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WHY MR. SMOOT WAS KICKED OUT

Senate Committee on Elec- tions Makes Report

THE CHURCH AND STATE

Church Officials Control Politics—
Influence of Church and Mormon
Leaders Has Not Been Directed
Against Perpetuation of Polygamy
As Claimed.

(By the Associated Press.)

Washington, D. C., June 11.—The reasons for the action of the senate committee on privileges and elections in declaring by a majority vote that Reed Smoot is not entitled to a seat in the senate, as a senator from Utah are stated in a report submitted to the senate today by Chairman Burrows and signed by Senators Burrows, Doliver, Dubois, Pettus, Bailey, Overman and Frazier, to be as follows:

"That Mr. Smoot is one of a self-perpetuating body of men, known as the first presidency and twelve apostles of the church of Jesus Christ or Latter Day Saints, commonly known as the Mormon church; that these men claim divine authority to control the members of said church in all things, temporal as well as spiritual; that this authority is and has been for several years past so exercised by the said first presidency and twelve apostles as to encourage the practice of polygamy and polygamous cohabitation in the state of Utah and elsewhere, contrary to the constitution and laws of the state of Utah and the law of the land; that the said first presidency and twelve apostles do now control and for a long time past have controlled the political affairs of the state of Utah, and have thus brought about in said state a union of church and state, contrary to the constitution of the United States, and that said Reed Smoot comes here, not as the accredited representative of the state of Utah in the senate of the United States, but as the choice of the hierarchy which controls the church and has usurped the functions of the state in said state of Utah."

The report says it is shown beyond reasonable doubt that the authority of the first presidency and twelve apostles is so exercised over the members of the Mormon church as to inculcate a belief in the divine origin of polygamy and polygamous cohabitation, and other publications are cited to prove the alleged Mormon belief that the revelation on the subject of polygamy is of higher authority than the manifesto forbidding the practice.

"It is very evident," the report says, "that if polygamy is not discontinued by the members of that church it would very soon be a thing of the past among the members of that church. On the contrary it appears that since the admission of Utah into the union as a state the authorities of the Mormon church have countenanced and encouraged the commission of the crime of polygamy instead of preventing it, as they could easily have done."

A sufficient number of specific instances of the taking of plural wives among officials of the Mormon church since the manifesto of 1890 have been shown by the testimony, says the majority, "to demonstrate that the leaders, the first presidency and the twelve apostles connive at the practice of taking plural wives, and have done so ever since the manifesto was issued which purported to put an end to the practice."

One intensely interesting chapter of the report is devoted to the charge that testimony was suppressed by Mormon leaders, through the sending out of the country of apostles and other officials who were charged with taking plural wives since the manifesto. The report says:

"It would be nothing short of self-stultification for one to believe that all these most important witnesses chanced to leave the United States at about the same time and without reference to the investigation. All the facts and circumstances surrounding the transaction point to the conclusion that every one of the witnesses named left the country at the instance of the rulers of the Mormon church and to avoid testifying before the committee. It is, furthermore, a fact which cannot be questioned that every one of these witnesses is under the direction and control of the first presidency and twelve apostles of the Mormon church. Had those officials seen fit to direct the witnesses named to return to the United States and give their testimony before the committee, they would have been obliged to do so. The reason why the said witnesses left the country and have refused to come before the committee is easy to understand, in view of the testimony showing the contracting of plural marriages by prominent officials of the Mormon church within the past few years."

"Aside from this it was shown by

the testimony and in such a way that the fact could not possibly be controverted, that a majority of those who give the law to the Mormon church are now and have been for years living in open, notorious and shameless polygamous cohabitation. The list of those who are thus guilty of violating the laws of the state and the rules of public decency is headed by Joseph P. Smith, the first president, 'Prophet, Seer and Revelator' of the Mormon church."

The majority report characterizes as wholly untenable the position that because Smoot himself does not practice polygamy, and there is no evidence to show that he has personally and individually encouraged the practice in others, he ought not to be condemned because of the acts of his associates. It is charged "that Smoot is an inseparable part of the governing body of the Mormon church—the first presidency and twelve apostles—and those who compose that organization form a unit, an entirety, and whatever is done by that organization is the act of each and every member thereof, and whatever policy is adopted and pursued by the body which controls the Mormon church Mr. Smoot must be held to be responsible for as a member of that body."

The report declares that Smoot knew the polygamous practices of President Smith and other church officials he has sustained by his vote as an apostle, and at no time uttered a word of protest against the conduct of his associates, but on the contrary has sustained them by his silence.

