JUDGE HILES ON WITNESS STAND.

He Testified That Ex-Senator Joseph L. Rawlins is a "Mormon."

A MOST STARTLING STATEMENT

To Mr. Van Cott He Insisted That He Knew What He Was "Talking About."

Washington, March 12.—That Reed Smoot could not have been elected to the United States senate without having first been chosen as an Apostle of the "Mormon" Church and that after he was so chosen he would have been defeated, was asserted by Judge Ogden Hiles, assistant United States attorney from 1886 to 1890, and later a judge of the district court of Utah, who was a witness today in the Smoot case before the committee on privileges and elections.

An interesting feature of Judge Hiles' testimony was his declaration that former United States Senator Rawlins was still a "Mormon," even though he stood out against the Church on the matter of interference in politics. Atty. Van Cott took the witness to task for the statement, and the colloquy enlivened the close of the day's hearing.

Chairman Burrows adjourned the session today subject to call. It is expected there will be a number of witnesses here within a week or 10 days. Among those wanted are Apostles Merrill and Teasdale and John Henry Smith, whose alleged plural marriages already have been recounted by witnesses.

All members of the committee today received copies of four standard "Mormon" books, Pearl of Great Price, Book of Mormon, Articles of Faith and Doctrine and Covenants, each one with inscription showing they are gifts from Joseph F. Smith.

Mr. Critchlow resumed his testimony under cross-examination after the recess. In examination concerning the Thatcher episode it was brought out that Thatcher was in the same status in 1896 as to polygamy as was Brigham H. Roberts when he was elected to Congress, and that Mr. Cannon made his campaign for the senate against the wishes of the Church just as did Thatcher.

Instances were asked in which the Church interfered in business matters in the last five years, and Mr. Critchlow mentioned the location of a union station in Salt Lake, the incident at Brigham City, in which the Church is said to have opposed a certain amusement hall; a case before the high council of the Church, in which the parties were Jensen vs. the Dietrich Land & Live Stock company, and certain water litigation between the Salt Lake and the West Jordan canals.

Mr. Critchlow's information on the subject was indefinite, and he said he could give no competent testimony on the subject.

The witness was asked concerning a statement in former testimony that a "Mormon" committee dictated legislation in the first session of the Legislature.

He named as this committee C. W. Penrose, W. W. Riter, James Sharp, William H. King, F. S. Richards and James M. Tanner. Mr. Richards was in attendance at the hearing as adviser for the "Mormon" witnesses.

Mr. Van Cott asked the witness what information he had as to the existence of such a committee, and said he knew from admissions made by George Q. Cannon and Heber J. Grant and certain members of the Legislature in interviews published in April, 1896, in the Salt Lake Herald, then edited by B. H. Roberts; the Salt Lake Tribune and the interviews of Grant and Cannon in the Deseret News.

He also said he had received a letter from Joseph Munson, a member from Cache valley, giving information as to occurrences between Munson and Bishop Stevens, in which Stevens said it had been decided by Church authorities that inasmuch as the Legislature was inexperienced it was best to have a committee of the Priesthood to pass on legislation as to whether it was proper.

JUDGE HILES ON THE STAND.

Judge Ogden Hiles of Salt Lake City, assistant United States attorney in Utah from 1886 to 1889, in prefacing his testimony, said he had drawn more indictments and prosecuted more cases of unlawful cohabitation under the Edmunds-Tucker act than any other official in Utah.

For the first two years the people, he said, refused to obey the law despite the fact that opportunity was given offenders to escape punishment if they would promise not to violate the laws in regard to cohabitation. "Those people," said the witness, "said they must obey the law of God rather than the law of man. They seemed to think it an act of apostacy to go counter to the Church rules, even in obeying the laws of the land. The cases were pressed hard, and then the people began to promise to obey the law, for they were poor and could not pay the fines, and consequently it became generally reported that the practise of polygamous cohabitation was breaking up."

