

as he did about the administration that ing a new burden. "It is a great job," he added; "It means an army in Santo Domingo." "I deny," he continued, "the author-ity of the executive department to make any agreement or contract to bind the people of the United States is the way indicated. It is an assumpin the way indicated. It is an assump-tion of authority on the part of the ex-ecutive. I want some lawyer in this chamber to tell me where the president gets that kind of authority." Mr. Teller reviewed the departments of government and held the action of the secretary of state a gross violation by the creating and assumption of the

the executive and assumption of the by the executive and assumption of the rights of the legislative department. While this one violation might not amount to much, it might be followed by others, until the executive power would be the supreme power of the gov-

"Have you resigned your member-"I have not." ship in the Church?" "Do you intend to continue sustain-ing Smith in his commission of crimes against the law of the land?" Senator Smoot again said that he was not sustaining Smith except as president of the Church, and that it was not his duty as an officer of the law or ernment, Mr. Perkins of California replied briefly to Mr. Teller as to his remarks relating to the Philippines. The islands were United States territory, and the mprovements provided were necessary. The amendment was further discuss-d by Messrs, Carmack, Gorman, Bacon not his duty as an officer of the law or as a citizen of Provo to bring action

gainst Smith, a citizen of Salt Lake hty. Senator Smoot stated that some of the Democrats in the Utah Legislature were "Mormons," but no Democrats voted for him. In answer to a question by Chairman Burrows, Senator Smoot said J. C. Gra-ham, a polygamist, was removed as a postmaster because of his polygamy postmaster because of his polygamy four or five years ago. Senator Bailey referred to Eph Ho-mer, Republican chairman of the sena-tor's home county, and asked the wit-ness if he had seen a circular attacking a candidate for Congress, because of his testimony before the senate committee, Senator Smoot deplored the circular and said he would have prevented its issuance if he had known of it in advance Senator Burrows began the afternoon session by asking Senator Smoot if he was at liberty to resign his apostleship at any time, to which an affirmative answer was given. He also said he had answer was given. He also said he had not seen nor participated in the endow-ment ceremony since it was adminis-tered to him when he was 18 years old. Senator Burrows referred to Senator Smoot's expression of surprise at the testimony of President Smith as to the number of children he had had since number of children he had had since the manifesto, and asked if he had said anything to President Smith since his testimony in regard to the matter. The witness replied that he had not. Pursuing his inquiry, Chairman Bur-rows asked if Senator Smoot taught and preached his faith. He did occa-"Do you teach polygamy?" "I do not." "Do you preach against polygamy or "I never have, I don't know why I should. It is not a tenet of the faith. It has been suspended, and I think it would not be proper for me to bring it up." The chairman inquired concerning the uncertainty of the interpretation of the manifesto as to whether it applied to both plural marriages and polygamous both plural marriages and polygamous contabilitation. Senator Smoot said the people were uncertain, but that Presi-dent Woodruff had interpreted it as prohibiting polygamous cohabitation. He said he understood that the revelathe commanding the promulgation of the manifesto against polygamy was the result of pleadings by President Woodruff for the command of God con-cerning his wishes on that subject. On redirect examination Senator Smoot said he believed the Church re-Senator quires Church officials to obtain leaves of absence to engage in business, pollles or anything else which might take them away from their Church work, and is not confined to politics. This concluded the examination of Senator Smoot, Moroni Gillespie, a patrolman in Salt Moroni Gillespie, a patrolman in Sait Lake, Utah, testified that Angus M. Cannon, Jr., who testified in relation to the alleged marriage of Abram Can-non and Lillian Hamlin, could not be believed under oath. He testified, also, that J. H. Wallis, Sr., who told the committee of the Endowment House outer back heat paraetad on the charge committee of the Endowment House oaths, had been arrested on the charge of drunkenness. Gillespie said he was present in court when Wallis pleaded. Wallis had testified that he never had been arrested. In reply to Chairman Furrows, the witness reused to divulge the Endowment House oath. John M. Whittaker, gave unimportant testimony and declined to answer about the endowment ceremonies.

SMOOT HEARINGS

[The following testimony in the case

against Senator Smoot came too late

for our last issue so is continued today

"Have you resigned your position as an Apostle of the Church?"

"I have not." "Have you resigned your member-

that our readers may have it entire.]

observation on election day or to the confirmation of such testimony already The committee adjourned until tomorrow afternoon, when the experts will report on the votes found in other ballot boxes. Atty. Thomas Ward, Jr., President of the Council and Minister of Finance-M. Rouvier, Minister of Justice-M. Chaumle, said tonight that about 50 more ba lot boxes still remained to be opened. Minister of Foreign Affairs-M. Del-

LA FOLLETTE FOR SENATOR.

Republican Caucus Chooses IIim

had never been numbered as provided

Five witnesses were examined to-

y law.

offered.

