

THE WAR CLOUDS LIFTING

Taylor Preparing to Make Overtures for a Surrender.

He Seeks Immunity From Criminal Prosecution on Charges of Usurpation and Participation in the Plot to Assassinate Mr. Goebel—The Consideration Offered Is His Withdrawal From the State House—The Democrats Not Likely to Accept This Proposition—A Conference at Louisville to Consider a Offer, Taylor Acting Like an Insane Man.

FRANKFORT, Ky., Feb. 5.—The war clouds seem to be lifting. At the solicitation of the Taylorites Senator Blackburn and some of the Democratic attorneys went to Louisville this morning to hold a conference with the Republican Lieutenant Governor, Marshall, and the attorneys of that side. The object is to reach an agreement whereby a peaceful settlement may be effected. One of the terms of the representatives is that Taylor and his partisans now barricaded in the State House be permitted to withdraw without having arrested to face criminal prosecution as insurrectionists and participants in the conspiracy to assassinate Mr. Goebel.

State Senator Utley, a Democratic leader, declares the Democrats will never agree to this. "We are going to hang Taylor and his entire gang as the murderers of Mr. Goebel," said Utley. "I don't believe Senator Blackburn will entertain the proposition the Taylorites have proffered, and if he should, it would be repudiated. The courts will get after Taylor and his assassins as soon as the civil authority is re-established in the State."

The city is filled up with farmers and other country people, who have flocked here to participate in the county court session of today. The provost guard has been withdrawn from the streets for fear of a clash between the soldiers and the countrymen. There is not much fear of an outbreak. The arsenal, early this morning, was manned with a battery of militiamen from the camp in the State House yard. The arsenal is on a hill overlooking the city.

Some of its guns are now trained on the Capitol Hotel, where the Democratic leaders are congregated. Two light caliber cannons were shipped into the city last night and have been wheeled over to the State House yard. Nobody claims to know where they came from. The sentinels will let nobody but a few of Taylor's close friends pass into the State House yard this morning. Taylor will not even talk to newspaper men over the telephone. It is reported that he has collapsed from nervous prostration. When I last saw him, last Friday evening, I was convinced he was insane.

The Democratic section of the Legislature met in a room of the Capitol Hotel at noon and adjourned for lack of a quorum. The legislators were not molested by Taylor's soldiers, despite reports to the contrary last night.

It is widely rumored that as a result of the conference now going on in Louisville, Taylor will rescind his order concerning the use of the telephone. It is reported that he has collapsed from nervous prostration. When I last saw him, last Friday evening, I was convinced he was insane.

THE SITUATION AT LONDON.

Taylor Sends Troops to Prepare for Tomorrow's Session.

LONDON, Ky., Feb. 5.—Captain Powers, with a company of the State Guard, arrived here this morning from Barboursville. The officers know nothing save that the company has been ordered hither.

Circuit Judge Brown opened court this morning with a speech, denouncing the newspapers for the slanderous reports regarding London.

Everything is in readiness for holding a session of the Legislature here. There will be a caucus this afternoon of the Republican members present, when plans will be formulated and temporary officers selected.

State Senator Jolly, the Republican leader, who is supposed to be speaking for Taylor, says no attempt will be made to arrest the Democratic members. The Republicans will convene tomorrow, then adjourn until Thursday, out of respect to the late Governor Goebel.

CAPTAIN CARTER'S CASE.

Attorney Rose Takes the Matter to the Supreme Court.

Attorney Rose today submitted to the Supreme Court a petition for a writ of certiorari in the case of Capt. Oberlin M. Carter, late of the Engineer Corps, United States Army, now confined on Governor's Island.

The petition filed today asks the Supreme Court to review the action of the lower courts.

A Mormon to Succeed Roberts.

CHATTANOOGA, Tenn., Feb. 5.—President Ben E. Rich, of the Southern Mormon headquarters in this city, who has received a telegram from Governor Wells of Utah advising him of the call for a special election in April for the election of a Congressman to succeed Brigham H. Roberts, says former Congressman W. H. King, a Democrat and Mormon, will be elected to succeed Roberts.

Two Pro-Boer Resolutions.

