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SETTLING DOWN.

The Legislature is now Devoting Itself to Business.

FEATURE OF THE PROCEEDINGS

Yesterday was the Consideration by the House of the Measure Providing for the Execution of the Death Penalty in the Penitentiary—The Daily Democratic Amusement Organ of Wheeling Creates Some More Hilarity by its Constitutional Failure of Blundering—Republicans are not Disturbed by Col. McGraw's Bluff of a Contest.

Special Dispatch to the Intelligencer.

CHARLESTON, W. Va., Jan. 27.—After a session in which purely routine business was transacted the legislature adjourned to-day until Monday, and many of the members have gone, and others will go out of the town to spend Sunday. Nothing of importance transpired to-day in a political way, and it will be refreshing news to the general public to know that all political considerations are laid aside for business. Bills are being reported from committees and other important ones are now under discussion.

The feature of the proceedings in the house to-day was a discussion of the bill providing that all executions of the death penalty be at the state penitentiary. The bill passed its second reading and will undoubtedly pass the house.

Delegate Martin, of Kanawha county, favored substituting electrocution for hanging, and characterized the gallows as a relic of barbarism. He favored a recommittal of the bill with a view to providing the electrical form of punishment, but his motion was lost.

A Register Blunder.

A dispatch in this morning's Register concerning a resolution introduced by Delegate Stevens, of Wetezl, barring from the house of delegates a long list of national and state officials, (giving the salaries of each) from United States Senator Elkins down to members of boards of directors of state institutions and state officials, created some amusement here. The dispatch dated Thursday said the incident occurred WEDNESDAY. It did not. It occurred TUESDAY, and received no support whatever. The leading Democrats on the floor regarded the resolution in exceedingly bad taste. More than half the officials named were not in the city, and many were not in the house. The attaches of state institutions were here looking after the latter's needs recommended in the reports. The whole matter was laid on the table on motion of Mr. Morrow, of Jefferson, one of the Democratic leaders.

McGraw's Bluff.

It is generally understood that in order to make up the record of protest and carry before the country the Democratic claim that Mr. Scott is not legally elected Colonel McGraw will carry the case before the United States senate on the grounds laid down in his statement published yesterday. The two points are that Getzendanner and Pierson had no legal right to vote and that the forty-eight votes cast for Scott were one short of a majority of all the members elected. The claim is that Mr. Scott should have had forty-nine votes. The latter point, upon which the most stress is laid, is a technical one, which will be decided by the senate. McGraw does not expect to carry his point, but it will be urged as a matter of record for future use. There is no uneasiness among the Republicans in connection with the matter.

G. A. D.

Will Banquet Legislature.

Special Dispatch to the Intelligencer.

CHARLESTON, W. Va., Jan. 27.—A banquet will be given by the Huntington chamber of commerce to the West Virginia legislature on the evening of February 2, the occasion being the dedication of the first building of the asylum for the incurables.

QUAY GAINS

One Vote, but it was Owing to the Absence of a Member of the Legislature Without a Pair.

HARRISBURG, Pa., Jan. 27.—Senator Quay gained a vote to-day by the absence without a pair of Senator Higgins, of Schuylkill. Mr. Higgins is at the Harrisburg hospital with pneumonia, and this is the first time since the balloting began that he has not been paired with a Quay Republican. Representative Harrold, of Beaver, was present, the first time in a week, and voted for Senator Quay. Jenks loses a vote by the death of Representative Harry Manning, of Cumberland, to-day at his home at Newville. The Democrats and anti-Quay Republicans have agreed to remain away from the sessions of to-morrow and Monday, so that there will be no quorum voting. This means that there will be a suspension of hostilities between the rival forces in the great senatorial contest until next Tuesday. The vote to-day was:

Quay, 73; Jenks, 55; Dalzell, 13; Stone, 7; Stewart, 5; Huff, 6; Irvin, 3; Tubbs, 1; Rice, 1; Grow, 1; Markle, 2; Widener, 2; Riter, 2. Total vote, 171; paired, 80. Necessary to a choice, 85. Absent without pairs, 1. No election.

