ERROR CAUSES FIVE DEATHS

Fatal Collision on the Baltimore and Ohio Railroad.

Engineer Mistakes the First for the Second Section of a Passenger Train and Moves From a Siding.

PARKERSBURG, W. Va., Jan. 28.—Five persons were killed and one severely injured and two engines and ten loaded cars were wrecked by the mistake of a train crew this afternoon between Petroleum and Volcano junction, on the Baltimore and Ohio Railroad. The engineer was asleep at his post and mistook the first section of a passenger train for the second. Thinking both had passed, he pulled his train on to the main track and sped onward to what would seem to have necessarily been his death. The dead:

J. B. WATKINS, engineer train No. 98, from Grafton.

W. W. CUNNINGHAM, fireman on No. 98.

M. COURTNEY, Parkersburg, brakeman on No. 98.

J. T. BAILEY, Parkersburg, fireman on No. 87.

J. G. BAILEY, Kanawha, brakeman on No. 98.

The injured: Ike Davidson of Grafton, engineer on No. 87, burned, cut and bruised; will recover.

All five men killed were pinned under the wreck and at a late hour to-night only one of the bodies had been recovered.

The accident occurred in a cut on a curve on a heavy down grade and at the end of a bridge. The third section of No. 87 was on the siding at Petroleum with orders to wait there until the second section of No. 98 passed east. Engineer Davidson, who escaped with slight injuries, was the engineer on No. 87, and went to sleep on the siding. When the first section went by he thought it was the second and started out on to the main track. His fireman and forward brakeman, both of whom were killed, must have also been asleep, for they allowed him to take the train out. The conductor of the first section, No. 98, after he passed saw Davidson pulling out and tried to wave him to stop, but failed. The conductor on the fourth section, No. 87, seeing the third pulling out, ran forward after it as fast as possible, his engineer whistling down brakes, and the conductor of the wrecked train ran over the tops of the cars until he reached the car next to the last one wrecked in his attempt to stop the engineer, but none of them attracted his attention in time.

Conductor Lang managed to jump in time to save his life.

The fast trains to-night were sent around the wreck by way of Moundsville and the Ohio River Railroad.

POLICE ARREST A BOGUS PRIEST

Swindler Takes Subscriptions for an Imaginary Orphanage.

Special Dispatch to The Call

SAN DIEGO, Jan. 28.—Police Officer George Cooley made a neat capture today when he arrested John Muller, who, it is alleged, has been traveling down the coast and representing himself to be a Catholic priest. He has collected much money for the "Contra Costa Orphan Asylum," an institution which does not exist. Not only has he swindled people in this manner, but he has defrauded them in other ways—so says Detective F. J. Talamantes of Los Angeles, who arrived to take Muller back to Los Angeles, where he was very successful in his operations.

At Muller's room in this city was found a trunk full of plunder, representing a value of more than $400. Included in the lot is a fine sealskin coat, three gold watches, a number of razors and a costly priest outfit. At Los Angeles Muller called at the pawnbroker store of L. B. Cohn and took out a fine gold watch, which he said he desired to show to a brother priest who was anxious to buy a watch. The timeptece was not returned. He also made collections for the alleged Contra Costa Orphan Asylum and found the people very generous in their contributions.

Bishop Montgomery was consulted and he said that the man was not a priest and was not authorized to make any collections. It is said that Muller played the same game at all the principal cities and towns from San Francisco down the coast. He is known to have obtained some razors at Santa Barbara.

WOULD MAKE MARRIAGE AN EXPENSIVE LUXURY

Montgomery Introduces Bill in Colorado Legislature Providing for Board of Medical Examiners.

DENVER, Jan. 28.—Speaker Montgomery introduced in the Colorado House of Representatives to-day a bill to make marriage an expensive luxury.

Should his bill become a law, it will cost about $75, as well as much humiliation, for a loving couple to enter the wedded state. His bill is to provide for a board of medical examiners, which shall sit ten days a month to examine the physical qualifications of all the candidates for marriage. Montgomery places this limit because he wishes to see persons contemplating marriage properly deliberate.

