EADS'S IMPUDENT DEMAND.

PROPOSING TO OVERRIDE TREATIES AND TO DISCRIMINATE AGAINST NATIONS.

Promises that he Manifestly Cannot Keep—The Effort to Force an Indefensible Subsidy Scheme Through Congress—Earnestly Condemned by Competent Authorities.

WASHINGTON, Feb. 1.—The Select Committee on Interoceanic Ship Canals, consisting of Representatives J. Floyd King of Louisiana, Chairman, Singleton of Illinois, Whitthorne of Tennessee, Martin of West Virginia, Turner of Kentucky, Nicholls of Georgia, Waldo Hutchins of Michigan, Frye of Maine, and Haskell of Kansas, on Wednesday last rejected Capt. Eads's application for a subsidy to his Tehuantepec ship railway. The subsidy is asked in the shape of a guarantee of six per cent. dividends per annum for thirty years. The vote in committee was close—only one majority against the subsidy for the ship railway.

Capt. Eads apparently has great interest with certain members of the committee, particularly with the Chairman. He succeeded in obtaining a reconsideration with renewed hearings. It is now understood that he has talked over to his side one of the members who voted against him last week, and that to-morrow the committee will vote to report favorably upon the ship railway scheme, subsidy included. Whether the committee's report is favorable or unfavorable to Capt. Eads's project, it is very certain that Congress cannot well do a more unwise act than to permit a bill conferring upon Eads the grants he asks for to be rushed through the House and Senate in the closing days of the session.

In return for the guarantee subsidy of $3,000,000 a year for thirty years, Capt. Eads offers the United States Government, first, the right to transport its war vessels, troops, property, and mails over the railway free of charge; secondly, he proposes to give to Congress the right to reduce the tolls, provided such reduction shall not prevent the earning of four per cent. per annum on $75,000,000; thirdly, to give Congress the right to discriminate in favor of the commerce of Mexico and the United States when fixing the tolls; fourthly, he agrees to transport no vessels or contraband of war belonging to any nation at war with the United States.

In laying down these conditions Capt. Eads assumes like an autocrat or like a fully accredited diplomat, representing in his own person and his own will a power that is to regulate and supersede and ride over treaties and the accepted canons of international law. There happens to be a subsisting treaty between the United States and Great Britain known as the Clayton-Bulwer treaty, containing this clause:

> The Governments of the United States and Great Britain hereby declare that neither the one nor the other will ever obtain or maintain for itself any exclusive control over the said ship canal.

This provision was doubtless intended to apply particularly to a ship canal at Nicaragua, but it has a more extended application, as appears in Article VIII., which requires both the United States and Great Britain "to extend their protection" to any canal or railroad across the Isthmus. The clause goes on to say:

> And especially shall such protection be extended to the interoceanic communications, should the same prove to be practicable, whether by canal or railroad, which are now supposed to be established by way of Tehuantepec or Panama. In granting, however, their joint protection to any such canals or railways as are to this article specified, it always understood by the United States and Great Britain that the parties contracting or owning the same shall impose no other charges or conditions of traffic thereupon than the aforesaid Governments shall approve as just and equitable, and that the same canals and railways, being open to the citizens and subjects of the United States and Great Britain on equal terms, shall be open on like terms to the citizens and subjects of every other State which is willing to grant thereto such protection as the United States and Great Britain engage to afford.

Mr. Eads obviously is a law unto himself, and does not allow treaties to stand in his way. He now graciously offers to endow the United States with the right to go behind the Clayton-Bulwer treaty and discriminate against all other nations, except Mexico, when fixing the tolls on his proposed railway. Having endowed the United States with the right to repudiate its treaty obligations, Capt. Eads provides against any unpleasantness that might arise between the United States and Great Britain or other European powers by gallantly saying to Congress: "I agree to transport no vessels or contraband of war belonging to any nation at war with the United States." We can fancy the consternation that would strike the officers and crew of a French or English fleet on its arrival at the Gulf entrance to the Eads railway to demand a transit to the Pacific, when they were confronted by Capt. Eads, alone and unprotected, and told that they could not pass over his railway until they settled their differences with the United States; and, furthermore, that they must be off, and not obstruct the passage of American ships over the railway. Of course, the hostile fleet would promptly withdraw from the presence of the redoubtable Eads, but they might bombard his works by way of diversion before retiring, or even insist upon making the transit despite Capt. Eads's protest. And if Capt. Eads, in order to keep his agreement to prevent the transit of hostile war ships, should blow up the entrance dock and a few miles of his railroad, the United States would still have to pay the full amount of the guaranteed dividend of $3,000,000 a year until the damage was repaired and paid for. It would probably be cheaper for the United States to keep out of partnership with Eads altogether.