The only change in the vote was that of Colonel Irvin, who polled one more vote than yesterday. Mr. Stradling, of Philadelphia, changed from Widener to the colonel of the "Bucktails."

It is evident that the election for senator cannot take place to-morrow or Monday because of the great number of legislators who were to-day granted leaves of absence. Many of the members who could not secure pairs were obliged to go home on business, and as a result the Democrats joined the anti-Quay Republicans in preventing a quorum on Saturday and Monday. A conference of the Democrats was held this afternoon to consider the question. It was agreed that under the circumstances the anti-Quayites would be justified in preventing a quorum, and a resolution to this effect was passed. Representatives Palm, of Crawford; Spatz, of Berks; O'Brien, of Schuylkill; Hanson, of Venango, and Creany, of Columbia, were appointed a committee to remain in Harrisburg and direct the carry into effect of the resolution. The steering committee of the Democrats was increased by the addition of Representative Skinner, of Fulton. The anti-Quay Republicans met this afternoon and agreed that they would not go into the joint convention to-morrow or Monday. Their reasons are that from discussions and suggestions in the convention on the question of pairs they are convinced that in a crisis it would be held that yairs are not legally binding and could not therefore be enforced.

REWARDS OFFERED

For the Detection of Bribery in Passage of Pennsylvania Legislation.

PHILADELPHIA, Jan. 27.—The Business Men's league to-day adopted the following resolution:

"In view of the widespread reports that large sums of money are to be used to secure the passage of certain legislation at Harrisburg during this session of the general assembly;

"Therefore, be it resolved, That for the prevention and detection of violations of the constitution and statutes of this commonwealth against bribery and corrupt solicitation of members of the legislature, we hereby offer the sum of $25,000 for payment of rewards, as follows:

"First, for any clue or information which will lead to the detection and discovery of the sale or purchase or the endeavor to sell or purchase the vote or influence a member of the legislature upon any matter of legislation pending in the general assembly at any stage of its progress, whether in committees, on the floor of either house or elsewhere, the sum of $1,000; and

"Second, for every conviction of such offense the sum of $5,000.

"The said rewards, in all not exceeding the sum of $25,000, to be paid by our attorneys, to whom all information is to be given and with whom all communication is to be had, immediately upon such detection or exposure, or upon such conviction as aforesaid."

The committee on speakers and meetings of the league will arrange for several mass meetings in Lebanon county next week in the interest of the anti-Quay candidate for state senator to succeed General Gobin.

EXAGGERATED REPORTS

Of Incendiarism and Brigandage in the Guantanamo District, Cuba--The Spanish Element Inspiring the Slanders.

SANTIAGO DE CUBA, Jan. 27.—After a thorough investigation, including careful inquiries among the planters, merchants and business men of all classes in the entre district of Guantanamo, it is safe to say that the reports of incendiarism, brigandage, sugar cane burning and other lawlessness in this region have been greatly exaggerated. Probably the Guatanamo district is as peaceful as any other portion of the province of Santiago. There is a large Spanish element in Guantanamo City, and these people seem to have endeavored to give all unfavorable reports a malicious flavor.

The Cubans believe that the men who were arrested on the St. Cecilia plantation for inciting the workmen to return to their camps were really bribed by local Spanish merchants to act in this fashion and to pretend that they were obeying their officers.

As a matter of fact, the entire overland route from Guantanamo to Santiago shows many signs of returning prosperity and of increasing confidence in the present regime. The correspondent of the Associated Press found absolutely no sign of an insurgent camp along the entire road, a distance of more than forty miles. The United States survey steamer Yankton arrived to-day. She will make a complete survey of Santiago harbor and will then proceed along the coast of Manzanillo, this province.

