

PROCEEDINGS IN CONGRESS.

Anti-Expansionists Take Up the Time of the Senate.

Over Five Hours' Debate in Opposition to Ratification of Peace Treaty.

Most of the Three-Hour Session of the House Consumed in Successful Filibustering Against Relief Bills on the Private Calendar.

WASHINGTON, Feb. 3.—For more than five hours to-day the Senate listened to arguments in opposition to the ratification of the peace treaty.

Wolcott of Colorado gave notice at the opening of the Senate's session to-day that he would address the Senate to-morrow on the subject of expansion.

Hale (R.) of Maine presented the conference report of the diplomatic and consular appropriation bill, and it was agreed to.

The President pro tem. presented a memorial from the Chamber of Commerce of New York urging the ratification of the peace treaty.

Hale, Chairman of the Naval Affairs Committee, favorably reported the following joint resolution, and it was adopted.

"That the Secretary of the Navy is hereby authorized to have erected in the Colony Cemetery at Havana, Cuba, a suitable granite monument to the memory of the sailors and marines who lost their lives by the explosion of the United States battleship Maine in the harbor of Havana on the 15th day of February, 1898, and whose remains are buried in that cemetery, and to suitably inscribe and inclose such monument, and the sum of \$10,000 is appropriated for this purpose."

Harris of Kansas offered the following resolution, which he asked might lie on the table:

"That the United States hereby disclaims any intention or purpose to exercise permanent sovereignty, jurisdiction or control over the Philippine Islands, and assert their determination, when a stable and independent government shall have been erected therein, to transfer to such government, upon the terms which shall be reasonable, just, and all rights secured under the cession by Spain, and to thereupon leave the government and control of the islands to their people."

Daniel, after reviewing the kind of people to be found in the Philippines, said:

"There are not alone the Filipinos, but the Negritos, Malays and all the concatenation of hues and colors. There are people black and white, blue, brown and gray. There are even spotted people, and a kind that I never before heard of—striped. At the close of a righteous and glorious war we are to take them in and ordain them with the oil of American citizenship. Not in a thousand years could we raise the Filipino to the level of this country's citizenship. At the moment the treaty was ratified the historian would chronicle the beginning of the decline of the greatest of America."

"This country stands to-day the foremost nation of the world. Let her tread with sure and steady steps along her own highways, respecting master and man. Let her to the tempter of expansion to-day say, as he who stood on the mount and said, 'The House of glory of the earth were stretched before him: 'Get thee behind me, Satan.'"

At the conclusion of Daniel's speech, which had occupied three hours and a half, the Senate, at 5:10 p. m., on motion of Davis, went into executive session, and soon afterwards adjourned.

IN THE HOUSE.

WASHINGTON, Feb. 3.—Most of the time of the House during the three hours' session to-day was consumed in filibustering against relief bills on the private calendar.

The filibuster was finally successful, and the House adjourned without taking up the bill. The conference report on the diplomatic appropriation bill was adopted.

At the opening of the session Burton of Ohio, Chairman of the River and Harbor Committee, rose to a question of personal privilege in connection with some remarks of Hawley (R.) of Texas, printed in the "Record" this morning, but which Burton claimed had not been delivered on the floor. The remarks, Burton said, contained insinuations of too much interest on the part of the committee and himself in a provision appropriating \$25,000 in the river and harbor bill for a channel between the Galveston jetties and Texas City. He repudiated every such insinuation. The committee had thought this appropriation would be more useful than the \$8,000,000 expended at Galveston Harbor for the benefit of a single corporation. He doubted now the expediency of the House in striking out the appropriation. The river and harbor bill was, he said, like Caesar's wife—above reproach. He moved that the remarks be stricken from the record.

Hawley said his printed remarks had been in effect delivered upon the floor, but offered to remove the objectionable portion, if the motion were withdrawn.

he did know something of them here, and two-thirds of the time of the Secretaries here were devoted to social functions.

Hitt remarked humorously that Bailey of course had a much wider knowledge of the social world and its duties than he. But as to the work of foreign embassies he had knowledge, having been Secretary of the Legation at Paris several years. Owing to the pressure of work he had frequently worked until 11 at night, and often all night.