"In the judgment of the committee," the report says, "Mr. Smoot is no more entitled to a seat in the senate than he would be if he were associating in polygamous cohabitation with a plurality of wives."

The report discusses political domination of the first presidency and twelve apostles of the church, which it described as most injurious to the interests of the state.

"Not only is Mr. Smoot one of those who and through whom the political affairs of Utah are dominated," says the report, "but his election to the senate was, it is believed, the result of such domination. When Mr. Smoot concluded to become a candidate for the senate he was careful to obtain the consent of the first presidency and twelve apostles to his candidacy. But this so-called 'consent' of the rulers of the church was naturally regarded by the people of Utah, who were familiar with the ways of the Mormon high priesthood, as being, under the circumstances, equivalent to an endorsement, and made it impossible for anyone else to become an

ARMY MEAT CONTRACTS

The Matter is Receiving Careful Attention

If the Pending Meat Inspection Bill
Becomes Law Commissioner Neill
Says There Will Be No Second
Report.

(By the Associated Press.)
Washington, June 11.—Although announcement recently was made by General Sharpe, commissary general of the navy, that so far as his inspectors had been able to discover there was no complaint to make regarding the filling of government meat contracts by the packers, the matter evidently has not been allowed to rest there.

It was ascertained today that the subject is still receiving the most careful consideration of the war department officials. General Sharpe was in conference today with Chas. P. Neill, who informed the officer that he and Mr. Reynolds recently saw some army contracts in course of being filled, but that they did not follow the carcass through its entire treatment.

In speaking generally of the subject today Commissioner Neill said, regarding the impression that there would be a second report, that in all probability, if the meat inspection bill now pending becomes law, there will be no need for a further report.

BISHOP DELANY OF MANCHESTER DEAD.

(By the Associated Press.)
Manchester, N. H., June 11.—Right Rev. John B. Delany, Roman Catholic bishop of the diocese of Manchester died today at the Sacred Heart Hospital in this city.

Bishop Delany was operated upon for appendicitis last Thursday and was thought to be recovering until yesterday when he was seized with a sinking spell and from then until his death there were frequent intervals of unconsciousness. He was born in Massachusetts in 1844 and was ordained a priest in 1890 and became bishop of Manchester in 1904.

Killed in Fight With Hottentots.
(By the Associated Press.)
Berlin, June 11.—Two German officers and eight men were killed and ten were wounded June 4 in a fight with Hottentots, between Warmbad and the Fish River.

RATHER SUDDEN LAUGHED BRYAN

Informed of Action of State Conventions

TALKS OF SOCIALISTS

And Distinguishes Between Democracy
and Socialism—The Meat
Trust—Nebraska Goes to St. Peter-
sburgh Tomorrow—Expected to
Reach New York August 29.

(By the Associated Press.)

Berlin, June 11.—"This is too sudden," said William J. Bryan with a laugh when he was told today of the adoption by recent state democratic conventions of resolutions favoring his nomination for the presidency of the United States in 1908.

"This is the first announcement of this nature to me," Mr. Bryan continued. "I have been of the main caravan route for some time and have been absorbed in what I have been seeing and doing."

Mr. Bryan had been moving so rapidly since he left Vienna on Friday that letters and telegrams for him did not reach him until today. As to the possibility of his nomination he had little to say, declaring it is too early to speak of that question, but taking up the subject of the political requirements of the day he said:

"Before leaving home I tried to distinguish between democracy and what can properly be called socialism. Democracy recognizes competition as legitimate and tries to protect the competitive principle from attack. Socialism sees competition as an evil to be eliminated by public ownership and operation of all means of production and distribution. While this distinction between democracy and socialism should not be overlooked, the democratic platform must be one of progress and reform and not merely of opposition to republican policies or socialist ideas. In our fight for the absolute elimination of private monopolies and for the regulation of corporations in general it is necessary that the party shall be free from any suggestion of alliance with the corporate interests that have been dominating American politics. To this end campaign contributions must be limited to those who have the public interest at heart. I trust that public sentiment will require all parties to shield corporate offenders."

Alluding to conditions in the meat industry Mr. Bryan said:

"The beef trust is not different in character and methods from other trusts. The inevitable tendency of a private monopoly is to increase the price of a product and to lower its quality. Why should any one expect anything else from a trust than the lowering quality when a monopoly is established. Observe, I have used the words private monopoly, not public. In a private monopoly a private interest is set up against those of the whole people. Quite a different principle comes into operation when the interest of all is alone in view."

Herman Ridder of the New York Staats Zeitung and Mr. Bryan had a long talk today on the political situation in the United States.

Mr. Bryan will leave here for St. Petersburg tomorrow and from there will visit Sweden and Norway. He will arrive in England early in July and will then visit France, Italy and Switzerland.