A number of men representing American business firms arrived here to-day on board the Ward line steamer Santiago, which left New York January 19. They are looking for a favorable opportunity to invest capital.

SPECTACULAR PARIS

Cheers a Mob Led by a Ready Made Cripple, to the Old Cry, "Down With the Jews."

PARIS, Jan. 27.—The trial of the action brought by Mrs. Henry, widow of Lieutenant Colonel Henry, who committed suicide in prison here, after confessing to having forged one of the documents in the Dreyfus case, against M. Joseph Reinach, a member of the chamber of deputies and editor of the Republique Francaise, for libelling the deceased in declaring him a traitor, opened in the assize court to-day.

Mme. Henry, who was dressed in deep mourning, was present. There was great animation in the lobbies of the court of justice, but the neighborhood of the palace was quiet until 2 o'clock, when a mob, headed by a cripple known as "Libertad," who was on crutches and had naked feet, in spite of the cold, and a band of anti-Semites, led by M. Guerin, president of the anti-Semite league, entered the Place d'Auphine, at the back of the palace of justice, and began shouting. The police cleared the square and placed a cordon around it.

The crowd cheered for the army and shouted, "Death to the Jews!" M. Labori, counsel for M. Reinach, asked the court to postpone the trial until the Dreyfus inquiry was terminated. He declared the suit was merely the work of a political party reduced to the last extremities, and that it was merely a desperate attempt to influence the verdict of the court of cessation in its revision of the Dreyfus trial.

The court rejected M. Labori's motion, whereupon he lodged an appeal to the court of cassation.

Subsequently the court decided to adjourn the proceedings until the court of cassation passed upon M. Labori's appeal.

A Relict of Greatness.

WASHINGTON, D. C., Jan. 27.—Mrs. Robert Williams, who married Stephen A. Douglas in the zenith of his political career and who was one of the most brilliant figures in Washington society, ever since the days of Dolly Madison, died at her residence here last night. She was a Miss Adele Cutts, a daughter of James Madison Cutts, once comptroller of the treasury. She married Stephen A. Douglas and accompanied him in his famous political campaign about the country just prior to the civil war. On his death she lived the life of a recluse until she met Adjutant General Williams.

The British Method.

WASHINGTON, D. C., Jan. 27.—Surgeon General Sternberg has made public the report of Lieutenant Colonel O'Reilly, chief surgeon department of Cuba, relative to the British method of caring for troops in the tropics. As a result Dr. O'Reilly recommends that troops intended for Cuban service should be recruited in the south and be colored, with white officers to a great extent. They should be sent in November after the rainy season. No improvement is needed in the ration and night service should be avoided.

THE PEACE TREATY

Discussed in the Executive Session Of the Senate.

SENATOR FRYE DEFENDS IT

And Answers All Questions Propounded to Him by the Critical and Technical Opposition—He Explains Why the Philippine Archipelago Was Included in the Cession to the United States—Senator Platt's Remarkably Clear Statement of the Situation That Now Confronts the Country.

WASHINGTON, D. C., Jan. 27.—The senate continued the consideration of the peace treaty in executive session today, the doors being closed for almost three hours.

Senator Frye, a member of the Paris peace commission and naturally a strong friend of the treaty, held the attention of the senate during the greater part of this time. Constructively he occupied the floor during the entire session, but he was frequently interrupted by other senators. Most of these interruptions came in the way of questions, but some of them took the form of speeches. This was notably the case with Senator Berry's interruption. He spoke for some time, and in doing so denounced the treaty in severe terms. Senators Mason and Caffery asked many questions.

Senator Frye devoted himself largely to an explanation of the proceedings of the commission reading liberally from the record as already printed, but stopping as he proceeded to explain the quotations which he made.

