

SINCE THE REEFIES CONGRESS.

HIS "PRIVATE AFFAIRS."

Only Utah Courts Can Hold Him to Account, He Says.

Washington, March 5.—Admissions drawn from Joseph F. Smith, president of the Mormon Church, regarding his continued violations of the law forbidding polygamous cohabitation again constituted the feature of the proceedings to-day before the Senate Committee on Privileges and Elections...

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For a few moments Mr. Bacon's academic question appeared to create consternation on the Republican side of the chamber, and Senator Hale was momentarily utterly unable to meet the objections of the Senator from Georgia. As the question was raised late in the afternoon, just as every one supposed the naval bill was about to be placed on passage, the objection looked large and ominous, but within a short while the Republicans had gathered round the speaker and explained the situation...

Senator Dabney carried a right to question the number of polygamists in Utah, and said the population there was about \$2,000,000, and of that number there was about \$500,000 Gentiles. He wanted excluded from consideration the number not in condition to enter a state of polygamy. He said President Smith's statement of the percentage in polygamy included suckling babes and children, and that he objected to having Mr. Smith's statement go before the country unchallenged.

As a further statement of the number of polygamist families in Utah, Mr. Smith read from an interview he gave to a representative of The Associated Press in 1902, as follows: In 1880, at the time of the late President Willford Woodruff's manifesto, there were 2,431 such families in Utah.

Another Smith has many wives. Mr. Smith said his families are intimate, and "I am strongly inclined to believe he is cohabiting with plural wives." Referring to Senator Bailey's questions yesterday regarding the manifesto, Mr. Worthington read from a sermon of President Woodruff delivered a few days after the manifesto was issued...

Senator Bailey contended that it was in obedience to the demands of the church that he had been moved, and ten thousand Latter Day Saints were led by the spirit of God to abandon the practice of plural marriage. Senator Bailey contended that it was in obedience to the demands of the church that he had been moved, and ten thousand Latter Day Saints were led by the spirit of God to abandon the practice of plural marriage.

President Smith's voice shook with emotion. He showed more feeling than he had at any previous time exhibited as he leaned forward and said: "But it is to the laws of Utah that I am answerable. It is to the laws of my State that I have the right to appeal. Congress has no business to interfere with my private affairs. If I want to go to the law, I will go to the law."

Chairman Burrows at this point questioned the witness. He asked: "Do you say you would not abandon your wives or children? Why do you consider it necessary to issue from your plural wives that have been before unlawful cohabitation because a crime?" Mr. Smith answered: "Because my wives are like all other women. It is necessary to maintain peace, harmony and good feeling between myself and my people. I have chosen to obey the laws of my State prohibiting polygamous cohabitation."

"CHURCH GAVE ME MY WIVES." "The Church gave me my wives, and I don't think the Church could be consistent in taking them," said Mr. Smith, in answer to a question as to why he did not agree with the Woodruff manifesto. "The Lord giveth and the Lord taketh away," continued the Senator Bailey, "it appeared that polygamous cohabitation is forbidden by both the law of the land and the law of the Church, as laid down in the Woodruff manifesto, and addressing the witness, he asked: 'Then, as head of the Church, you are violating the law of the land and the laws of your Church as well?'"

"No, the law, then," said Mr. Smith. "No, the law, then," said the witness. "The rule, after all, is the law for conduct," said Senator Bailey. "I was only trying to emphasize what the revelations are. I don't know as much about the nice distinctions in religion as I hope I do about the law, but it appears that both the rule of the Church and the law of the land forbid polygamous cohabitation, and you, as the head of the Church, violated both."

Mr. Smith answered: "I do not quarrel with the Senator about that." The witness replied that Senator Bailey's assumption was correct. Smith said that the revelation in the latest edition of "Doctrine and Covenants" had that this was an oversight and would be corrected. He said that he was obeying to Chairman Burrows. Mr. Smith said that he was obeying to Chairman Burrows. Mr. Smith said that he was obeying to Chairman Burrows.

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TREATY OR LEASE?

Senate Discusses Question of Renting Foreign Land.

Further Surveys for Harbor Improvements Abandoned.

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NEW-YORK BILLS FAIL.

Further Surveys for Harbor Improvements Abandoned.

Two Years in Penitentiary and Fine of \$10,000.

