

"The fox" (knowing the force of public opinion) "barks not when he would steal the lamb." In these days of business venture which fights shy of advertising is open to natural suspicion.

DESERET EVENING NEWS.

Job said: "The ear trieth words as the palate tasteth meat." And in these days of printing, and of advertising, the word "eye" may be substituted for "ear."

10 PAGES—LAST EDITION.

WEDNESDAY, JANUARY 11, 1905. SALT LAKE CITY, UTAH.

FIFTY-FOURTH YEAR.

DEFENSE IN SMOOT INQUIRY IS BEGUN.

Ex-Gov. W. J. McConnell of Idaho Was First Witness to Take Stand.

CHARACTER OF MORMON PEOPLE

Don't Drink or Gamble, and Their Morals Are of a High and Praiseworthy Character.

INTERRUPTED BY SENATOR KNOX.

Who Wanted to Know if This Was Relevant to the Case.

(Special to the "News.")

Washington, D. C., Jan. 11.—Senator Smoot's side of the case against him opened today with more members of the committee present than at any time this session. Senator Burrows was in the chair and around him sat Senators Pettus, Dubois, Overman (Democrats), McCann, Dillingham and Knox (Republicans). The latter succeeded Senator Hear on the committee, and today he made his first appearance. In the audience were the usual number of women, and the same faces which have appeared so often were noticed. On the men's side of the room were ex-Congressmen French and P. H. Holtzcler of Idaho, Judges J. W. N. Whitteater, William McCarty and C. W. Morse, and H. E. Booth of Salt Lake; A. A. Noon, Provo; H. Douglass, Springville; Arthur Pratt, warden of the state prison and 10 or 12 others. The only witness was former Senator McConnell of Idaho, who devoted himself to a refutation of the charge that the "Mormons" control political affairs in his state. He caused amusement and some consternation by reading a letter from Dubois to himself in which the senator charges all "Mormons" with being criminals. He said he believed the charge had a decided effect in driving the "Mormons" out of the Democratic party. McConnell also read an interview with Dubois published in the Tribune in May, '98, in which the senator expresses opinion very forcibly that conditions are rapidly changing and that polygamy and polygamous cohabitation are rapidly dying out, and that the agitation against the "Mormon" people is doing great damage to the material development of the intermountain states.

It is reported that the protestants will attempt to impeach McConnell's testimony.

(By Associated Press.)

Washington, Jan. 11.—The defense in the Senator Reed Smoot investigation was begun today. The room of the senate committee on privileges and elections was as crowded as during the progress of the inquiry into the secrets of the "Mormon" Church, which was conducted by the attorney for the protestants against Senator Smoot retaining his seat. Most of the spectators were women. Senator Knox, recently appointed a member of the committee, attended the hearing today for the first time.

William J. McConnell of northern Idaho was the first witness called. The examination was conducted by Waldemar Van Cott of Salt Lake, who is associated with A. S. Worthington of Washington, as counsel for Senator Smoot. Mr. McConnell described his occupation as former merchant, half politician and lawyer for his friends. He was a senator of the Fifty-first Congress and was governor of Idaho from 1893 to 1896 inclusive, serving two successive terms. He is a member of the Presbyterian church. The witness was asked to describe the political conditions, and took up early days when he said, he had lobbied before the legislature when the first effort was made to disfranchise the "Mormons." He declared that he was prejudiced against "Mormons," but that he found that most of the Gentiles were practicing "the science, which in our country is called poker." He said he had never known "Mormons" to gamble and drink. He followed this testimony with a review of his acquaintance with "Mormons" during the agitation against the religion in Idaho. He assisted in bringing about the repeal of the test oath of citizenship and afterward went among the "Mormons" on a lecture tour. He had observed the people, he said, and their morals were of a high, praiseworthy character.

KNOX WANTED TO KNOW.