He had not proceeded a great way in his exposition of the subject when he was asked if the President had not originally instructed the commission to only insist upon securing a coaling station in the Philippine group. To this Mr. Frye replied that he did not feel at liberty to give his interpretation of the President's instructions, but it was not necessary that he should do so, as the President had, he said, determined to comply partially at least with the senate's request for the documents on file bearing on the negotiations of the treaty, and Mr. Frye said he felt justified in assuring the senate that the papers would be received not later than Monday.

Mr. Frye devoted the principal portion of his speech outside of the reading of the report to an explanation of why the Philippine archipelago was included in the cession to the United States. He was asked the question why those islands were not placed in the same class as Cuba, the sovereignty over this island being merely relinquished, while in the case of the Philippines, it had been made over to the United States, and replied that the difference was made because in the case of Cuba the commission was acting under instructions from Congress. He was reminded that the Filipinos professed to be fighting for freedom just as the Cubans were, and that they were still contending for their own independence.

One senator reminded him of the representations of Aguinaldo's American agent, Agoncillo, and asked if he meant to force the Philippine people to actual hostilities, to which Mr. Frye retorted that it was the opposition which was forcing a continuance of the state of war, and which would be responsible for hostilities if they should occur. As for himself, however, he did not know the Filipinos in the transaction. The treaty should have been ratified ten days ago, and if it had been, all danger of war with the people of the Philippine islands would have been averted.

Senator Berry, in his speech, declared that the acquisition of the islands was merely a speculative scheme, containing more of the element of land grabbing that of patriotism or philanthropy.

PLATT'S SPEECH

In Defense of the Treaty—A Very Thoughtful and Well Considered Statement of the Situation.

WASHINGTON, D. C., Jan. 27.—Particular interest was manifested in the senate to-day in a brief speech delivered by Senator T. C. Platt, (New York) on the general subject of expansion. Mr. Platt took for his text the anti-expansion resolution offered by Mr. Vest, (Mo.), but in the course of his speech, merely touched upon the constitutional question involved in the proposed declaration. He spoke in a clear, resonant voice, and not only because this was the first speech he has delivered in the senate since his return to the body, but also because the address was a thoughtful and well-considered statement, he was accorded the undivided attention of his colleagues on the floor and a large audience in the galleries. A pleasing, though quiet vein of humor ran through the speech, sharply pointing his statements. He took strong ground on the ratification of the pending treaty of peace. He said in part:

There has never been absent from the floor of the senate that class of intellect which has found in the constitution its warrant for opposing new things. Nor is it new things only which are so resolutely opposed in the name of the fathers. It is the old things with new faces as well. Here we have been for a whole century annexing territory, annexing with a club or with a caress, just as the necessities demanded, and yet senators are discovering to one another the most acute distress over what they boldly describe as a "departure from time honored traditions."

Mr. President, it was not the main purpose of the makers of the constitution to point out a way, in accordance with which the problems of government were to be solved. That purpose, no doubt, was in their minds to some extent—but to an extent which must have had its boundaries defined in their own experience.

Their main purpose was to devise a plan of government and not to ordain policies, and where they seemed to be ordaining policies, where they departed from the main work of establishing the bodies which together should form the government and of distributing to each its particular functions, they were doing precisely what every other legislative assembly, before their time and subsequently thereto, has had to do—they were satisfying popular prejudices and looking forward to the day when their work would be passed upon by minds less trained than their own in the consideration of great principles and more subject than theirs to temporary and local prejudice. I do not mean to suggest, Mr. President, that such legislation as does occur in the constitution is any less binding upon us because it was put there as a concession to the sentiment of the hour, but I do affirm without hesitation that the inferences which we draw now from such legislation, limiting the power of the general government and rendering our government less competent than other governments, need to be drawn carefully and need to be considered in the light of the whole scheme of federal authority. It is true that we are a government of limited powers, but the purpose of the limitation was simply to reserve to the people of the states such ample power as would enable them to determine their own affairs in their own way—such affairs I mean, as were not also the affairs of the people of other states; and it was not the purpose of such limitation to hinder the federal government in providing as might seem best and wisest for the general welfare of the whole country.

