Si puts up a job on Maud but it doesn't QUITE succeed.
Sunday's Funny Section.

THE SALT LAKE HERALD.

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The Red Rig-a-Jigs get after father—and they get him.
Sunday's Funny Section.

SENATOR BAILEY NAILS THE HON. TOM PATTERSON

Colorado Man Took Part in a Previous Caucus Binding His Democratic Colleagues.

Washington, Feb. 7.—Today for the first time in many years the senate chamber was the scene of an effort to administer party discipline to a member of that body, and the occurrence was one of so many dramatic details that the many witnesses will not soon forget it. Mr. Patterson was the subject of the effort, and Mr. Bailey, to whom, in the absence of Mr. Gorman, Democratic leadership is conceded, was the instrument of his party in the incident.

Patterson Came First.

The proceeding arose in connection with the consideration of Mr. Patterson's resolution of remonstrance against caucus action on treaties with foreign nations. The Colorado senator today called up his resolution immediately after the conclusion of the routine morning business and addressed the senate upon it. The facts concerning the caucus proceedings of Saturday and his withdrawal from the caucus were fresh in the minds of senators. Mr. Patterson's speech was in the main an elaboration of his resolutions, and he contended stoutly for the right of a senator to follow the dictates of his conscience rather than the demands of his party in all matters regarding which the two may be in conflict. It was not until after he had concluded that the proceedings took on an air of intensity and excitement.

Bailey Followed.

Mr. Bailey, as well as most of the members of his party, had interpreted Mr. Patterson's resolution as a deliberate reflection upon the Democratic caucus, and from the moment that Mr. Bailey arose he assumed an aggressive and somewhat taunting manner toward the Colorado senator. His speech was based upon the theory that all senators are under obligation to obey conscience rather than caucus, but that in doing so they antagonize their party and should hold themselves responsible to their party, but the speech was more notable for its arraignment of Mr. Patterson for his course than for its adherence to any line of argument.

Record Sprung on Patterson.

Mr. Bailey charged the senator from Colorado with having been a party to the adoption in a previous caucus of the rule binding Democratic senators to the two-thirds rule. This charge and Mr. Patterson's response to it constituted a most dramatic incident and the feeling throughout the senate chamber was very tense until the climax was passed.

Could Not Deny It.

Mr. Patterson failed to recall the proceedings of the previous caucus, but Mr. Bailey's colleague, Mr. Culberson, was prepared with a copy of those proceedings, and when he had exhibited it Mr. Patterson said that he would not undertake to dispute the record. He was inclined at first to charge complicity to disparage him before his colleagues and the country, but afterward

Continued on Page 2.

A Pink Tea at Washington.

"DOES THE STAGE HELP THE WORLD?"

Sara Bernhardt, the greatest living actress, says "yes." Dr. Torrey, the successor to Evangelist Moody, says "no".

READ THE DISCUSSION IN SUNDAY'S HERALD.

PROFESSOR WOLFE TAKES THE STAND AGAINST SMOOT

Testifies as to the Endowment House Oath of Vengeance and Cases of Polygamy Since Manifesto.

(Special to The Herald.)

Washington, Feb. 7.—The Smoot hearing today was not unlike very many previous sessions of the last and preceding congress through which the case has been dragging. There was the usual attendance of women who form the greater portion of the audience not directly connected with the case as witnesses or reporters, and, as usual, Senator Smoot, Representative Howell, their secretaries, Counsellor Richards and other members of the Mormon church followed the proceedings closely. During part of today's session Senator Sutherland was present.

Seven members of the elections committee heard today's testimony, being Burrows, Beveridge, Dillingham, Hopkins, Depew, Overman and Pettus. Senator Dubois did not attend, having gone to Springfield, Ill., where he will deliver an address on Lincoln day.

Professor Walter M. Wolfe, the only witness examined, proved rather plastic, and apparently was easily led into admissions by Attorney Worthington which did not place him in an enviable light as to his own habits and character. He was sharply questioned by Senator Dillingham, who drew from him the acknowledgement that practically all that he had testified to concerning polygamous marriages was hearsay and rumor. On the other hand Wolfe's recital of the endowment oath and description of attendant ceremonies apparently carried with it the conviction that he was giving the most important information yet received by the committee on that subject.