Hitt's playful reference to Bailey's social duties drew from the latter the response that Hitt attended social functions twenty times where he attended them not at all. He had but one Secretary, and he thought that sufficient.

Hitt explained that the Secretaries of Legations were not the Secretaries of the Embassies, but had multitudinous duties to perform.

After hearing his explanation Bailey agreed Hitt was right and he was wrong.

The report was agreed to, and at 3 o'clock the House adjourned.

BISHOP KAIN SUSTAINED.

Apostolic Delegates' Court Decides in Case of Father Tuohy.

WASHINGTON, Feb. 3.—The case of Rev. John Tuohy, pastor of St. Patrick's Church, St. Louis, against Archbishop Kain of that city, which has been pending for many months before the Apostolic Delegates' Court in this city, has been decided in favor of the Archbishop. The official findings have been received by Archbishop Kain and will soon be promulgated in his diocesan organs. The verdict of Mgr. Martinielli has four subdivisions—two pertaining to Father Tuohy's sentence and the other two relating to his future treatment of the Archbishop of St. Louis. Father Tuohy is told to surrender to the Archbishop all rights and all properties pertaining to the pastorate of St. Patrick. He is then ordered to make submission to his superior and to remain for ten days in a penance house to go into retreat for ten days.

When Father Tuohy has complied with the requirements, the Archbishop is ordered to restore him his priestly faculties and to make some suitable provision for his future support in the archdiocese. This provision is to be approved by the Delegates' Court, and if the place given Father Tuohy be not sufficiently lucrative or of dignified position, the delegate reserves the right to ask the Archbishop to make another provision.

This decision ends one of the most protracted ecclesiastical lawsuits ever tried by the Papal Delegates' Court. The case has been in Rome, and was referred here last summer for final revision.

SHOT HIMSELF.

An Ex-Sheriff of an Ohio County Commits Suicide.

YOUNGSTOWN (O.), Feb. 3.—Ex-Sheriff Charles F. Callahan shot himself in the head to-day, dying instantly. He placed a mirror in front of his face, and, seating himself, fired deliberately at his temple. He had just returned from office, having filled two terms as Sheriff of Mahoning County. He was formerly Commander of Todd Post, No. 59, A. O. U., and was well known in Ohio politics.

Mr. Callahan left a pathetic letter, in which he referred to financial obligations soon to become due which he could not meet, and asking the forgiveness of his family and friends. He was about 58 years old.

California Auto-Truck Company.

NEW YORK, Feb. 3.—J. H. Hoadley of the New York Auto-Truck Company to-day made the announcement that the California Auto-Truck Company has been organized with a capital of \$5,000,000. The company is to be incorporated under the New Jersey laws, and will begin business as soon as possible. The new company is composed of Chicago and California capitalists, whose names were not made public. The first contract to be undertaken will be that of providing an omnibus system for the city of Los Angeles, California, and it is expected that the company will go to work on a truck system for San Francisco.

Nan Ning to be a Treaty Port.

PEKIN, Feb. 3.—The Chinese Foreign Office has agreed to open as a treaty port the city of Nan Ning, in the province of Kuang-See, on the river Fu, near the Tonquin frontier, which the British consider necessary for the exploitation of the West River. The Foreign Office has also agreed to pay \$30,000 to the relatives of the murdered British missionary, Mr. Fleming. In addition, two of the murderers have been beheaded, the military mandarin of the locality has been banished, and two officials have been degraded.

Vacated Their Seats in the House.

WASHINGTON, Feb. 3.—The House Committee on Judiciary has decided that the members of the House who accepted commissions in the army vacated their seats. They are Wheeler of Kentucky and Robbins of Pennsylvania. Members serving on civil commissions are held not to have forfeited their seats.

After Sharkey-Fitzsimmons Fight.

OMAHA, Feb. 3.—J. H. Miles, President of the Fremont Hot Springs Company of Wyoming, East of this morning to press his offer of \$200,000 for the Sharkey-Fitzsimmons fight. He says he is fully able to demonstrate his ability to pull off the fight without interference at that point, and also to give any guarantee desired as to the financial end of the affair.