It is surprising, Mr. President, how often it has been necessary to make this argument and to call attention to these distinction, and yet, I suppose the temptation is a natural one to make the phrase, "a government of limited powers" mean a government empowered to do whatever each man wants done, but forbidden to do whatever each man opposes. That thought must have occurred, it seems to me, to every senator who heard the proposition advanced here that we had the right under the constitution to annex territory for the purpose of putting up guns to kill people with, but lacked the right of annexing it for the purpose of putting up school houses and of doing things that contribute to the happiness and prosperity of the people concerned.

"The disorder now existing in the Philippine islands, to which senators who are opposing the treaty may well afford to consider how far they are contributing to the unwillingness of the armed natives to accept American authority, does not constitute in my mind, the slightest ground on which to base a vote against the Paris agreement. On the contrary it affords a new reason why our action should be the more prompt and unanimous."

HOAR IRRITATED

Because His Anti-Expansion Resolution was Laid Aside—He and Mason Indulge in Some Threats.

WASHINGTON, Jan. 27.—Mr. Hoar, (Mass.), at the opening of to-day's session of the senate, presented the resolution adopted at a meeting of certain citizens of Philadelphia, protesting against any aggressive action on the part of the government in the Philippines.

Mr. Spooner, (Wis.), gave notice that he would, on Wednesday next, address the senate on various resolutions respecting expansion, and Mr. Rawling, (Utah), gave a like notice for Thursday next.

Mr. Mason (Ill.), asked unanimous consent for a vote on his resolution declaring it to be the policy of the United States not to attempt to govern the people of any other nation, next Friday at 1 o'clock, and Mr. Hoar for a vote on his resolution declaring that the Filipinos ought to be free and independent, but Mr. Carter (Mont.), objected to both.

Mr. Carter understood, he said, that the resolutions pending in the senate on the expansion question had been presented as texts upon which senators could base remarks. He thought it proper that the several resolutions lie on the table until late in the session, in order that all who desired might submit remarks upon them.

Showing evidence of annoyance, Mr. Hoar rose and said: "I desire to give notice that if we are not to have a vote on the question presented by this resolution, a question which is immediate and practical, I will keep my resolution or that of the senator from Illinois (Mr. Mason), before the senate during every morning hour until we obtain a vote upon them."

Mr. Gallinger (N. H.), intimated that Mr. Hoar would have some difficulty in carrying out his plan to keep his resolution before the senate.

Mr. Carter said he viewed with regret the "irritation" of Mr. Hoar. He thought it would be conceded that the pending resolutions presented no great or important question to the American people, or to Congress, inasmuch as they were at best expressions only of the senate—mere opinions of that body if adopted. He pointed out the important business before the senate, and urged that the time of the senate be not taken up with such pending matters.

The following resolution was offered by Mr. Sullivan (Miss.), who asked that it lie on the table:

"That the ratification of the pending treaty with Spain shall in no wise determine the policy to be pursued by the United States in regard to the Philippines, nor shall it commit this government to a colonial policy; nor is it intended to embarrass the establishment of a stable, independent government by the people of those islands, whenever conditions make such proceeding hopeful of successful and desirable results."

After some parliamentary sparring, Mr. Mason obtained the floor, and spoke briefly in advocacy of a vote on his expansion resolution. He said there were people in the senate, friendly to the pending treaty, who desired to give the friends of his resolution an opportunity to express their views by their votes.

"Those who are friendly to my resolution," said Mr. Mason, "have not been delaying the treaty. If the friends of the treaty think by refusing to afford us a chance to express ourselves and our opinions they will gain time and strength they must consider the matter carefully. If I cannot get a vote on my resolution I shall consider myself most unfairly treated. We have never delayed the treaty twenty-four hours. I'm ready to vote on it now. But I am anxious to secure a vote first on my resolution."

Without action the senate went into executive session.

THE ARMY BILL

Jeopardized in the House—Amendments Prepared to Meet Objections of Its Opponents.