The witness covered much of the ground gone over in the testimony of Mr. Critchlow, but in regard to the cessation of prosecutions until after the manifesto of 1890 he added many interesting details. He said there was a disposition not to prosecute cases when the law generally was obeyed, but that after the manifesto it was seen that the "Mormons" had returned to their old practise. He said this was evident from the new "crops of children" from polygamous families which continued to spring up.

In the cross-examination Mr. Van Cott brought out a great deal of testimony regarding Church influence for the election of Reed Smoot for the senate, and Judge Hiles stated positively Mr. Smoot could not have been elected to the United States senate if his candidacy had not been approved by the "Mormon" Church.

"Do you mean that if Mr. Smoot had been a lay member of the Church that he would not have been elected, or that if he had been an apostle and had not the endorsement of his quorum he could not have been elected?"

"Mr. Smoot could not have been elected without having been an apostle and without the consent of the Church."

"When it was announced first that he was a candidate he was not an apostle," remarked Mr. Van Cott.

"Oh, well, his candidacy was not taken seriously then, but when his candidacy was announced after it was known that he was to be an apostle it was certain that he would be elected."

"Will you tell us why you say he could not have been elected when his candidacy was first announced—was it because he had no standing in the party?" asked Senator Hopkins.

"He had no standing that would entitle him to such a promotion, and he was not seriously thought of," answered the witness.

"Were there any other Republicans mentioned for the senatorship before the selection of Smoot as an Apostle?"

"Yes, Gov. Wells was mentioned and Gov. Thomas and some others."

In answer to other questions Judge Hiles said he believed Mr. Smoot always had taken an active part in politics and had been allied with the Republicans, but that he never had heard of Smoot having made an address in any campaign.

Mr. Van Cott asked the witness how he accounted, in view of the testimony he had given, for the "Mormons" sending non-"Mormons" to the senate. "How about Joseph L. Rawlins?" he asked. "He is not a 'Mormon.'"

"Joseph L. Rawlins; oh, yes; he is a 'Mormon.'"

"What? Rawlins a 'Mormon?'"

"He was born into the Church of 'Mormon' parentage."

"But surely you do not mean to say that because a man is born of 'Mormon' parentage he is always a 'Mormon?'"

"Pretty close to it."

Mr. Van Cott mentioned the fact that former Senator Rawlins stood out against the Church in regard to its principles and worked against it. Judge Hiles corrected the statement by saying "certain principles," and then said that with the qualifications he had made he regarded Rawlins as a "Mormon." Continuing, he said he had heard President Joseph F. Smith say that he considered Frank J. Cannon a poor "Mormon," but witness thought Cannon "a good 'Mormon,'" and while it may be said that Rawlins was "not a good 'Mromon,' nevertheless he was a 'Mormon.' Judge Hiles said that both Cannon and Rawlins stood out against interference by the Church in politics. He declared that Mr. Rawlins once believed in the good faith of the 'Mormon' Church, but that he did not now believe in it.

Mr. Van Cott attempted to take Judge Hiles to task for his statement that Rawlins was a "Mormon," and asked if, as a matter of fact, his entire testimony was not just as realiable as his statement in regard to Rawlins. The witness stood his ground in regard to Rawlins and said that he knew what he was talking about, and that with the qualifications he had made Rawlins was a "Mormon." He added with emphasis that there were no qualifications in regard to the remainder of his testimony.

The witness said his basis for believing that polygamy was more flagrant since Utah was admitted as a state was that more polygamous children were being born, and that polygamists drove through the streets more openly than before. He could cite only one instance of the latter kind, however. Senator Hopkins asked a number of questions to find out if Judge Hiles knew whether there had been any polygamous marriages since the manifesto, and he said he did not. Witness said he believed that such marriages had taken place. One case he had in mind was that of a personal friend, and he thought the plural wife had been taken since the manifesto on account of the youth of the woman. Counsel for the defense pressed for the names of the persons, but the committee decided that the witness need not disclose them.