Opposed to an Alliance.

LONDON, Feb. 3.—The famous Oxford University Union Debating Society, which was so antagonistic to the North in the civil war in the United States, last night by a vote of 96 to 30 passed the following resolution: "That any formal alliance with America would be both injudicious and impracticable."

A Steamship Ashore.

KEY WEST (Fla.), Feb. 3.—The vessel reported ashore yesterday by the steamer City of Key West is the Austrian steamship Huron, from New Orleans to a port in Russia, with a cargo of cotton and pig iron. She is ashore near Sombrero lighthouse. The vessel is being lightered, and will be hauled off the reef.

MILES' CHARGES TO BE INVESTIGATED.

The President Determines to Institute Formal Inquiry.

Respecting the Character of Beef Furnished the Army During the War.

No Action to be Taken in the Matter, However, Until the War Investigation Commission Has Concluded Its Hearings and Submitted Its Report.

WASHINGTON, Feb. 3.—The purpose of the President to terminate the unsatisfactory state of affairs that has existed for some time as the result of numerous charges and counter-charges and interviews respecting the character of the army beef, by instituting a formal inquiry into these matters and endeavoring to place the responsibility where it belongs, was made known to-day. The inquiry will not be undertaken before the commission to investigate the conduct of the war has made its report to the President.

The scope of this new inquiry has not been defined, but it certainly will embrace the allegations by General Miles as to the character of the army supplies, and will involve that officer to the extent that he must make these charges good, and to that degree will be on trial himself in a preliminary manner. Should the charges be found well established, a heavy responsibility would be placed upon the packers and persons connected in the meat inspection, and perhaps others; should they fail unsupported, General Miles will be obliged to answer to a court-martial for reflecting upon the character of other officers.

There are two methods by which such an investigation may be conducted, according to established military usage. The first is by the appointment of a court of inquiry, and the second by the appointment of an Inspection Board, an Officers' or Inspection Board. In the former case it would be necessary to name some officer who is the subject of investigation. In the latter the board is charged simply to inquire into a state of facts, and to report without reference to any particular person, and to place responsibility, if possible, for anything of which complaint is made. Their findings may serve as the basis for a court-martial quite as effectively as the findings of a court of inquiry, and some advantage is taken of it that it does not begin with the presumption of a court of inquiry.

Where a court of inquiry is ordered it is said there is conveyed a distinct reflection upon the officer named. Before the case when the Navy Department requested the War Department to order a court of inquiry to investigate the circumstances attending the killing of a number of Spanish prisoners on board the Harvard, the latter instead ordered an Inspection Board, considering that the ordering of the court of inquiry might be looked upon as a pre-judgment against our troops.

Such Officers' Boards are frequently ordered to fix responsibility for the loss of stores, and in some instances of them have been appointed during the war to look into the loss of meats, notably in the case of that shipped to Porto Rico and returned to Montauk Point. Like a court of inquiry, these boards return a report, and the facts developed by them upon which the superior authorities can act.

It is not possible at present to learn in which direction the President leans, but he has been in conference on the subject with the Secretary of War, the Attorney General, and the matter has been discussed in the Cabinet to some extent. As before stated, however, no action is to be taken on either plan until the report of the War Investigation Commission is submitted.

It is the expectation that the War Investigation Committee will submit its report to the President next Monday. No one outside of the commission is supposed to know what the nature of the report will be.

The method which is to be adopted, namely, a court of inquiry, to pass upon General Miles' conduct, is taken to indicate a knowledge on the part of the Administration of what the report will have to say as bearing upon the Miles charges.