WASHINGTON, Jan. 27.—The opposition to the army reorganization bill on the Republican side of the house has become so strong that to-day Chairman Hull, after Mr Henderson, of Iowa, one of the floor leaders of the majority, had threatened to recommit the bill, decided it would be wise in order to insure its passage to abandon the idea of providing directly for a regular army of 100,000 men. He announced on the floor that the committee would offer amendments to reduce the number of enlisted men to about 60,000, but lodge in the President's discretion the authority to increase the army to a maximum of 100,000.

These amendments have been prepared. They provide that the President may, at his discretion, enlist only sixty men in the infantry companies and sixty in the cavalry troops. By the terms of the bill there are to be thirty infantry regiments of ten companies, each with a strength of 145 men, and twelve regiments of cavalry of ten troops, each with a strength of 105 men. This discretion, if the President would exercise it, would reduce the number of enlisted men about 21,000, and practically leave intact the organization provided in the bill, so far as officers are concerned.

How far this proposed modification will allay the opposition remains to be seen. Mr. Johnson, of Indiana, who took a prominent part in the fight to-day after the general debate closed, declared that the purpose of the bill was to have an army of 100,000, either by direct authority or the exercise of the President's discretion, and he declared his purpose to fight to the bitter end the machinery which was being forged for a colonial system. Mr. Henderson, in the course of the debate to-day, declared his belief in the unwisdom of annexing the Philippines. Mr. Johnson said the vital mistake was made when the President instructed the peace commissioners to demand the cession of the Philippines. The whole debate to-day was spirited and so intense was the struggle that when the bill was taken up for amendment under the five-minute rule that the first section had not been completed when the house recessed at 5 o'clock.

AGONCILLO'S DENIAL

Of Sending a Dispatch to Aguinaldo, in Which he Advised the Insurgent Leader he Would Have to Fight for Independence.

WASHINGTON, Jan. 27.—Agoncillo the representative of Aguinaldo, authorizin the following statement today, concerning a published report that the government had intercepted dispatches from him to Aguinaldo, in which he advised that the Filipinos would have to fight for their independence, and that now was the time to act:

"The statement is absolutely false, and is calculated to excite feeling and animosity in this country, and to prejudice the Philippine cause. No such telegram has ever been sent by me, and for that reason no telegram could have been intercepted. The falsity of the statement is shown by the fact that I have cabled my government to continue the same friendship which was born on the battlefield against Spain. The Philippine people have no wish and no purpose to fight against the Americans unless they are driven to it. Their only desire is to strengthen the bonds now existing."

Other members of the Filipino junta who were present when Agoncillo made this statement concurred in what he said, and emphasized the latter's declaration that all his advices had been toward an avoidance of a rupture. In other quarters it was stated that Agoncillo had sent dispatches from time to time, three rather long ones going within the last few days. According to the Filipinos nothing has been sent advised fighting, but everything has counseled continued friendship. Under such circumstances the members of the junta assert that any incriminating dispatch which has come into the hands of the government is a forgery if it ascribes to Agoncillo any advice to Aguinaldo to begin fighting. Beyond denying this report, Agoncillo said he had nothing to make public, as to the communications to or from Aguinaldo. He expressed the positive opinion, however, that the cable report that the Filipino congress had authorized a declaration of war was not correct, as he says the Filipino people do not wany a conflict with the Americans, and will do everything posible to avoid it.

State Department Mute.

