

protest, each and every matter and thing therein contained, except the two charges above mentioned.

While the respondent is advised and avers that the other matters referred to in said protests are such as cannot legally or properly be considered as af-fecting the right of the respondent to retain his seat in the senate, nevertheess the respondent now proceeds to answr the same, submitting the question relevancy of the same not waiving his said motion, but insisting there-

NO SELF PERPETUATING BODY.

The respondent denies that he is one of said alleged self-perpetuating body of 15 men, or that there is any such body of men; or that the followers or members of the Church of Jesus Christ of Latter-day Saints or any of them. accord the right to said alleged body o claim supreme authority, either divinely sanctioned or otherwise, to shape the belief or control the conof those under them in all or any matters, civil or temporal, and that said church or such alleged body plaims or exercises any such alleged rights; or that said church, or said alleged body of men or either of them, anite either in one body or in all of them, the authority of chruch and State Hate, or of the state, or that said hurch, or said alleged body of any person or body exercises any authority hurch. power as to inculcate or encourage belief in the practise of polygamy It belief in or practise of polygamous tohabitation, or that either counten-nices or connives at any violation of the have he laws of the State of Utah or of the United States, either regardless of pledges or pledge, or otherwise at all, lither made for the said alleged pur-pose or otherwise, or at all, or of any

The charge that Mr. Smoot, from the high station of United States senator, would wage war upon the home is de-

ever.

tock recently are reported to have re-turned there instead of proceeding to

CRISIS AVERTED FOR PRESENT.

Paris, Jan. 9 .- Official advices re-

ceived here today further convince those in the highest authority that the

but also from St. Petersburg, give a clearer view of the circumstances lead-

ing up to the audden improvement of

the situation. They show that the Rus-

to southern Corea, The official re

first note received on the sixth dis-

mount rights in southern Corea.

has been

Russo-Japanese war crisis

Port Arthur as expected

nied in strong terms. He agrees that the home is the basic institution upon He agrees that whose purity and perpetuity rests the very government itself and he alleges that he has as sacred regard for the station of senator and for its duties as has any of the protestants or the most loyal citizens. He admits that most loyal citizens. He admits that the enjoyment of the privileges of statehood must depend upon the ob-servance of the sacred compact upon

which statehood was secured, also that the rights thereby granted are not inalienable, but denies that he is or ever will be unfitted to make any law.

SIGNIFICANCE OF HIS ELECTION. Concerning the political significance

of his election as United States senator, Mr. Smoot says that in May, 1902, he announced he would be a candidate before the Legislature to be next elect. ed and that such declaration was of his own judgment. Continuing, he says, "that the Democratic papers in the state of Utah, opposing the candidacy of this respondent, stated over and over again in prominent headlines and in strong editorials that a vote for the Republican ticket meant just that much toward the selection of this reports establishing these preparations are without the slightest question the spondent as the next Republican Unitclosed to Japan for the first time that Russia fully conceded Japan's paraed States senator from the state of Utah; that the members of the Legisature were nominated and elected on that issue and your respondent was the choice, by a large majority, of such Legislature, as the Republican United States senator from the state of Utah, and most of the Gentile Re-



lose political relations. Foreign Minister Delcass is expected fairly meet the demands war will ensue to return to Paris from Nice today or The attitude of the British and tomorrow, but his coming is not sig-Americans greatly encourages the Japnificant as relating to the pending sitanese war spirit which is stronger than uation.

The entire official and diplomatic community showed great relief today from the severe strain of recent days. The meeting of elder statesmen has been deferred for a day or two. The Russian warships which left Vladivos-

JAPAN CRUISERS SAIL.

Genoa, Jan.9 .- The Japanese armored cruisers Karaga and Niasin left Genoa today for Suez. Despite the early hour, 4:30 a. m.,

many people gathered ashore to see the Japanese warships leave and to give a last cheer for Japan. Through the semi-darkness the brilliantly light. Through Russo-Japanese war crisis has been averted in the far east for the present and the situation being brought dis-tinctly within the lines f diplomatic ad-justment. Reports, chiefly from Tokio, ed ships could be clearly seen. The Italian sailors on board the departing ships exchanged loud salutations with their countrymen on the docks or on the steamers anchored near them. The Kasaga left first. The Niasin sailed half an hour later, but apparently go-ing in the direction of Naples, but no one knows what route they will take, even the commanders, before leaving, sian answer actually reached Tokio the night of Jan. 6 and proved to be the turning point. Prior to its receipt Japan had been making strenuous preparations for sending two divisions to southern Correct The official rehaving acknowledged they were in the dark regarding the instructions contained in the sealed orders. The general opinion, however, is that they will go through the Suez canal.

