

The Salt Lake Tribune

XXXI, NO. 157. ESTABLISHED APRIL 15, 1871. SALT LAKE CITY, UTAH, SUNDAY MORNING, SEPTEMBER 18, 1910. WEATHER TODAY—Unsettled. 44 PAGES—FIVE CENTS.

BY EMPHATIC READY TO PROBE CHALLENGE LORIMER'S CASE

President Defies Political Opponents to Come Out and Fight in Open.

ATTACKS MADE FROM AMBUSH ON HIM

That He Is Going to the Whole Thing, in New York, at Least.

By Leased Wire to The Tribune.
CHICAGO, Sept. 17.—Members of the senatorial committee which will investigate the election of United States Senator William Lorimer will begin their sessions here next Tuesday morning at 10 o'clock in the Congress hotel, and they will go into the bribery charges much further than it is possible to do in a court trial.

The committee is empowered to summon witnesses and to administer oaths, and the evidence given will have as much force and be entitled to the same consideration as if given in a court. There probably will be more latitude, however, in the examination of witnesses.

Will Call Lorimer.
Senator Lorimer will be called by the committee, but he said today he had not determined who his lawyers would be. It is understood that former Judge Elbridge Haney, who appeared in the arguments preliminary to the first trial of Lee O'Neil Browne, will have charge of the senator's case.

Senator J. H. Burrows, of Michigan, is chairman of the investigating committee and the other members are Senators William B. Heyburn of Idaho; Robert J. Gamble of South Dakota; and William P. Dillingham of Vermont, Representatives and Senators J. B. Frazier of Tennessee; Johnston of Alabama; and Paynter of Kentucky, Democrats.

It is reported that all the leading members of the bi-partisan combine which elected Mr. Lorimer have been summoned to appear before the committee and in addition to these all the Democrats who have confessed they were paid for their votes will be called as witnesses. In this hearing the evidence of Senator D. W. Hoftslaw will be received where it could not be presented in the Browne case.

Admits Taking Bribe.
Hoftslaw said he was paid \$2500 by Senator Broderick for his vote on the senatorship and Broderick is under indictment for bribery. That will make four Democratic members of the legislature who will testify in support of the charges that corruption was used in the election.

Another point of interest will be the attitude assumed by Lee O'Neil Browne. He did not go on the stand as a witness in either of his trials, but he will be given a chance to tell his side of the story to the senatorial committee, for it is said he has been summoned as a witness.

The members of the committee are expected to arrive here some time on Monday, and it is believed their hearings will continue two weeks or longer.

POLITICAL CONDITIONS IN SPAIN NOW UNCERTAIN

Special Cable to The Tribune.
MADRID, Sept. 17.—With only a fortnight to the reassembling of the cortes to pass judgment upon the policy of Premier Canalejas in dealing with the Carlist and clerical parties, the indications are that the outcome will be favorable to the whole to the government.

Canalejas, making an indirect response to the arrangement of Monsigneur Urrutia, papal nuncio, in the "padlock bill" on October 2, announces that at the opening of the cortes he will propose the simultaneous discussion of the budget and of special bills dealing with the political situation of the moment. He is optimistic regarding the outcome of the financial situation, and believes that the Spanish nation desires to lay upon the magnificent properties of the monks some portion of the budget of \$200,000,000, which the clergy receive nearly \$10,000,000 in pensions.

Impartial accounts are agreed that Catalonia army could be raised at short notice to defend the Roman Catholic church, the elements of religious war do not exist in Spain today.

FINDS PROGRESSIVE SPIRIT PREVAILING IN CHINA

By Leased Wire to The Tribune.
NEW YORK, Sept. 17.—Capt. Joseph S. Hough of the English navy, retired, stationed in Peking, teaching Chinese sailors how to handle a battleship, who arrived here today on the Philadelphia from Southampton, talks with enthusiasm of the readiness with which the Chinese are taking hold of western methods and ideas.