CHICAGO, Ill., Feb. 5.—In the City Council tonight two pro-Boer resolutions will be presented, one by Alderman John Bos, and the other by Alderman Julius Goldzier. Each alderman says he has enough votes promised to pass his measures.

TAYLOR BREAKING DOWN.

He Shows Signs of Mental and Physical Distress.

FRANKFORT, Ky., Feb. 5.—Is W. S. Taylor giving way under the strain? Some of those who have seen him in his office are of the impression that he is.

It is pointed out as the cause that he has been turned down by President McKinley, on whom he depended for support in his high-handed defiance of the law, and that he has been repudiated and censured by the whole Republican press of the country.

Since he entered the State House on the day that Goebel was shot, he has never left it. For weeks before that, no matter what he was turned, he was confronted by a lot of rifle-bearing mountaineers.

His bed has been placed in the small office in which the Governors have transacted their business during the past years. He has eaten there, having his meals sent from home by a messenger, under escort of an armed guard.

Immediately after the shot was fired which killed Governor Goebel the shades of the windows on the south and east sides of his office were pulled down, and since then the only light of day he has seen creeps in by way of the Secretary of State's office.

When he wants to see his wife or family he has them brought over to him, also under escort of a guard of soldiers. He sleeps little at night, and during the day he is constantly receiving General Collier and the other officers of the militia forces with which he has surrounded himself.

Most of the time, Taylor walks restlessly up and down his small room, and talking half audibly to himself. His face, never too full, has grown thin, and his features peaked. He does little of the work which is usually assigned to the Governor himself, being unable to concentrate his faculties on any of this routine.

FROM THE PRESIDENT.

He Contributes a Lafayette Dollar to a Masonic Fair.

CANTON, Ohio, Feb. 5.—A bazaar will be given here soon by the Nobles of the Mystic Shrine Masons.

President McKinley is a member of this branch and has sent a Lafayette dollar to the Cantonians in charge, which will be utilized at the fair as a source of revenue, the dollar to go to the highest bidder.

A FAMOUS ARMY NURSE DIES.

The Arrangements for the Funeral of Mrs. Anna Wittenmeyer.

POTTSTOWN, Pa., Feb. 5.—No death which has occurred here in many years has occasioned more sorrow than that of Mrs. Anna Wittenmeyer, the famous army nurse and friend of the soldier. Letters and telegrams of condolence are pouring in from well-known people all over the country.

The funeral will be held tomorrow, and after brief services at the Wittenmeyer home, at Sunatoga, public obsequies will be held in the First Methodist Church. A large number of organizations will attend.

REFUSED TO CALL A DOCTOR.

A Christian Scientist Dies Through Adherence to Belief.

ST. LOUIS, Mo., Feb. 5.—Christian Science is said to be responsible for the death of Mrs. Kate Stoepelwerk, a widow, forty-four years old, who died on Saturday afternoon.

The autopsy shows that she had a physician been called on an operation performed her life might have been saved. The woman was suffering from berria and was a firm believer in Christian Science. On Friday when her mother-in-law wished to summon a physician, she refused to see one. Prof. Teutenberg and his wife, a Christian Scientist, are said to have had Mrs. Stoepelwerk in charge. She was sick three weeks.

SMALLPOX INCREASING.

A Spread of the Disease in West Virginia.

PARKERSBURG, W. Va., Feb. 5.—Reports from all sections of the State indicate that smallpox is increasing, but, as yet, there have been no fatalities. The disease is of a mild type and yields without much difficulty to the remedies administered. Trained nurses from the East have been brought into the State, and it is greatly through their efforts that there have been no serious results.

The Gilmore county papers did not issue this week. Judge Bizzard suspended the February term of the circuit court of his district, a large number of postoffice have been closed, and the Government buildings in the interior are completely cut off from all communication with the outer world, all on account of the plague. Up to this time there have been no cases in this city or its suburbs.

BECOMES AN AMERICAN.

The Steamship Michigan to Register From New York.

NEWPORT NEWS, Va., Feb. 5.—The Norwegian steamship Michigan will be transferred to the American flag here this week. The Michigan was recently purchased by William J. Latham, of Brooklyn, N. Y., from W. Wilhelmson, of Trondheim, Norway, which is now the home port of the Michigan.

