

Fair tonight, Thursday increasing cloudiness; fresh westerly winds, diminishing.

# The Evening Times

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## CHANGES PROPOSED IN IRRIGATION BILL

Matter Discussed at Conference at White House.

### THE AMENDMENTS AGREED UPON

States to Have Control of the Distribution of Water.

### TIME FOR THE SALE OF LANDS

This Subject Also Talked Over by Members of Senate and House and the President—Extent of the Modifications That Are Suggested.

As a result of a conference at the White House today between the President and Representative Sutherland, Metcalf, Tongue, Mondell, Newlands, Tamm, and Senator Dietrich, and Mr. Maxwell, of the Irrigation Association, changes in the phrasing of the irrigation bill now in the House will be made before the measure is reported from the House committee.

Representative Tongue, chairman of the House committee, stated after the conference that the President feared that the bill as now worded might be later construed contrary to the spirit in which it was passed.

A change will probably be made in section 8, which, while reserving to the States the control of the distribution of water will not affect interstate questions as to right to water.

## HEARING ON CHANGES IN THE DISTRICT CODE

House Committee Investigates Proposed Amendments.

### FEES OF REGISTER OF WILLS

Much Dissatisfaction With Present System—Was the Law in Maryland 100 Years Ago When Levis and Bits Were Common—Opposition to Fee System.

The subcommittee of the House District Committee this morning began hearings upon the Senate bill to amend the District code. The measure embraces sixty-three pages, and was drafted under the supervision of the Bar Association of the District, to cure some of the numerous defects in the code as it went into effect on January 1 last.

Since the pending bill was introduced, however, the bar of the District has decided upon certain other changes, many of them of a minor and technical character, intended to remove ambiguity and make the law clear on certain points.

Messrs. William F. Mattingly, Chapin Brown, and Corcoran Thorne were before the subcommittee this morning and explained the position of the Bar Association and the necessity for the various amendments to the code as provided in the bill and others which have since been decided upon as wise and beneficial.

John C. Dancy, the new Recorder of Deeds, also made a statement before the committee relative to the proposed amendments affecting his office.

### Register Dent Heard.

Mr. Louis F. Dent, the Register of Wills, was next heard.

Much of Mr. Dent's statement was devoted to the fee system in the Register's Office, regarding which, as he said, there had been much division of opinion between members of the bar and himself ever since he became Register.

Mr. Dent said he had simply enforced the law as he found it, there being no alternative if he fulfilled the duties of his office. He proposed an amendment to the

## THE PURE FOOD BILL REPORTED TO SENATE

Adulterations Almost Universal, Says Mr. McCumber.

The House pure food bill was reported to the Senate today by Senator McCumber of the Committee on Manufactures, which has had it under consideration for several weeks. The substitute bill was also reported.

The new bill is changed chiefly in phrasing except that it omits almost entirely section 7 of the House measure, providing that the Secretary of Agriculture shall establish lawful and binding standards of food purity.

Senator McCumber, in his report, goes into the subject of adulterations of foods, and the efforts of the States to prevent them, at great length. He states that three-quarters of the States have adopted stringent laws against adulterations, but that the dual form of the Government giving control of interstate commerce to the United States has made these laws ineffective. Adulterated articles are sold largely in States other than those in which they are manufactured.

He states that for many years petitions have been coming to Congress for Federal legislation to supplement the State laws. The House bill, he says, is the outgrowth of persistent efforts of the National Pure Food and Drug Congress, which met in Washington in 1899 and 1900. It is practically the same bill as that introduced in the House in 1900.

In describing the adulteration of food, the report states that "there is scarcely a known commodity of food which has not been seized upon by unscrupulous manufacturers and dealers and adulterated to an extent sufficient to compete with and undersell the genuine article."

### President's Views Sought.

A number of members of Congress called at the White House today and held a lengthy conference with the President, learning the latter's views regarding the irrigation bill now before the House. The measure was discussed in detail and a few slight changes were suggested and will be urged before Congress. It was the opinion of the bill, with the proposed amendments, would prove a benefit to the people and sections affected as well as to the country at large.

tion 8, which, while reserving to the States the control of the distribution of water will not affect interstate questions as to right to water.