S Senator Knox asked counsel to inform him as to what part of the case he wanted to examine. McConnell was unable to answer, however, but that a great mass of irrelevant material was being admitted for the protestants to overrule. He said the testimony of Mr. McConnell was in reply to this and particularly to that of Charles H. Jackson, chairman of the Idaho Democratic date for office, who testified that no candidate could stand against the "Mormon" Church. The witness was asked concerning causes of the "Mormon" vote being cast for Gooding in his canvass for the governorship and said he was surprised that any "Mormon" should have been so stupid as to vote for Senator Dubois to a public debate and invitation, on the ground that he could not afford time to debate with anyone who was not a candidate for office in the party which was "defending crim-

inals, as he believed the 'Mormons' to be." He submitted a lithograph reproduction of Senator Dubois letter.

TILT WITH DUBOIS.

Was that letter personal to you? asked Senator Dubois. "It was an answer to my challenge. It was not marked personal." "Well, all right," the senator started to reply, and stopped abruptly, dismissing the subject.

Senator McConnell objected to political discussions and when the witness digressed to say that Democrats left the state in leaving the election of President Cleveland, the senator asked the witness to confine himself to the question of whether the "Mormons" interfered in politics. Mr. McConnell repeated a number of reasons why the Democratic party was defeated by the "Mormon" Church, saying that one of the principal causes was that Senator Dubois called the "Mormons" criminals, an abstract showing the result of the vote in "Mormon" and non-"Mormon" counties during the last six years was presented by the witness. This abstract showed a general increase in the Republican vote in both the "Mormon" and non-"Mormon" counties, indicating, said the witness, that the Republican increase had not been due to the influence of the "Mormon" Church.

Mr. McConnell said the "Mormon" party is in the minority in each of the political parties and in the legislature and that the "Mormons" in Idaho "do not get everything they want." On this subject he read an opinion, which he accepted as his own view, declaring that there is no ecclesiastical support invoked by the Church for the control of political affairs. The opinion was a long political argument in defense of the Church against the charge that the "Mormon" Church leaders would seek to control political affairs. The opinion dealt also with bi-metalism and Senator McConnell stopped the reader to inquire if the witness indorsed the opinion given on the subject of silver. Mr. McConnell replied that he did not.

"You have been asked to give your own opinion on the 'Mormon' question," said the senator.

Mr. Worthington said that the two questions were intermingled, and witness added that he subscribed only to the opinion on the "Mormon" question. Senator Pettus asked who had written the opinion.

"It is an interview with Senator Dubois published in the Salt Lake Tribune in May, 1898," said the witness. A speech of Senator Dubois, made to the senate on Feb. 4, 1903, on the subject of "Mormonism," was ordered incorporated in the record, after some discussion. The senator said he would like to have it go in because garbled accounts of this speech had been used in the campaign.

The defense closed its examination with a statement from the witness that he did not know of any polygamous marriages among "Mormons" since the manifesto.

Mr. Taylor, attorney for the protestants, drew from the witness that he lived a distance from the "Mormon" settlements equal in time from Washington, D. C., to Omaha, Neb. On cross-examination the witness corrected this statement in regard to the "poker playing Gentiles," saying that it was confined to the members of the legislature and not to the people. In response to a question from the witness that he was in the matter of geography and knowledge of legislative needs he would be willing that the whole legislature would be composed of "Mormons."

Plate Glass Plant Burned.

St. Louis, Jan. 11.—The immense plant of the St. Louis Plate Glass company at Valley Park, 20 miles west of St. Louis, was today destroyed by fire, resulting in a loss estimated at \$250,000. Five hundred employees are out of employment.

Italy and Venezuela.

Rome, Jan. 11.—The Tribune publishes a semi-official statement to the effect that Italy has not designated a candidate for Venezuela matters, and adding that Italy and the United States had agreed to discuss questions of mutual concern.

MISSOURI LEGISLATURE.

Brewers Said to Have Raised a Fund to Influence It.

Jefferson City, Mo., Jan. 11.—Representative Grace of St. Louis has introduced a resolution in the lower house of the general assembly calling for an investigation of the report that St. Louis brewers had given \$21,000 to Thomas K. Niedringhaus, chairman of the state Republican committee and caucus nominee for United States senator, to influence legislation during the present session of the legislature.