At the close of the hearing Mr. Carlisle, of counsel for protestants, stated to the committee that his engagements in New York made it imperative that he should return at least by Saturday of this week, and in response Chairman Burrows stated that the hearings would be expedited with a view to getting through in a few days.

Missing Witness Lawrance reached here today.

FULL PROCEEDINGS.

Professor Wolfe Was the Only Witness on the Stand.

Washington, Feb. 7.—Hearings in the case of Senator Reed Smoot were resumed today before the committee on privileges and elections. The investigation of the protests made against the Utah senator retaining his seat continued through two sessions of congress and today marked the beginning of meetings which the committee are likely to hold intermitently throughout the present session.

The first witness was Professor Walter N. Wolfe, former teacher of theology in Brigham Young college at Logan, Utah, and an apostate of the church. John G. Carlisle, of New York, conducted the prosecution, and A. S. Worthington, of this city, defended the senator.

Refused to Pay Tithes.

Professor Wolfe testified that he had been a Mormon until Jan. 1, this year, when his connection was severed through failure to comply with the demands for tithes. He was asked to tell what he knew of the alleged plural marriage of Professor Benjamin Cluff and Florence Reynolds, both teachers at Provo. This case occupied a prominent place in the former hearings. In detailing what he knew of their relations, he told of a Mormon expedition to Mexico. He had been informed at that time by Cluff that he was married to Florence Reynolds, and that they lived together on that trip. President Smith, he said, referred to Florence as "Sister Cluff."

Oath Taken in Temple.

"Twelve times," answered Professor Wolfe, when asked how many times he had been through the endowment house, or temple, he explained, as the endowment house was torn down many years ago.

"Did you take any obligations or oaths when you went through?" asked Mr. Carlisle.

"Every time," he replied.

Asked to detail them, he said there had been obligations of chastity, sacrifice and vengeance.

"What do you mean by vengeance?" asked Mr. Carlisle. "Do you mean that there was a promise or pledge given to avenge something?"

Vengeance on the Nation.

The witness then said that this oath had been taken: "You and each of you do covenant and pray, and never cease to pray to God to avenge the blood of the prophet on this nation."

The oath, he said, was taken standing, and at the conclusion each one who took it was required to bow his head and say, "I do."

After giving many other details of the ceremony, such as the manner of anointing, he was asked concerning a trial had by the board of Brigham Young academy as the reasons for a long absence of Cluff from the Mexican expedition.

Smoot Was There.

The witness said Apostle Reed Smoot was among those in attendance, and that he had heard testimony given by the apostle himself that the reason for Cluff's absence was because he was living apart with a plural wife. Another plural marriage was spoken of by the witness. This was between Ovena Jorgenson, a student at Brigham Young academy and "Brother" Okey, with whom the girl became enamored, according to a confession she is alleged to have made to Professor Wolfe. He said the girl came to his house and gave as an excuse for an absence from school that she had gone to Juarez, Mexico, and had been married in polygamy. This had been with the consent of President George Q. Cannon. The girl came back to the school and graduated in the class of 1900, said the witness.

Quoted John Henry.

On further examination conducted by Chairman Burrows, Professor Wolfe said that in southern Utah and New Mexico polygamy is talked with some freedom. He quoted Apostle John Henry Smith as having said concerning the manifesto: "It is a trick to beat the devil at his own game." He quoted John Wilson of Logan, a prominent Mormon, as saying: "The manifesto enables the church to exclude men who ought not to have more than one wife and gives to worthy men an opportunity to take plural wives." Both of these statements, the witness said, were made in his church.

"To the best of my knowledge," said Professor Wolfe, "polygamous cohabitation has increased very materially since Utah was admitted as a state."

Cross-Examination.

On cross-examination, Mr. Worthington produced the original charges brought against Cluff by Professor Wolfe and other members of the Mexican expedition.

The witness was asked why he had refrained from making the charge that Cluff was living in Mexico with Florence Reynolds.

"For several reasons," replied Wolfe. "The chief one was that polygamy was not a crime in the eyes of the church."

When asked concerning some of the proceedings of that trial, particularly concerning intimate details, he said there was a gentleman in the room who was better qualified to answer.

"Who?" asked Mr. Worthington.

"The senator from Utah," he replied.

