

MAKES REPLY

Response of Reed Smoot to Charges Against Him

DENIES THEM ALL

He contends that only two of the charges, if true, could legally affect his right to hold his seat as senator—these are as to his being a polygamist and that his oath to the church is inconsistent with the oath required by the constitution—both of these charges Mr. Smoot denies—he would protect the home.

Washington, January 9.—The response of Senator Reed Smoot, of Utah, to the charges made against him was presented to the committee on privileges and elections today by Senator Burrows, chairman of that committee. It was agreed that at the regular meeting of the committee to be held next Saturday the attorneys for Mr. Smoot and also for the petitioners should be heard. They will be expected to show precedents and authorities and after they shall have made their presentation, the committee will decide whether to go farther into the matter by calling witnesses or dispose of it on the showing which will then have been made.

Mr. Smoot submits in answer to charges against him the following:

"This respondent is advised and avers that but two of the charges made against him in said protests, either directly or by implication, are such as, if true could legally affect his right to hold his seat in the Senate. These two charges are:

"1. That the respondent is a polygamist.

"2. That he is bound by some oath or obligation which is inconsistent with the oath required by the constitution, which was administered to him before he took his seat as a senator.

"Both these charges respondent denies.

"As to the charge that he is a polygamist, the respondent says that he was married on the 17th day of September 1884, to Alpha May Eldridge. She is still his wife, and is the mother of all his children. He has never had any other wife, and has never cohabited with any other woman.

"As to the charge that the respondent is bound by some oath or obligation controlling his duty under his oath as a senator, the respondent says that he has never taken any such oath or in any way assumed any such obligation. He holds himself bound to obey and uphold the constitution and laws of the United States, including the condition in reference to polygamy upon which the State of Utah was admitted to the Union.

"The respondent denies that he is one of said alleged self-perpetuating body of fifteen 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 to claim supreme authority, either divinely sanctioned or otherwise, to shape the belief or control the conduct of those under them in all other matters, civil or temporal, or that said church or such alleged body claims or otherwise exercises any such alleged rights, or that said church or said alleged body, or any person or body exercises any authority or power to inculcate or encourage a belief in the practice of polygamy or belief in order to practice of polygamous cohabitation or that either countenances or connives at any violation of the laws of the State of Utah or of the United States, and this respondent for himself in particular denies that he is one of said alleged self-perpetuating body of 15 men or that there is any such body; or that said church or any part thereof, or any person therein; inculcates or encourages a belief in the practice of polygamy or belief in or practice of polygamous cohabitation; and this respondent denies that he is guilty of polygamous cohabitation; or that he is a polygamist or that he ever has been a polygamist or that he has ever practiced polygamous cohabitation."

Mr. Smoot denies that he has ever connived at any violation of any law of Utah or the United States, and declares that "since the manifesto of President Wilford Woodruff was issued in 1890, neither a belief in, nor a practice of polygamy or polygamous cohabitation has either been taught or encouraged."

Mr. Smoot admits that the first presidency of the Mormon church is vested with supreme authority in all things spiritual and in all things temporal, so far as temporal things pertain to the

(Continued on page 5.)

51 LIVES LOST

Terrible Storm Causes the Steamer Clallam to Sink

SPRUNG A LEAK

When the Boat Began to Fill, all the Passengers Who Desired to Were Put Off the Steamer Into the Ships Boats—These Boats Were Thrown Wildly About and One After Another Either Capsized or Swamped—Several Tugs Put Out From Seattle to Render Assistance—They Finally Rescued all Those Who Remained on the Boat and the Clallam Soon Went Down.

Seattle, Wash., January 9.—The steamer Clallam, of the Seattle-Victoria fleet went down early this morning midway between Smith Island and Dungeness, in the straits of Juan de Fuca. Fifty-one persons were drowned.

Every woman and child aboard the Clallam perished. Within three miles of shore and at a time when it appeared certain the Clallam was lost, a desperate effort was made to save the women and children in the life boats. They were placed in the first boat to leave the ship which Captain Lawrence, a Yukon pilot, volunteered to command and which was manned by deckhands.

The frail craft went down within sight of the Clallam and a second life boat filled with male passengers and in command of Second Officer Currin was probably lost a few minutes later. Aboard the Clallam, watchers saw waves sweep passengers from their hold on the seats and hurl them into the waters. Though the life boat was righted later, diligent search has failed to find a trace of her. More passengers and embers of the crew were lost when a third life boat was swamped in an attempt to launch it.

Three passengers were picked up by the steamer Bahata who had fastened life preservers around their bodies. They had died from exposure, and their bodies were brought to Seattle today.