Capt. Eads's fifth proposal is "to pay back to the United States every dollar advanced by her under the guarantee within ten years." This is simply an irresponsible promise to pay, which no banker or merchant would accept as having any value whatever. His ability to pay any part of the loan depends wholly upon the perfect success of an untried and very doubtful experiment.

Three of the five equivalents and valuable considerations which Eads proposes to give in return for millions of the people's money are not in his power to give. With regard to the third proposition of his series, "to give Congress the right to reduce the tolls, provided such reduction shall not prevent the earning of 4 per cent. semi-annual dividends," we are lost at the outset with the difficulty of understanding whether Capt. Eads means that the dividends shall amount to 4 or to 8 per cent. per annum on $75,000,000. His bill, prepared in the committee room, calls plainly enough for a guarantee of semi-annual dividends of 3 per cent., or 6 per cent. per annum. It also provides that the Congress shall not lower or regulate the tolls shall not be exercised to prevent the company from paying upon the par value of the $25,000,000 of its capital stock not guaranteed a semi-annual dividend of 4 per cent.—8 per cent. per annum. Eight per cent. on $75,000,000 is $6,000,000; 8 per cent. on $25,000,000 and 6 per cent. on $3,000,000 is $5,000,000. As the Eads bill actually provides that "50 per cent. of the gross earnings shall be taken as and deemed to be the net earnings," the gross earnings must in the one estimate reach $12,000,000, and on the other $10,000,000 before Congress will be permitted to lower or regulate the tariff of tolls.

We come now to the last and only real equivalent which Capt. Eads proposes to give to the Government in return for its guarantee of $3,000,000 per annum for thirty years, namely, the privilege of transporting "war vessels, troops, property, and mails of the United States free." Troops, mails, and army and navy supplies and stores will doubtless continue to be transported to and from the Pacific States by the overland railroads until the enormous debt from the railroad companies to the Government shall be paid off. Six war vessels, averaging 2,000 tons each, is a large allowance for the naval tonnage likely to need transit by rail or canal between the Atlantic and Pacific oceans in any one year of the thirty years for which the guarantee is to bind the United States. Twelve thousand tons at a saving, say, of $3 per ton, is $36,000—$36,000 is, therefore, the net probable value of the concession which Mr. Eads offers to the United States in return for a guarantee which may cost the Treasury $90,000,000. This is what Mr. Eads calls "a plain business proposition."

The practicability of transporting large, heavily laden ships and steamers safely from sea to sea over the proposed railroad is a question for engineers, shipbuilders, and the nautical experts employed by underwriters. Capt. Eads brings to his aid several engineers, principally from New Orleans and St. Louis, cities that expect to be especially benefited by a transit route at Tehuantepec. On the other hand, his scheme is emphatically condemned by such high authorities as William J. McAlpine, John Roach, Lieutenant-Commander Gorringe, Harlan, Hollingsworth & Co., and others. The Eads bill, which has been carefully prepared by Eads himself and his advisers, and which they hope to force through Congress in a hurry, makes no provision for a Government control over the cost of the projected railway, or for a Government supervision over the working expenses. The working expenses are simply lumped at fifty per cent. of the gross receipts. Every expenditure is left in the sole charge of Capt. Eads.

No more impudent and indefensible subsidy proposition has been made to Congress in the last ten years.

THE STRUGGLE IN THE COMMONS.

Members Eating and Sleeping in Relays while Obstruction Continues.

LONDON, Feb. 1.—In the House of Commons last night Mr. Parnell, in supporting a motion for adjournment, was several times called to order for irrelevancy.

The Marquis of Hartington opposed the motion for adjournment, and said the time for compromise was almost past.

At 6:45 A. M. a motion for adjournment was rejected by a vote of 121 to 27.