Acknowledged Drinking.

After stating that Mr. Smoot had not been a member of the sub-committee making the investigation, Mr. Worthington asked the witness concerning his habits, and whether he had been discharged from his position as a teacher because of drunkenness. He said his resignation had been "involuntary voluntary," and explained that he had drunk for twenty years and there had been no charge in his habits all those years, but that after refusing to pay tithes he had been asked to resign on account of having been intoxicated on a Sunday early in January of this year. He said he knew the consequence of refusing to pay tithes. Senator Hopkins asked if the charge had been true that he was drunk upon the Sunday referred to.

"No, sir; if the charge had been made the next day it might have been true," the witness replied.

Mr. Wolfe's dissatisfaction with the church had been a growth since the hostility that seemed to raise up between the church and the United States government, but he had not lost his faith until late in 1904. He was asked concerning the hostility in the church to the nation, and where the lines were drawn. He thought the lines were between those living in polygamy and those not. He said that a number of hymns of the church breathed hostility and these were favorites in the church.

Seeds of Treason Sown.

Mr. Worthington asked concerning the oaths in the temple, and the witness said he believed that in the "obligation of vengeance" "the seed of treason is planted." He said he realized that within an hour after he had taken the oath and had taken it only once, for himself. The other eleven times, he said, had been for dead persons. An effort was made by Mr. Worthington to procure an unqualified answer as to whether there was anything in the endowment house ceremony which would interfere with any one taking it in serving in the United States senate, and whether such person's duty to the church and country would conflict. The witness declared that every Mormon's first duty is to the Church of Latter-day Saints.

No Halo There.

Replying to questions by Chairman Burrows the witness gave a description of the interior of the temple. He said that in the secret annex or chapel there were paintings in oil of president and all the apostles. Senator Smoot's picture was there, he said, and Senator Knox asked if there were any halos over them. The witness replied that the pictures were unvarnished.

The witness said he had told C. M. Owen, who is assisting in the prosecution, in October of last year that he was becoming dissatisfied with the church because laws of the land had been broken and would not remain in it much longer. He hald told of the Cluff case, he said, and believed that was what he was called for. The committee adjourned until 10 o'clock tomorrow.

APOSTLE M. W. MERRILL DIES AFTER LONG ILLNESS

Pioneer of State and One of Authorities of Mormon Church for Many Years—Was Influential Also in the Civil Affairs of Cache County.

Apostle Marriner W. Merrill.

(Special to The Herald.)

Logan, Utah, Feb. 7.—Marriner W. Merrill, apostle of the Mormon church and president of the Logan temple, died at his home in Richmond at 11 o'clock last night. He had been ill a long time with a kidney affliction which caused his death. He was in the seventy-fourth year of his age. His funeral will be held at Richmond in the tabernacle at 11 o'clock Saturday. The general authorities of the Mormon church will come to Richmond on a special train to attend the services. He had been subpoenaed as a witness in the Smoot inquiry, but was too ill to make the trip to Washington.

Apostle Merrill was a strong character and for many years his influence has been dominant in church affairs here, and he was also a potent factor in civil matters. He was a plain, blunt, outspoken, practical man, and had led an industrious life, amassing a comfortable fortune in farming, stock raising and milling. He was a polygamist who ranked with the best of them, having eight wives who bore him forty-six children. He has nearly 200 grandchildren. He was noted for the perfect discipline he enforced in his family. Many of his sons are prominent in educational and professional circles. One of his sons is Professor Joseph Merrill of the University of Utah, and another is Dr. H. A. Merrill of this city.

Marriner W. Merrill was the son of Nathan Merrill and Sarah Ann Reynolds. He was born Sept. 25, 1832, in Sackville, Westmoreland county, New Brunswick. Of a family of thirteen, he was the fourth son, and while a youth joined the Mormon faith. In 1853 he left his native country and after landing in Boston pushed his way across the country to Salt Lake City. His father never joined the Mormon faith, but remained in his old home, farming and cutting timber for a livelihood.

Mr. Merrill was a pioneer of Cache valley and secured a large tract of land there which he cultivated. He was also engaged in milling. Since 1859 he made his home at Richmond. He held several offices in connection with the Richmond ward and was also a member of the bishopric. During the time the Utah Northern railroad was under construction from Ogden to Idaho, Mr. Merrill was a sub-contractor. He distributed as a result nearly $800,000 among the Mormon people in that section of the country.