The Clallam was a staunch new passenger boat on the Seattle-Victoria run. She left Port Townsend for Victoria yesterday noon facing a terrific gale. When in sight of her destination a huge sea overwhelmed the little steamer smashing in her deadlights, flooding her hold with water, extinguishing the fires beneath her boiler and placing her at the mercy of a howling gale.

Word came from Victoria of the vessel's predicament and a fleet of powerful tugs were dispatched from here to render assistance. The Richard Holyoke, in command of Captain Robert Hall, was the first to reach the Clallam, which had by this time careened partly over from the inrush of water which had put the engines out of commission. The Holyoke reached Clallam at 11 o'clock last night and about 1 a. m. succeeded in getting a hawser aboard, with which she started to tow. The Clallam took a heavy lurch and those remaining aboard were compelled to climb up the side to safety, finally reaching the roof of the pilot house.

Without a moment's hesitation, the tug's boats were lowered and the work of rescue commenced. At this point, the tug Sea Lion, Captain Hunter, arrived and her men rendered valuable assistance. Before all the struggling people had been taken off, the Clallam commenced to break up and soon afterward went down. All possible assistance to the rescued people was given by the two ships masters and the tugs hurried to Port Townsend. The passengers surviving and the remainder of the crew then took passage on the Dirigo, bound for Seattle.

508 Students at the A. and M. College (Special to The Messenger.)

Raleigh, N. C., January 9.—Five hundred and eight students at the Agricultural and Mechanical college there are divided as follows: Agricultural 136, electrical engineering 82, mechanical arts 75, mechanical engineering 74, civil engineering 73, textile science and art 45, industrial chemistry and mining 23. Reports for the last term show a higher grade of work, with fewer students dropped for negligence and incompetency than any previous term. The patronage is growing faster than the capacity of the college.

Chief Ball Manager at University.

(Special to The Messenger.) Chapel Hill, N. C., January 9.—Chief Ball manager election for commencement 1904 was held here today and resulted as follows: Chief Ball Manager—Albert Cox of Tarboro. Subs—Will Dunn, Tom Hill, Addison Brenizer, Ben Lassiter, Hymen Phillips and Moore. Election of Chief Marshal will be held next Saturday.

GENERAL GORDON IS DEAD

After a Few Day's Illness the End Came Last Night

PROMINENT IN SOUTHERN LIFE

General Gordon's Illness Was Acute Indigestion and He Has Made a Brave Fight for Life—The Deceased Was President of the United Confederate Veterans—He Played a Prominent Part in the Civil War Since the War, General Gordon Has Taken an Active Interest in Politics and Besides Being Governor, Was Three Times Georgia's Representative in the United States Senate.

Atlanta, Ga., January 9.—Lieutenant General John Brown Gordon died at his winter home near Miami, Fla., at 10:05 tonight. His fatal illness, which overtook him last Wednesday, was congestion of the stomach and liver, following an acute attack of indigestion to which he was subject.

General Gordon had been unconscious nearly all day. The beginning of the end occurred this afternoon, serious complications setting in, and by night his physicians had abandoned all hope, as his kidneys refused to secrete and the symptoms of uraemic poisoning were very decided. His death was quiet. He fell peacefully to sleep and all was over.

General Gordon became ill Wednesday afternoon with acute indigestion. He had suffered from the same trouble in Mississippi many months ago. At 11 o'clock Thursday morning a consultation of physicians was held and it was found that he was seriously and critically ill. His son, Major Hugh Gordon, who resides at Biscayne was with him. A telegram was sent to his daughter, Mrs. Burton Smith, of Atlanta, calling her to his bedside. She was with him when he died. General Gordon grew steadily worse until today when he was unconscious most of the time.

General and Mrs. Gordon had been in Florida three weeks before his death. His health had been unusually good prior to his fatal attack. He had bought a winter home at Biscayne three years ago and had since been spending a portion of his winters there.

General Gordon's body will be shipped to his home at Kirkwood, near Atlanta, Ga., tomorrow night, leaving Miami at 8 o'clock, and reaching Atlanta Monday afternoon.

General Gordon was born in Upson county, Georgia, July 6th, 1832, of Scotch ancestry, which had prominent part in the revolutionary war. Young Gordon graduated from the Georgia State University in 1852 and a few months later was admitted to the practice of law. Early in 1861 he enlisted in the volunteer Confederate service and was elected captain of his company. He rose rapidly by promotion to be lieutenant colonel of the Sixth Alabama infantry in December, 1861. He participated in the struggle on the peninsula, had part in the battle at Malvern Hill, and was commissioned brigadier general, November, 1862. He was in command at Chancellorsville and in the Pennsylvania campaign. He was at the battle of Gettysburg, and the battle of the Wilderness, at Spottsylvania court house. In May, 1864, was promoted to be major general and took part in the important battles which marked the closing scenes of the civil war. His bearing was characterized by boldness and a dash which made him the idol of his soldiers. In an official report of General D. H. Hill, General Gordon was characterized as "The Chevalier Bayard of the Confederacy."