The common impression is that a court of inquiry can be ordered only upon the demand of the officer whose conduct is to be made the subject of investigation. While that is usually the case, there is, however, a reserve power in the President to order such a court, regardless of the wishes of the officer concerned. The authority is contained in Article 115 of the Articles of War. The Article is as follows:

"A court of inquiry to examine into the nature of any transaction of, or accusation or imputation against, any officer or soldier, may be ordered by the President or by any commanding officer, but, as courts of inquiry may be perverted to dishonorable purposes and may be employed in the hands of weak and envious commandants, as engineered for the destruction of military merit, they shall be never ordered by any commanding officer except upon a demand by the officer or soldier whose conduct is to be inquired into."

It is asserted in some quarters that the above quoted regulation does not permit the President himself to order a court of inquiry in the absence of a demand by the officer or soldier whose conduct is to be inquired into. General Miles' friends say that he has not yet made any demand. But legal authorities are against this contention, and it is explained that the resolution makes a very clear distinction for a purpose expressly defined between the demand of the President and of the commanding officers.

The purpose of the court of inquiry is to investigate the conduct of an officer. It is expressly provided by the regulations that no opinion is to be formed on the merits of the case unless directed to do so by the appointing authority. Upon the presentation of the facts made by the court of inquiry, the President must determine whether or not a court-martial shall follow.

General Miles, on being informed of the currently reported court of inquiry in store for him, said that, after consideration, he had decided to say nothing of the subject. He remained at his office in the discharge of his regular duties.

It is suggested that it will be a matter of difficulty to secure the personnel for even a court of inquiry, with its limited membership. Many of the officers have already taken some part in the controversy between General Miles and Eagan. There is a scarcity of officers of rank to warrant their selection for this duty.

NICARAGUA CANAL.

The House Committee Will Report the Hepburn Measure.

WASHINGTON, Feb. 3.—The House Committee on Interstate and Foreign Commerce to-day decided a favorable report on the Hepburn Nicaragua bill with amendment as a substitute for the Morgan bill passed by the Senate.

The essential features of the bill as reported is that it authorizes the President of the United States to acquire by purchase from Nicaragua and Costa Rica the territory necessary to build the canal, and to proceed with the construction of the canal. A hundred million dollars is appropriated for the completion of the work authorized. The changes made in the original Hepburn bill are: Reducing the appropriation from \$140,000,000 to \$115,000,000; striking out the provision for the acquisition of full ownership, jurisdiction and sovereignty over the route, and in adding civil engineers from the navy and civil life to those of the army for the purpose of making surveys, etc.

The subject was taken up at the meeting of the Commerce Committee to-day it was first determined that Chairman Hepburn's bill should be reported, as embodying the sense of the committee. The main question was to expedite the legislation. For this purpose a majority of Massachusetts moved all after the enacting clause of the Morgan bill be struck out and the Hepburn bill be substituted. This was approved, and the substituted bill was then changed in some particulars.

Well established companies are required for full ownership and sovereignty of the route was struck out.

An amendment by Sherman of New York, authorizing the President to negotiate with private companies or associations for concessions, rights, etc., was defeated.

Hilrichsen of Illinois secured the adoption of an amendment reducing the total appropriation from \$140,000,000 to \$115,000,000.

As thus amended the substitute bill was agreed to by a practically unanimous vote, and Hepburn was directed to make the report to the House.

When reported the bill will have the parliamentary status of a Senate bill, and will be referred to the committee, and the final results expedited.

Chairman Hepburn says the report will be filed on Monday.

FIRE AT PHILADELPHIA.

Over \$500,000 Worth of Property Destroyed.

PHILADELPHIA, Feb. 3.—A fire which originated in the brick cracker bakery of the Stewart Cracker Company, at Thirteenth and Hamilton streets, early to-day completely gutted the building, and destroyed property to the value of \$500,000.

The six-story building occupied by B. Hooley & Sons, silk manufacturers; Philadelphia Novelty Company, and P. P. Mastic & Co., manufacturers of agricultural implements; the big store of the Hoops & Townsend Manufacturing Company and the building occupied by J. J. Hoover & Son, lithographers of Philadelphia, caught fire from the blazing bakery, and the flames soon leaped across Hamilton street to the Cooper Brass Works and Plumbers' Supplies and the annex of the Sheeps & Townsend's establishment in the rear of the Cooper Brass Works. The east end of this building was entirely eaten away by the flames.