The vessel was wrecked in August last on this coast, and after being repaired to the extent of about \$60,000 worth Mr. Latham made the purchase. The vessel is now at the shipyard.

Application was made for American registration last week, and the custom house officials have just received instructions from Washington to transfer the ship to the American flag. The Michigan's home port will probably be New York. She is 300 feet long, 40 feet wide, and 24 feet deep. Her tonnage is 2,949.

Discharged From the Volunteers.

Battalion Sergeant Major William R. Staff, Twenty-fourth Infantry, having accepted a commission as captain in the Forty-ninth Infantry, Volunteers, will be discharged from the service of the United States Army on September 15, 1899. The commanding officer, Vancouver Barracks, Wash.

MR. MACROM IN THE CITY.

The Former Consul is Still in This Government's Employ.

A Call to Be Made This Afternoon on the President and Secretary Hay Concerning His Mission Relating to the War in South Africa. The Opinion Expressed in Europe.

Former Consul Charles E. Macrom, who is believed to be the bearer of important despatches from President Kruger of the Transvaal Government, to either the President or the Secretary of State, had not called at the White House or State Department up to a late hour this afternoon. Mr. Macrom arrived at Willard's Hotel this morning, but denied himself to nearly all newspaper men. At the hotel it was said that Mr. Macrom had left the hotel to call on the President or Secretary Hay. The Secretary of State said at 1 o'clock this afternoon that he had not seen Mr. Macrom, but had been officially informed of his presence in Washington.



Charles E. Macrom.

Representative Robert W. Taylor, of Ohio, in whose district Mr. Macrom resides, called at the State Department this afternoon looking for Mr. Macrom. He said that he had heard he was in the city, but had not been able to find him.

It is understood that Mr. Macrom will call on the President and Secretary of State late this afternoon.

When seen by a Times reporter at Willard's at noon Mr. Macrom was asked to give his opinion as to the ultimate result of the war between Great Britain and the South African Republic. He replied:

"What I have to say will be done over my own signature." "You have traveled through the cities of Europe, what is the impression there?" "It is divided."

"Your answer is evasive. Will you tell the people of the United States what the real conditions are?" "Does not Europe—that is, outside of England—think that the Boers have the best of it?" "I believe they do."

The next question asked Mr. Macrom was: "Are you yet in the service of this country?" His reply was given in most emphatic tones: "I am."

He refused to make any further statement.

Charles E. Macrom is thirty-five years old, and when at home resides at East Liverpool, Ohio. He is a personal friend of the President, who holds him in high esteem, and his appointment as Consul at Pretoria was considered quite an honor for a man of his age. He accepted the appointment as Consul at Pretoria in May, 1898, and arrived at Pretoria in July of the same year.

His work as Consul gave eminent satisfaction, and the State Department officials were glad that they had such an efficient Consul at Pretoria when war was declared between Great Britain and the South African Republic. For the first few weeks of the war Mr. Macrom transacted the business entrusted to him by the Secretary of State in an able manner, but early in November he wired Secretary Hay asking that he be permitted to return to his country.

The Secretary was greatly astonished at the request, and wired Mr. Macrom for his reasons for desiring to leave Pretoria at such a critical time. Several despatches were exchanged between Secretary Hay and Mr. Macrom, but they did not result in his return to this country. "That urgent private business demanded his immediate presence in the Transvaal."

Before he was officially relieved Mr. Macrom cabled the State Department that he had turned over his consular office to a Mr. Atterbury and had started home, and nothing was said as to who Mr. Atterbury was and the State Department ordered W. Stanley Hollis, Consul at Lourenco Marques, to take charge of Mr. Macrom's office until his successor could be appointed.

About the middle of December Adelbert S. Hay, son of the Secretary of State, was appointed to succeed Mr. Macrom, and Mr. Hay left Lourenco Marques a few days ago for Pretoria, and should have arrived there by this time.

Mr. Macrom has been over two months en route to this country and many reports have been circulated regarding his mission. It has been said that he had become a naturalized citizen of the Transvaal, and was bearing despatches from President Kruger asking this country to intervene to stop the war in the Transvaal.