Relieving Manchurian Railway.

New York, Jan. 11.—Owing to the considerable number of steamers with cargo bound for the Pacific ports of the United States for Vladivostok in the past few weeks, it is thought, cables the Times' London correspondent, that the Russians are making a great effort to relieve the Siberian railway and to supply the Manchurian army as much as possible via Vladivostok.

Cause of German Coal Strike.

Berlin, Jan. 11.—The conditions of labor in the Westphalian coal fields, which have standing the growing strike, will be made the subject of an interpellation in the reichstag this week. The Social Democrats are preparing to demonstrate that the status of the mine workers is most miserable and that in spite of the wishes of the leaders of the unions the strike is spreading. There are 30,000 persons now out on strike, and there is not the slightest hope of preventing the strike from becoming general. Thus far there have been no disturbances.

LOCOMOTIVE EXPLODES.

Cleveland, Jan. 11.—The boiler of a locomotive attached to the eastbound fast express train on the Erie road blew up today, killing Engineer Frank Keller and Fireman Hallieck, and fatally wounding Fireman Newman, who was riding in the engine cab.

Star Takes Back Sutherland-Lee Story.

Writes the Gentleman From Utah That It "Copied" The Story From a New York Paper And That it Last Evening Published a Retraction With a Further Article Today—Story Sent From Here Two Weeks Ago.

"Washington, Jan. 11, 1904. Hon. Geo. Sutherland, Salt Lake City, Utah: Story was clipped from New York paper. Correction prominently printed in yesterday's Star, and further story today. Washington Star."

The above telegram, received today by Hon. George Sutherland, is in answer to a wire from him yesterday, as follows:

"To the Evening Star, Washington, D. C.—Your story connecting Mr. Sutherland with John D. Lee is absolutely false. There is not the remotest relationship. I demand immediate and complete retraction, to be published as the original article."

"GEORGE SUTHERLAND."

The story published in the Washington

Star yesterday, which it now says it clipped from a New York paper, probably from the New York Herald, was of home brewing, at a station not far from the offices of those who refer to Mr. Sutherland constantly as "Ex-Brother" in order to injure his standing among his fellows in faith who do not love that with which they have tried to associate his name.

MR. SUTHERLAND EXPLAINS.

In explaining the situation in a representative of the "News" this morning, Mr. Sutherland said: "The fact is my wife's family and John D. Lee's family are in no way related. My wife's family is southern, while John D. Lee comes from New England stock, from Concord, Mass., I think. Mrs. Sutherland belongs to the same branch of the Lee family as does General Robert E. Lee. Her father was John Percival

Lee, and he was born in Tennessee. Her mother was also a southern woman, a native of Florida. There is not the remotest connection between this family and that of John D. Lee either by marriage, blood or otherwise."

It has been known to the "News" for some time that a story has been forwarded from Salt Lake to New York, based on the Mountain Meadow massacre, and connecting Mr. Sutherland's name with it, to be used if his nomination should be announced for the United States senate.

The fact that the fiction was invented connecting Mrs. Sutherland's name with that of John D. Lee gave a chance for the real once again of the story that has done shameful damage ever since grafters in Utah wanted plunder which they could get by inflaming a national hostility to the people who founded the state.

RICHARD CROKER'S GREAT OFFENSE.

He Had the Temerity to Bid for Some Yearlings that King's Agent Wanted.

HE WAS GIVEN A WARNING.

Not Heeding it, Jockey Club Refused to Permit Him to Train His Horses at Newmarket.

London, Jan. 11.—A serious scandal promises to develop in racing circles as a result of the Jockey club's action in interdicting Richard Croker from training his horses at the Newmarket. The history of the affair given out by friends of Mr. Croker is that when at the Newmarket sales in September, Mr. Croker appeared as a bidder for certain yearlings, he was informed that he was opposing Lord Marcus Beresford, who, it is well known, has entire charge of King Edward's racing stable. This did not deter Mr. Croker, and it was suggested to him that if he insisted in competing he would not be allowed to train his horses at Newmarket. Mr. Croker, however, was not influenced, claiming that his conduct was not discourteous, as he was dealing through an agent who did not know his adversary in the transactions and merely carried out his instructions.