If the medical board should find that either party to an engagement is suffering from any of a long list of diseases which the bill enumerates, it will issue an order forbidding that person ever to marry. The fee for the medical examination is to be $15, whether the candidate passes or not. If both candidates are found fit to marry, they must then insert for ten days in some newspaper of general circulation an advertisement in this form: "I, John Jones, being desirous of marrying Sadie Smith, do hereby apply for a marriage license."

If nobody appears during this ten days to object to the engagement, the pair may secure a marriage license by paying a fee of $10.

Mr. Montgomery is 36 years of age, a widower, with one son.

GIRLS STRIPPED AND BRUTALLY BEATEN

Grave Charges Against the Superintendent of Indiana Girls' Industrial School.

INDIANAPOLIS, Ind., Jan. 28.—The report of the legislative committee which has visited the State institutions was handed over to Governor Durbin to-night. The report charges that Mrs. Sarah Keeley, superintendent of the Indiana Woman's Prison and Girls' Industrial School, has been guilty of stripping girls naked and flogging them on their naked backs. The report also charges cruel treatment in other ways.

PIRATES ATTACK A EUROPEAN HOUSEBOAT

WASHINGTON, Jan. 28.—The following cablegram was received at the State Department to-day from United States Consul McWade at Canton, dated to-day:

"Pirates at Samyonke, near Camachuk, attacked a European houseboat early Sunday. They killed a Chinese boatman and wounded severely Brockhurst and Spalinger, Europeans. Piracies occur daily in the vicinity of Canton."

To Cure a Cold in One Day.

Take Laxative Bromo Quinine Tablets. All druggists refund the money if it fails to cure. E. W. Grove's signature is on each box. 25c.

PROJECTED COMBINATION OF TWENTY-FIVE RAILROADS

Vanderbilt Interests May Unite With Lines in the Harriman Syndicate.

Special Dispatch to The Call.

DENVER, Jan. 28.—W. K. Vanderbilt spent to-day in Colorado, going through the Royal Gorge on a pleasure trip. At 11 o'clock to-night he went to Kansas City. The visit of the millionaire was supposed to be in connection with a projected combination of railroads, and E. H. Harriman's presence with him gave color to the report.

Twenty-five roads are included in this reported combination, and their value aggregates five hundred millions. Among these roads are the Union Pacific, the Northwestern, the Alton, the New York Central, the Michigan Central, the Illinois Central, the Lake Shore, the West Shore, the Nickel Plate, the Big Four, the Chesapeake and Ohio, the Kansas City Southern, the Chicago, St. Paul, Minneapolis and Omaha; the Tremont, Elkhorn and Missouri Valley; the Oregon Short Line, the Oregon Railroad and Navigation Company, and a dozen others. The Vanderbilt interests control most of these lines to-day, and the others are held by the great Harriman syndicate.

The Great Northern, Northern Pacific and "Soo" Pacific, which President J. J. Hill of the first named dominates, are likely to be included in the great consolidation. President Hill is said to have met Vanderbilt and Harriman at Hot Springs, South Dakota, last week. Two days were spent there and all arrangements are said to have been completed.

"Railroad consolidation with Mr. Harriman and Mr. Hill?" repeated Mr. Vanderbilt, with a shade of anxiety in his voice. "Oh, no; nothing at present. Nothing definite yet. We are just looking about, you know."

VENEZUELAN REBELS ARE MASTERS OF THE COAST

Government Claims to Know Nothing of Seizure of British Subjects.

CARACAS, Venezuela, Jan. 28, via Haytien Cable.—The Venezuelan Government professes to have no information regarding the reported seizure of British subjects in Pate Island by an armed expedition from the Venezuelan gunboat Augusto or the reported occupation of Guiria, on the Gulf of Paria, by the insurgents.

The British and American legations also assert that they have no definite knowledge on either subject.

On the northern shore of the Gulf of Paria the rebels, by a succession of quick movements and small but decisive victories, have made themselves masters of the two principal ports on that part of the coast, Irapa and Guiria. To the south of the gulf some twenty miles lie the asphalt lakes, over the possession of which serious complications are threatened. These are in the former State of Bermudez, about midway between the Maturin and Guaraguano rivers. The part claimed by the trust under the concession which has been annulled by the Venezuelan Government is about four miles square.

