

ULTIMATUM TO THE ALLIES

Question of Preferential Treatment Must Go to The Hague Tribunal for Decision.

DIPLOMACY AT AN END

MINISTER BOWEN'S REPLY TO LAST JOINT PROPOSITION.

Offer to Give Nonallied Powers 10 Per Cent. of Customs Receipts Flatly Rejected.

ATTITUDE OF VENEZUELA

PREFERENTIAL DEMAND OF THE POWERS OBJECTIONABLE.

Because It Would Continue the Alliance for Six Years—Blockade Must Be Raised.

WASHINGTON, Feb. 2.—Herbert W. Bowen, Venezuela's representative in the negotiations at Washington for a settlement of the claims against that country, has sent through the British ambassador at Washington what amounts practically to an ultimatum to the allied powers of Great Britain, Germany and Italy regarding their insistence for preferential treatment in the settlement of their claims against Venezuela. This note, which the British ambassador received shortly before 9 o'clock to-night, was cabled at once to London, copies of it being transmitted to the Italian and German embassies for transmission to Rome and Berlin.

The note is in reply to the proposal submitted at a joint conference of the negotiators this afternoon by the British ambassador that the allied powers be allowed two-thirds of 30 per cent. of the customs receipts of the ports of Laguayra and Puerto Cabello, and that the United States and the other claimant nations, France, Belgium, Holland, Denmark, Spain and Norway and Sweden content themselves with the remaining one-third of this percentage, that is 10 per cent. of the receipts of these two ports.

In the note received by the British ambassador from Bowen to-night Minister Bowen refuses pointblank the proposal for a 20 and 10 per cent. division on the ground that to recognize the principle it embodies would be absolutely offensive to modern civilization. In view of the fact that the negotiators are agreed on all save the question of preferential treatment, the minister is informed that Venezuela has decided to submit that question to the Hague arbitration tribunal. The acceptance of this proposal, Venezuela contends, carries with it a raising of the blockade, the general understanding being that the blockade would end when the negotiations at Washington had reached an agreement.

It is understood that in refusing this last proposal submitted by the British ambassador on behalf of the allies, Minister Bowen takes the ground that he cannot accept in principle the contention that blockades and bombardment of forts, and the consequent killing of helpless men, women and children, entitles any power or alliance of powers to preferential treatment at the hands of a civilized nation. It is asserted that should the peace powers and the blockading powers agree to such a principle they would incorporate in the law of nations a doctrine in conflict with the tenets of all modern-day ethics.

Moreover, Venezuela, it is said, regards the preferential demand of the powers as objectionable because it would enable the continuance of the triple alliance of Great Britain, Germany and Italy for a period of six years or more, and in a repetition it Venezuela would be encouraging and abetting the maintenance of her hostile alliance against herself. The British ambassador is informed in the note that Americans north and south want peace and not alliances.

Venezuela has taken special exception to the action of the British government in initiating this last proposal by which Great Britain can hold fast to Germany and Italy in their alliance against Venezuela until the last cent of the claim is paid. The prediction is made in her response that surprise and regret of the keenest sort will be felt throughout the Americas when it is known that Great Britain has even proposed continuing her present alliance with Germany and Italy one moment longer than is necessary, particularly in view of her previous representations to the effect that she was anxious to end the Venezuelan dispute and call off the alliance at the earliest possible time.

In suggesting that the question of preferential treatment be referred to The Hague, it is understood that Mr. Bowen does so in view of the fact that that question is the only one which remains in dispute. The allies are advised that Venezuela is desirous that all the negotiations shall stand by what has been already agreed on.

The British ambassador declined to-night to make public the text of the note addressed to him, as it is in reality a note to the allied powers, but it became known that it was along the lines here set forth, and concluded with an appeal for justice to The Hague tribunal regarding the contention of the allies for preferential payment, and an assertion that such action carried with it the raising of the blockade. Some significance may attach to the note, in view of the fact that before dispatching it to the British embassy Mr. Bowen was in conference with Secretary Hay.