Mr. T. M. Healy (Home Ruler), member for Wexford, then resumed the debate on the main question, and spoke for over an hour.

About 8:30 A. M. there was a considerable influx of members who had been resting. The Ministers present are Sir Vernon-Harcourt, the Right Hon. Geo. J. Dodson, the Right Hon. Hugh C. Childers, and the Right Hon. William E. Forster. The most notable feature in the early part of the debate was declarations by the pronounced radicals, Messrs. Charles H. Hopwood and Henry Broadhurst, that they, though reluctant to curtail constitutional liberties, were convinced of the necessity of supporting the bill.

At 1 o'clock this afternoon the House of Commons was still in session. A telegram despatched from the House at that time says: "The Home Rulers are so well prepared with relays that it is said they will be able to prolong the sitting at least until Thursday next. During the morning Messrs. O'Shaughnessy, A. M. Sullivan, and Finnigan have spoken. Mr. Biggar moved the adjournment of the House. He was twice called to order by the Deputy Speaker, Sir Richard Assheton Cross (Conservative). He then sat down, and the debate was continued by Mr. Barry, Vice-President of the Home Rule Confederation. Premier Gladstone returned to the House at noon."

A motion to adjourn was again negatived at 3 o'clock by a vote of 225 to 21. The speeches, with the exception of one from Mr. Thompson (Liberal), member for Durham city, in opposition to the bill, were entirely confined to Irish members. There have been frequent wrangles and calls to order to-day, both for wandering from the subject of the debate and for unusual language. Messrs. Finnigan and Healy have been the principal offenders in this respect. All the Irish members, however, are careful not to carry breaches of order to a length which would incur suspension. Various Irish members have raised dilatory points of order, the most notable being that of Mr. Parnell, who fruitlessly disputed the Speaker's right to resume the chair, from which he had been relieved during the night by the Right Hon. Lyon Playfair, Deputy Speaker.

At 6 P. M. Michael Davitt, the agitator, came into the House. Mr. Parnell, in debate, denied the urgency of Mr. Forster's measures, and said he would stake his head that there would be no increase of crime in Ireland if they fail.

In a speech at 1:30 A. M., Mr. John Bright declared that the Government will accept the responsibility of the position, and that he believes Mr. Gladstone is prepared to submit resolutions to-morrow for dealing with obstruction. Mr. Bright said he considered the present obstruction unparalleled, and the grossest insult to Parliament.

After dilatory debate, sustained principally by the Home Rulers, Sir Richard Assheton Cross rose to a point of order. He wished to know what was persistent, wilful obstruction. He asked the Speaker whether the fact that several members had made the same speeches several times on different motions for adjournment was not evidence of wilful obstruction, and whether under the standing order the Speaker had not power to stop such proceedings.

The Speaker replied that if he found there was a distinct conclusion to wilfully obstruct the business of the House, he should consider that the order would apply; and he was bound to say the course of the debate gave evidence of a combination that went far to bring members within the operation of the order.

The *Times*, in a leading article this morning, says: "The Government is fully aware that the necessity for the *cloture* can no longer be evaded, and proposals for its adoption are ready to be laid before the House of Commons when the time is deemed ripe. It also says: "We shall be greatly surprised if the responsible leaders of the Conservative party will refuse their assent to a well-considered scheme for putting an end to the disgraceful and mischievous perversion of Parliamentary procedure."

LONDON, Feb. 1.—A company of infantry was sent to-day to guard the Assize Court prison at Manchester.

SPRAGUE ESTATE LITIGATION.

The Bank of Commerce of New York Gives $109,000 for its Claim.

PROVIDENCE, Feb. 1.—An unexpected and surprising halt was made in the case of the Bank of Commerce of New York against the A. & W. Sprague Manufacturing Company and Zachariah Chafee, trustee.

The suit was one of ejectment to secure the lands attached in the suit concluded in October, 1879, at which time a verdict was rendered in favor of the bank for $82,000. The Supreme Court issued an execution against Chafee, the trustee, on the ground that the trust deeds executed by the Spragues Dec. 1, 1873, and April 6, 1874, were void as against the dissenting creditors. In May, 1880, the United States Marshal for the district levied on the Sprague property in this State, worth in all $1,000,000.