The block in which the fire occurred is occupied entirely by manufacturing establishments. The losses, which are partially covered by insurance, are estimated as follows: W. S. Cooper, on buildings \$100,000; machinery and stock \$50,000; J. Hoover, \$20,000; Stewart Cracker Company, on building \$200,000; on machinery and stock \$100,000; B. Hooley & Son, \$300,000; Mastic & Co., \$75,000; P. P. Mastic, \$50,000; Philadelphia Novelty Company, \$30,000.

SECRETARY OF INTERIOR.

Change in the Head of the Department Expected This Month.

WASHINGTON, Feb. 3.—The change in the head of the Interior Department is expected to occur in the middle of this month, though no definite word has been received from Ambassador Hitchcock, the newly appointed Secretary. The latter was expected to sail from St. Petersburg about New Year's Day, but was unable to do so, and is there by that time, and then planned to make his departure on January 28th. If he got away at that time he will reach here in season to relieve Secretary Bliss by the 15th or earlier.

FATAL CROSSING ACCIDENT.

A Wagon Containing Six Persons Struck by a Train.

PITTSBURGH, Feb. 3.—A two-horse wagon, loaded with furniture and on which five men and a young woman were riding, was struck to-day by a fast Baltimore and Ohio freight train at the crossing at Riverton station. Four of the men were killed and the other man and the young woman were so badly injured that they will probably die.

The names of the dead are: Hudson Elder, Vest Wilson, George Dawson, unknown man, Mrs. Richard Shaughnessy.

The name of the other man is unknown. Both the injured persons were taken to the McKeessport Hospital in an unconscious state. The woman died at noon.

Condition of the Treasury.

WASHINGTON, Feb. 3.—To-day's statement of the condition of the treasury shows: Available cash balance, \$274,776,690; gold reserve, \$228,992,114.

LOSS TO RAILWAYS VERY HEAVY.

Not in Years Have Roads Had Such Conditions to Contend With.

As Those Now Prevailing in the Mountain Regions of Colorado.

Many Trains Snowbound, in Spite of the Efforts of Railway Officials to Clear the Tracks of Snow—Thousands of Cattle Freezing and Starving to Death, While Nothing Can Be Done to Save Them.

DENVER, Feb. 3.—It has been many years since the Colorado railways have had to contend with such conditions as those now prevailing in the mountain regions. The loss to the railways in this State, taking into consideration the business which is not moving and the outlay of cash to pay the armies of snow shovellers, is estimated at \$25,000 a day. Not less than 1,000 men have been shovelling snow for several days.

Over 500 miles of road in the mountains have been shut out from communication with the main lines. Snow-bound passengers are fed and cared for by the railway companies.

The Denver and Rio Grande Railway has a large force of men at work to-day clearing the tracks near Shoshone in the canyon of the Grand River, where a snowslide occurred yesterday, killing three men and injuring six others of a wrecking crew.

On the mountains thousands of cattle are freezing and starving to death, and nothing can be done to save them. In Eastern Colorado hay is being hauled long distances over the prairies to feed cattle, and it is expected to avoid heavy losses of livestock. However, there will be some losses of stock that is not closely guarded.

The Weather Bureau predicts continued cold weather and another snow fall to-night. The minimum temperature at Denver during the past twenty-four hours was 12 degrees below zero.

While no snow fell in Denver to-day, snow storms and cold waves are reported by the Weather Bureau to be bearing down upon this city from every direction. A blizzard is predicted at Leadville, where snow has fallen for ten days in succession. Leadville is the northern terminus of the Denver and Rio Grande and the Colorado Midland Railroads, though neither is sparing expense in its efforts to clear the tracks west of that city.

Trains over the Rio Grande began running to-day on regular schedule between Denver and Leadville, but each road has a train at Leadville, and the Colorado Midland Railroad, though neither is sparing expense in its efforts to clear the tracks west of that city.

The first train from Como over the South Park road since the beginning of the big storm three weeks ago arrived in Denver to-night. A rotary, followed by a train load of provisions, is cut off at its way to Kokomo, and the intention is, if the train is not buried by snowslides, to enter Leadville to-morrow.