Mr. Macrom has raised the query or confirm all reports, and said he will not make a statement until he confers with the President and Secretary Hay. Mr. Macrom says he expects to return to Pretoria.

General Gordon to Lecture.

FIRST IN THE FIELD.

All-Night Cars on the Capital Traction Lines.

President Dunlop, of the Capital Traction Company, today informed a reporter for the Times that, beginning with tonight, the Capital Traction Company will give Washington an all-night car service.

Cars will be run on the Pennsylvania Avenue and Fourteenth Street lines at half-hour intervals from 1 o'clock a. m. until 5:30 o'clock a. m., when the regular day schedule begins.

President Truesdell, of the Washington Traction Company, said this afternoon that he had been for some time preparing to give the public an all-night service. The cars will be operated by storage batteries. These batteries have arrived, but it will be several days before the cars can be operated.

THE WAR OFFICE SILENT.

Buller's Reported Advance on Ladysmith Discredited.

LONDON, Feb. 5.—(I. p. m.)—Though it is known that despatches from South Africa have reached P. O. Mall, the War Office is absolutely silent. The only information that the officials will give out is that the War Office cannot confirm the rumor that General Buller is again advancing to the relief of Ladysmith.

There is every indication that things are quiet at the front and that no immediate forward movement is anticipated. It is suggested that the heavy firing reported to have been heard at Ladysmith originated in some artillery practice which is being indulged in by the new batteries that were recently sent to the front.

THE MAGARSFONTEIN ERROR.

A Reiteration of General Wauchop's Objections.

GLASGOW, Feb. 5.—The "Daily Mail" publishes a letter from Modder River in regard to the charge of the Highland Brigade at Magarsfontein and General Wauchop's objection to the movement. The writer states that General Wauchop told Modder that he would be unable to lead his men into the position they had been ordered to take. General Methuen insisted, however, that the order should be carried out.

General Wauchop afterward made an address to the Highlanders in which he said: "There is some mistake here, but I have no orders. You do your best."

THE UNION JACK HISSED.

A Milwaukee Audience Drives the English Flag From the Stage.

MILWAUKEE, Wis., Feb. 5.—There was a scene at Alhambra, theatre last night which resulted in an act being withdrawn from the bill.

If it had not violence might have been done the actors. "The Devil's Anvil" is the bill this week, and one of the specialties was a topical song and dance symbolic of the union of Uncle Sam and Britannia.

As soon as the English flag was brought upon the stage the whole house began to hiss. The demonstration increased until the girl with the English flag was compelled to leave the stage.

HIS STATEMENT HISSED.

A Pro-Boer Meeting Objects to Abuse of the English.

JOLIET, Ill., Feb. 5.—John T. Keating, the national head of the Ancient Order of Hibernians, was loudly hissed while speaking at the pro-Boer mass meeting in the opera house yesterday afternoon. It was during his talk that he declared with vehemence: "Englandmen, as a rule, do not make good citizens of the United States." A storm of hisses arose. Mr. Keating retorted angrily: "Hiss, fools and gese, hiss."

Resolutions praising the Boers were adopted by a unanimous vote, the English sympathizers having left the hall after Mr. Keating's remarks. One paragraph in the resolutions was devoted to United States citizens who are known to be "the little Grant at Washington" and "the only true representative of Illinois in the Senate."

SPENT STOLEN MONEY.

A Bank Messenger Gives Away \$1,225.

DETROIT, Mich., Feb. 5.—Young Giaman, the Detroit Savings Bank messenger, who on last Monday stole \$1,300 while he was temporarily in charge of the cash, has been arrested in Chicago and brought back to this city. Pled with questions by the police, he told what he did with the money. Only \$75 being found on him when arrested. In Chicago he put up at the Grand Pacific Hotel, engaging a high-priced room. He gave the clerk \$1,000 to keep and then started out to see the town.

Some women took him to an opera den and a Japanese theatre. In one den he ordered a bottle of wine, and by a system of "pre-paying" he made it pay for the same bottle fifteen times—a total of \$75. In another place his wine bill was \$90. When he went from place to place he took a carriage, and the least he thought of paying the driver was \$10. He tipped bellhops and bartenders at the rate of \$5 each, and at the end of five days had spent \$1,225. He poses in Chicago as Ted Smeane out for a lark. He is the son of a widowed mother, who is heart-broken over his escapade.