Whether the allies will accept as final what Mr. Bowen has had to say, or will assume a conciliatory attitude and ask, as has been suggested both by Mr. Bowen and the representatives of the allies in Washington, for preferential treatment for a limited period, no one in Washington feels competent to predict. The position taken by Minister Bowen, it is said, has received the indorsement of all the unallied claimant nations, in which number is included the United States.

At the joint conference this afternoon, which occurred at 5 o'clock, besides Minister Bowen, the Italian and British ambassadors and the German minister, there was also present Count A. Von Quadt, first secretary of the German embassy, who until the arrival of Baron Speck Von Sternberg conducted with activity and judgment the negotiations on behalf of his government.

Referring to the attitude of France regarding the present Venezuelan crisis, Jean Jules Jusserand, the French ambassador, said to-day that the subject had just come to his attention and that until he had been presented to the President he preferred not to discuss it. He added, however, "France will stand up for her rights, but she is anxious that her debtor may be relieved of her present distress."

German Charge Arrives from Caracas. WASHINGTON, Feb. 2.—Herr Pilgrim-Baltazzi, German charge d'affaires at Caracas, arrived to-night, accompanied by his wife, who is an invalid. Owing to the lateness of his arrival, Herr Pilgrim-Baltazzi declined to receive callers.

THE FRENCH CLAIMS.

They Are of Three Classes and Aggregate Millions of Dollars. PARIS, Feb. 2.—The officials here continue hopeful of an adjustment of the difficulties in the Venezuelan negotiations. They say the delays are largely due to misunderstandings among the powers concerning the different classes of claims. It was explained that the French claims, on which Venezuela conceded 13 per cent. of her customs receipts, were those of the President of Switzerland, amounting to a total of \$80,000. Several installments have been paid, but five remain unpaid. The French officials say Great Britain and (CONTINUED ON PAGE 5, COL. 2.)

ARRIVAL OF THE ST. PAUL.

American Liner which Was Delayed by Accident and Bad Weather. NEW YORK, Feb. 2.—The American liner St. Paul arrived to-day from Southampton and Cherbourg, having been delayed by extremely bad weather. The steamer left Southampton at noon Jan. 24, and soon after a crack was found in one of the cylinder caps. The defect proved so serious that Captain Jamison decided to have it repaired before proceeding in voyage. After a delay of ten hours the engineer made the necessary repairs and the steamship got under way again, passing the Needles at 10:23 o'clock at night. The St. Paul arrived at Cherbourg at 1:17 o'clock of the morning of Jan. 25, too late to take on passengers. She was, therefore, obliged to wait for daylight, finally passing out of the harbor at 7:52 o'clock in the morning. From the channel the steamer ran into stormy weather, and continued to be tossed about throughout. Heavy southwest and west gales prevailed with southwesterly waves, making a very rough sea. On arrival here, the St. Paul was further delayed in reaching her dock by a dense fog.

TO RELIEVE CONGESTION.

Plan of an Illinois Legislator to Make the Wheels Go Around. SPRINGFIELD, Ill., Feb. 2.—Representative Burgess will introduce in the House to-morrow a bill intended to relieve the congestion in railroad traffic such as has existed in Illinois for several weeks. This bill provides that any person or corporation desiring to ship coal, farm products, manufactured articles, lumber or other articles not combustible or dangerous by rail, may, at his own expense, employ a private car, or a car owned by the railroad, or a car owned by the person or corporation desiring to make shipment. Any railroad company refusing or failing to supply such a car shall be liable to the person or corporation so ordering for all resulting damages, and in addition thereto shall be liable for a penalty of \$1 per day on every car from the date ordered.