The array of legal talent was great, and a big fight was anticipated. When Judges Lowell and Knowles took their seats one of the counsel representing the bank moved to have the case as against the A. & W. Sprague Manufacturing Company discontinued, but as to Chafee have it continued. Judge Lowell heard the motion and ordered an adjournment for two hours. The counsel on both sides retired to an anteroom, where a conference was held. At 12 o'clock the court was reconvened and the motion renewed and so ordered. This virtually takes the case out of the court.

The terms of capitulation were not made public, but a court attache informed THE SUN correspondent that Chafee bought up the bank's claim for $109,000. Chafee's counsel advised the capitulation on the ground that whichever way the case went it would probably be taken to Washington on a writ of error, thereby causing a delay of four years.

After this case was abandoned, Mr. Butler moved to have the trial of the Latham-Sprague-Chafee equity suit proceed, but the Court decided to resume it to the 15th inst., when the several pleas and motions entered will be argued. The Bank of Commerce case is looked upon as a blow to the Chafee party, virtually settling the suit which is for the benefit of the Latham equity suit the claim of the Bank of Commerce could have been bought for 20,000.

Contents of The Weekly Sun.

THE WEEKLY SUN, published this morning contains

Sending the Deficit to Posterity—Extravagance of a Republican Congress—Shall Congress Reduce the Revenue? Or Shall Congress Reduce Taxation? Or Shall Congress Do Both? Or Shall Congress Do Neither?—Shall Congress Do Something?—Shall Congress Do Nothing?—Shall Congress Do Anything?—Shall Congress Do Everything?—Shall Congress Do Nothing but Talk?—Shall Congress Do Anything but Talk?—Shall Congress Do Everything but Talk?—Shall Congress Do Nothing but Talk and Do Everything?—Shall Congress Do Everything and Do Nothing?—Shall Congress Do Everything and Do Everything?—Shall Congress Do Nothing and Do Nothing?—Shall Congress Do Everything and Do Everything and Do Nothing?—Shall Congress Do Everything and Do Everything and Do Everything?—Shall Congress Do Nothing and Do Nothing and Do Nothing?—Shall Congress Do Everything and Do Everything and Do Everything and Do Everything?—Shall Congress Do Everything and Do Everything and Do Everything and Do Everything and Do Everything?—Shall Congress Do Everything and Do Everything and Do Everything and Do Everything and Do Everything and Do Everything?—Shall Congress Do Everything and Do Everything and Do Everything and Do Everything and Do Everything and Do Everything and Do Everything?—Shall Congress Do Everything and Do Everything and Do Everything and Do Everything and Do Everything and Do Everything and Do Everything and Do Everything?—Shall Congress Do Everything and Do Everything and Do Everything and Do Everything and Do Everything and Do Everything and Do Everything and Do Everything and Do Everything?—Shall Congress Do Everything and Do Everything and Do Everything and Do Everything and Do Everything and Do Everything and Do Everything and Do Everything and Do Everything and Do Everything?—Shall Congress Do Everything and Do Everything and Do Everything and Do Everything and Do Everything and Do Everything and Do Everything and Do Everything and Do Everything and Do Everything and Do Everything?—Shall Congress Do Everything and Do Everything and Do Everything and Do Everything and Do Everything and Do Everything and Do Everything and Do Everything and Do Everything and Do Everything and Do Everything and Do Everything?—Shall Congress Do Everything and Do Everything and Do Everything and Do Everything and Do Everything and Do Everything and Do Everything and Do Everything and Do Everything and Do Everything and Do Everything and Do Everything and Do Everything?—Shall Congress Do Everything and Do Everything and Do Everything and Do Everything and Do Everything and Do Everything and Do Everything and Do Everything and Do Everything and Do Everything and Do Everything and Do Everything and Do Everything and Do Everything?—Shall Congress Do Everything and Do Everything and Do Everything and Do Everything and Do Everything and Do Everything and Do Everything and Do Everything and Do Everything and Do Everything and Do Everything and Do Everything and Do Everything and Do Everything and Do Everything?—Shall Congress Do Everything and Do Everything and Do Everything and Do Everything and Do Everything and Do Everything and Do Everything and Do Everything and Do Everything and Do Everything and Do Everything and Do Everything and Do Everything and Do Everything and Do Everything and Do Everything?—Shall Congress Do Everything and