In an interview in Dublin Mr. Croker said he was still completely in the dark regarding the whole matter, and expressed astonishment at the fact that the stewards did not give a reason for their action.

A newspaper says today Mr. Croker intends to sell his residence at Wantage, England. For some months past he has been living in Ireland, where it is reported he will reside altogether hereafter.

"TITUS ANDRONICUS."

Oldest Edition Known Discovered in Sweden.

London, Jan. 11.—The Morning Leader's Copenhagen correspondent reports the discovery at Lund, Sweden, of a book containing the text of Shakespeare's "Titus Andronicus," printed in London in 1594. The oldest edition hitherto known is the 1600 quarto.

Heavy Snow in Missouri.

St. Louis, Jan. 11.—A heavy fall of snow, followed by rain and sleet that froze on the ground, delayed train service and crippled the trolley lines today. An unknown man was found frozen to death on a doorstep.

Defaulting Bank Officials.

Cleveland, O., Jan. 11.—When L. P. Olliger and J. R. Zimmerman, defaulting officials of the Western O. National bank, arrived here in the last of two days' service from Victoria, B. C., where they were placed under arrest several days ago, charged with embezzling the funds of the bank, the two bankers were at once arraigned before a United States commissioner and pleaded guilty.

British Officers Outraged.

London, Jan. 11.—Foreign Minister Lansdowne has cabled to the British minister at Rio Janeiro to investigate the circumstances of the alleged outrage on officers of the Steamer Rio Napary at Para. The Scottish Shipmasters' association reported to Lord Lansdowne that while the Rio Napary was anchored at Para on Nov. 29, 1904, she was boarded by uniformed men who arrested the ship's officers, took them ashore and imprisoned them. No reason was assigned for this action, and the following day the ship's officers were released. Meanwhile, however, their cabins had been entered and property and money stolen.

German-American Trade.

Berlin, Jan. 11.—Finance Minister von Rheinbaben, in introducing the budget in the Prussian diet, referred to German-American trade relations. He said it was wholly erroneous to suppose that Germany could gain anything through a decrease in the economic prosperity of the United States. The danger of American competition, which had never been estimated very high, had greatly receded since the growing improvement to business in the United States had broadened the consumptive demand there. The budget balances at \$678,276,250.

Steamship Ass'n of S. F.

San Francisco, Jan. 11.—Articles of incorporation have been filed by the Steamship Association of San Francisco. The capital stock of the association is \$100,000, and the incorporators are Robert Dollar of San Rafael; W. G. Tibbets of Alameda; J. A. Christensen, San Francisco; George D. Gray, Oakland; J. R. Hanley, Sausalito; R. Johnson, San Bragg; and Robert H. Swartz of Alameda.

THERE IS NO FOOL LIKE AN OLD FOOL.

Last Stage of Struggle Between Millionaire J. R. Platt and Hannah Elias, Negress, Begins.

BIG SUM OF MONEY INVOLVED.

She Says He Lavished Wealth on Her—He Declares That She Extorted It.

New York, Jan. 11.—The final stage in the struggle for the possession of nearly three-quarters of a million dollars between John R. Platt, an aged millionaire, and Hannah Elias, a negress, who, he charges, wrongfully obtained the money from him, was scheduled to begin before Justice Bischoff, in the supreme court today. In this suit it was expected that the whole amazing story of the affair which attracted the attention of this entire country when the secret of Platt's relations with the woman were revealed by the filing of his suit last summer would be brought out.

Interest in the case was intensified from the first by the strange and tragic death of Andrew H. Greene, one of the city's most prominent men, who was shot to death almost at the door of the Elias woman's home on Central Park West a few months before the Platt suit was filed. Greene's murderer, a negro, who was captured and later sent to an insane asylum, said he had shot Mr. Greene because he was jealous of the latter's attentions to Mrs. Elias.