He expects to sail on the steamship Princess Irene from Gibraltar on August 22 and to arrive in New York on August 29.

RUSSIAN SOLDIERS RETURN TO THE PATHS OF PEACE.

(By the Associated Press.)
Odessa, June 11.—Since the commencement of the retraction of the troops which took part in the war with Japan 152,000 men, including the Russian prisoners from Japan, have been landed here and distributed throughout the interior of the country. The most stringent precautions were observed during the whole period, in order to prevent the slightest intercourse between the returning troops and the townspeople in case of fears of mutinous demonstrations as it was undeniable that the troops coming home were largely disaffected. Special trains awaited each troop ship, Cossack guards cordoned the landing stage, the soldiers were marched direct from the ship to the train and were dispatched to their destinations with the utmost expedition and without the chance of fraternization with the Odessians.

The spirit of disaffection was even more noticeable among the officers than in the men. The former frankly expressed the opinion that if parliament can hold its own until the spring it will be able to count on the army to support its demands.

MINERS USE FIREARMS Strikers Fired Fifty Shots at Coal Co. Plant

Four Watchmen Were in the Building at the Time, But None Was Injured—Officials Send Guard to Protect Property of Company.

(By the Associated Press.)

Dillonvale, Ohio, June 11.—An attack presumably by strikers, was made early today on the check house of the M. A. Hanna Coal Company at Dillonvale, when fifty shots were fired from a hill two hundred feet distant. There were four watchmen in the building but no one was injured. Officials of the company who were holding a conference with Mayor Eberle at the time of the attack organized a party and went to the mine to protect their property. Not a shot was fired by the company men.

Dillonvale, O., June 11.—Not one person responded to the blast of the whistle this morning notifying the strikers to return to work under the scale that expired April 1, and the situation at Ramsey and Robyville is the same as at Dillonvale. The miners are firm in their refusal to accept anything but the 1902 scale. Superintendent Fred Hornbuckle of the Hanna Company says that ten union men in Dillonvale are controlling the miners and are intimidating them from returning to work. He asserts that the attack of early today was made to frighten the fifty men who had intended going into the mine this morning.

It is now the company's intention to import strike-breakers and resume operations Thursday, providing the strikers refuse to accept the 1904 scale.

INTO AN OPEN SWITCH One Killed and 21 are Injured

Locomotive and Two Cars Topped Over An Embankment—Smoking Car Wrecked While Running at High Speed.

(By the Associated Press.)
Red Bank, N. J., June 11.—The Central Railroad of New Jersey's Atlantic City Flyer due in New York at 11:30 o'clock ran into an open switch near here this morning at 10:20. The engine and two cars toppled over and rolled down a ten-foot embankment. The fireman and one passenger were killed and twenty-one injured.

The passengers killed were:
Otto Mesc, of 310 East Eighty-seventh street, New York.

The smoking car in which most of the injuries were suffered was torn into two parts when the forward end of the train went off the rails. The train passed through Eatontown without stopping and was going at a rapid rate when the accident happened.

PROMINENT WOMAN COMMITS SUICIDE

(By the Associated Press.)
Macon, Ga., June 11.—Mrs. Felix Dunwoody, wife of Felix Dunwoody, one of the leading citizens of this city, shot herself shortly after midnight while locked in a room alone. Her husband belongs to the Dunwoody family to which President Roosevelt is related. The suicide, who was 18 years old, was Miss Mary Parker, of Ozark, Ala., niece of Congressman H. L. Martin of Alabama. She had been married eight months. No cause is given for the suicide.

ANOTHER NEW TRIAL IS DENIED PATRICK.

(By the Associated Press.)
New York, June 11.—Recorder Goff today denied a motion for a new trial in the case of Albert T. Patrick, the convicted murderer of William Marsh Rice.

Patrick's lawyers it is said, were prepared for an adverse decision and have papers ready for an application to the United States supreme court for a writ of error and for a writ of habeas corpus. These applications would again delay the carrying out of the death sentence and would make the fifth postponement for Patrick who has now been in the death house in Sing Sing for more than four years.

The last resort in the effort to save Patrick will be an application to Governor Higgins for a commutation of the death sentence.

SHOT NEGRO WHO ASSAULTED HER

Courageous Deed of Selma Telephone Girl

GIVEN GOLD REVOLVER

By Citizens of Selma Who Also Present
Her With a Medal—Miss
Pearl Jones the Heroine of Desperate
Encounter With Negro Brutes.
An Accomplice in Jail.

(Special to The Evening Times.)