"The English language," he said, "is now being taught in the schools of China by an edict of the emperor, and before long it will be recognized as official."

"The Chinese princes, whose aspirations in former times were entirely literary, are now going into the navy. The navy happens to be my field, but a similar awakening is going on in all departments."

"The modern spirit is creeping in even in the government, the last stronghold of the reactionaries. The reign of the Manchurian dynasty is virtually at an end. Tuan Shi Kai, former premier, will soon be restored to power."

Captain Hough is the only survivor of a reconquering party of eighteen who were ambushed by African natives at Benin in 1895, during an uprising against the British rule. Every man in the party was killed or wounded. Most of them died on the spot and all except Captain Hough have since succumbed to their wounds.



UNCLE SAM'S MOST VALUABLE NATURAL RESOURCES.

INDIANA FIGHT WILL BE BITTER

Split Between Regulars and Insurgents in Republican Party Widening.

BEVERIDGE, INSURGENT, CONFIDENT OF VICTORY

Expects to Receive Many Votes From Democrats and the Independents.

By Leased Wire to The Tribune.
INDIANAPOLIS, Ind., Sept. 17.—With one element standing for radical insurgent ideas and another insisting that such men as Senators Dooliver, Cummins, La Follette and Bristow shall not be invited into Indiana by the party "organization," the Republicans are about to open their campaign. Senator Albert J. Beveridge is here on a ranging for a tour that will take him practically into every county. He is confident that he will be able to sweep the state, and he is entering the contest with the prediction that he will win by a majority of 50,000.

In the state convention, which he dominated from top to bottom, he assailed the old order of things until many of the "regulars" became so angry that they quit the scene. Since then he has made no serious effort to placate them and he is preparing the campaign here on September 27 without their active assistance.

In fact, against the advice of some of his trusted lieutenants, he has made himself one of the paramount issues of the campaign.

Has Machine of His Own.
Party leaders who have been associated with him urged that his personality and a strong following with the masses will be an asset instead of an issue but it is asserted that he has willed otherwise. He has the "organization" and it is doing business in much the same fashion that finally ran the Fairbanks-Hemway machine toward the rocks.

Many Republicans who are very friendly to Senator Beveridge are now afraid a mistake has been made by making him an issue. They admit privately that his enemies within the party are pleased to accept the challenge and that they are excusing their disloyalty to the ticket by citing that he bolted the Republican caucus by refusing to vote for the Payne-Adair bill. Senator Beveridge's magazine articles, declaring for independence in politics, and expressing a disregard for party lines, promise to confront him throughout the canvass and line up against him Republican workers who are quoting his own words to excuse their course.

Counts on Democrats.
Senator Beveridge is counting on a large number of Democratic and independent voters.

The Democratic headquarters the assertion is made by Chairman Jackson that there is no sign of a break among the Democrats. Louis Ellingham, a Democratic editor who is at the head of the ticket as a candidate for secretary of state, declares he has visited most of the counties in the northern half of the state, and has yet to hear of the first Democrat who is going for Senator Beveridge.

Thomas R. Marshall, who will open Continued on Page Two.

CHICAGO SECOND CITY OF NATION

Population as Given by Tabulation of Late Census Shows It Has 2,185,283.

CITY IS NOW FOURTH LARGEST OF THE WORLD

Is Getting Close to Paris, and Has Lead Over Tokio and Berlin.

By Associated Press.
WASHINGTON, Sept. 17.—The population of Chicago is 2,185,283, an increase of 486,708, or 28.7 per cent, as compared with 1,698,575 in 1900.

This announcement gives Chicago rank in population as the second city of the United States and the fourth in the world.

Chicago has almost doubled its population since 1890, when the figures were 1,098,865. Its greatest growth during that period was between 1890 and 1900, when there was an increase of 54.4 per cent. Its increase in population during the last decade was not so great proportionately as that of New York, the rate of increase being 10 per cent less than that scored by the eastern city.