With the filing of the Platt suit the contention of Mr. Greene's friends that he was a victim of mistaken identity when the fatal attack was made, was practically proven. There was a remarkable similarity in personal appearance between Andrew H. Greene and John R. Platt, and Mr. Platt himself has said that he believes the insane murderer intended to kill him and mistook Mr. Greene for him.

Mrs. Elias maintains that the vast sum named in Platt's suit was given to her voluntarily by Platt—that he had given her money at her own request. She had told of one instance when, she says, after pressing her to take a large sum which she refused, he threw a great handful of bank notes on the floor and she had a servant gather them up on a dust pan. On the other hand, Platt asserts that the defendant resorted to every trick and device her ingenuity could command to get the money from him.

Mr. Platt is now 87 years old and very feeble.

GERMAN COAL MINERS.

Strike Among Them is Spreading Rapidly.

Cologne, Germany, Jan. 11.—The strike of miners here in the Rhine district of the diggers in 17 additional mines did not go to work today. The number idle is about 5,000, or one-third of the total. Divisions exist among the miners, some disapproving of a strike and refusing to quit work, so that the progress of some of the striking mines continue to work on part time.

Pacific Coast Fire Underwriters.

San Francisco, Jan. 11.—The twenty-ninth annual meeting of the Fire Underwriters Association of the Pacific was opened today. A number of papers were read bearing on the technical side of the fire insurance business. Election of officers will follow. It is expected A. W. Thompson, vice president, will be elected president for the ensuing year.

DREDGE'S CREW ARRIVES.

Captain and and Part of Men Perished at Sea.

Waterford, Ireland, Jan. 11.—The steamer Zeno arrived here today with the captain and 13 men of the American steam dredge Texas from Dunmore, Scotland, having been wrecked on the coast of Scotland on Dec. 12, for Galveston, which foundered in a storm off the Hebrides. The crew entered the small boats and 21 men sank immediately and all its occupants were drowned. The survivors drifted for several days before being picked up.

Big Fire in Camden, N. J.

Camden, N. J., Jan. 11.—One of the largest buildings of the plant of Fair & Bailey company, manufacturers of the cloth and linoleum, which occupies an entire block was destroyed by fire today. Loss estimated at \$150,000.

Resignation Not Accepted.

Ottawa, Ont., Jan. 11.—The Conservative members of parliament and senators have declined to accept the resignation of R. L. Borden of Halifax as leader of the opposition. Mr. Borden was defeated at the recent election and until a seat is obtained cannot resign. George E. Foster will lead the opposition.

FOREDOOMED TO FAILURE.

Plan to Make Railroads Members of the National Livestock Association.

HAGENBARTH MEANS BUSINESS.

If His Scheme Fails Now He Will Carry Fight Before Next Year's Convention.

Denver, Colo., Jan. 11.—Not this year will the railroads become members of the National Livestock association. It is now certain that so much of the reorganization plan of President J. Hagenbarth as relates to the railroads is foredoomed to failure. The remainder of his plan which involves representation to the admission of the railroads has so far come from S. H. Cowan of Fort Worth, Texas, the legal adviser of the association, and Murdo MacKenzie, of Trinidad, Colo. The western cattlemen are practically a unit behind them.

There will be two reports submitted to the convention on the plan of reorganization, the majority being against the plan as far as it applies to the railroads, the minority favoring their admission. The Texas delegates are particularly strong against the admission of the railroads, and threatened this morning to withdraw from the association if the railroads are allowed to come in.

The general committee considering the reorganization will not report to the convention until tomorrow morning.

The morning session of the convention, Vice President H. A. Jastro of California presided in the absence of President Hagenbarth. After the transaction of some routine business, Frank Cooper of Kansas City, Mo., was introduced and read a paper on "The commission merchant and his relation to the livestock business."

A brief discussion followed the reading of Mr. Cooper's paper. It was led by A. J. Rothwell of Wyoming who took strong exception to a statement made by Mr. Cooper to the effect that the struggle for life in the business world no longer existed. He characterized the talk of Mr. Cooper as "hum-combe" and asserted that there were no men in the world who fought so determinedly for business as the commission men whom Mr. Cooper represented.