Selma, N. C., June 11.—A negro named Bud Richardson was shot and fatally wounded here about midnight Saturday night by Miss Pearl Jones, the telephone operator at the Bell exchange of Selma, whom he attempted to criminally assault. An accomplice has been arrested and lodged in jail.

Today the physicians say that Bud Richardson, the wounded negro, cannot live, as he grows steadily weaker. Everything is quiet here and likely to remain so.

Story of the Tragedy.
The following story of the tragedy at Selma Saturday night is taken from a special printed in the Charlotte Observer today:

The telephone office is located in a narrow room between a large store and the bank fronting on Main street. In the rear of the office, enclosed by a high board wall, is a small back lot private to the operators. This lot is entered through a screen door in the rear of the office and there is also a door through the wall in the rear of the lot which is kept fastened by a hook on the inside. About two weeks ago a negro was caught climbing over this high wall and sneared away by one of the operators. Three nights afterwards, as one of the young ladies stepped into the back lot from the office, she was confronted by a negro man. This time there happened to be a young man in the operating room who ran to her rescue, only to see the negro's back and give a fruitless chase.

Fired Five Shots.
Hearing of this second attempt the young men of the town decided to guard the office at night, which they did regularly, taking turns, until last night, the two men assigned to this duty were sitting in front of the drug store awaiting for the stores to close so they could take their positions, when at 11 o'clock they heard a pistol shot, followed by four more in quick succession. These two, with the chief of police, ran to the office, when they found the young lady with the pistol in her hand. She told them she started out into the back lot and some one started toward her, then she jumped back into the office, grabbed the pistol and fired once. By the aid of that fire she could plainly see some one crouched in the corner. Then she aimed at him and fired the other four shots as he went out the door and thought she hit him with the last one.

Brother Furnished Clue.
The crowd that had gathered by this time began the search for the negro, when some distance away they saw a negro boy coming on the run toward the drug store. When he was halted he said he was going after the doctor for his brother, who had just been shot. Not waiting for the doctor they made him lead them back to where the boy lived. They found him at home lying on the bed, groaning and praying. He confessed the whole affair then and there before the doctor came.

The doctor's examination showed that the ball went through his left arm and into his body between the third and fourth ribs. The bullet was probed for, but could not be located. The wound was bleeding and he was breathing through the hole. The doctor says he will not live, but eighteen hours later he is still living and is conscious. Three of this negro's associates were arrested and held in the lockup until this afternoon.

At 4 o'clock they were all given a preliminary hearing before a magistrate, resulting in two of them being released and two held. At the trial the wounded negro, realizing his condition, said he was ready to make a statement, which he did in the form of an affidavit as follows:
Wounded Negro's Confession.
"North Carolina, Johnston county;

Bud Richardson, being sworn, says: Jim Merritt and I went into the back lot of the telephone company's office Saturday night, June 9th, for the purpose of committing rape on Misses Pearl Jones and Jessie Hunt, who were night operators for the company. I got shot and Jim told me he had been there twice before for the same purpose, but could not succeed by himself. No one else was with us.

(Signed "Bud Richardson.")
Jim Merritt emphatically denied having been with the negro at all that night, but said he went home at 10:25 with another negro, Haze Richardson, who took the stand and corroborated Jim. Henry Barrow, a reliable white man, swore he was passing along the street back of the telephone office at 10:45 and saw Bud Richardson and Jim Merritt standing in an alley looking directly toward the rear of the office, and at 11 o'clock, when he was almost home, he heard the five pistol shots. Maggie Barefoot, who lives in the nearest house to Richardson, swears she saw two men pass her house shortly after 11, one half-carrying the other. Then one ran back to the road and pretty soon another man ran towards town.

Excitement Ran High.
On this evidence Jim Merritt was bound to court along with Richardson. There were two or three hundred white men at the trial and excitement was running high, until they knew the result of the hearing, and Jim Merritt was hurried off to jail. At this hour (8 o'clock) things are quiet and there is very little fear of a lynching.

Miss Jones is a most excellent young lady and her closest friends were agreeably surprised at the wonderful amount of courage she showed. She has reloaded her pistol and says she will continue to do her duties as if nothing had happened and fears no further trouble. A subscription list is rapidly growing, the object of which is to present her with a handsome gold-mounted revolver, a gift from the citizens and visitors of the town. The operators up and down the line are contributing money to purchase a gold medal for her.

Senator Gorman's Successor.
Washington, June 11.—Hon. William Pinckney Whyte of Maryland took his seat today in the senate as the successor of the late Senator Arthur P. Gorman.

NATIONAL RIFLE MATCH

A Big Event is Planned for September

Adjutants General of Every State
Urged to Have Representatives
Present—The Importance of Good
Shots in the Army Illustrated.