Another point discussed at length was as to the date when it would be best for the Secretary of the Interior to set aside the lands from the sale of which revenue for the maintenance of irrigation is to be derived. No decision in regard to any of the points at issue was reached, but the conference showed that the intentions of the executive and legislative departments were in harmony, and that differences as to phraseology would be harmonized.

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## CLERKS' EXTRA PAY BILL PASSED OVER

Mr. Hale Objects to Immediate Consideration.

Measure Provides for Remunerating Department Employes for Extra Work During Spanish War.

The bill to provide pay for clerks in the Treasury, War, and Navy Departments for extra services rendered during the war with Spain came up on the calendar in the Senate yesterday.

It was objected to by Senator Hale, and was passed over.

### MAJOR MICAH JENKINS HERE.

Ex-Rough Rider Likely to Be Put on the Army Retired List.

Major Micah Jenkins, formerly of the Rough Riders, to whom the President will present a sword during the forthcoming Charleston trip, will appear before a subcommittee of the House Committee on Military Affairs tomorrow to offer testimony for consideration in regard to a bill placing him on the retired list of the army.

Representative Elliott of South Carolina saw the President today about Major Jenkins' case. The President is aware that Jenkins is incapacitated, as a result of his rigorous service in Cuba, and heartily favors the measure. There is little doubt that the bill will pass.

PARIS, April 2.—The Nice correspondent of the "Patrie" writes that Louis, the son of the Prince of Monaco, is plotting to dethrone his father.

## SAN DOMINGO REBELS MAKE A BOLD STAND

Entrench Themselves Near the Town of Barahona.

### MANY CAPTURED IN FIGHT

Friends of Rebel Leaders Intercede With Government for Clemency—Trouble Not Likely to Become Widespread, Report of Fifty Casualties Confirmed.

SAN DOMINGO, April 2.—The revolutionists who on Monday captured the town of Barahona and were later dislodged by troops from a government gunboat have entrenched themselves in a stronghold near the town, and are making a bold stand despite the hard blow received from the federal forces.

During the fighting with the troops landed from the gunboat many were taken prisoners, including some of the leaders. Friends of some of these, as well as of those who avoided capture, are interceding with the government for clemency, but there seems to be no disposition on the part of the officials to deal leniently with them.

The forces that were hurled to the front as soon as the news of the capture of Barahona was received have so far been able to confine the uprising to that vicinity, and it is not thought in government circles that it will be widespread.

Every precaution is being taken, and arrests of those under suspicion occur hourly.

The first reports that nearly fifty were killed and wounded in the attack on Barahona are borne out by later advices.

Martial law, declared Monday, still prevails and will be continued indefinitely.

## LOVIE RANDALL SINKS AT THE POLICE WHARF

Harbor Police Force Now in Helpless Condition.

Launch Had Just Been Borrowed as the Regular Boat Is Undergoing Repairs.

The harbor police force of this city is now in a helpless condition, the result of the sinking of the "Lovie Randall," the well known river launch, at the harbor office wharf early this morning.

The regular boat, Vigilant, was put on the dry dock several days ago to undergo needed repairs and when Commodore Sutton received word yesterday that the body of a drowned man had been found off Gunston Point he at once set about securing a boat with which to make the trip down the river.

Mr. Randall, the owner of the "Lovie," tendered his boat, and the harbor crew worked until early this morning coaling the craft. After seeing that everything was in shipshape the crew left the boat at the wharf about 2 o'clock this morning.

Shortly after 5 o'clock when one of the policemen went out to look at the launch he found only one end of it sticking out of the Potomac. The alarm was sounded and the crew worked with a will to raise the boat but without success.

It is supposed the cargo of fuel shifted in the hull causing the boat to tilt to one side and the water pouring in through the cabin windows quickly submerged it. Commodore Sutton has gone to work to have her raised.

The spot where the "Lovie" sank is directly in the path of both the Estelle Randall, the steamboat, and the Vigilant, and unless the sunken craft shifts her position it will be impossible for either of the other vessels to move.

### MISS STONE IS ILL.

Missionary in London Suffering With Slight Cold.

LONDON, April 2.—Miss Ellen M. Stone, the American missionary recently released from captivity by brigands in Bulgaria, and who is now in London, is suffering from a severe cold.