Washington, March 5.—Justice Pritchard to-day sentenced Samuel A. Groff, one of the recently convicted defendants in the postoffice trial, to two years in the penitentiary and a fine of \$10,000. The sentence is to begin on his arrival at the penitentiary. Groff immediately furnished bond for \$20,000, pending an appeal. Samuel A. Groff is now placed on the same plane as his brother, Diller B. Groff, and the other defendants, August W. Machen, for many years the head of the free delivery system of the Postoffice Department, and Dr. George W. Lorenz, the former postmaster of Toledo, Ohio. All the defendants now have asked for consideration of their cases by the Court of Appeals, and it is likely to be months before they will be reached here. All of the men are out on \$20,000 bail each.

The brief for the government in the case of James N. Tyson and Harrison D. Barnes, respect, ex-assistant Attorney General and assistant attorney for the Postoffice Department, appealing from the overruling by the District Criminal Court of their demurrer to the indictments against them, was filed in the District Court to-day. The brief, after taking up the demurrer and demurrers in detail, says that the indictment was filed in the District Court, and that the indictment was held to be inapplicable to the District of Columbia, the indictment may be returned against the defendant, as if by a conspiracy to commit an offense at common law. The important fact, it is added, is that the defendant, Barnes, was not a citizen of the United States at the time he was indicted, and that he was not a citizen of the United States at the time he was indicted, and that he was not a citizen of the United States at the time he was indicted.

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SECRETARY TAFT'S SPEECH.

Secretary Taft Spoke on "The Relations of America to the Philippines."

AMONG THE OTHER SONS OF THE STATE.

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ALLISON'S TRANSFER SITE.

Coroner Says One of Contractors Has Left Town.

BLUDDERS USE PUTTY FOR RIVETS.

The Allison Realty Company, owners of the collapsed Hotel Darlington, transferred title yesterday to a plot 55x100 feet on the north side of Forty-sixth-st., 205 feet east of Sixth-ave., the site of the hotel, to Joseph H. Campbell. The stated consideration was nominal. C. H. Campbell is the vice-president of the company. From all the evidence in the hands of the authorities, it would appear that the Darlington collapse, in which seventeen are known to have been killed, was due to faulty construction. Although Assistant District Attorney Train was investigating yesterday to see whether the result might not have been avoided because of quicksand under the foundation, this theory seems to be entirely nullified by the declaration of the Buildings Department.

Henry O. Cole, a special inspector of masonry, crawled under the twisted iron beams and beams of brick yesterday, and when he had made a thorough examination, reported to Deputy Superintendent Jordan that the rear wall was intact. "Not a crack in it," he said. Henry de Bois Parsons, the consulting engineer who is acting as advisor to the District Attorney's office, was at the scene all day. "I cannot give any decisive opinion yet," said he. "The accident must have happened from one or a combination of these causes: Faulty workmanship, overloading, poor material or a shifted position of the foundation. We cannot determine as to the foundation until we get the debris all cleared away. The material is good; I have examined it. That would be shown anyway, because the beams bent, but didn't break. We have some testimony as to the loading, but otherwise I cannot speak. The workmanship remains to be determined."

Assistant District Attorney Train put much effort to running down the story about the quicksands. He had at his office many old residents of that section, who could tell about any subterranean waters. Deputy Superintendent Jordan, too, did some investigating. He talked with Walter Reed, the builder of the Darlington, and with the architect, J. H. Fox, its architect. They told him, he said, that they remembered no quicksands when that hotel was built. There was an extra amount of concrete laid into the front of the foundation was built on rock. In digging rock clay was struck first. This clay was soft, Mr. Jordan said, and the settling of concrete was necessary to prevent a damp basement.

Superintendent Hopper of the Buildings Department, who has been in Florida, will be back to-day to see the remains of the collapsed Darlington, and to see the remains of the collapsed Darlington, and to see the remains of the collapsed Darlington. He has been kept informed of the progress made, and as soon as he reaches here will take charge of the work. It was learned that the contractor who filed a violation against some of Mr. Hopper's friends. There was not necessary any further warning to compel the firm to stop the violation, which consisted of having the walls too far ahead of the floor joist work, is being remedied.