Several years of his life were spent in the missionary field, and later he was called to act as counselor to Stake President William B. Preston. He held this position in the church for ten years. In 1884 he was made counselor to President C. O. Card of Cache stake. In the same year he was appointed president of the Logan temple, a place which he held at the time of his death. He chose Moses Thatcher and N. C. Edlefsen as his counselors. He was ordained an apostle in 1889 by Presidents Wilford Woodruff, George Q. Cannon and Joseph F. Smith. The following year he went to gather family genealogy, and in October, 1899, he was appointed president of the Cache stake.

During his residence in Cache valley he has been prominent in the civil affairs of the county and state. In 1876 and 1878 he served two terms in the legislature, one in the house and one in the senate. He was a member of the county court for more than ten years, and was postmaster of Richmond for twenty years. In 1896 he was appointed a member of the Agricultural college board, which office he held for nearly four years. He was also a member of the Brigham Young college board.

WILSON RECEIVES JAIL SENTENCE

Court Imposes Thirty Days at Hard Labor for Running Gambling House.

M. H. Wilson, proprietor of the Wasatch gambling house, at 43 East Second South street, previously found guilty of gambling, was sentenced to serve thirty days in the city jail at hard labor by Judge C. B. Diehl yesterday afternoon. Judge M. M. Warner, counsel for the defence, immediately asked for a stay of execution in order to prepare papers for an appeal. The stay was granted by the court and the appeal bond fixed at $500. Within ten minutes after court adjourned the bond of appeal was signed by C. J. Geary and Thomas McCoy and filed by the clerk of the court. The case will be heard in the Third district court.

Before passing sentence Judge Diehl said:

"There seems to be a disposition upon the part of the city administration to stop gambling. This being the case, I propose to help them in every way possible, and think it can best be done by imposing a term of imprisonment, instead of the customary fine."

Judge Diehl asked Wilson, the defendant to stand up and imposed a sentence of thirty days' imprisonment in the city jail.

Gamblers Are Startled.

The court room was filled again yesterday, and the gamblers who were there glanced at each other as visions of the "rock pile" flittered through their minds. Beads of cold perspiration stood on the foreheads of those who are bent on fighting their cases. It will be safe to say that the defendants charged with gambling in the Wasatch club rooms will not tarry until Tuesday to be arraigned before Judge Diehl. Several were heard to exclaim after court yesterday afternoon: "Oh, no, not for mine. They can keep that cash bail. I don't care for such heavy work."

Other Cases Tuesday.

The rest of the gambling cases will be called at 10 o'clock Tuesday morning before Judge Diehl. At that time the defendants will be arraigned, a plea entered and the cases set for trial. Attorney Walker T. Gunter and Judge M. M. Warner, who have been retained as counsel, intend to appeal every case, providing a conviction is secured in the city court.

J. P. Gunn, the bicycle rider, who was arrested on a charge of gambling, said yesterday he did not intend to leave town, but would remain to fight the case.

FIFTY KILLED IN RIOTS.

Valparaiso, Chile, Feb. 7.—A telegram from Antofagasta, Chile, says that the railroad laborers at Oruro, Bolivia, are on strike, and that fifty men are said to have been killed during rioting there. The authorities are attempting to pacify the strikers. Cruisers have been ordered to Antofagasta with troops.

PRESIDENT VIEWS SENATOR CLARK'S ART COLLECTION

Sixty Paintings by the World's Greatest Masters Now on Exhibition in the National Capitol at the Corcoran Aat Gallery.

(Special to The Herald.)

Washington, D. C., Feb. 7.—President Roosevelt, accompanied by Senator Clark of Montana, visited the Corcoran art gallery today to obtain a view of the Montana senator's collection of paintings. The president is fond of art studies, and as he desired to obtain a favorable view of paintings which have been collected during many years and from all parts of the world by Senator Clark, he embraced the opportunity to see the collection under the escort of Senator Clark himself.

The Montana senator made the collection for the adornment of his mansion in New York. As his New York home is not yet ready for occupancy he has loaned the collection of paintings to the Corcoran art gallery. The collection consists of about sixty paintings. It contains works of the greatest of the world's masters, its intrinsic value being many hundreds of thousands of dollars.