Miss Stone says she intends to devote the proceeds of her proposed lectures and magazine articles to the furthering of mission work.

### STRANAHAN SWORN IN.

New Collector Takes Oath of Office in New York.

NEW YORK, April 2.—Nevada M. Stranahan was sworn in at 9:30 o'clock this morning as collector of customs, United States Commissioner Shields administered the oath, and Collector Edwell witnessed the ceremony.

Mr. Stranahan was seen afterward, and said:

"I am going to Washington to have my bond approved."

The bond is for \$200,000, and is guaranteed by the Fidelity and Casualty Trust Company, of Baltimore, Md.

Mr. Stranahan said that he would assume the duties of his new office on Thursday.

### PRINCE'S EXPLANATION.

Trouble in Macedonia Due to Introduction of Arms.

CONSTANTINOPLE, April 2.—The Porte has sent a circular letter to the Ottoman representatives to the six great powers explaining the present trouble in Macedonia.

The circular attributes the whole trouble and the activity of the revolutionists to the introduction of arms and ammunition by the Macedonian committee.

### TROUBLE IN MONACO.

Prince's Son Plotting to Dethrone His Father.

PARIS, April 2.—The Nice correspondent of the "Patrie" writes that Louis, the son of the Prince of Monaco, is plotting to dethrone his father.

The highest functionaries of state, the correspondent says, support Louis.

## PRESIDENT KEPT BUSY BY NUMEROUS CALLERS

Managers of Soldiers' Homes Officially Presented.

### BALL PLAYERS AS VISITORS

Delegations From Massachusetts, Connecticut, and Pennsylvania File with the Executive—The Chinese Exclusion Bill and Other Matters Considered.

President Roosevelt (this morning received the members of the board of managers of the National Soldiers' Homes, who called upon him at the White House, and were introduced by the Secretary of War.

At the meeting this morning officers were elected, as follows: President, Gen. M. T. McMahon, of New York; first vice president, General Pearson, of Pittsburg; second vice president, Col. John L. Mitchell, of Wisconsin, and secretary, Col. George W. Steel, of Indiana.

A large number of visitors thronged the White House today than upon any day since President Roosevelt took the reins of office. Delegation after delegation passed in harkening review before the President, and came in such rapid succession from early morning until the White House lunch hour that the President had really little time to devote to matters of business with Senators and Representatives.

Among the crowds was one party of more than 400 from Massachusetts, another of 150 from Connecticut, and the students of the University of Pennsylvania.

Representative J. B. Perkins of New York today conferred with President Roosevelt regarding the House and Senate bills for the re-enactment of the Chinese exclusion act. Mr. Perkins reported the House bill from committee and naturally favors that measure although it differs little from the Senate bill.

Joseph Murray, of Brooklyn, took breakfast with the President this morning and spent some time in discussing with him the affairs of the New York immigration office. It has been decided to appoint Mr. Murray to succeed Acting Commissioner McSweeney at Ellis Island.

Eighteen husky members of the Pennsylvania University baseball team, which will meet Georgetown this afternoon, shook hands with the President at the White House today.

"What kind of a team will Harvard have?" inquired the President of one of his visitors.

"Oh, a pretty good team, but they'll beat 'em," replied one of the ball tossers from "Penny."

## MRS. DENNIS MAY STAY AT GARFIELD

Relatives Express Opposition to Her Removal.

Surgeons at the Hospital Said to Be More Than Willing to Have the Patient Remain.

It was stated this morning on good authority that Mrs. Ada Gilbert Dennis would not be removed from Garfield Hospital for her relatives in Gettysburg. She had been heard from regarding the matter.

Mr. Silas Merchant, whose wife was appointed administratrix of the unfortunate modiste's estate, called at the Police Headquarters and had a long talk with the officials regarding the matter. It is said that he objects most strenuously to her removal to an asylum and so declared this morning.

The surgeons at Garfield Hospital, Mr. Merchant is said to have asserted, were only too glad to keep Mrs. Dennis there and the only view taken by them of the matter was that the injured woman could not receive better treatment in a private sanitarium than she has had at the hospital.

Sanitary Officer Frank has been investigating the matter and will submit a report of his work along that line to Major Sylvester within a short period.