Mr. Tayler said they had a great deal of evidence to offer that plural marriages had taken place since the manifesto.

There being no other witnesses to examine, the committee adjourned subject to the call of the chairman.

ST. PETERSBURG STIRRED,

Over False Report of Intention of Washington Government.

St. Petersburg, March 13.—The circulation here of an untrue report to the effect that the Washington cabinet had decided to support the protest of the commander of the United States gunboat Helena, now at Newchwang, against the action of tthe Russian authorities in sinking Chinese junks in the channel of the Liao river, and that Washington would notify Russia that the neutrality of Newchwang must be respected, has created something of a flurry.

The Novoe Vremya makes this the subject of an editorial entitled "More American Meddling," in which it is contended that as Newchwang is within Manchuria, and is only six miles from the railroad at Port Arthur, Russia has a perfect right to take defensive measures there and that unless the United States is seeking a cause for a quarrel, it would not insist upon supporting the protest of the commander. Fortunately a denial of this story reached here tonight in time to head off what might have proved a fresh cause for irritation.

Prince Mashchersky, writing in the Grashdanin, a weekly newspaper of St. Petersburg, predicts that Gen. Robrikoff, governor general of Finland, is to be the appointed minister of war.

According to a dispatch from St. Petersburg dated Feb. 23, Gen. Sakharoff had been appointed to act as minister of war in the absence of Gen. Kuropatkin.

A UNIVERSITY PLAN.

It is to Unite Columbian, American and National University.

Washington, March 13.—A plan has been suggested to unite the Columbian, American and National universities of the District of Columbia to form the nucleus of a great university at the capital city. The trustees of the American university, with its endowment of over $2,000,000, and its wide tract of ground in the northwestern suburbs, have discussed the project. Bishop McCabe, head of the university, has spoken favorably of the idea. President Needham of the Columbia university and a number of other officers of that institution have expressed a willingness to meet the American university people and consider the project. The National university officers are favorable. It is entirely probable that within the next few months such a meeting of the different interests will be had.

It is suggested by friends of the combination plan that a merger would retain at least one of the strong features of each of the chief institutions and would give much greater financial strength. The union plan chiefly, however, is for the establishment of real university post graduate work.

GEN MARX CONFESSES.

Was One of Those Who Held Up C. & N. W. Express Years Ago.

Chicago, March 13.—Gustave Marx, one of the three car barn bandits now under sentence of death, declared in a confession made today that he was one of the three men who held up the Chicago & Northwestern express train near Dekalb four years ago. The crime, which has passed into history as one of the most desperate ever committed in or about Chicago, has never been fastened upon any one.

Marx says both his confederates in the robbery are dead and he refuses to give their names. One of them, he declares, "died with his boots on." The railway authorities admitted a loss of $102,000 by the robbery. Marx says the robbers secured only $8,000, the rest of the money having been destroyed by the explosion of dynamite used to crack the safe.

In a sort of foot note to this startling confession, Marx admits the killing of five men in his career.

"Besides John B. Johnson, killed at the car barn, Detective Quinn, killed at the time of my arrest, and Ottto Bauder, whom Roeski is generally supposed to have killed, I have killed two other men.

"Eight years ago Niedermeier and I went to Janesville, Wis., to rob a train, and hid our dynamite alongside the track. A trackwalker or railway detective—I have never learned which—came upon us and asked us what we were doing there. I shot him and we threw his body into Rock river.

"The other man whom I killed I had done criminal work with in Michigan. I met him at Camp Goldfield, Colo., when Niedermeier and I were there last fall. He knew too much about me, and I killed him and left his body lying in the suburbs of the camp. Both these crimes can be verified by the police."

The Kaiser at Dover.

Dover, England, March 13.—The North German Lloyd steamer Koenig Albert, on its way to the Mediterrancan with Emperor William on board, arrived here this afternoon. A large crowd welcomed the emperor, but as the visit was unofficial, no salute was fired. Sir William Henry Crundell, former mayor of Dover, went on board the Koenig Albert and delivered some dispatches after which the vessel proceeded.

