the doctrine of plural marriages. Do you mean that they never practiced plural marriages or that they declared against the doctrine?"

Mr. Smith answered again that many thousands in the Church had declared against the principle of plural marriage as given to the Church in a revelation from Joseph Smith, Jr., to bring out the effect of refusing to subscribe to the teachings of the Church. Mr. Hoar asked a number of questions and Mr. Smith said:

religious affairs and would like to know the purpose of the direction that has been taken in the proceedings.

Mr. Taylor answered that the prosecution would attempt to show that the Church directed affairs of state, politics and, in fact, all matters, and consequently the method of procedure was necessary. No further objection was made.

The committee adjourned until 2 p. m. and Mr. Burrows announced that hereafter the hearings would be held every day until concluded, beginning at 10 o'clock. An executive session of the committee was ordered to determine on certain lines of conducting the case.

#### PROTESTANTS' POSITION.

It is That Being a Mormon, Smoot Is, as a Fact, Disqualified.

(Special to the "News.")

Washington, D. C., March 2.—The afternoon session of the Smoot hearing began a few minutes after 2 o'clock with a bare quorum present, but within a quarter of an hour nearly all the senators had arrived. There were more ladies in the room than during the morning session; otherwise there were few changes in the personnel of the crowd of spectators.

President Smith was at once placed on the stand and Mr. Taylor followed up the same line of questions as during the morning hour and showed some irritation because Mr. Smith declined to quote from memory sections of the law and covenants of the Church, dates of legislations and other technical matters. The questions of counsel for the protestants would scarcely have been permitted in any court of justice and many were so personal that Mr. Worthington was constrained to say to the committee that he would positively decline to answer them as being designed to inquire into matters between man and his God.

The incident of the afternoon was the statement made by Mr. Taylor in which he declared that he had no intention and never had of trying to prove that Reed Smoot ever entered into plural marriage. He also declared that it is not the purpose to attempt to prove that he has ever taken an oath inimical to his citizenship or in violation of his oath as senator. Mr. Taylor explained that it is the purpose to show by the history of the Church what his real spirit is and how the disclosures affect Reed Smoot's relations to the United States. The idea is, in short, that Mr. Smoot's connection with the Church disqualifies him as a United States senator unless he chooses to cut himself loose from the Church.

#### JUDGE HILES DEPARTS.

Mrs. Kennedy and Mrs. Matthews Also Leave for Washington.

It has been ascertained that Judge Ogden Hiles left yesterday for Washington to testify in the case of Senator Smoot. His departure was postponed for several days, after the service of the subpoena by United States Marshal Heywood. It is presumed that he will get there in ample time to take the witness stand. He is due to arrive Friday.

Mrs. Matthews and Mrs. Kennedy, the witnesses from Sevier county, also left for the national capital yesterday, their transportation being arranged for by Marshal Heywood. They, however, are not expected to reach their destination before Saturday.

#### Mrs. Newt Farris Acquitted.

Nowkirk, Okla., March 2.—A jury here today acquitted Mrs. Newt Farris, charged with the murder of her husband at Kaw City, Aug. 6 last. Mrs. Farris shot her husband while he was abusing her.

### Boy Says George "Never Killed Pa"

Significant Testimony of Child at the Haddock Inquest Today—Story of the Fatal Fight as Told by the Widow And Daughter of the Dead Man Whose Skull Was Cracked, According to the Official Autopsy.

Official investigation into the death of Benjamin R. Haddock, whose untimely ending was noted in last night's "News," began before Justice F. H. Clark and a jury shortly after 11 o'clock today. The room was crowded with those who had been subpoenaed as witnesses, and the taking of testimony was somewhat disturbed by the pathetic sobbing of Mrs. Haddock and daughter, who felt keenly the blow that had come upon them. George Porter, the young man alleged to have been responsible for the death of Haddock, was present, and his appearance gave evidence of the part he is said to have played in Monday night's fight, as above his left eye there was a deep gash. In giving her testimony Mrs. Haddock was so overcome that she could hardly make herself understood and it was with some difficulty that her version of the affair was brought out. Mrs. Porter, her daughter, was also distracted with grief and seemed somewhat confused in the testimony she had to give. Neither, however, laid the responsibility on Porter, for they testified that Mr. Haddock was quite well and chatted freely for some time after the fight had taken place. John Lou Haddock, a son of the deceased, told the most straightforward story, perhaps, of all and volunteered the statement that "the Porter" never killed "Pa." testimony, however, that was promptly stricken from the record.

#### DEAD MAN'S WIFE.

The first witness was Mrs. Haddock, wife of the dead man. Amid bitter sobs she testified that her husband was subject to fits and often complained of severe pains in the chest. On such occasions he used to choke up and it was with great difficulty that he was given relief. Mrs. Haddock then told the story of Monday night's fight, stating that George and his wife had had "some words" and that Mr. Haddock had gone over to see what was the matter. When he got there, Rosa, his daughter, was bleeding from a wound over the right eye and thinking her husband had been abusing her, Mr. Haddock immediately struck him, administering a severe blow. The two men then clinched and a little later Haddock was thrown to the floor. Porter falling on top of him. The witness stated that her husband had just come home from Elders' meeting and had complained of not feeling well. A while after the disturbance his old trouble came upon him, while he was chatting and joking with Mr. Williams, his father-in-law, and not long after he fell over into Mr. Williams' arms and suddenly expired.