A dispatch from Silverton says Edward Rogers, a miner, was killed by a snowslide in the mountains. The officials of the Denver and Rio Grande Railway Company say that the system has not had such an experience since the winter of 1885.

At Glenwood Springs are three Rio Grande and two Midland trains snowed out. A train at Leadville, and the Rio Grande two at Grand Junction and one at Minturn. No road except the Union Pacific is accepting through westbound passengers.

Snow is reported on the Rio Grande lines all the way from the Grand Junction at Glenwood Springs to six feet at Crested Butte.

At 5 o'clock this evening the mercury stood at 25 below at Marshall Pass. A train started from Minturn with a gang of shovellers to open the line through the Grand Canyon. At 6 o'clock this evening the train had not even reached the canyon. The Denver and Rio Grande Company expects to have its main line open by next Sunday. The West Minstrel, the Gay Company and Company and the No. 10 Company are all blocked at different points in the mountains.

SNOWING AT LEADVILLE.

LEADVILLE, Feb. 3.—Another severe snow storm with high winds prevailed in this vicinity to-day. A supply of coal was received here to-day sufficient for immediate demands, and all local trains arrived on time to-day.

COLD WAVE IN NEBRASKA.

OMAHA, Feb. 3.—Another cold wave struck Nebraska last night, accompanied by light snows and fierce north winds. Rail traffic has not been seriously interrupted, and all local trains arrived on time to-day.

CENSOR OF AMUSEMENTS.

Bill to Prevent Production of Improper Plays in New York.

NEW YORK, Feb. 3.—The fact that public opinion does not prevent the production of improper plays in New

York has impelled Senator Grady to prepare a presentation to the Legislature a bill creating the office of Censor of Public Amusements.

This official, it is intended, shall examine every play to be produced, every song to be sung and every dance to be danced, eight days before the same is done in public, and the performer does not offend public decency, the censor must within three days after the application is filed issue a permit for its production. If the act offends public decency, the permit is refused. If a theatrical manager or actor or the censor does not know his business, he may appeal from his decision to the Art Commission. Any manager who produces a play, an act, a song or a dance of which the censor has not approved will be liable to punishment for misdemeanor. That means that he may be required to live on Blackwell's Island for a year and pay a fine of \$500.

THE PHILIPPINES.

Statement Issued by the Filipino Junta at Hongkong.

HONGKONG, Feb. 3.—The Filipino Junta here has issued the following statement: "Simultaneously with the proclamation of the republic, Aguinaldo released the Spanish war prisoners as an act of grace.

The Spanish imposition of the poll-tax enforced by the Americans with greater severity. Formerly the poor paid \$2 and the rich \$37. Now the lowly pay \$5 and the rich \$100, which is greatly exasperating the people.

"The gambling, cock-fighting, bruisings, and the other American abuses of the customs are causing demoralization. The Spanish corrupt and spoil systems seem to be the morale of the American Executive.

"The Manila Filipinos are indignant at the Manila American journal at that they tamely submit to be experimented with by amateur colonial administrators, and hope the decision of the United States Senate on Monday will be of a nature to satisfy their aspirations as frequently expressed for HEALTHY CONDITIONS AT MANILA.

"Deaths among troops in Philippines since arrival to February 1st, seven months, 220, of which forty-one were due to wounds and accidents. Of the remaining 179, sixty-five died of typhoid, forty-three of smallpox, twenty-two of dysentery, eight of malarial fever. The remaining deaths were due to many various diseases. Smallpox causes apprehension. The entire command has been vaccinated several times. Two-thirds of the troops are engaged for several weeks vaccinating natives. The more sickly season is during the hot months—March, April and May—when fevers, smallpox and dysentery are more prevalent. Nine percent of the troops are reported sick, a great majority of the cases being slight ailments."

President McKinley to Gomez.