Madison, Wis., Jan. 23.—Gov. Robert M. LaFollette was tonisht, in Republi-can caucus, chosen for United States senator to succeed Joseph V. Quarles. The governor received 65 votes out of 107 on the informal ballot, which, upon motion, was made formal. Upon a motion to succe the noninetion uport

To be Quarles' Successor,

night. One was a man who testified that he assisted in fraudulent voting on election day, and the others testified to false voting which came under their The Rouvier Cabinet. Paris, Jan. 23.-President Loubet to-day received M. Rouvier, who an-nunced his definite acceptance of the mission for the formation of a cabinet. Following is the list of the new cabi-net ministers as finally arranged:

Minister of the Interior-M. Etlenne.

Minister of the interior—a. Efferine. Minister of War—M, Berteaux. Minister of Marine—M. Thomson. Minister of Colonies—M. Clementel, Minister of Public Works—Armant leauthier.

Minister of Public Instruction-M. Bienvenu Martin, Minister of Commerce-M. Du Bief, Minister of Agriculture-M. Rusu. Under Secretaries-Fine arts, Dalar-din Beaumetz; finance, M. Menlou; posts and telegraphs, M. Berard.

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L. S. Hills, President Moses Thatcher, Vice President H. S. Young, Cashier Edgard S. Hills, Assistant Cashier

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East Side.

ed by Messrs, Carmack, Gorman, Bacon and Money, all of whom favored it. Mr. Money based his support on the fact, as he said, that if the provision for the forlification of the Philippine islands was left in the bill "it would look as if we are there to stax." He expressed the opinion that the Japanese were the natural protectors of the Filipinos if they need a protector, which he did not believe, that the Philippine prove used a no such assistance, but that the San Daningans were also capable of tak-ing care of themselves. It had been said, he continued, in an executive sessaid, he continued, in an executive ses-sion of the senate, by a senator who had assisted in negotiating the Span-ish treaty that one of the principal rea-sons for acquiring the Philippine isl-iands was found in the desire to have a base near China from which to operina "In order that we may get our re." He opposed any policy looking the dismemberment of that great share. amendment was voted down, 17 to party vote. The bill was then Dissout

When the joint statehood bill was

When the joint statehood but was taken up Mr. Bate continued his speech in opposition to that measure. Mr. Beveridge made an effort to se-cure an agreement to vote on the bill, but opposing senators objected, saying that no day for a vote on the bill itself that no day for a vote on the bill itself reald be named until the amendment had been voted on. Mr. Beverldge sug-rested that a vote be taken on Mr. Pat-lerson's amendment, eliminating Ari-sona, on Friday. Jan. 27, and on the bill itself Saturday, Feb. 4. "It is contrary to precedent to fix a fate to vote on statehood bills." sug-feated Mr. Carmack, referring to the

gested Mr. Carmack, referring to the

Life's Change. Much Suffering at This Critical Period Saved by Dr. Miles' Nervine.

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testimony and declined to answer about the endowment ceremonies. Owen N. Stowell of Brigham City, second counselor to Stake President Kelly, said that Kelly did not claim to have a divine revelation directing him to acquire 1,000 shares of electric light company stock, as had been claimed by other witnesses. On crossexamination, Stowell admitted that the high council of the Church met with the city council and the light company the city council and the light company at the offices of the high council. He

motion to make the nomination unani-mous a few members rose to their feet and voted against it.

Senator Quarles received 26 votes, the other sixteen being divided among three candidates.

HOUSE REFUSED TO EXPRESS SYMPATHY FOR RUSSIANS.

Washington, Jan. 23 .- The session of



in Russia. Speaker Cannon put the question to the house. The only vote in favor of adjournment was that of Mr. Baker. Seeing that his motion was lost, Mr Baker, shaking his finger at the Repub-Baker, shaking his inger at the Repub-lican side of the house, exclaimed: "That is the interest you people have in humanity," and in an undertone said that if it had been a king or an em-peror who had been shot down the house immediately would have ad-iourned. journed.

journed. No sooner had the house resumed its composure than it was thrown into a state of excitement by Representative Pearre of Maryland being stricken with nervous convulsions. He re-ceived immediate treatment from Dr Hunter, a member from Kentucky, the speaker in the meantime announcing that a ten-minute recess would be tak-en. Mr. Pearre revived rapidly and

en. Mr. Pearre revived rapidly and was taken to his home. Upon resuming the session the Disen. trict of Columbia appropriation bill was taken up in committee of the whole. Under latitude of general debate, Mr. Eurgess of Texas discussed at length The question of rates charged by the railroads. He compared the utterances of Theodore Roosevelt's message to the Fifty-seventh and Fifty-eighth Con-gresses on that subject and said it was a notable fact that not until after elec-tion did the president come out cleara notable fact that not until after elec-tion did the president come out clear-ly for legislation which would meet the present condition of affairs. The pres-ident in that message had with ability and marked clearness discussed the duty of the government and he pointed out that the president's position admit-ted of no sort of question. Summing up his remarks, Mr. Burgess

said that an opportunity was now pre-sented for members of the house to rise above party and vote for legislation which will restrict the railroads. The matter, he said, resolved itself into the

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