The asphalt trust has built a railroad, ten miles in length, from the asphalt lake to the Maturin River, on which the village of Guanaco is located. The trust has millions of dollars invested in the railroad, asphalt refineries, docks and the steamships which sail between Guanaco and New York. One-third of the asphalt lake, nearest the Guaraguano River, is claimed by the American capitalists, who have bought "La Felicidad" concession. The promoters purpose to build a railroad from the asphalt deposit to the Guaraguano River, which is also navigable.

Further proceedings on the part of all parties to the dispute may be indefinitely suspended by the rebel movement which has now come so near them.

KERR MAY GET SHORT SENTENCE

Pleads Non Vult to Assaulting Miss Bosschieter.

PATERSON, N. J., Jan. 28.—George J. Kerr, who was jointly indicted with McAlister, Campbell and Death on a charge of criminal assault and murder in the first degree, in connection with the death of Jennie Bosschieter, was unexpectedly brought into court to-day before Judge Dixon, when he pleaded non vult to the charge of assault. John M. Harding, counsel for the prisoner, addressed the court and said that Kerr was not present when the "knockout drops" were administered to Jennie Bosscnieter and neither did he assault the girl when she was taken from the carriage on the rock road. Counsel said that he hoped that the prosecutor would take this into consideration and accept a plea of non vult.

Public Prosecutor Emley said that while he had made every preparation to place Kerr on trial on the indictment found against him, he felt inclined to accept the plea of non vult in view of the statements by counsel as to Kerr's connection with the girl's death, which seemed to be corroborated by the general facts of the case.

Judge Dixon, after Prosecutor Emley had accepted the plea of non vult, referred to the trial of McAlister, Death and Campbell, and said that if he had been on the jury that tried them he would have found a verdict of murder in the first degree. Judge Dixon said that as far as Kerr was concerned the Prosecutor had no evidence by which he could connect him with the drugging of Jennie Bosschieter. Consequently the charge of murder was eliminated from the indictment. The Judge said that Sculthorpe, the hackman, was guilty with the others, but that he had come forward and told a true story of what had occurred on the night of the murder. On account of this action the Prosecutor had very properly decided not to prosecute him.

Kerr was then remanded for sentence. He can receive a punishment of fifteen years.

Prosecutor Emley announced that he would have McAlister, Kerr, Campbell and Death arraigned in court to-morrow and would move that sentence be pronounced at once.

It is the general opinion that all the prisoners except Kerr will receive the extreme penalty for murder in the second degree, of which they were convicted. The full penalty is thirty years' imprisonment at hard labor. It is also believed that Kerr will be sentenced to the full penalty of the law on the charge to which he has pleaded non vult, which is fifteen years' imprisonment at hard labor.

Kerr's plan of non vult contendere to the charge of assault has the same effect as a plea of guilty, although technically it is not an admission of the crime. In effect it is an announcement that no defense would be offered on trial. In view of the acceptance of this plea on the charge of assault Kerr will not be called upon to answer the indictment accusing him of murder.

Campbell's sister is circulating a petition which will be presented to Judge Dixon asking for clemency for her brother.

BRITISH SOLDIERS KILL BOERS FROM AMBUSH

General Smith-Dorrien Succeeds in Occupying Carolina After Stout Resistance.

VENTERSBURG ROAD, Orange River Colony, Jan. 26 (Saturday).—Generals De Wet and Paterson, with 500 Boers, crossed the railroad between here and Halfontein January 23. Twenty-five British in ambush killed five of the Boers.

PRETORIA, Jan. 28.—General Smith-Dorrien has occupied Carolina after a stout resistance.

CAPE TOWN, Jan. 29.—It is reported that the invaders have reached the Ondtshoorn district, where they had a slight skirmish with the defending forces.

SIXTEEN PERISH ON SINKING VESSEL

Steamer Holland Parts Amidships While Entering the Maas River.

ROTTERDAM, Jan. 28.—The steamer Holland, from London, was wrecked at the northern pier while entering Nieuwewaterweg, at the entrance of the river Maas to-day. The captain and six men have been saved. The Holland parted amidships and sixteen of those on board were drowned.

LONDON, Jan. 29.—It is reported from Londonderry that a steam trawler has foundered off Dunaff Head, all hands being lost.