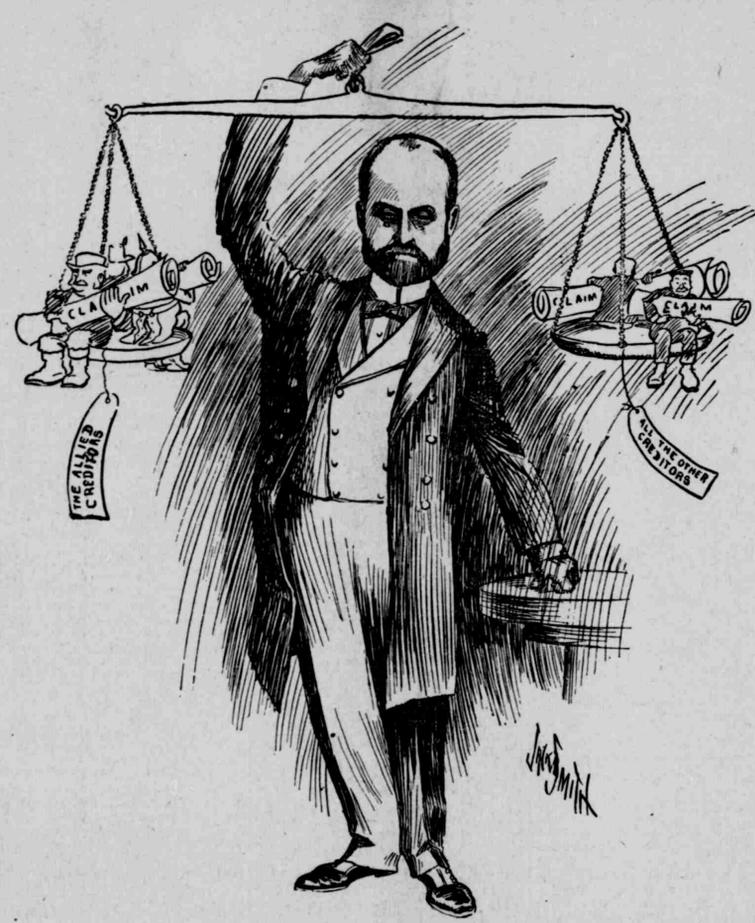
TRAINED NURSE HELD.

Charged with Shooting an Actress and Later Threatening Her Life. CHICAGO, Feb. 2.—Elsie Barrett, the trained nurse who, on New Year's eve, shot Miss Bessie Palmer, known on the stage as Mlle. Asita, under somewhat sensational circumstances, at their apartments on Oakwood boulevard, was to-day held to the grand jury in bonds of \$2,000. Miss Palmer was able to appear in court, though she had to have her head continually supported because of the bullet wound. She testified that Miss Barrett had tried to murder her and said further: "Since her attack on New Year's eve she has come to the hospital where I lay at the point of death and made repeated threats upon my life."

FOR THREATENING MORGAN.

Both Struble Given One Year in Prison and Fined \$100. TRENTON, N. J., Feb. 2.—Both Struble, who with others, were arrested some time ago in Jersey City charged with sending letters to J. Pierpont Morgan threatening him with death unless money was sent to them, to-day pleaded guilty in the United States District Court and was sentenced to one year in the Essex county penitentiary and fined \$100.

PRESIDENT CASTRO AND HIS OPINION OF THE "PREFERMENT" SETTLEMENT IDEA



CASTRO—They all look alike to me.

ON BRINK OF DEFEAT

BREWERS' BILL WILL BE KILLED. TEMPERANCE FORCES CLAIM.

Fate of the Measure May Be Decided by the Minority, as Republicans Stand Opposed.

WARM WORDS IN THE SENATE

ACTION ON THE WOOD GARNISHÉE BILLS CAUSES HOT DEBATE.

Mr. Fortune, Waking from Sleep, Rebuked by President Gilbert—Day in Senate and House.