New York is yet ahead of its closest rival by 2,581,550.

Chicago, however, can claim distinction in progress, as she jumped from sixth to fourth place among the big cities on the globe. It is following close upon the heels of Paris, whose population by its last census in 1901 was 2,714,068. Chicago takes precedence over Tokio and Berlin by close margins. According to the census taken in the bay of Panama, and to prevent a fleet to pass from one ocean to another if there were a hostile fleet awaiting it; the hostile fleet could destroy the vessels as they came out.

Furthermore, the original plans for the Pacific entrance of the canal had already been entirely changed for strategic reasons. The locks were to have been built at Sosa, thus affording the greatest possible convenience to commercial shipping, but Colonel Goethals has moved several miles inland to a sheltered position for large ships through a dredged channel 1,500 feet wide extending three miles out to sea, the protection of these channels by submarine mines is easy. On the Pacific side it is also intended to mine the passages between the islands in the bay of Panama so as to prevent an enemy's ship from taking refuge behind them.

Admiral Dewey, who as senior member of the joint board of officers of army and navy appointed in November, 1907, to report on the fortification of the canal, approved the above argument, is on the record as opposed to the principle of fortification. He said in an interview some time ago: "Fortification? Why, of course not. I understand it, the canal is to be and should be a mutual commercial pathway between the two great oceans. To fortify it would simply result in making it a battle ground in case of war. Fortifications would be enormously expensive and ought to be rejected."

CANAL FORTIFICATION IS DELICATE QUESTION

Special Cable to The Tribune.
LONDON, Sept. 17.—The report that Ambassador Bryce, upon his return from the Isthmus of Panama, will inform Secretary Knox that Great Britain prefers that the United States should fortify the canal, is not credited here. Since President Taft in his message to congress in April recommended that the United States fortify the canal, the foreign office has been engaged in the matter.

As a result, Ambassador Bryce's visit to the Isthmus was decided upon, and an exchange of views with the powers took place. It is understood that the powers are agreed that the

Continued on Page Two.

TO HAVE CANAL WELL FORTIFIED LIGHT LICENSE

Estimate Is That United States County Commissioners May Will Spend \$2,500,000 for Grant or Refuse Applications, as Deemed Wise.

THIS WILL INCLUDE SEA COAST DEFENSES CANNOT BE COMPELLED BY MANDAMUS ACTIONS

Intention Is to Plant Heavy Guns on Both Sides of the Isthmus. Opinion of Supreme Court Will Have Far-Reaching Effect in Utah.

By Leased Wire to The Tribune.
WASHINGTON, Sept. 17.—Plans for the fortification of the Panama canal, at a cost of \$14,140,000, an increase of \$2,276,522 over the estimate submitted in 1905 by the National Coast Defense board, of which President Taft was then chairman, were sent to congress last April.

The proposed expenditure refers only to "sea-coast defenses for the terminus of the canal," but it is also planned to provide means of defending the portions of the canal other than the terminal from attacks to which those portions might be subjected by forces operating on land with the object either of getting possession of the canal or of getting the locks, dams, etc.

Twenty-five million dollars is a conservative estimate of what the final plans for the combined sea-coast and land defenses will call for, and it is not considered improbable that the total cost of the fortifications will be nearer \$40,000,000 than \$14,000,000.

Details of Announcement.
The sea-coast defenses now being urged by President Taft comprise the following armament:

Ten 14-inch rifles; twelve 6-inch rifles; twenty-eight 12-inch mortars, besides an elaborate system of submarine defenses.

Six of the fourteen-inch rifles—the most powerful and costly gun in the world—will be placed in places on the Pacific side of the canal, and four on the Atlantic, in pairs.

Although the greatest secrecy is being maintained concerning the fortification plans, it is known that the main fort defending the Pacific entrance will be built on Sosa hill and armed with four 14-inch rifles, six six-inch rifles and eight 12-inch mortars. This will be named Fort Amador, after the first president of the republic of Panama.