Dispatches from Holland say that a terrible hurricane is raging along the coast, doing enormous damage. Several small shipping casualties are reported.

STRANGE NEGROES TO BE ARRESTED

Crusade Started in Towns Along the Ohio River.

INDIANAPOLIS, Ind., Jan. 28.—A special to the Sentinel from Evansville, Ind., says: Cities and towns along the Ohio River have begun a crusade against the negroes. The entire trouble dates back to the lynchings of the negroes at Rockport and Booneville for the murder of the white barber, Simmons, at Rockport, one night last month.

The Board of Safety of this city has ordered the police to arrest all strange negroes and bring them before the City Police Judge. If they cannot give any reason for being here, they will be sentenced to the rockpile. The object of this order is to rid the town of an obnoxious class of negroes. It is estimated that there are 2000 colored men in this city who absolutely refuse to work. They spend their time in the colored saloons and low dives of the city. The Board of Safety was prompted to this step by the action of the Spencer County Grand Jury in indicting 139 negroes of Rockport for selling their votes on last election day. The citizens have been actively at work for the past month arranging the preliminary evidence to be presented to the Grand Jury. It is said an attempt will be made to have the blacks who are indicted arraigned in court at one time, and it is the desire that they be sent to State Prison at the same time.

Other towns in Indiana along the river are taking steps to drive the worst element of negroes away. In some towns no negroes are permitted to live. Vigilance committees have been appointed at Grand View, Enterprise, Tell City and Leavenworth. Since the recent trouble at Newburg, many of the colored people have left that town.

MISSING HEIRESS LOCATED AT ST. LOUIS

Left Her Home in New York With a Nassau-Street Lawyer.

NEW YORK, Jan. 28.—A letter received in this city to-day by Mrs. Katherine Fay of 20 West Fifteenth street conveyed to relatives and guardians the first information as to the present whereabouts of Miss Louise Ackerman. The latter is a New York heiress, who left two weeks ago with George Wentworth, a Nassau street lawyer, who had been married for six years.

Across the face of Miss Ackerman's letter Wentworth wrote, "I love Louise and will marry her as soon as I can get rid of my wife."

The letter was as follows: "Dear Auntie: Send my things to 202 Edgecombe avenue, St. Louis, and please don't forget my dolls and dollhouse. George and I are living here together, and in sight of God we are one by reason of our great love. I am perfectly happy and you needn't come after me. Lovingly, Louise."

Miss Ackerman will get her "things," together with her "dolls and dollhouse" without delay, but it is not probable the latter part of her request will be complied with. In fact Miss Lillie A. Clark of 68 West Eighty-eighth street, the girl's niece and one of her guardians, is already making preparations to go to St. Louis and bring her home. Miss Clark says Wentworth's statement that he would marry Miss Ackerman as soon as he "could get rid of his wife" branded him, in her estimation, as a thorough villain. She says she will never consent to any such marriage.

It appears that after leaving their homes the couple went to the Morton House and spent three days there. They then visited Chicago and several other Western towns before going to St. Louis.

Rain at the South.

SANTA ANA, Jan. 28.—Santa Ana Valley has received another good soaking, rain having fallen gently during the last twenty-four hours. There is plenty of moisture here now to insure feed on grazing land and to guarantee a good grain crop. More land will be cultivated in this county this year than ever before.

RIVERSIDE, Jan. 28.—The rainfall last night amounted to .60 of an inch and greatly benefits grain crops, which are more promising than for years.

Abductors Held for Trial.

FRESNO, Jan. 28.—Hi Rapelji, the hackman, and Charley Quong, the Chinese highbinder, who together abducted a Chinese girl from Miss Cameron of the Presbyterian Rescue Home in this city on the morning of January 6, were held to answer to a charge of conspiracy before the Superior Court this afternoon by Justice of the Peace St. John.

To Cure the Grip in Two Days

Laxative Bromo-Quinine removes the cause.

HOUSE PASSES THE POSTAL BILL

All Attempts to Amend the Measure Meet With Defeat.

Delegate Flynn of Oklahoma and Stephens of Texas Have Spirited Tiff in Which Lie Is Passed.