Unless the minority votes solidly for the brewers' bill, repealing the blanket re-licensing provisions of the Nicholson law, the bill will be defeated in the House. A poll of the members of the majority was made last night by the opposition to the bill and it is claimed that this poll showed forty-five Republicans who will vote against the bill at every stage. In addition to these men it is said that there are at least six Republicans who are as yet undecided in their position, and who will in all probability come over to the opposition on the final issue.

If the Democrats vote unanimously for the bill there is a chance that it may be passed. They have thirty-four votes and with them it only requires seventeen Republican votes to pass it. However, it is not believed that the members of the minority will be a unit in any action they may take on the bill. In spite of their caucus decision at the opening of the session to stand together on all propositions, there are several of them of an independent turn of mind, who have opinions and convictions of their own, who have manifested a disposition to vote as they think, and not as the caucus thinks. These independent men may save the day for the temperance people on the brewers' bill.

It is a foregone conclusion that the majority of the Democrats will want to lay politics on this issue, and that their idea is to stand together in opposition to the position of the majority, or the greater part of the majority. That is, if they are satisfied that the bill will be passed by Republican votes they will all vote against it, and by their record make an appeal to the church and temperance people in the next campaign. On the other hand, if the bill is to be defeated by the Republican vote, or if there is a bare chance for its being passed solely by the aid of their votes, they will stand for the bill, and thus make a bid for the support of the liquor interests. A few of the prominent members of the minority, and many of the rank and file, are inclined to this attitude, but Representatives Black and Boyd, the former the minority floor leader, are more inclined to vote their honest convictions on all questions.

The temperance forces did effective work among the representatives on the majority side yesterday. Letters and resolutions poured in on these men from all parts of the State, urging them to do all in their power to defeat the brewers' bill and these letters came from a class of people such that any member would hesitate long before he opposed them. The leaders of the opposition said, however, that the work that was done yesterday would prove insignificant beside the showing they would make later in the week, when the petitions that were started Sunday in nearly every church in Indiana begin to arrive.

The brewers' lobby was not inactive, on the other hand, and their representatives did some tall hustling all afternoon and last evening in the lobbies of the hotels. One of the first evidences of their work was in marked copies of Sunday's Journal, which every representative and senator received on an early mail. The marked article was that in which Representative Lullberg was quoted in advancing the arguments in support of the bill. The part of the article in which Senator Lindley was quoted in opposing it was not marked.

TRIAL OF ALEXANDER

IT IS NOW UNDER WAY, AFTER FOUR POSTPONEMENTS.

Rather Slow Progress Is Made in the Selection of a Jury to Hear the Case.

CROWD IN THE COURTROOM

DOCTORS AND MEDICAL STUDENTS EVINCE INTEREST.

The Trial Will Not Be Under Way Until Some Time To-morrow—Defense's Motion Denied.

The trial of Dr. Joseph C. Alexander, on the charge of taking, concealing and buying a human corpse, was begun in the Criminal Court yesterday morning before Special Judge John M. Bailey, appointed to try the case by Judge Fremont Alford, who granted the change of venue asked by the defense several weeks ago. The trial of Alexander has been long delayed by continuances, first granted the defense because of lack of time for the establishment of a proper defense; secondly, because of the filing of an additional count to the indictment; thirdly, because of the serious illness with typhoid fever of the accused physician, and, lastly, by the indisposition of Special Judge Bailey.

The charges against Alexander are many, but the specific case upon which the State expects to secure his conviction, and the first of a series of convictions of physicians and others accused of conspiracy with ghouls working in Marion county, and also of ghouls acting personally committed, is for the theft, concealment and barter of the body of Rose Nettlinger, on July 25, 1902. The body of Mrs. Nettlinger was stolen from her grave in the cemetery at New Augusta. The theft was not discovered until the outcry against ghouls prompted the friends of the dead woman to open her grave, and then the body was found to be missing. Later it was found in the basement of the Central College of Physicians and Surgeons, and positively identified by her husband.