For Fleet's Protection.
Two other 14-inch rifles will be placed on Ancon hill, with smaller artillery, and the islands of Naos and Perico in the Bay of Panama will also be fortified, with the object of enabling an American fleet to pass through the canal and form in line of battle on the Pacific side outside the range of any gun on a ship that can come within range of the guns on the islands, which in turn will be protected and commanded by the guns on Sosa and Ancon hills.

This plan was adopted to meet the objection of Admiral Evans, who pointed out that if fortifications were not built a fleet passing through the canal would have to come out one by one, and be entirely exposed to attack for a fleet to pass from one ocean to another if there were a hostile fleet awaiting it; the hostile fleet could destroy the vessels as they came out.

Furthermore, the original plans for the Pacific entrance of the canal had already been entirely changed for strategic reasons. The locks were to have been built at Sosa, thus affording the greatest possible convenience to commercial shipping, but Colonel Goethals has moved several miles inland to a sheltered position for large ships through a dredged channel 1,500 feet wide extending three miles out to sea, the protection of these channels by submarine mines is easy. On the Pacific side it is also intended to mine the passages between the islands in the bay of Panama so as to prevent an enemy's ship from taking refuge behind them.

East Side Defense.
The defenses on the Atlantic side will consist of two twin emplacements of fourteen-inch rifles, each reinforced by six-inch rifles and twelve-inch mortars, so that there will be practically four forts in all—two on the Pacific and two on the Atlantic side.

As on both the Atlantic and Pacific sides approach to the mouth of the canal is a sheltered position for large ships through a dredged channel 1,500 feet wide extending three miles out to sea, the protection of these channels by submarine mines is easy. On the Pacific side it is also intended to mine the passages between the islands in the bay of Panama so as to prevent an enemy's ship from taking refuge behind them.

Admiral Dewey, who as senior member of the joint board of officers of army and navy appointed in November, 1907, to report on the fortification of the canal, approved the above argument, is on the record as opposed to the principle of fortification. He said in an interview some time ago: "Fortification? Why, of course not. I understand it, the canal is to be and should be a mutual commercial pathway between the two great oceans. To fortify it would simply result in making it a battle ground in case of war. Fortifications would be enormously expensive and ought to be rejected."

YOUTH OF SEVENTEEN STABS MAN TO DEATH

By Associated Press.
KANSAS CITY, Sept. 17.—Lester High, a seventeen-year-old schoolboy, stabbed to death Clarence Davidson and probably fatally wounded John Valle in a street fight here tonight.

Davidson formerly was a sweetheart of High's sister. Her father forbade him to come to his home. After that, according to the elder High, Davidson and Valle nagged the young brother of the girl continually.

After the stabbing, young High went to his home and retired without saying anything to any of his relatives about his trouble. He was apparently asleep when officers arrested him.

They tried to get him, "was his explanation."

Continued on Page Two.

TO STAND still is to retreat. Good advertising will keep your business moving briskly forward.

County commissioners may, after due consideration and proper inquiry and examination, deny applications for liquor licenses without interference from or being answerable to the courts. In other words, mandamus proceedings will not lie to compel boards of county commissioners to grant liquor licenses.

Such is the effect of an opinion handed down Saturday by the supreme court in the matter of the petition of D. A. Smyth against the commissioners of Morgan county. T. U. Butters, W. E. Cridde and George E. Carter, appellants, for a writ of mandamus to compel them to grant him a retail liquor license. The opinion is written by Chief Justice D. N. Straup, and both associates concur.

The opinion, which lays down a rule for a mooted question in this state, will be of far-reaching effect, for while the powers of town boards and city councils to deny liquor licenses are not outlined in the opinion, for the reason that this board and city council were dismissed by the supreme court, the effect of the opinion is the same as to these, inasmuch as boards of county commissioners, town boards and city councils are considered primary right to grant or deny liquor licenses from the same source—the state statutes.