Mr. Bell of Laramie, Wyo., spoke strongly urging the cattlemen to stand together against the railroads which he said did not treat the cattlemen with sufficient consideration.

THOMAS K. NIEDRINGHUS.

Mo. House Want His Campaign Contributions Investigated.

Jefferson City, Mo., Jan. 11.—In the house of representatives today a resolution was unanimously adopted, providing for the appointment of a committee to investigate the campaign contributions of Thomas K. Niedringhaus of St. Louis, the Republican candidate for U. S. senator to succeed Senator Cockrell.

HERMANN WILL RESIGN.

He is President of the Cincinnati Baseball Club.

Cincinnati, Jan. 11.—A sensation was caused today by the announcement that August Hermann, president of the Cincinnati club, will resign as chairman of the national baseball commission. Baseball men now here are trying to prevail on Mr. Hermann to reconsider. He says he is through with the national commission, however, the minor leagues are particularly for Hermann not to resign, but if he insists, they say they want John T. Brush, president of the New York National league team, to succeed him. An effort will also be made to have minor league representation on the commission in which event either George T. Beau or Howard Griffiths and one more minor league man, possibly Pat Powers, may be admitted to the commission.

SANTA FE REBATE CASE.

Secy. of the Navy Morton Will Be a Witness.

Chicago, Jan. 9.—The Chicago Record-Herald tomorrow will say: Secy. of the Navy Morton will be a witness before the interstate commerce commission when that body meets on the occasion of the hearing of the Santa Fe rebate case. This can be practically stated on official authority. The commission has postponed the hearing from Friday to next Monday, when it will

come to Chicago prepared to hear all evidence which may be adduced. It was stated that the three main witnesses for the Santa Fe would be Secy. Morton, President Ripley of the Santa Fe and James Douglas, president of the El Paso Southern railway, with which the Santa Fe claims to have had an agreement regarding the division of the route on coal.

GUILTY OF CONTEMPT.

Disobeyed Orders of the Colorado Supreme Court.

Denver, Jan. 11.—Four men were adjudged guilty of contempt by the supreme court today for conduct at the polls at the recent election in violation of the court's orders and were sentenced to jail. E. H. Radetsky was given six months, William Ely four months, John Thomas three months and Adam Fries two months. Fries' sentence was suspended on account of his advanced age.

GAMBLING IN PORTLAND.

Sheriff Word Wins in His Fight Against It.

Portland, Or., Jan. 11.—The fight which has been carried on between Sheriff Thomas Word of Multnomah county and the big gambling establishments of this city has practically been won by the sheriff, and Portland from now on will be a "clean town."

The largest concern of its kind operating in this city has paid the fines assessed against it as the result of recent prosecutions, and has caused the dismissal of a suit for damages against the sheriff which closed up and retained possession of the premises of the gambling house. This place has announced that it will hereafter retire from gambling entirely.

Sheriff Word when he was elected, promised to clean out gambling in this city, and his crusade against that element has been of considerably more than local interest.

TRADE CONDITIONS.

Provision Made for Investigation At Home and Abroad.

Washington, Jan. 11.—Provision is made for the investigation of trade conditions at home and abroad in amendment to the executive, legislative and judicial appropriation bill, reported to the senate today from the committee on appropriations. Agitation of this question was started soon after the creation of the department of commerce and labor, and bills were prepared by several members of Congress providing for a commission to make such investigation. The senate amendment appropriates \$30,000 to make investigation, with the object of promoting the domestic and foreign commerce of the United States, and report the results to Congress.

A WHOLESOME MURDERER.

Kills His Wife, Baby and Tries to Kill Another Daughter.

Chicago, Jan. 11.—With a pistol and razor John Miller, a cook, killed his wife and infant daughter today, fatally wounded another young daughter and then attempted suicide. Jealousy is believed to have been the cause.

SENATOR FROM CALIFORNIA.

Republican Caucus Chooses Frank P. Flint of Los Angeles.

Sacramento, Cal., Jan. 11.—Frank P. Flint of Los Angeles was chosen for senator in caucus this morning. The call for a caucus was signed by 75 members of both houses, 65 attended and voted.