SPARKS FLEW IN SENATE

Debate Was Marked by Numerous Passages at Arms. By the skin of its teeth—if it be allowed that a bill may have teeth, even for the sake of metaphor—Senator Wood's garnishée bill passed to engrossment yesterday morning in the Senate. Literally, there was no scrimmage on the question of engrossing the bill; the fight came a little later when the Democrats and a few Republicans pronounced an opposition found they had been sleeping in a powder magazine with lighted matches, dropping all around them.

MAINED IN AN ELEVATOR.

Seven Persons Injured by a "Lift" Dropping Three Stories.

DENVER, Col., Feb. 2.—The breaking of an elevator cable in the Joseph Creswell building, 126 Blake street, to-day caused the maiming and bruising of seven persons, one of whom may be crippled for life. The injured are: Miss Sophie Knoch, twenty-two years of age, back wrenched, left heel crushed and left hip injured; Miss Annie Barbrie, twenty-five, shoulder, back and left ankle sprained; Miss Marie Friedman, eighteen, bones of right foot broken, ankle sprained and back wrenched; Miss Nellie Mullins, fifteen, thigh fractured; Miss Florence Collins, thirteen, fractured; Chas. Purchase, back wrenched and legs injured; Charles Dunst, sixteen, a privately employed attorney who fell from the fourth floor of the building. The elevator dropped three stories.

DAUGHTERS READY FOR FRAY.

Mrs. McLean Again to Fight Mrs. Fairbanks for Presidency.

WASHINGTON, Feb. 2.—The coming session of the Congress of Daughters of the American Revolution promises to prove an unusually lively one, a spirited fight being expected over the election of a president general, the three years of the term of Mrs. Senator Fairbanks having about expired.

Mrs. Donald McLean, of New York, is again a candidate for that coveted position. At the last session of the Congress of the D. A. R. Mrs. McLean, with an eye to the future, introduced an amendment to the constitution to exclude from the office of president any woman who had been elected vice president general and the treasurer, shall be eligible for re-election. This measure, which would effectually dispose of Mrs. Fairbanks's candidacy to succeed herself, will be brought up the first thing after the convening of the congress.

SECOND BEDROCK STRUCK.

Another Rich Gold Field on Eldorado Creek in the Klondike.

DAWSON, Yukon, Feb. 2.—A shaft sunk on the Eldorado creek to-day struck second bedrock sixty-five feet below the first bedrock, with six feet of pay gravel running as high as \$5 to the bucket. The strike was not far from the artesian well which is now under control. The new strike defeats all mining theories and opens up remarkable possibilities, including the discovery of other shafts. If lower bedrock exists, another Klondike district under the first one, will be found. It is said that there are three or four strata each bearing its burden of gold ore.

THE WEEK FOR MILITARY POST

One Known as "No. 4" Recommended in the Report of the Special Board of Army Officers.

LOCATED ON FALL CREEK

NORTHEAST OF INDIANAPOLIS AND NEAR LAWRENCE.

Report Received by the War Department Yesterday, but Its Text Not Made Public.

TO BE DISCUSSED TO-DAY

REPRESENTATIVE OVERSTREET TO CONFER WITH MR. ROOT.

Sale of the Arsenal to Be Ordered at Once if the Post Site Report Is Accepted.

WASHINGTON, Feb. 2.—It was announced to-night that "site No. 4" had been selected by the army board as the location of the proposed military post near Indianapolis. The price asked for the site and other details were unobtainable at a late hour. The report of the last board of army officers sent to Indianapolis to select a site for the post was placed on the desk of the secretary of war this afternoon. The report was received by General Corbin, adjutant general of the army, and sent in to the secretary. The latter did not have an opportunity of examining the papers thoroughly to-day, and declined to give out a formal statement regarding the report. Through the adjutant general he sent a request to Representative Overstreet to join him for a conference before the Cabinet meeting to-morrow, and it is understood they will inspect the report. It was announced at the office of the secretary late this afternoon that he did not desire to say anything concerning the report until he has examined it carefully, but it was unofficially stated this evening that "site No. 4" had been chosen. The understanding is that if the report is accepted by the War Department the order of sale for the arsenal property will be prepared at once. General Davis, the judge advocate general of the army, said to-day that he is prepared to submit the order at any time.