AN ARTIST'S MODEL DEAD.

She Falls From a Bicycle in Golden Gate Park, California.

SAN FRANCISCO, Feb. 5.—Angelia Teresa Antonucci, whose superb form made her for years the most noted model in Europe, fell dead from a bicycle in Golden Gate Park. It is supposed she was stricken by heart disease. She was on her way to coming to America four years ago. Antonucci was the model of Queen Natalie of Serbia, who is sculptured by Augustus.

A KEROSENE EXPLOSION.

A Bursting Can Causes Serious Injuries.

HARTFORD, Conn., Feb. 5.—After lighting a fire with kerosene Edward Morion placed the can in a cupboard near the fire. In removing it a few moments later he turned to speak to his wife, and in doing so dropped the can on the stove. An explosion followed.

Terribly burned, Morion and his wife rushed to the backyard and sought vainly to extinguish the flames by rolling in the snow. Both probably will die.

Pennsylvania Railroad to Lakewood, N. J., via Broad Street Station, Philadelphia.

THE TREATY ABROGATED.

The British Ambassador Formally Announces England's Consent.

A Document That Annals the Bulwer-Clayton Compact—This Country Not to Fortify the Canal, Which Must Be Neutral—Warships to Be Allowed to Pass at All Times.

Lord Pauncefote, the British Ambassador, called at the State Department early this morning and arranged with Secretary Hay the final details for the signing of the convention between this country and Great Britain, abrogating the Bulwer-Clayton treaty.

It was officially announced at the State Department that the terms of the agreement had been decided upon and that they were perfectly satisfactory to this country and to Great Britain. The agreement was signed today. It will then be sent to the Senate for confirmation.

Besides distinctly annulling the Bulwer-Clayton compact, joint control of any canal which might be dug across the isthmus, and vesting in the United States an exclusive unchallenged right to build and manage such a waterway, the convention just approved commits both signatory powers to a declaration guaranteeing the canal's neutrality, and pledges the United States to refrain from fortifying its approaches and entrances, or otherwise restricting open access to it on the part of the world's commerce.

The other great maritime nations are to be asked to join in this general guarantee of the canal's freedom and neutrality, and the projected cut across Panama or Nicaragua is to be put on the same basis in international politics as is the Suez cut between the Red Sea and the Mediterranean.

The warships of all nations are to be permitted to pass through the new canal in time of peace or war, and no military advantages are to accrue to any power through the seizure or control of the canal's gateways. In all other respects, however, the isthmian short cut is to be as completely under American control as the Panama Canal is now under British.

The negotiations began about a year ago. Secretary Hay conducting them with the British Ambassador in Washington, Great Britain was at first not disposed to consent to an abrogation of the treaty, but the Salisbury Government gradually showed itself more open to argument, and the negotiations soon began to make favorable progress.

Lord Pauncefote represented Great Britain throughout, no notes being exchanged through the American Embassy in London. The English Government at no time evinced a desire to block the way by demanding a quid pro quo for abrogation, and Secretary Hay at last carried the negotiations to the point where American control of the Panama Canal is now under British.

At the State Department the greatest satisfaction was expressed at the result of the conferences and it is believed that the Senate will take immediate action on the treaty.

DEATHS IN THE PHILIPPINES.

General Otis Cables a Long List of Casualties.