The joint session of the legislature will be held at noon today and Flint will then be formally elected.

Frank P. Flint was born in North Reading, Mass., July 15, 1862. In 1869 his parents moved to San Francisco, where he was educated in the public schools. In 1886 he moved to Orange, then in Los Angeles county. In 1888 he was appointed to a clerkship in the United States marshal's office there. He studied law, and in 1892 was appointed assistant United States attorney under M. T. Allen.

In the following year both resigned and formed a partnership for the practice of law with M. T. Allen. Mr. Flint was elected to the superior bench, Mr. Flint with Donald Barker established the law firm of Flint and Barker which has continued to this time. He is appointed United States attorney for the southern district of California April 8, 1907, and served for four years. He has always been active in Republican politics. He is married and has two children, a girl 13, and a boy 11 years old.

Snow Covers Nebraska.

Lincoln, Neb., Jan. 11.—Snow covers Nebraska from the Colorado line to the Missouri river. There has been little wind and therefore not much suffering on the part of the live stock.

Oklahoma Legislature Meets.

Guthrie, Okla., Jan. 11.—The Oklahoma legislature met in joint session today and listened to the message of Gov. B. B. Ferguson.

HANKOW-CANTON RY.

U. S. Regards it as an American Corporation.

Washington, Jan. 11.—The state department has informed the Chinese government, through Minister Chen Tung Chang, that it regards the Hankow-Canton railway as an American corporation, pure and simple, and as such entitled to the protection of the United States government; also that it would not look with favor upon the proposed cancellation of the franchise of the company by the Chinese government.

Not long ago the American holders of the securities of this corporation, which is incorporated under an American charter, began negotiations looking to the transfer of their securities to foreigners. The Chinese government having granted the franchise to an American corporation, looked upon the proposed transfer of stock as a breach of faith, warranting a cancellation of the franchise of the company. This led to a careful inquiry by the state department into the facts, and it was found the negotiations for the transfer had fallen through, and that all of the stock was to remain in American hands, whereupon Secy. Hay, as indicated, served notice upon the Chinese government that the department regarded the railroad company as an American corporation.

CAUCUS WILL NAME SENATOR TONIGHT

Ex-Congressman Sutherland to Have the Undisputed Right Of Way.

JUDGE BARTCH WITHDRAWS.

He Makes a Statement to That Effect To the Deseret News This Afternoon.

GLASSMANN IS ALSO OUT OF IT.

Legislature Enters Upon Another Day's Work—Not Much, However, Will Be Done This Week.

The Republican members of the Utah Legislature will hold a caucus tonight to name a United States senator to succeed Thomas Kearns. His choice will fall upon ex-Congressman Sutherland. Of that there is absolutely no doubt as a canvass of the legislative personnel makes it clear that he is the favorite of the majority. It even seems probable that the name of no other man will even be presented, as chief Justice Bartch and Mayor Glassmann have both signified very clearly that they are no longer in the race. At 2 o'clock this afternoon ATTY. Van Pelt telephoned the Deseret News this authorized but simple and significant statement.

"Judge Bartch does not desire that his name shall be presented to the caucus tonight as a candidate for United States senator."

It may be stated in this connection that the judge has at no time been an aggressive candidate. So far as his name has been used in connection with the senatorship it has been at the instance of friends at home and elsewhere. It is also at their instance, doubtless, as well as on his own good judgment that he takes this step. When inquiry was made as to the specific reason Mr. Van Pelt said that the judge did not desire to discuss the matter in any way, and that his views were reflected in the announcement telephoned to the "News."

Earlier in the day Mayor William Glassmann of Ogden also telephoned the Deseret News that he was not now a candidate for the senate, not in any sense whatever, and that he did not desire to be considered in connection therewith.

ELECTION ON JAN. 17.

The election will take place in the joint assembly on January 17, which will be one week from yesterday. According to present arrangements Mr. Sutherland will leave for Washington tonight to give testimony in the Smoot case.

LEGISLATIVE WORK