Next Friday a private view of the collection, which is in one of the large rooms of the gallery, will be afforded. Admission to this view will be strictly by card. On Saturday the collection will be thrown open to the public.

LAWSON HAS THE PROXIES

Lively Times Ahead for the New York Life and Mutual Insurance Companies.

St. Paul, Feb. 7.—Thomas W. Lawson of Boston held a four hours' conference with Governor Johnson at the capitol today. Immediately afterward Mr. Lawson left for Chicago. The subject of the conference was the forming of a committee of governors and other prominent men to investigate the affairs of the New York Life and the Mutual Life Insurance companies.

At the close of the conference Mr. Lawson stated that his interview with Governor Johnson had been very satisfactory.

"Governor Johnson has consented to remain as a member of the committee I have formed in Minnesota," said Mr. Lawson, "and the others who will make up a part of the committee are Governor Broward of Florida, former Attorney General Frank S. Monnett of Ohio and Fremont Older of San Francisco. I am not yet ready to announce the other names.

"I have enough proxies right now to give me voting control of the New York Life and the Mutual Life."

Governor Johnson said to the Associated Press after the conference that he had agreed to remain on the committee, "although I refused to act as chairman of it, as Mr. Lawson urged me to do, as it would take too much of my time away from the state," he added

"Has Mr. Lawson the necessary proxies from policy-holders to control the voting in the two big life insurance companies?" was asked.

"I believe from the showing he made this afternoon that he has," replied the governor, "and I believe Mr. Lawson has a card up his sleeve that will astonish the folks."

PARDON RECOMMENDED.

Washington, Feb. 7.—Secretary Bonaparte today recommended to the president the pardon of Midshipman Minor Meriwether, jr., convicted of hazing and sentenced to dismissal from the naval academy.

No further action will be taken by the navy department until the president reaches a decision as to whether Meriwether shall be pardoned.

MITCHELL WILL BE ABSENT

President of Mine Workers Sends Instructions to the Wilkesbarre Conference.

Pittsburg, Pa., Feb. 7.—T. L. Lewis, national vice president of the United Mine Workers of America, who was ordered to Pittsburg by President Mitchell to investigate the trouble among the miners and officers of district No. 5, arrived today from Indianapolis and attended the convention of the Pittsburg district miners. Mr. Lewis refused to discuss the affairs of the miners' organization.

District President Patrick Dolan and Vice President Bellingham, whose resignations were demanded by the convention yesterday, were in their seats today as if nothing had happened. Their disregard of the resolution angered the delegates and they appealed to Vice President Lewis, who said:

"I have been sent here by President Mitchell in an endeavor to straighten out the trouble in the Pittsburg district. As yet, however, I have no instructions from him as to procedure, and will have to withhold a decision until his instructions are received."

Indianapolis, Ind., Feb. 7.—President Mitchell this afternoon said that he had just sent instructions to Vice President Lewis by wire. President Mitchell on Monday discussed with the three presidents of the anthracite districts and the three board members from these districts the matters which will come up tomorrow before the Wilkesbarre conference, and he will not attend it. He will leave for the east Friday night or Saturday.

BURLINGTON ROAD PLEADED NOT GUILTY

Chicago, Feb. 7.—Pleas of not guilty to charges of granting illegal rebates were entered today before Judge Bethea in the United States district court by representatives of the Chicago, Burlington & Quincy Railroad company. The corporation and officers were indicted upon the charge of granting illegal rebates to the United States Products Export company, one of the subsidiary companies of the United States Steel corporation. Judge Bethea accepted the pleas.

CONTROVERSY OF LONG STANDING SETTLED

Washington, Feb. 7.—Secretary of War Taft has advised Senator Dolliver and Representatives Hull and Lacey of Iowa that he will order the monuments upon the Shiloh battlefield to the Fifteenth and Sixteenth Iowa regiments inscribed with the time of the regiments' arrival, as desired by those organizations, stating in the inscription that the time is that given by the commanding colonels. The war department records do not agree with the claims of members of the regiments and Secretary Taft's action settles a dispute of long standing.

"NO WEDDING BELLS FOR HIM." SUNDAY'S FUNNY PAGES