Flood Conditions Over.

Portland, Or., March 13.—According to information received by the United States weather bureau, lower temperatures throughout Oregon, Washington and Idaho have caused the snows to cease melting and the serious flood conditions which have prevailed generally in the three states have subsided. It is probable that until June there will be no serious rises, although it is expected that the Columbia and Willamette rivers will remain moderately high.

Women's Hall of Fame.

St. Louis, March 13.—St. Louis is to have a woman's hall of fame. The proposed institution, which promises to rival interest and scope New York's hall of illustrious men, will be established in the Woman's building at the World's fair.

It had its inception with a society of well known New York men, and the project has been given the approval of the board of lady managers.

The requirement will be that every woman represented shall be a prominent member of ultra-fashionable society in one of the representative American cities.

Already a number of handsomely engraved invitations have been sent to some of the women representing New York society, asking that they furnish their photographs, which will be appropriately framed and hung in the hall.

Every large city in the country will have its quota of representatives, and the members of the board of lady managers who represent their states in social prominence will have places in the hall.

BOOM FOR GEN. MILES.

Iowa Democrats Start One for Him for President.

Des Moines, Ia., March 12.—About 75 prominent Iowa Democrats held a conference here tonight and launched a boom for Gen. Nelson A. Miles for the Democratic nomination for president. It is claimed that the Iowa movement is part of a national one which has been begun by Gen. Miles' managers.

Stevedore W. V. Chase Dead.

San Francisco, March 14.—W. V. Chase, the well known stevedore of this city is dead. He was a native of this city and 47 years of age.

GUS MARX'S CRIME.

None Such as He Confesses Committed in Cripple Creek District.

Colorado Springs, Colo., March 14.—A special to the Gazette from Camp Goldfield states that no such crime as Gustav Marx, the Chicago bandit, describes in his confession, has been committed in the Cripple Creek district within the past year. All crimes committed in that district have been run to earth and fastened on some person. Neither the police nor the militia know of any such crime with which Marx could have been connected.

A TOUGH VOYAGE,

The Falls of Halladale Could Not Round Cape Horn.

San Francisco, March 13.—The British four-masted bark Falls of Halladale has just arrived, 235 days out from Liverpole. After leaving that port on July 25 last, everything went well until the vicinity of Cape Horn was reached on Sept. 25. There a succession of terrific southwest and westerly gales were encountered which rendered it impossible to work the ship around the cape and into the Pacific. One of the gales attained a hurricane velocity on Oct. 9 and 10, in the course of which 19 sails were blown away. After attempting to make the Falklands, Capt. Thompson finally decided, after the vessel had been badly damaged and considerable water had worked its way into the hold, to square away for the eastern passage around the Cape of Good Hope. On Jan. 1, Foveaux Island, off the south of New Zealand, was reaced, and there a stop was made for provisions and water, the supply of which was running short. At Foveaux eight men of the crew, tired out with battling the elements, refused duty, but with the exception of the ringleader, they turned to after the captain and his mates were forced to adopt forcible measures with them. The ringleader was ironed and confined for 38 days. The vessel after leaving Foveaux made the run across the Pacific without any unusual event in the way of mishaps or in point of time. The trouble with the men quieted down and all hands were on duty when the anchor was dropped here.

The condition of the cargo is not yet known, but it is feared that some damage may have resulted from water during the wild weather experienced in the unsuccessful attempt to beat to the westward off the Horn.

OldenburgAccomplishesHisObject

New York, March 14.—Friedrich August, grand duke of Oldenburg, whose uncerimonious departure from European shores is said to have raised much excitement among the inhabitants of the grand duchy has returned to this city having accomplished the object of his journey across the Atlantic, which was to gaze upon the beauties of Niagara, described by Prince Henry of Prussia.