Site No. 4 is described here as being located on Fall creek within one mile of the power house of an electric railway, from which current can be had for lighting, and within four miles of the car shops and roundhouses of the Big Four Railroad. The report is an exhaustive document and the merits of every site submitted are carefully gone into. The Valley Mills site, the preference of the first board, is rejected, it is said, because of the objectionable territory which must be passed before it is reached. The War Department desires to make the new post one of the attractive sights about Indianapolis, and thinks visitors would object to passing slaughter houses, etc., to reach it. The amount to be paid for "site No. 4" cannot be learned to-night.

MYSTERY OF SITE NO. 4.

There Are Two Tracts That Answer the Description Given. The announcement that site "No. 4" had been selected is definite only in part. There are two sites which answer the description in the telegram. They are the tracts offered by Sidney M. Dyer, containing 1,900 acres, and subdivided so that a choice of two tracts of 1,400 each could be taken out of the whole acreage, and an adjoining site of 1,500 acres, offered by Charles W. Brouse, of Irvington. From the description neither man was able to identify what the government indicated by its announcement. The Dyer tract includes a number of farms along the west line of Lawrence township, about a mile from Lawrence and four miles from the Big Four shops at Brightwood. Its east side adjoins the west side of the Brouse tract. Near the west line of Lawrence township the boundaries of Fall creek turn almost directly east for about four miles. Because of this both tracts answer the description of "being on Fall creek." Topographical conditions are vital to the selection of the site and the persons in Indianapolis who are so vitally interested in the selection of a site are without any information as to what factors the government has given the different sites. By its method the government prevents any knowledge of choice, and even in the present case its choice may be a part of each site for reasons more discernible by a board of army experts than any one else.

The tracts were offered to the government in plats showing the farms and their owners and the price asked for each separate piece. In this way the government could select what portions of each tract it deemed available, and designate its choice by indicating the number of one or the other, probably the one from which most area was taken. If the government had wanted to increase the suspense of a good company of Indianapolis real-estate men it could not have done so better than by describing a site "one mile from an electric power station and four miles from the Brightwood shops. The power station can only be the Union Traction Company's station at Lawrence. President George F. McCulloch, of the Union Traction Company, has been a boomer of the so-called "Lawrence" sites. It is not known that he had a preference, as both were equally desirable possibilities, but he has been seen last night, as he left early in the evening for the East for a week's stay.

Charles R. Myers, assistant solicitor for the Big Four Railroad, was the active representative of that road in urging the Dyer

REPORT RECEIVED BY THE WAR DEPARTMENT

YESTERDAY, BUT ITS TEXT NOT MADE PUBLIC.

THE REPORT OF THE LAST BOARD OF ARMY OFFICERS SENT TO INDIANAPOLIS TO SELECT A SITE FOR THE POST WAS PLACED ON THE DESK OF THE SECRETARY OF WAR THIS AFTERNOON.

REPRESENTATIVE OVERSTREET TO CONFER WITH MR. ROOT.

THROUGH THE ADJUTANT GENERAL HE SENT A REQUEST TO REPRESENTATIVE OVERSTREET TO JOIN HIM FOR A CONFERENCE BEFORE THE CABINET MEETING TO-MORROW, AND IT IS UNDERSTOOD THEY WILL INSPECT THE REPORT.

IT WAS ANNOUNCED AT THE OFFICE OF THE SECRETARY LATE THIS AFTERNOON THAT HE DID NOT DESIRE TO SAY ANYTHING CONCERNING THE REPORT UNTIL HE HAS EXAMINED IT CAREFULLY, BUT IT WAS UNOFFICIALLY STATED THIS EVENING THAT "SITE NO. 4" HAD BEEN CHOSEN.