Much comment has been aroused by the fact that some of the vessels of the Russian Mediterranean squadron have gathered at Suda bay, in the Island of Crete, apparently awaiting the departure of the Japanese ships. INTERVENTION PREMATURE.

Russia's concession thus gave Japan practically what she had been prepar-ing to assert by force and accordingly, St. Petersburg, Jan. 9 .- The suggestion of the intervention of other powers in the far eastern situation is regard

arrive in Seattle about 1:30 this after-noon. The names of those who have been rescued or drowned have not yet been received.

SURVIVORS ARRIVE.

The Utah Fuel company reports today Seattle, Wash., Jan. 9 .- A report to the Times from Port Townsend says: 258 men at work in the Castle Gate The tug Sea Lion arrived here at 9 camp. Two hundred more men could o'clock this morning bringing in the be utilized at Castle Gate and 150 at first news of the loss of the steamer Clallam in the straits early this morn-Winter Quarters. Clear Creek and ing, The Sea Lion brought 24 surviv-ors. The tug Richard Holyoke ar-rived at 10:30 o'clock with nine addi-

tional survivors. Owing to the high southwesterly gale and heavy sea the Clallam became un-manageable yesterday afternoon when off Discovery island. Heavy seas broke the lights and the vessel began to fill. All the women passengers were placed in three boats which capsized alongside and all were lost. As a result of telegraphic advices from Victoria, from which place the C'Mam's predicament was seen, the tug Richard Holyoke was dispatched from Port Townsend and got a hawser aboard of the Clallam and started to tow her into Shelter. Owing to high wind Capt. Roberts of the Ciallam was unable to inform Capt. Hall of the Holyoke of the condition of About 1 o'clock the tug Clallam ea Idon, which had been sent to aid vessel, spoke the Clallam and arned that she was foundering, and steamed ahead and notified the Holy-oke, which cut her hawser and assist. d the Sea Lion in rescuing the passen.

THE IROQUIS' FIRST FIRE.

politely withdrew.

"WHAT ARE WE HERE FOR?"

For a few moments Coroner Clark and the jurors gazed blankly at one anand then one of them asked: What are we here for? We don't know any more now than we did some days All that we have listened to has ago. been given to the public long ago by the newspapers. After being convened as a jury for some days and listening to considerable testimony, we can ar-rive at the conclusion that Mr. Gleason and Mr. Brighton were shot and killed by a murderous hold-up! The newspapers told us all we know long ago."

WHAT CLARK SAYS

Justice Clark said: "I think we have the right to summon the suspects now under arrest here, and hear their story. We are convened to inquire into the facts in the case. We know that two men were killed but beyond that we have not a single fact before us. If ther is reason to believe that some person now in custody is guilty of the crime we should know something about it, and if there is probable cause I think it would be my duty to issue a warrant?

ADJOURNED UNTIL MONDAY.

Justice Clark then adjourned the jury until Monday afternoon at 2 o'clock. In taking this action there is likely to be conflict with the county attorney. That official distinctly said he had nothing more to offer. It is imossible for Clark to issue any complaint unless it is approved by the county attorney. One of the jurors



courts. Vice President Kramer and Gen. Manager Williams of the Utah Fuel company and Attorneys A. S. Fowler and S. A. King for the strikers have held several conferences in regard to the matter. Organizers Price and Kelliher also are on the ground advising the men.

The right of the ownership and possession of about 250 houses velved in the transaction of which there are about 40 at Sunnyside, 127 at Castle Gate, 60 at Winter Quarters and 27 at Celar Creek. It is hard to estimate the value of these houses and cabins, but it is stated that they are worth in the neighborhood of \$25,009. A proposed agreement has been drawn up by the attorneys and the ma-

Once Was Considerable.