General Otis cabled the War Department today the following list of recent casualties among the troops in the Philippines:

Deaths: Cepheo spinal meningitis, December 30, George Mann, Company H, Thirty-eighth Infantry; acute cholera, January 7, Shelly H. Taylor, Company G, Twenty-second Infantry; valvular heart disease, January 24, Joseph C. Wilson, sergeant, Company F, Twenty-third Infantry; typhoid fever, February 2, Charles Cooper, Company F, Third Infantry; varicella, January 28, Arthur J. Ellis, Company H, Forty-third Infantry; typhoid fever, February 2, Thomas H. Bennett, Company E, Third Infantry; malaria, July 1, Ferguson, Company C, Twelfth Infantry; January 22, Ralph L. Rich, Company D, Tenth Infantry; typhoid fever, January 28, Nathan Coffey, Company A, Twenty-fourth Infantry; January 11, John Pivarski, Company F, Twenty-fifth Infantry; typhoid fever, January 29, Charles L. Heister, Company L, Thirty-second Infantry; appendicitis, December 29, William H. McLaughlin, Company C, Twenty-eighth Infantry; February 2, Frederick P. Collins, battalion sergeant-major, Twenty-eighth Infantry; typhoid fever, February 2, W. Hevle, Company D, Forty-fifth Infantry; February 2, Louis Olinb, sergeant, Company C, Twenty-eighth Infantry; typhoid fever, February 2, Thomas H. Bennett, Company E, Fourth Cavalry; February 1, Louis McPherson, Company A, Thirty-fifth Infantry; typhoid fever, January 28, Thomas H. Bennett, Company E, Twenty-seventh Infantry; acute fever, January 24, Edgar J. O'Brien, Company G, Twenty-fifth Infantry; pneumonia, January 28, John O'Sullivan, corporal, Company L, Sixth Infantry; typhoid fever, January 27, John O'Brien, Company E, Tenth Cavalry; typhoid fever, January 23, Witt Adams, Company M, Twenty-ninth Infantry; January 23, Herman A. Larson, Company B, Twenty-ninth Infantry.

DENIES HER OWN DEATH.

FISHKILL LANDING, Feb. 5.—If you are not dead, though all your neighbors think you are, what are you going to do about it? That was the problem that confronted Mrs. Georgia Smith. She solved it by publishing a card in a local newspaper declaring that she was not dead and that she would visit her friends to know it.

Mrs. Smith is a prominent worker in the Young Women's Christian Temperance Union of the town. Her friends are legion. But she has one enemy, and Mrs. Smith says she knows who she is.

Mrs. Smith went shopping on Friday. Every acquaintance she met gaped something about having heard she had passed away. Some she met were on their way to her house to pay visits of condolence, others were posting letters of sympathy for her family or wishing to know when and where the funeral was to be.

"I know who is doing this," declared Mrs. Smith. "I'll show her that I'm not dead!"

A GIRL FROZEN TO DEATH.

She Attempted a Long Drive Across Indiana.

MISHAWAKA, Ind., Feb. 5.—The body of Grace Dodge, frozen and disfigured, has been found several rods from the highway between Alamo and Cooper.

She had hired a livery team and started to drive to her aunt's home at Alamo. It is supposed that the horses ran away and overturned the sleigh. That she had made an attempt to scale a fence near by was shown by blood stains on the rails.

She was twenty-two years old, a daughter of Charles Dodge, of Chicago, and a sister of Chauncey E. Dodge, Superintendent of the Western Division, of the Pullman Palace Car Company at Chicago.

Only tonight, Yes, the annual concert of the Glee, Banjo, and Mandolin Clubs of Georgetown, at the College building.

MORE CLARK TESTIMONY.

Witnesses for the Montana Senatorial Election on the Stand.

A legion of men from Montana crowded the room of the Committee on Privileges and Elections of the Senate this morning to listen to the testimony and the clash of counsel in the Montana Senatorial election. Representative Campbell, counsel-in-chief for the memorialists against Senator W. A. Clark, Mr. Birney, associate counsel, former Representative Hartman, consulting counsel, and Fred Whiteside, the alleged instigator of the bribery charges, held a brief ante-session conference around the foot of the counsel table.

When Senator Chandler called the committee to order Mr. Campbell said that he had found the affidavit which Hill testified that he had given him. It was produced in evidence. Mr. Foster said:

"Mr. Chairman, I think that Mr. Campbell, who has admitted having stolen a letter that was passing between Mr. Bickford and Mr. Foot, should be made to return that stolen letter."

"The statement of Mr. Foster is absolutely false. I have never made any such admission," replied Mr. Campbell.

"I submit Mr. Chairman, that the letter in question belongs either to Mr. Bickford or to Mr. Foot and not to Mr. Campbell," said Mr. Foster.