The courts may interfere only when commissioners arbitrarily and capriciously deny applications for liquor licenses, the supreme court has broadly holds, and then not to direct them how to act or to decide the matter, or to compel or coerce them to issue or refuse the license, but only to compel them to consider the application fully and fairly.

History of Case.
Smyth applied to the district court of Morgan county for a writ of mandamus to compel the county commissioners to renew his license to sell intoxicating liquor at Devil's Slide.

His petition for a writ of mandamus was in proper order and, he set out, was accompanied by the proper bond and affidavit. Smyth said he would conduct an orderly place and would not gamble, but in spite of this the commissioners refused to grant the renewal. The refusal, Smyth said, was not based upon any defect in his application, nor upon any other defect, but was based solely on the grounds that the commissioners did not desire to grant any liquor licenses.

Upon this showing the court issued an alternative writ or mandate commanding the commissioners to grant the license, or show cause why they did not do so. The commissioners demurred, and moved that the writ be quashed, but both the demurrer and motion were dismissed. Then the commissioners answered, setting up that it was against the interests of the county and the wishes of the people to permit the sale of intoxicating liquors at any place within the county outside incorporated cities, and that a majority of the residents and taxpayers of the precinct in which the license was sought to be granted were opposed to the granting of the license. The commissioners also set up that the license was granted frequently violated the law by selling liquor on Sunday and permitting gambling on the premises.

After taking the case under advisement the court issued a peremptory writ of mandamus commanding the commissioners to grant the license, and the license was granted. The commissioners then appealed to the supreme court, and the license was set aside.

Commissioners Appeal.
The commissioners appealed and the appeal was heard by the supreme court, and the determination of the commissioners in refusing to grant Smyth a renewal can be set aside, and the license granted, if the court is satisfied that the lower court on the pleadings and findings were justified.

After setting out the nature and object of writs of mandamus, the opinion says that to be entitled to such a writ against the commissioners it was incumbent on Smyth to show that the granting of the license was specifically enjoined by law upon the commissioners as a duty resulting from their office as commissioners, or that their refusal unlawfully precluded him from the enjoyment of a right to which he was entitled. Here the court quotes from section 1242, Compiled Laws of 1907, requiring a license for the manufacture and sale of intoxicating liquors, as follows:

"No person shall manufacture, sell, barter, deal out, or otherwise dispose of any spirituous, vinous, malt or other intoxicating liquors without first obtaining from the board of county commissioners of the county in which he desires to sell, or from the board of trustees of the town in which he intends to do business, a license therefor, as provided in section 1243. Then the court quotes from section 1243 of the Compiled Laws of 1907 authorizing the granting of applications for such licenses, as follows:

"The boards of county commissioners in their respective counties, and the city councils in their respective cities, and the boards of trustees in their respective towns, are hereby authorized to grant licenses, as provided in section 1242, to any person over the age of 21 years, upon an application being made for such license, by petition signed by the applicant and filed with the county clerk, city recorder, or town clerk, as the case may be. Said petition must state definitely the particular place at which the liquors named in section 1242 are intended to be manufactured, sold, bartered, dealt out, or otherwise disposed of, and whether the applicant intends to carry on a retail or wholesale business."

Section 1245, providing that applications for liquor licenses may be refused for good cause, in the discretion of the board of trustees of the town, the city council of the city, or by the board of county commissioners of the county, also is quoted.

It was in effect contended by Smyth that when he made application for a license in conformity with the statute and showed himself to possess the qualifications requisite for the issuing of a license under the law, it became the imperative duty of the commissioners to grant the application, and that they could not lawfully, in the exercise of any other discretion, refuse it.

Not Bound to Grant License.
"We do not think," says the supreme court, "that under the statute the commissioners are bound to issue a license."

Continued on Page Two.