THE UNDERSTANDING IS THAT IF THE REPORT IS ACCEPTED BY THE WAR DEPARTMENT THE ORDER OF SALE FOR THE ARSENAL PROPERTY WILL BE PREPARED AT ONCE. GENERAL DAVIS, THE JUDGE ADVOCATE GENERAL OF THE ARMY, SAID TO-DAY THAT HE IS PREPARED TO SUBMIT THE ORDER AT ANY TIME.

SITE NO. 4 IS DESCRIBED HERE AS BEING LOCATED ON FALL CREEK WITHIN ONE MILE OF THE POWER HOUSE OF AN ELECTRIC RAILWAY, FROM WHICH CURRENT CAN BE HAD FOR LIGHTING, AND WITHIN FOUR MILES OF THE CAR SHOPS AND ROUNDHOUSES OF THE BIG FOUR RAILROAD.

THE REPORT IS AN EXHAUSTIVE DOCUMENT AND THE MERITS OF EVERY SITE SUBMITTED ARE CAREFULLY GONE INTO. THE VALLEY MILLS SITE, THE PREFERENCE OF THE FIRST BOARD, IS REJECTED, IT IS SAID, BECAUSE OF THE OBJECTIONABLE TERRITORY WHICH MUST BE PASSED BEFORE IT IS REACHED.

THE WAR DEPARTMENT DESIRES TO MAKE THE NEW POST ONE OF THE ATTRACTIVE SIGHTS ABOUT INDIANAPOLIS, AND THINKS VISITORS WOULD OBJECT TO PASSING SLAUGHTER HOUSES, ETC., TO REACH IT.

THE AMOUNT TO BE PAID FOR "SITE NO. 4" CANNOT BE LEARNED TO-NIGHT.

MYSTERY OF SITE NO. 4.

THERE ARE TWO TRACTS THAT ANSWER THE DESCRIPTION GIVEN. THE ANNOUNCEMENT THAT SITE "NO. 4" HAD BEEN SELECTED IS DEFINITE ONLY IN PART. THERE ARE TWO SITES WHICH ANSWER THE DESCRIPTION IN THE TELEGRAM.

THEY ARE THE TRACTS OFFERED BY SIDNEY M. DYER, CONTAINING 1,900 ACRES, AND SUBDIVIDED SO THAT A CHOICE OF TWO TRACTS OF 1,400 EACH COULD BE TAKEN OUT OF THE WHOLE ACREAGE, AND AN ADJOINING SITE OF 1,500 ACRES, OFFERED BY CHARLES W. BROUSE, OF IRVINGTON.

FROM THE DESCRIPTION NEITHER MAN WAS ABLE TO IDENTIFY WHAT THE GOVERNMENT INDICATED BY ITS ANNOUNCEMENT.

THE DYER TRACT INCLUDES A NUMBER OF FARMS ALONG THE WEST LINE OF LAWRENCE TOWNSHIP, ABOUT A MILE FROM LAWRENCE AND FOUR MILES FROM THE BIG FOUR SHOPS AT BRIGHTWOOD.

ITS EAST SIDE ADJOINS THE WEST SIDE OF THE BROUSE TRACT. NEAR THE WEST LINE OF LAWRENCE TOWNSHIP THE BOUNDARIES OF FALL CREEK TURN ALMOST DIRECTLY EAST FOR ABOUT FOUR MILES.

BECAUSE OF THIS BOTH TRACTS ANSWER THE DESCRIPTION OF "BEING ON FALL CREEK." TOPOGRAPHICAL CONDITIONS ARE VITAL TO THE SELECTION OF THE SITE AND THE PERSONS IN INDIANAPOLIS WHO ARE SO VITALLY INTERESTED IN THE SELECTION OF A SITE ARE WITHOUT ANY INFORMATION AS TO WHAT FACTORS THE GOVERNMENT HAS GIVEN THE DIFFERENT SITES.