Word has been sent to Mr. Dennis, a relative of the modiste, who resides at Gettysburg, asking him to come to this city and consult with the hospital and police officials regarding the proposed removal. His arrival is looked for within a few days.

### KITCHENER'S EXPLANATION.

Tells How Fatal Railway Accident Occurred in Transvaal.

LONDON, April 2.—General Lord Kitchener reports that the accident at Barberton, Eastern Transvaal, on March 20, in which thirty-nine soldiers lost their lives and forty-five were injured, was caused by the engine and first five trucks leaving the rails while the train was running down a steep grade.

### FOREIGN CALLERS AT TREASURY DEPARTMENT

Among the prominent foreign visitors at the Treasury today were Mr. R. Ellich and J. Herz, Cologne, Germany; W. M. Duval, Augusta, England; William Rankin, Howard, Queensland; Isabel H. Rankin, Australia; Joe Cogan, England; Martino de Andros, Madrid, Spain.

### SANTOS-DUMONT'S VISIT.

Aeronaut Engages Passage on the Liner Deutschland.

PARIS, April 2.—M. Santos-Dumont, the Franco-Brazilian aeronaut, has engaged passage for the United States on board the Hamburg-American liner Deutschland, which sails from Cherbourg on April 4.

### START TO COPENHAGEN.

Prince and Princess of Wales Leave for Danish Capital.

LONDON, April 2.—The Prince and Princess of Wales started for Copenhagen today to assist in the celebration of the birthday of King Christian of Denmark, the Prince's grandfather.

### RUSSIAN PRISONERS MUTINY.

Brutality Engendered the Revolt—Many Persons Wounded.

ST. PETERSBURG, April 2.—A mutiny, because of alleged brutalities, occurred in the prison at Vladivostok, Ciscaucasia, today.

Troops were called out and suppressed the turbulent prisoners. Many persons were wounded.

### Sailing of the Grant.

The War Department is advised of the sailing on the transport Grant from Manila March 31, for San Francisco, via Honolulu, with 28 officers, 648 enlisted men of the Twelfth Regiment, United States Infantry, 835 short term men, 50 sick and 3 insane.

## SECOND BRIEF FILED IN TELEPHONE CASE

Attorneys For Subscribers Present Another Petition. SENT TO HIGHEST TRIBUNAL.

United States Supreme Court to Decide Whether the Matter Should Properly Come Before It or Be Further Tried Elsewhere.

Attorneys Birney, Hemphill, and Woodard filed their second brief with the United States Supreme Court in the case against the Chesapeake and Potomac Telephone Company.

The court last week requested both sides to file briefs on the question whether the case should properly come before the court or whether it could be further tried in the lower courts. It is in answer to this request that the attorneys for the telephone subscribers make their statement.

They hold that the decision of the District Court of Appeals was final as far as it was concerned, and that its further trial must be in the United States Supreme Court on the question of the constitutionality of the law.

They recite that an injunction only was asked, and no accounting, in the lower court, and that the Court of Appeals remanded the case to the District Supreme Court for a reversal.

It was from this judgment of the Court of Appeals that the telephone company appealed.

Mr. Worthington and the other attorneys for the telephone company are of the same opinion, though they have not yet presented their brief to the court.

The attorneys for the telephone subscribers are anxious that the case be tried now, as were it sent back to the lower court a long delay would follow, which they say would not be of any benefit.

## THREE-QUARTERS OF A MILLION INVOLVED

Sixteenth Street Extension Decision Satisfactory.

Settlement Can Hardly Be Completed, However, Earlier Than in About Six Months, It Is Said.

General satisfaction was expressed at the District Building today over the action of the court yesterday in confirming the awards of the jury in the Sixteenth Street extension case. The idea prevailed that the District Commissioners would accept the action of the court and allow the extension to take its regular course.

The next step in the progress of the case is the decision of the Board of Commissioners accepting or rejecting the action of the court. The law allows the Commissioners this discretion, and it lies in their power to hold their decision for several days and finally to reject the action of the court in confirming the awards.

The Commissioners, however, have been prompted upon the subject, and it is not expected that they will do otherwise than promptly accept the action of the court and direct the Auditor of the District to pay the awards.