When the hostilities were ended he called his men about him and advised them to bear the trial of defeat, to go home in peace, obey the laws and rebuild the wasted country.

He has taken to a prominent part in the councils of his party since 1866. He was a defeated candidate for Governor of Georgia in 1868 and in 1873 and 1879, was elected to the United States Senate. Resigning that position in 1880, he participated actively in building the Georgia Pacific railroad. In 1886 and 1888 he was elected Governor of Georgia and in 1890, entered again the United States Senate for the full term. Since his retirement from political activity he has devoted much of his time in lecturing, presenting to the north as well as the south his lecture upon "The Last Days of the Confederacy."

Since the organization of the Confederate veterans, he has held the position of its commander-in-chief and his frequent re-elections to that position have testified to the warmth of affection in which he has been held in the South.

GENERAL YOUNG RETIRES.

Succeeded as Lieutenant General of the Army by General Chaffee.

Washington, January 9.—After having served at the head of the army as chief of staff with the rank of lieutenant general for a little less than five months, Lieutenant General S. B. M. Young relinquished his duties at noon today to his successor in office, General A. R. Chaffee, who has been acting as his chief assistant for several weeks past. The change is due to the fact that General Young became 64 years old today and therefore under the law was relegated to the retired list.

The retirement of General Young and the accession of General Chaffee was marked by the usual reception to the outgoing and the incoming official. By direction of the President, Secretary Root today issued an order announcing the retirement of General Young and highly extolling the services of that officer. The order recounts at length General Young's military services, and says:

"He is especially to be distinguished and is worthy of emulation by the officers who come after him for the unabated energy and zeal, unselfish devotion to duty, and generous enthusiasm for the good of the army and the public interest, which have marked the concluding years of his active service."

The order refers to General Young's devotion to the work of army reorganization and says he became "not merely by seniority, but by merit," Lieutenant General of the army.

OLNEY BOOM

Movement to Have Him Named as Democratic Nominee

FOR PRESIDENT

The Move is Made by the Democratic State Committee of Massachusetts, Resolutions Were Adopted Praising Mr. Olney and Inviting the Democrats Everywhere to Work in Favor of His Nomination—It is Asserted That Under His Leadership the Democratic Party Would Sweep the Country—He Would Prove Strong in Doubtful States.

Boston, Mass., January 9.—The Democratic state committee today endorsed a movement in favor of having the national convention nominate Richard Olney for President of the United States. After speeches in praise of Mr. Olney's record had been made by Congressman William S. McNary, chairman of the committee, former Assistant Secretary of the Treasury Charles S. Hamlin, of Boston, ex-Congressman John C. Crosby of Pittsfield and others, resolutions were adopted inviting Democrats everywhere to work in favor of such a movement.

The resolutions which were passed without a dissenting voice read: "The Democratic state committee of Massachusetts herewith places upon record its appreciation of the eminent services rendered the Democratic party and the nation by Richard Olney, and expresses its firm conviction that under his leadership in the coming Presidential campaign, important New England states will swing over into the Democratic column, and the national party will achieve a sweeping victory, ensuring a speedy reform of the abuses following a continuance in power of the Republican party and the re-establishment of those fundamental principles of government which that party has deliberately and flagrantly violated. To this end we invite the co-operation of the Democrats of New England and of the nation."

Those resolutions were introduced by Congressman McNary, who classed Mr. Olney as one of the foremost Americans and foremost Democrats. He thought that if the Democrats were to win this year, they must carry the eastern states. It appeared, he said, that Mr. Olney was strong in New York and New Jersey, and that he would be acceptable to those states. New York not having any candidate, the nomination of a man from New England and that man Mr. Olney, would have the immense advantage to the Democrats of establishing a large eastern area where the scales could be turned in favor of the Democratic nominee. He believed Mr. Olney would be strong in Illinois and Connecticut.

Mr. Hamlin in favoring the resolutions, referred to the advantages which would accrue from nominating a New England man.

Mr. Hamlin said: "Mr. Olney is a man of sterling democracy and of rugged character. Under his leadership several states of New England may be counted upon for the Democrats. Under his leadership the Democratic party will sweep the country."

FIRE IN STOCK EXCHANGE.

The Building Was in Serious Danger for Awhile.

New York, January 9.—Fire early today was discovered in the new stock exchange building, and because of defective fire alarm boxes the department was delayed in arriving. In the meantime, the building was threatened with serious damage, and a messenger of the Western Union Telegraph Company was overcome by smoke.