#### CROSS-EXAMINED BY ATTORNEY ELLER.

Mrs. Haddock stated that the spells referred to never rendered him unconscious, but were always accompanied with great pain.

#### DAUGHTER'S STORY.

The next witness was Mrs. Rosannah Porter, daughter of the deceased. She told of her preparations to move to Ogden and of George's (her husband) desire to take the guitar with him. Mrs. Porter said "no" and then broke it over the stove pipe a piece of it striking her over the right eye. When this occurred her little brother then ran over to her father's house and told him that George was killing his wife whereupon Mr. Haddock appeared and struck George a vicious blow. Then came the scuffle between father and son, to the floor. Mrs. Porter also stated that her father had complained of not feeling well.

#### SKULL WAS FRACTURED.

An autopsy was held last night on the body of Benjamin R. Haddock and its result was extremely favorable to the son-in-law, George E. Porter, who is in jail, charged with responsibility for the old man's death. County Physician Mayo and his assistant, Dr. Odell, conducted the autopsy. They found a slight fracture of the skull behind the left ear and an abrasion on the left arm at the elbow. These were the only signs of violence. The heart and other internal organs were in normal condition.

#### THE CAUSE OF DEATH.

It was undoubtedly the fracture of the skull that caused death, and it was owing to the unusual thickness of the skull that a fracture of its character could result so seriously. In the opinion of the physicians, the fracture could have been caused by a very slight blow, or even by mere pressure of the head. This evidence will be of value to Porter. The coroner and county attorney attended the post mortem.

#### PORTER IS PERSISTENT.

Porter is still in prison. He talks as though he had nothing to conceal, and it would be difficult to believe that the young man had any intention of even seriously injuring his father-in-law in the tussle. He says he is sure that Haddock's head did not strike anything as he went down, and he is at a loss to account for the fracture of the skull.

#### SENATOR SMOOT'S SISTER DIES AT PROVO.

(Special to the "News.")

Provo, March 2.—Mrs. Anna Kirtine (Teenie) Smoot, wife of Geo. S. Taylor, died this morning at 4 o'clock from hydatiform mole complicated with pernicious jaundice, from which she has suffered for several months. She underwent an operation Sunday and owing to her weakened condition was unable to rally from the effects. The deceased was the daughter of the late president, A. O. Smoot, and Mrs. Anna K. Smoot, and was born in Salem, Utah county, June 7, 1858, where her parents were then located, having left Salt Lake City with the general exodus on the approach of Johnston's army. After the return of the people to Salt Lake Mrs. Taylor lived there with her parents until 1872, when she came to Provo, where her father had been called to reside. She became interested in educational matters early in life and was one of the first faculty of the Brigham Young academy when that institution was commenced in 1876, having previously taught in the district schools. She maintained great interest in educational affairs up to the time of her death and was always prominently identified with the Young Ladies' Mutual Improvement association and was a member of the state board of education at the time of her death. In 1882 she was married to George S. Taylor of Salt Lake where she lived about five years when her husband moved to Provo to engage in business. Her husband and five children the eldest, 21, the youngest 6 years of age, are left to mourn the loss of a devoted mother, and numerous brothers and sisters survive. Mrs. Taylor was an earnest Latter-day Saint. She possessed rare mental endowments and amiable social qualities and a large circle of friends feel a personal bereavement at her death.

The time of the funeral has not been set. It is expected it will be held some time Friday.

Senator Reed Smoot, brother of Mrs. Taylor, has been communicated with, but it is not thought he will be able to attend. If he decides to attend the time of the funeral will be deferred until he can reach Provo.

#### PANAMA CANAL NEGOTIATIONS.

United States Will be in Possession of Property Within Thirty Days.

Washington, March 2.—A conclusion of the negotiations of the title to the Panama canal property is in sight within 30 days, perhaps in a shorter time, the United States will be in full possession of the property and the money consideration will have been paid to both the republic of Panama and to the new Panama Canal company.

Atty.-Gen. Knox had a conference today with the president at which the whole subject, so far as the legal phases of it are concerned was considered and decided. At the conclusion of the conference the attorney-general

authorized the following statement: "I have advised the president that he is authorized to pay at once to the republic of Panama the \$10,000,000 arranged for by the treaty, the ratifications of which have just been exchanged. Also that he is authorized to pay to the new Panama Canal company the \$40,000,000 which under the agreement between the United States and that company we are to pay for its property and have notified the canal company we are ready to close the transaction."

"The details in connection with the transfer of the canal company's property should not require more than 30 days."

#### Minstrel Dixey Dead.

Philadelphia, March 2.—Edmund A. Dixey, a once famous minstrel, died today at his home of congestion of the lungs.