Rumors that he went from Niagara to Washington before coming back to New York cannot be confirmed. The grand duke this evening will go on board the steamer Kaiser Wilhelm II, which sails for Bremen at 5 o'clock Tuesday morning, making his stay in the United States less than a week.

Hospital Offered Japanese.

New York, March 14.—Sir Claude Macdonald, the British minister here, on behalf of the English admiralty has, says a Times dispatch from Tokio, offered the British naval hospital at Yoka-hama with the services of the surgeons for the use of the Japanese sick and wounded.

PASSED TO THE PEOPLE.

Question of School District Consolidation Referred to Taxpayers.

After discussing for over two hours the proposition of consolidating the 33 school districts of the county into either eight or two districts, the principals and the trustees of the county schools decided to leave the matter entirely to a vote of the taxpayers. The meeting was held in the city and county building Saturday afternoon and was presided over by County Supt. of Schools B. W. Ashton. It appeared that the majority of those present favored the consolidation, but those opposed to it presented some strong objections and the matter was finally left to the people to decide.

Richard Howell, a Murray trustee, got the matter properly before the meeting by moving that the proposition be not approved for the reason that it would be detrimental to the welfare of the schools of the county. A heated discussion of the question then followed in which both those in favor and against it made some good points to support their contentions. Those in favor of the motion and against consolidation agreed that it would cost more to maintain the schools under the consolidation than at present; that it would be impossible to secure efficient trustees to control the schools because it would require much more of the trustees' time and there would be no compensation for them; that it would mean a heavy expense in hauling children long distances to schoolhouses in the consolidated districts.

Those against the motion and in favor of consolidation contended that it would be more convenient for the pupils; that it would equalize taxation; it would permit of better grading of the schools; would permit of the employment of more competent teachers; and would permit of the establishment of more high schools throughout the county.

It was argued by David Moffat that the county commissioners have not the power to consolidate the districts. Trustee Woodbury of Farmers ward, moved, as an amendment to the original motion, that the entire matter be left to the taxpayers. This amendment was adopted unanimously. Chairman Anderson, of the board of county commissioners, stated after the meeting that the county commissioners have the power to effect the consolidation, but that it cannot be done until the close of the present school year, in June. The two district plan has been abandoned by the commissioners and they are now considering the seven or eight district plan.

ABOUT TREE PLANTING.

A Timely Topic Discussed Before the Horticultural Society.

The semi-monthly meeting of the Salt Lake County Horticultural society was held Saturday afternoon in the city and county building and was well attended. A very interesting and instructive address was delivered by C. H. Smith of Davis county on the subject of "Tree Planting." The speaker urged that the farmers, in buying trees from the nurseries, should buy such trees as are adapted to the climate and soil to which they are to be transferred. Great care must also be taken, he said, in the selection of the stock, as trees of different stock might be planted in the same soil and the one bear in three years and the other in seven years.

Often times a farmer goes to a nursery and buys a winter variety of apple tree which requires a moist climate and rich subsoil. He then plants it on gravel or clay land, not knowing the variety of the tree, and then wonders why it is not thrifty. Mr. Smith also advocated spring planting and gave some very instructive ideas on the care of fruit trees.

The next meeting of the society will be held on March 26, when an address will be delivered by Martin Christopherson.

WILL KEEP WOMEN AWAY.

Only Those With Escorts or Legitimate Business May Visit Fort Douglas.

An order went into effect yesterday at Fort Douglas by which women unescorted are not permitted on the reservation after nightfall. The object of the order is to preserve the good name of the post and to prevent certain women and young girls from resorting to the post to see the soldiers after dark.

The order, though very broad, does not apply to women who are relatives of any person at the post or who are known to be going to the post to visit some of the families there or can satisfy the sentry that they have business on the reservation. It is stated by the officers that it is not the intention to annoy any respectable women who visit the post but that such an order was necessary to preserve the reputation of the fort.

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