WASHINGTON, Jan. 28.—The major portion of the day in the House was occupied in the transaction of District of Columbia business. The bill to revise and codify the postal laws, which has been under consideration at intervals for ten days, was finally passed to-day. Its friends succeeded in confining the measure strictly to the purpose for which it was framed—a codification and revision of existing laws. All attempts to amend it in any vital particular failed.

A bill was passed to authorize deputy clerks of United States courts to administer oaths.

The Senate bill to confer upon the court of claims jurisdiction to adjudicate claims of citizens of the United States, which the United States agreed to settle by the terms of article 7 of the treaty of Paris, aroused considerable discussion. The original Senate bill for the appointment of a commission to investigate the claims, which already aggregate $28,000,000, was recommitted to the Committee on War Claims, with instructions to report back a bill to refer the claims to the court of claims. After Haugen of Iowa had obtained unanimous consent for the consideration of the amended bill as reported back by the committee, stating that it complied with the instructions of the House, he took the floor and argued against the amended bill on the ground that the court of claims already was overloaded with work and that to refer the claims to that court surely amounted to repudiation. He asked the House to vote down the amended bill and pass the original bill for the appointment of a committee.

Underwood of Alabama, in opposing the bill, recalled the history of the bill at the last session, pointing out the great opposition which it developed and the large majority by which it was recommitted with instructions. While the committee was obeying the letter of the instructions, it was breaking it in spirit. Members had been taken completely by surprise, he said, by the way in which it was now proposed to procure a vote on the original bill.

Hopkins asked unanimous consent that the bill be postponed for one week. There was no objection and the bill went over.

The House then, after passing some District of Columbia bills, resumed consideration of the bill to revise and codify the postal laws.

Shephard of Texas offered an amendment providing that a postmaster shall have resided within the delivery of his office for six months prior to the appointment. Some of the Southern members, notably Bartlett of Georgia, supported amendment warmly, urging that it would put an end to carpetbagging in the South. The amendment was defeated—36 to 45.

A rather sensational passage occurred between Flynn, delegate from Oklahoma, and Stephens of Texas during the debate. It arose out of the refusal of Stephens early in the day to give unanimous consent for consideration of an Oklahoma bill.

Flynn declared that the proposed legislation was imperative, and said if it failed he (Stephens) would be responsible. He then attacked Stephens personally, charging that he had placed in the Fort Hall reservation bill surreptitiously a section which no one knew was in the bill.

"Then," he continued, "he telegraphed a man in Texas that he had got the section in the bill, advising him to throw up his job, locate a claim, and said that he (Stephens) was 'in with it.'"

"Any one who makes that statement, no matter who he is," shouted Stephens, jumping to his feet, "tells a willful falsehood."

"Do you deny that you telegraphed to a blacksmith to that effect?" asked Flynn.

"I reiterate that it is a falsehood."

"I received my information of the man to whom the blacksmith sold out," replied Flynn; "but if the gentleman says it is untrue, I will take his word for it."

The incident ended here.

The postal codification bill was passed.

The Senate bill to place brevet Colonel Thomas P. O'Reilly on the retired list of the army as a second lieutenant was passed. O'Reilly was a lieutenant in the Twenty-second Infantry in 1872 and was dismissed on charges preferred by General E. S. Otis, then a major of the Twenty-second Infantry.

MILLIONS IN CLAIMS AGAINST GOVERNMENT

Houghen Reports Bill for Their Adjudication, but No Action Is Taken.

WASHINGTON, Jan. 28.—More than $100,000,000 will be the amount of claims filed against the United States under article 7 of the treaty of peace between the United States and Spain, according to a statement made in the House to-day by Haugen of Iowa, member of the Committee on War Claims.

A bill drawn by the late Senator Davis to confer upon a special commission jurisdiction to adjudicate these claims was reported to the House at the last session. It received very rough handling and was sent back to the Committee on War Claims, with instructions to report a bill providing that the Court of Claims shall have jurisdiction.

Haugen reported the bill to-day according to instructions, but immediately took the floor and argued against the amendment. He said $31,000,000 in claims had already been reported to the State Department.

Underwood of Georgia hinted that a separate commission instituted for the special purpose of adjudicating these claims would result in a scandalous waste of Government money. He charged unfairness on the part of the committee in "springing" the bill on the House when only a few members were present, and without warning.