HAVANA, Feb. 3.—The following message from President McKinley was received by Robert P. Porter this morning and was transmitted to General Gomez: "Hon. Robert P. Porter, Havana.—The President sends his hearty congratulations and thanks for your dispatch. Convey his cordial greetings to General Gomez, and gratefully acknowledge the General's frank and friendly message. The co-operation of General Gomez in the pacification of Cuba speaks favorably for both people.

"JOHN HAY, Secretary of State."

War Investigation.

WASHINGTON, Feb. 3.—The War Investigating Commission continued the preparation of the report to President McKinley behind closed doors as usual to-day. No reply has been received by the telegraph company by the commission to James N. Farnam of Chester, Pa., requesting him to come here for the purpose of testifying as to the alleged embalming of beef for the army, which he stated that he saw on the Omaha. The report is expected to be ready for submission to the President.

Improved Conditions at Havana.

WASHINGTON, Feb. 3.—Secretary Alger has received a telegram from General Ludlow, Governor of the city of Havana, showing a greatly improved sanitary condition in that city. His telegram is as follows: "Death rate for January 40 per cent, below last year. Cause, sanitation of streets and houses, cleaning local points of infection, vigilance in watching and isolating infectious cases, medicines and supplies to sick and food to starvings."

No Fears of an Uprising.

WASHINGTON, Feb. 3.—The Indian disturbances at Teneau, Alaska, as reported by the press, occasioned no apprehension here among the officials. No official report has reached here. The disturbance is attributed wholly to smuggling of liquor into the Territory and its sale by the whites to the Indians. There is no need of apprehension of anything like an uprising, for there are less than 300 Indians all told, men, women and children.

Homicide in West Virginia.

SISTERVILLE (W. Va.), Feb. 3.—At 3 o'clock this morning Harry Diffenbaugh, aged 23 years, was shot and instantly killed on one of the most prominent streets by Miss Ella Bowen, aged 20. Miss Bowen is in jail, and claims that Diffenbaugh pursued her, tearing her clothing and threatened her if she left him.

A Negro Executed.

LA GRANGE (Ky.), Feb. 3.—William Miller, colored, was hanged here this morning in the jail yard. Miller professed religion, and said that he was ready to die. He was not quite 17 years old. The crime for which Miller hanged was a criminal assault, committed September 1st, on Mrs. Gertrude Leet, wife of Frank Leet, a farmer.

Eagan's Sentence.

WASHINGTON, Feb. 3.—There is almost positive belief among army officials that there will be a mitigation of the sentence imposed by court-martial which tried General Eagan. While the final sentence will be severe, it is not probable that there will be a dismissal from the army.

CONTEST OVER THE PEACE TREATY.

The Controversy in the Senate Takes an Acute Turn.

Efforts to Set a Time for a Vote on Pending Resolutions Blocked.

Opponents of Ratification of the Treaty Refuse to Agree Upon a Date Before the Time Set for Voting on the Treaty Itself, 3 O'clock Next Monday.

WASHINGTON, Feb. 3.—The controversy in the Senate over the vote upon the various resolutions interpreting the peace treaty took an acute turn late to-day. The opposition to a vote first came from the friends of the treaty, who held to the theory that it could be ratified without compromise. Those who apparently were then holding that a vote should be taken to-day held an opposite view, and absolutely refused to agree to a time for taking a vote.

The contest occurred in the executive session, which did not occur until a quarter after 5 o'clock. The next hour and a quarter was spent in a vain endeavor on the one side to get an agreement to a date for a vote upon the resolutions, and on the other in a more successful effort to prevent a declaration to a close without allowing anything to be accomplished in that direction.

The gallery doors had no sooner been locked than Davis, who had taken his position at Frye's seat, immediately in front of the chair, proffered the request of the treaty supporters for unanimous consent, naming to-morrow as the date for voting. He said that the desire on his side of the chamber was that there should be an opportunity to vote upon the resolutions of a declaratory nature, all of which he had referred by Senators who were opposed to the treaty without a modification.

The opposition were prepared for the request, but it did not fail to create some excitement. Simultaneously objections were made from three or four sources, but, as if by common consent, to Gorman was left the task of making the principal statement of the reasons for the opposition. His main objection was based upon the brief