Coroner Scherer was at the scene of the rupture yesterday. He said: "John Schwandtner, of Pole & Schwandtner, the iron contractor for the Darlington, left home No. 257 East Seventy-ninth-st., at midnight yesterday. He was last seen at his home. I believe he has left the city. County detectives who have been trying to find him learned that he was at home during the night, and went there at 1:30 o'clock, but he had gone." During the afternoon A. L. A. Himmelwright, general manager of the Roebing Construction Company, visited the site of the collapsed building, and said that one of the supporting columns which rested on quicksand had shifted and caused the disaster.

More details were taken from the rubble yesterday. The first was identified as that of Emil Hencher, a plumber's helper, who lived at No. 780 East One-hundred-and-forty-sixth-st. The second was that of Walter J. Christopher, a crooner, who lived at 1257 First-ave.

Brooklyn Superintendent Says Law Practically Cannot Be Enforced. Although he was careful to say that all of the construction buildings in Brooklyn were put up in strict compliance with the law and according to the best and safest methods, Peter J. Collins, Superintendent of the Brooklyn Bureau of Buildings, admitted yesterday that some of his inspectors had found certain buildings where rivets and screws had been "painted in." According to this scheme, the rivets, instead of being put in by hand, were merely indicated where some of them should go. The painters would put a dab of putty on the spot, when the rivets were put in, and the rivets would be less closely inspected.

None of these discoveries had been made in large buildings, but they were taken from the rubble yesterday. The first was identified as that of Emil Hencher, a plumber's helper, who lived at No. 780 East One-hundred-and-forty-sixth-st. The second was that of Walter J. Christopher, a crooner, who lived at 1257 First-ave.

MRS. COX GETS ABSOLUTE DIVORCE. She Can Marry Again and Will Have Custody of Her Daughter. Supreme Court Justice Knickerbocker, at White Plains, yesterday granted a final judgment of divorce to Theodore Cox, a broker and politician and relative of the late "Sunset" Cox. Mrs. Cox secured an interlocutory decree from her husband, who lives in Manhattan, three months ago, and under the final order she gets the custody of her daughter, Clara. Under the decree Mrs. Cox is allowed to assume her maiden name and to marry again, as she has done, and that the Department of Social Hygiene should prevent from remarriage.

LOST HER DIAMONDS ON TRAIN. Woman Accused Porter, and Had Carried, but She Didn't Get Jewels. Searched by (TELEGRAPH BY THE TRIBUNE.) Charlotte, N. C., March 5.—When the Southern vestibule train No. 37, reached here to-day, a policeman searched the train for more than \$2,000 worth of diamonds and jewelry, stolen from Mrs. M. J. Green, resident of Princeton, N. J., on the train which reached here. The porter charged with the theft, a colored man, had actually died, but the train pulled out, no diamonds being found.

CUBAN FRAUD INVESTIGATION. Havana, March 5.—The special judge who has been appointed to investigate the alleged attempt at fraud in the Havana Province election campaign, has ordered that the work of the scrutinizing board be suspended and that all papers and other evidence be examined by the Provincial Prosecutor and others under the supervision of the court. Governor Nunez and certain Nationalist leaders had filed a protest against the election commission, but the President has decided that the government did not regard any of its protest, and that the Department of Justice would endeavor to get at the facts impartially.

RENOMINATED FOR THE ASSEMBLY. Glenn Falls, N. Y., March 5.—At the Washington County Republican Convention, held to-day at Granville, James S. Parker, of Salem, was renominated for Member of the Assembly; Charles O. Pratt, of Cambridge, for District Attorney, and Charles G. Davis, of Whitehall, for Special Representative.

MOVEMENTS OF NAVAL VESSELS.—The following movements of vessels have been reported to the Navy Department: ARRIVED: March 3.—The U. S. S. Albatross, from San Francisco; the U. S. S. Albatross, from San Francisco; the U. S. S. Albatross, from San Francisco.

ARRIVED: March 4.—The U. S. S. Albatross, from San Francisco; the U. S. S. Albatross, from San Francisco; the U. S. S. Albatross, from San Francisco.

ARRIVED: March 5.—The U. S. S. Albatross, from San Francisco; the U. S. S. Albatross, from San Francisco; the U. S. S. Albatross, from San Francisco.

ARRIVED: March 6.—The U. S. S. Albatross, from San Francisco; the U. S. S. Albatross, from San Francisco; the U. S. S. Albatross, from San Francisco.