Underwood yielded the floor for a motion to postpone further consideration for one week, which was adopted.

MARYLAND TRAIN IS STALLED IN SNOWSTORM

Passengers Are Rescued by a Relief Crew After Hazardous Work.

FREDERICK, Md., Jan. 28.—The Frederick, Maryland and Philadelphia train, leaving here at 3 o'clock this evening over the Pennsylvania road, encountered a snowdrift at Sharretts Cut, twenty miles north, where it became completely snowbound and remained so until 10 o'clock this evening, when the four coaches with their passengers were extricated from their perilous position. The engineer attempted to plow his way through the drift, but before he got far he found the track completely choked up and the rear rapidly filling with the drifting snow. Within half an hour the snow was seven feet deep, and the passengers were greatly alarmed, as they could see nothing but huge sheets of snow sweeping down from the mountains. A relief crew was sent from Frederick, and after hazardous work the train was brought back to Bruceville. All the freight and southbound trains from Philadelphia over the Frederick division of the Pensylvania system were sidetracked at Taneytown on account of the drifts.

President Makes Nominations.

WASHINGTON, Jan. 28.—The President to-day sent the following nominations to the Senate: Daniel B. McCann of Montana, to be Register of the Land Office at Rampart City, Alaska; Thomas J. Hildebrand of California, Receiver of Public Moneys at St. Michael, Alaska. War—artillery promotions: Major E. V. Andrews, Fourth Artillery, to be lieutenant colonel; Captain Frank Thorp, Fifth Artillery, to be major; First Lieutenant John E. McMahon, Fourth Artillery, to be captain; Second Lieutenant Fox Connor, Second Artillery, to be first lieutenant.

TOWNE MAKES A PLEA FOR PEACE IN PHILIPPINES

At Its Conclusion the Minnesotan Retires and His Successor Is Seated.

CHARLES A. TOWNE OF MINNESOTA, WHO IN CONCLUDING THE SHORTEST TERM ON RECORD IN THE U. S. SENATE ARRAIGNED THE ADMINISTRATION ON THE PHILIPPINE QUESTION.

WASHINGTON, Jan. 27.—The Senate turned from the grind of appropriations to listen to a speech which partook of the character of an oration by Towne of Minnesota. Since he entered the Senate a few weeks ago on appointment of Governor Lind, the young Minnesotan has had little opportunity to display his talents. As his reputation as an orator had preceded him, there was much interest in his speech to-day, which was in advocacy of his resolution for a cessation of hostilities in the Philippines. The floor was crowded with Senators and members of the House. The galleries, public and private, were crowded to overflowing. The Senators on the Democratic side gave Towne marked attention. On the Republican side the attention was less notable, although Hoar and Hale at first followed the speech closely, at times exchanging smiling comments on some of the utterances. Towne's style of delivery was clear and forcible. Although restricted by manuscript, he had the subject well in hand and rolled out the fine periods with a fervor that sent them echoing through the chamber. The speech abounded in apostrophes to liberty and patriotism and scathing and scornful arraignment of the policy by which the Filipinos were being annihilated.

Immediately following Towne's speech the credentials of his successor, Clapp, were presented, and after being sworn in the new Senator took his seat and Towne retired.

The rest of the day was devoted to the Indian appropriation bill, the discussion turning on irrigation, and little progress being made.

In opening his address, Towne referred to the petition presented to the Senate a few days ago by 2006 Filipinos for a cessation of hostilities and for the granting of independence to the people of the Philippines. He maintained it would "prove a quickening appeal to the ancient spirit of the republic, its rejection must dedicate the twentieth century to a reaction prejudicial, if not fatal, to free institutions."

While discussing the events which led the United States forces to the Philippines, Towne referred with particularity to the charge that Aguinaldo had sold his country to the Spaniards for a bribe. He declared the accusation was "gratuitous in its calumny, when we consider that the official publications of our own Government contradict and destroy it."

The Senator declared that we "were in alliance with the Filipinos, an alliance sought by ourselves, availed of by us for our own advantage and finally, to our everlasting shame in the estimation of honorable men, repudiated by us when we found it no longer necessary and when lust of empire had so blunted our moral sensibilities that we could mount from an act of perfidy to the grand larceny of a nation."