(By the Associated Press.)
Washington, June 11.—Assistant Secretary Oliver, one of the first authorities in military rifle shooting, is making every effort to have the national match to be held at Seagriff, N. J., this year, beginning September 4th, previous to the kind of kind. Therefore he has addressed letters to the adjutants general of every state and territory urging them to provide for the participation of a rifle team.

The assistant secretary points out that accurate rifle shooting is 8 1/2 points out of 10, in the figure of efficiency of a soldier for the line of battle and while the state teams cannot all win prizes the men would at least be brought in contact with the best talent in the country and upon their return to their own states would be able to carry back to their fellow guardsmen information relative to good shooting of the greatest value and interest in rifle shooting would be stimulated.

General Oliver says:
"At the outbreak of the Spanish-American war the members of our small regular army were, as a class, the finest military rifle shots in the world, and when an enemy showed his head or body at a distance of 400 or 500 yards and often much farther he was generally put out of action. On the other hand our men charged over open ground to the Spanish rifle pits, with comparatively few casualties because the Spaniards had never been taught to shoot."

"This fine shooting on the part of the army was due mainly to the competitions which officers and enlisted men had to attend."

The assistant secretary suggests that each state and territory intending to be represented in the approaching competition should hold a preliminary competition two or three months in advance, in order that the best shots may be selected, and every man chosen should obligate himself to devote at least two half days each week to practice, taking care however not to overdo the practice and lower the nervous force.

NEW SCHEDULE NOW IN EFFECT

Order by the Corporation Commission Futile

DISREGARDED BY ROAD

Southern Railway Ran No. 111
Through Raleigh Sunday Night On
New Schedule As Advertised and
Made the New Connection Shorten-
ing the Time to Asheville.

Train No. 111 of the Southern Railway ran through Raleigh Sunday night promptly on the new schedule, namely, at 11:59, instead of waiting in this city until 1:45 a. m., as has been done heretofore.

The Southern Railway carried out its new schedule notwithstanding an order or injunction issued by the Corporation Commission Saturday night and served on Col. A. B. Andrews, first vice-president of the Southern Railway, at his home here.

The commission's order recited that the change in the schedule of No. 111 would break the connection here between that train and No. 88 of the Seaboard Air Line, that petitions and complaints had been filed with the commission and the railroad had not yet made answer, therefore "It is ordered by the Corporation Commission, That the said connection be not broken until the complaint, petitions and answer thereto can be heard and a thorough investigation be made by the commission."

The Southern Railway had announced for today its new train to Asheville, with which No. 111 would connect, and this announcement to the public was carried out last evening although the commission had sought to prevent the execution of the new schedule.

The Southern Railway has until the night of tomorrow, June 12th, to file its answer with the commission to the complaint which was served upon the Southern by the commission on Saturday, June 2d.

When the news spread last night that the Southern would run its train at 11:59 as advertised it created great interest among the people who were around the hotel and at the depot. No effort was made to prevent the train from leaving the union station, so No. 111 arrived and left on its new schedule time, to-wit, at 11:59. In fact one man got left since he acted on the supposition that the commission's order would hold the train.

Col. W. B. Rodman of Charlotte, division counsel of the Southern Railway, arrived in Raleigh today and it is presumed that he and Mr. F. H. Busbee, counsel for the road here, are preparing the railroad's answer, which will be filed with the corporation commission.

Commission Preserves Silence.
Chairman Franklin McNeill had nothing to say on the situation when he was seen by a Times representative. At 3 o'clock this afternoon he stated that the corporation commission had taken no action since the order made Saturday night and further than this he had no statement to make.

However, it was observed by one of the corporation commissioners today that the corporation commission did not regard the action of the Southern Railway in running No. 111 on the new schedule last night as any affront to the commission or its order. The commission, it is admitted, has no power to issue an injunction and the railroad has ten days in which to except and file an answer to any order. Under this interpretation the corporation commission did not expect the Southern Railway to hold No. 111 last night although the order so read.

The Southern Railway's answer to the complaint had not been filed at 4 o'clock this afternoon, but will be filed either this afternoon or tomorrow, it was stated. The attorneys for the railroad had no statement to make on the matter.

Government Crop Report.
(By the Associated Press.)
Washington, June 11.—The crop estimating board of the department of agriculture today issued the following crop report:

Spring wheat—Condition, 93; acreage, 17,989,000; winter wheat—condition, 83 on June 1. Oats—condition, 86; acreage, 27,678,000. Barley—condition, 92 5-10; acreage, 133,000 more than last year.