"I think Mr. Foster, the use of the word 'stolen' is a little premature," commented Mr. Chandler.

"Mr. Whiteside has the letter and it will be handed to the committee," said Mr. Campbell.

The first witness was Thomas Ryan. He was called for by the opposing counsel, Mr. Narmoyne, a member of the Legislature, who appeared as a witness against Senator Clark. Mr. Ryan saw Mr. Narmoyne at Helena during the Senatorial election. He testified to the dinner with Narmoyne, Burns, and Sbonahar, at Washington Wyler's roadside near Helena. He did not recall that there had been any talk during that dinner concerning the purchase of Narmoyne's vote.

"Did you have any conversation with Assemblyman Murray about the use of money in the Senatorial contest?" "Yes, sir."

"What was it?" "Mr. Murray said there had been a good deal of talk, but he did not believe it. Mr. Birney cross-examined the witness. "Where do you live?" "In Butte."

"Was Clark's home?" "Yes, sir." "What were you doing at Helena?" "Drinking whisky."

"Who paid the bills?" "I did, sir." "At whose request did you go to Helena?" "At Mr. McDermott's."

"Is he a partner of Hines?" "No, sir." "Was he working for Senator Clark?" "Yes, sir."

"What was he doing?" "The same as I was." "Drinking whisky?" "Yes, sir."

Mr. Chandler asked: "Mr. Ryan, do you ever drink so much as to obscure your faculties?" "I was never drunk in my life."

Robert Fair, of Butte, was then sworn. He had been in Helena during the Senatorial contest. He went there simply as a spectator. He did not sustain business relations with either Senator Clark or Mr. Daly. He denied ever having talked to Narmoyne about the purchase of his (Narmoyne's) vote.

"Did you ever say to Narmoyne that by voting for Clark he could help himself for life, and that he might just as well fix himself while he had the chance?" "No, sir; that is absolutely false. I never had any such conversation."

William Gallick, of Butte, was then called to the stand. He denied having had any understanding with Assemblyman Murray concerning the purchase of his vote for Senator Clark.

"Did you work for Senator Clark?" "No, sir."

"Were you favorable to his candidacy?" "I didn't care. If a Republican could not be elected, I didn't care what Democrat was elected."

"You are a Republican?" "Yes, sir. I am a good one."

Mr. Gallick, under cross-examination, was asked concerning his acquaintance with Hector. The witness said that Hector had come to him and had told him that he (Hector) wanted to get some money from the people that he might go to British Columbia and avoid coming to Washington.

A TELEPHONE DECISION.

Justice Barnard Rules Against the Local Subscribers.

The Court Hands Down an Opinion That the Laws Under Which the Action Has Been Taken Is Unconstitutional—A Victory for the Chesapeake and Potomac Company. An Order That Citizens in the Future Must Pay the Rates Demanded by the Corporation—The End of a Long and Bitterly Fought Contest. The Reasons for the Suits Brought.

Justice Barnard handed down a decision today that the act of Congress of June 20, 1898, regulating telephone charges in the District of Columbia, is unconstitutional, and dismissed the proceedings brought by a large number of the patrons to compel the company to conform to the law. The decision is an unequivocal victory for the corporation.

The matter was one in which great interest was taken by the Washington public ever since the proceedings to test the law were instituted last July, so it was not surprising that Justice Barnard's courtroom was crowded today with well-known attorneys and business men.

The matter came up for a hearing in the case of James F. Manning & Co. against the Telephone Company, asking that the Supreme Court of the District restrain the defendant from removing its telephone instrument and appliances from the complainants' place of business, because the complainants refused to pay the rates established by the Telephone Company, but had tendered the rate for the service fixed by Congress.

Since the filing of a petition for injunction by Manning & Co., seventy-five or one hundred other subscribers commenced similar proceedings. These cases were consolidated, and testimony was taken on both sides with the view of making the Manning case a test. The result was the decision today, which follows in full: IN THE SUPREME COURT OF THE DISTRICT OF COLUMBIA.

James F. Manning et al., vs. The Chesapeake and Potomac Telephone Company, Inc. No. 15,338.

In the act of Congress approved