Referring to Admiral Dewey's denial that he had ever treated the insurgents as allies, Towne said sarcastically:

"I fear the honest sailor's terminology has suffered from recent contact with the nice discriminations of administration diplomacy."

Discussing the acquisition of the Philippines, Towne said:

"It is not easy to fix with accuracy the time when the design was formed to take forcible possession of the Philippine Islands, nor to ascertain the mind in whose 'gloomy recesses' this enterprise of sacrilege and violence first gathered form and pressure. There has indeed been evidenced a disposition by its most illustrious sponsors, as if their prophetic souls already trembled at the inquisition of after ages, to impute the dubious responsibility to Providence itself. I know not which to admire the more, whether the modesty which disclaims credit for the policy, or the colossal presumption which challenges and betrays the vaunted confidence of the Almighty.

"No man, no party, no nation, can escape accountability for actions by attributing their origin to any other source than human motives and human judgment. The policy of the administration toward the Filipinos must be justified—if ever justified at all—in the form of the reason and the conscience of mankind."

Towne declared that upon the arrival of General Merritt at Manila, "a distinct change of tone was observable" between the United States officials and the Filipinos, the altered attitude being so marked as to force the conclusion "that part of General Merritt's prearranged task was to maneuver out of an awkward friendliness with Aguinaldo, and thus to reach a footing for the convenient development of some secret policy with which he had come fresh-freighted from Washington."

If there was doubt of the prearrangement of the plan, it was banished, in Towne's opinion, by the President himself. The third article of the protocol with Spain reads:

"The United States will occupy and hold the city, bay and harbor of Manila, pending the conclusion of a treaty of peace which shall determine the control, disposition and government of the Philippines."

Yet, despite that definite provision, the President, the Senator urged, issued on December 21, 1898, his famous "benevolent assimilation" proclamation.

"Thus," he continued, "the dilemma is this: Either that article of the protocol does not mean what it says, or the President of the United States, in causing the issuance of the proclamation to which I have referred, broke the plighted faith of this Government. It is not agreeable to me to use this language; but I devoutly believe that the republic is at the gravest crisis of its history, and I feel that a necessary preliminary to its getting safely out is to cause the people to realize how it came to get in."

Towne said of the President's proclamation, that "among the roses of its soft rhetoric of love, its fair speech about our coming 'not as invaders or conquerors but as friends,' of the 'mild sway of justice,' and of 'benevolent assimilation,' the already justly awakened distrust of the Filipinos clearly beheld the unsheathed and glittering steel of despotism."

Towne closed at 3:15 p. m., having spoken just three hours. There was a round of applause shortly before he closed, which the presiding officer checked with a warning to the galleries, but the galleries broke again into applause as Towne closed. He was heartily congratulated by Senators and Representatives. Almost following Towne's speech, the credentials of his successor, Moses E. Clapp of Minnesota, were presented and he was duly sworn in.

The credentials of Joseph W. Bailey as Senator from Texas and of F. W. Simmons as Senator from North Carolina were also presented. McComas of Maryland created something of a stir by moving that the credentials of the North Carolina Senator be referred to the Committee on Privileges and Elections.

Hoar of Massachusetts emphatically objected, saying the people had a right to change the present complexion of the Senate every two years, and that there should be no interruption in the reception of credentials except under most urgent conditions and after full explanations. McComas withdrew his motion, Chandler, chairman of the Committee on Privileges and Elections, giving assurance that no rights would be waived by the present reading of the credentials.

The Indian appropriation bill was then taken up, the pending amendment relating to irrigation along the San Carlos River for the benefit of the Indian lands. Spooner and Carter urged that the broad, general question of irrigation should not be prejudiced by dealing with separate features of the subject. When the debate had run on some time, Pettigrew remarked ironically, that he was convinced that the ship subsidy bill had been abandoned by Republican Senators as they had taken two days to discuss this minor amendment.

The general subject of irrigation was discussed, Jones of Arkansas arguing that the subject was too important to be dealt with in an amendment to the Indian bill, and Teller urging that it could best be dealt with by applying it to special localities.

The San Carlos irrigation amendment was agreed to, with changes providing that the surveys shall not commit the United States to the execution of the plan of irrigation.