The fire broke out in the cable room of the Western Union Telegraph Company and was discovered by messengers. It was thirty five minutes after the blaze was discovered when the department arrived. The fire was caused by the burning out of insulation. The building was filled with smoke and the firemen could work only in relays. The telegraph service in the exchange was interrupted. The money loss is small.

Though the damage was so slight the effects of the fire were felt throughout the financial district today, the telegraph system by which stock quotations and financial news is distributed being deranged and in many cases interrupted entirely. Cable service also was interrupted to some extent. The telegraph wires of the cotton, coffee and New York produce exchanges were also cut off by the fire.

Scenes of great confusion took place there. Most of the exchanges suspended the floor rules and allowed boys from brokers offices to go in and out to get the quotations. Many private wires from the exchanges to Chicago were also cut off.

CRISIS PAST

Russo-Japanese Situation Shows a Decided Improvement

RUSSIA GIVES IN

By Acknowledging Japan's Paramount Rights in Southern Korea—Military Activity by Japan Has Been Suspended for the Present—Japan Will Continue Negotiations for a Peaceful Settlement, But the Country Will Not Stand a Long Delay—The Attitude of the British and Americans Encourages the Japanese.

Paris, January 9.—Official advices received here today further convince those in the highest authority that the Russo-Japanese war crisis has been averted, at least for the present, and that the situation is again brought distinctly within the lines of diplomatic adjustment. Reports, chiefly from Tokio, but also from St. Petersburg, give a clear view of the circumstances leading up to the sudden improvement in the situation. They show that the Russian answer actually reached Tokio the night of January 6th and proved to be the turning point. Prior to its receipt, Japan had been making strenuous preparations for sending two divisions to Southern Korea. The official reports establishing these preparations are beyond the slightest question, but the note received on the 6th disclosed to Japan for the first time that Russia fully conceded Japan's paramount rights in Southern Korea. Russia's concession thus gave Japan practically what she had been preparing to assert by force and, accordingly, military activity was suspended, as Russia's concession made unnecessary Japan's forcible assertion of a paramount position in Southern Korea.

The three days succeeding January 6th gave an opportunity to the authorities at Tokio to consider and recognize Russia's concession. Whether it will be satisfactory the reports have not yet disclosed, but the suspension of military activity is regarded as removing the most dangerous aspect and as giving hope that Japan is likely to receive Russia's answer in a conciliatory spirit. It is not known whether Russia's concession goes to the extent of relinquishing her conditions for a neutral zone across northern Korea, but it is understood that it relates chiefly to giving assurance of Japan's rights in Southern Korea.

Tokio, January 9.—Japan addressed a note to Russia today through Minister Rosen. Its contents have not been disclosed, but it is said that Japan requires an answer within a given number of days. Whether the note mentions the time, making the document an ultimatum or whether the time is intimated otherwise is unknown. The government means however to secure an early response and close the discussion if it should prove to be fruitless.

The attitude of the British and Americans greatly encourages the Japanese war spirit, which is stronger than ever.

Despite the general impatience there is no public excitement here. Sascho (25 miles from Nagasaki) is full of officers and their families and friends, who are bidding them farewell.

The suggestion contained in a dispatch from Berlin of the possible partition of Korea between Japan and Russia meets with no acceptance here. The Japanese officials regard it as further evidence of German support of Russia.

The meeting of Elder statesmen has been deferred for a day or two.

The Russian warships which left Vladivostok recently are reported to have returned there instead of proceeding to Port Arthur as expected.

Peking, January 9.—The Japanese minister to China M. Uchida and Prince Ching, the grand secretary, had a long interview here yesterday and discussed the prospects of war between Russia and Japan. Prince Ching announced that China had decided to maintain neutrality. He expressed great interest in the nature of the Russian reply recently transmitted to Japan. M. Uchida was non-committal on this subject.

It is reported here that Japan is chartering many more commercial ships for use as naval colliers and supply vessels.

Vienna, January 9.—The Austrian-Hungarian foreign office has received a cable message from Tokio saying Japan has no intention of taking any offensive measures in Korea, so long as the negotiations with Russia are going on. The officials and diplomats here are hopeful. They believe the chances of a peaceful adjustment of the dispute are distinctly better, since the Russian answer apparently is more favorable than the early reports suggested.

263 Cases of Smallpox in the State.

(Special to The Messenger.)

Raleigh, N. C., January 9.—The report of the State Board of Health issued today says there is smallpox in twenty counties, total cases reported being 263, with 9 deaths. Davidson reports 115 cases and 8 deaths, Davie 85 cases, Forsyth 11, Perquimans 14.