The settlement of the awards will require about six months according to the opinion of those conversant with such matters. Then will come the removal of the buildings from the line of the street and finally the opening of the thoroughfare and its improvement by piecemeal as Congress may direct.

The damages awarded for the extension are in the aggregate \$729,552.29, and the benefits assessed were \$108,534.75. The former sum will have to be paid out by the District if the Commissioners act favorably upon the proposition now before them, and the latter amount will be paid in through assessments within four years.

### FALLING OFF IN GOLD COINAGE

Caused by Death of Melter and Refiner at San Francisco.

The total coinage of the United States mints in March was \$1,182,734, of which \$1,557 was in gold, \$2,965,557 in silver, and \$216,600 in minor coins. The falling off in gold coinage was due to the death of the melter and refiner at the San Francisco mint, where the bulk of the gold coins of the country are executed.

The minty standard of the Director of the Mint says that the value of foreign coins indicated a decrease in the price of silver. As compared with January 1 last, it is \$9.01477 per fine ounce.

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## JUDGE HAGNER RULES ON THE DIVORCE LAW

But One Cause for Divorce in District.

For the first time since the code went into effect an opinion was rendered today, interpreting the various sections applying to divorce. Justice Hagner rules that but one cause for divorce can be entertained—infidelity—and that legal separation can be granted only when there is a failure to gain a decree for that cause.

## ARCHITECTS GIVEN RELIEF BY CONGRESS

Court of Claims Authorized to Rehear Local Case.

COMMISSIONS ON LIBRARY

Messrs. Smithmeyer and Pelz Finally Win Long-Pending Application to Secure Usual Payment for Services Rendered—History of the Case.

The Senate today passed the bill "for the relief of John L. Smithmeyer and Paul J. Pelz," the architects of the Congressional Library.

The bill gives the United States Court of Claims jurisdiction to rehear and render judgment in the claim of the two architects for compensation for their services in preparing the plans for the building. It is further provided that "no prior settlement or adjudication for their claim shall be a bar to the case. It is stipulated that the rates of compensation adjudged shall be those usually paid to architects for such services."

The history of the case of Messrs. Smithmeyer and Pelz is an interesting one, running back nearly thirty years, in 1873 they completed, with many other architects, in furnishing drawings for the proposed Library building, and were awarded first prize. During the next thirteen years, until 1886, they made ten other plans, at the request of various committees and commissions appointed by Congress. Their final plan was the one adopted by Congress and the one on which the building was erected. The architects make no claim except for this final plan.

Mr. Smithmeyer traveled extensively in Europe, making studies of library buildings for many years, and entirely giving up his other business as an architect.

The architects were paid \$18,000 under a judgment of the Court of Claims several years ago. They do not consider this amount an equitable one or in accordance with the usual fees paid to architects.

The report of the Committee on Claims, which approved the bill, is that the customary fee for such services would be 25 per cent on the cost of the building, which was \$2,500,000. This would be, less certain deductions, \$159,200, and the committee recommends that the architects be given this sum less the \$18,000 already paid them, or \$141,200.

The trouble regarding the pay for their work arose during the construction of the building. This construction was taken out of their hands by the Government unjustly, they assert. The committee expresses the opinion that this action of the Government has no bearing on their claim as architects and that their services as such ended when their plan was accepted.

The bill has been passed by the Senate before, but has never gotten through both houses.

Legal Separation.

"Section 966, declares there shall be no divorce from the bond of marriage except by adultery, but that 'legal separation' from bed and board may be granted for drunkenness, cruelty or desertion."

"Section 968 declares that when a divorce from the bond of marriage is granted the court shall have authority to decree a divorce from bed and board, if the causes proved be sufficient to entitle the party to the relief asked. But in this case no divorce from the bond of matrimony is prayed, and, as I construe the law, the presence of such a prayer is essential to the passing of a decree of divorce, a mensa et thoro."

"Besides, there is no explanation in the section as to the character or duration of the three causes which are spoken of in section 968, as providing a ground for legal separation. What kind of drunkenness or desertion may have existed is left unexplained by the law. As the provisions in this section are only prospective, and the divorce provisions of the Revised Statutes are repealed, there is no law in existence to meet such a case."