Thurston proposed an amendment authorizing a joint commission of three Senators and three Representatives to investigate the questions of forests and agriculture on Indian reservations. This and several other amendments went over.

Chandler gave notice that if the Indian appropriation bill were not disposed of to-morrow he would ask for night sessions.

The Senate, at 6 o'clock, finding itself without a quorum, adjourned until to-morrow.

WASHINGTON, Jan. 28.—Representative Hull to-day introduced in the House a bill for pay of the travel expenses on the discharge from the army of volunteers, officers and men, who re-entered the service in the Philippines.

FIRST VICTORY FOR MISSOURI

Supreme Court's Opinion Regarding Drainage Canal.

Demurrers Are Overruled and the Case Will Now Be Heard on Its Merits.

WASHINGTON, Jan. 28.—The United States Supreme Court to-day rendered an opinion in the case of the Chicago Drainage Canal, overruling the demurrers filed in the case by the State of Illinois and the Chicago Drainage Canal District Board. The proceeding was brought by the State of Missouri against the State of Illinois and the Drainage Board, the end sought being to prevent the use of the canal because of supposed pollution of the drinking water of St. Louis. The effect of the decision is to sustain the contention of the State of Missouri.

The opinion was handed down by Justice Shiras, the Chief Justice, and Justices Harlan and White united in a dissenting opinion.

Attorney William M. Springer, representing the State of Illinois and the Sanitary District of Chicago, was present in the Supreme Court to-day when the court's opinions in the case were rendered. He asked leave to file an answer to the bill, and this being granted, he immediately filed it, having it already prepared. In his capacity as a representative of the State, he admits among other things that in the territory of the State of Missouri, and on the banks of the Mississippi River and below the mouth of the Illinois are many cities and towns and many thousands of persons who rely upon the waters of the Mississippi River for their daily necessary supply of water for drinking and all other purposes. He also says that it is matter for proof whether the people of Missouri are compelled to use the waters of the Mississippi as is also the fact as to whether the waters of the Mississippi are injured by the drainage canal. He contends that the adaptability of the waters of the Mississippi for domestic purposes would be in no wise impaired by the canal.

Springer said:

"To-day's decision merely brings the case to a point where it will have to be tried on its merits. Our contention will be that, instead of inflicting damages, the flow of the lake water has actually improved the conditions in the Illinois and Mississippi rivers both as to navigation and from a sanitary standpoint."

CHICAGO, Jan. 28.—President Alexander J. Jones of the Sanitary District said: "The decision is somewhat of a surprise to us, but after all it simply means that the case must now be tried on its merits. Henceforth the inquiry of the committee will be directed to the question of whether or not the opening of the channel and the sending of Chicago's sewage down the Illinois and Mississippi rivers has really resulted in the pollution of St. Louis' water supply.

"If so, equity will justify the grievances of St. Louis and the State of Missouri and the Sanitary District will have to find some remedy to prevent further pollution."

WHISPERS OF TROUBLE IN RANKS OF RED CROSS

National Board Asks Miss Barton for Detailed Statement of Her Accounts.

WASHINGTON, Jan. 28.—There are whispers of trouble in the official ranks of the Red Cross Association growing out of the adjustment of accounts in connection with the expenditures for the Galveston relief fund. While the officers of the association decline to insinuate that Miss Clara Barton, president of the association, has been guilty of maladministration in the discharge of her duties it is stated that the national board of control has called upon Miss Barton for a detailed statement of her accounts, which she is now engaged in preparing.

B. H. Warner, vice president of the national board, said to-day: "There is no friction between Miss Barton and the members of the national board. Since the reorganization of the national board, soon after the Spanish war, a new system was introduced into the administration of Red Cross affairs and the association is endeavoring to conduct its affairs on practical business principles."

Committee Kills Hyatt Bill.

WASHINGTON, Jan. 28.—The House Committee on Patents to-day killed the bill to extend the life of the Hyatt patent, on which over 250 cities and towns are paying royalties in connection with their filtration plants. The bill was vigorously opposed by the municipalities interested.

WILLOWS, Jan. 28.—Frank Snearley, a young man employed on the G. F. Packer ranch near Butte City, committed suicide last evening by cutting his throat.

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