The officials at the state department are mute regarding the treatment to be accorded Agoncillo, the representative here of Aguinaldo, although it is known he has been held under surveillance ever since his arrivel in this city, and that it was learned that he was in correspondence over the cables with his chief, generally through some one of the Philippine juntas in Hong Kong, London or Paris, but whether any telegram has been actually interrupted cannot be learned. There was good ground also for the belief that Agoncilol was receiving advice from certain persons inimical to the policy the President has adopted for the treatment of the Philippine question at this stage. This has been tolerated reluctantly by the administration, rather than to make an open issue of what is still a case possible of adjustment. The publication a few days ago ago of what proved to be a very good abstract, with exact quotations, of the letter left the day preceding the publication by Agoncillo's secretary at the state department likewise was resented as a notable breach of official decorum. The first inclination of the officials, after this publication, was to get rid of Agoncillo, but officials were loath to take any action in advance of the senate passing upon the pending peace treaty, especially as an action might involve passing upon certain legal and diplomatic points involved as to which it is desired not to establish a precedent at this time. Administration officials believe the general tenor of the advices Agoncillo has sent his principal has been in line of admonition to hold off from the acceptance of any terms from General Otis, in view of the prospect that the peace treaty might fail in the United States senate.

The situation at Manila is regarded as critical, of course, but the officials see no reason why they cannot command it for a time at least. General Otis reported yesterday, in connection with some matters connected with the shipment home of some sick Spanish soldiers, that he could hold out beyond a doubt until his reinforcements arrived, and added that as the news had reached Manila that there was every prospect that the peace treaty will soon be ratified by the United States senate, the effect upon the native element had been salutary.

General Otis was given permission to load some of these sick Spanish soldiers upon two Spanish steamers now at Manila, or just due, leaving the terms to be paid to be settled upon the basis of the contract price to be paid by the war department to the steamship line that secures the contract next week for the transportation home of all the Spanish soldiers in the Philippines.

Going to See Gomez.

WASHINGTON, Jan. 27. — Senor Quesada, who, throughout the last war and before was one of the diplomatic representatives of the Cuban junta in Washington, will leave Washington to-night on a special mission for Cuba. He will go first to Havana and then proceed with all dispatch to join General Gomez as soon as he can exactly locate that officer. Senor Quesada is acting directly in this mission under the instructions of President Palma, of the Cuban junta, and while it is not deemed expedient at this time to say more of the nature of the mission with which he is charged, it is known that the officials here feel the utmost confidence that results beneficial to Cuba and satisfactory to the United States government are likely to follow.

IN AN HOUR'S TIME

The Eagan Court-Martial Came to a Decision.

VERDICT WILL NOT BE KNOWN

Until it has Gone Through the Prescribed Channels of the Intricate Red Tape System—The Closing Testimony Yesterday in Behalf of the Defense was Characterized by a Dramatic Incident When General Eagan's Daughter Described her Father's Pitiable Condition After Miles Accusations.

WASHINGTON, D. C., Jan. 27.—The case of Commissary General Charles P. Eagan, charged with conduct unbecoming an officer and a gentleman, and with conduct tending to the prejudice of good order and military discipline, is now in the hands of the court-martial, appointed to try him.

To-day, the taking of testimony was closed and arguments of counsel submitted. The trial had lasted three days and consumed less than eight hours of actual sitting. A session behind closed doors of an hour or so sufficed for the court to reach a conclusion and embody it in a report. What the verdict was is altogether a matter of speculation and officially, at least, will not be made public by the trial board, military regulations requiring that its findings shall go through prescribed channels and be kept secret until action be had and promulgated by the proper reviewing authorities.

The attendance at the courtmartial was much larger to-day than at any other time since the trial began, and among the spectators was a score or more of ladies. Several of them were friends of General Eagan's daughter, who was called as a witness, while others were attracted by curiosity. The testimony at the closing session of the court was directed largely to establishing the fact that the general had lost his mental balance as a result of the charges made against him by General Miles. His daughter and her husband told of the general's changed condition and intimated that they had great fears that he might at any time kill his accuser.

Mr. McKee, a life long friend, stated that at the time he believed him actually insane. The facts in this connection were brought out strongly by Mr. Worthington in his efforts to show that General Eagan at times was wholly irresponsible.

A dramatic incident of the trial today, was the testimony of the general's daughter, in which she described her father's appearance on the day he first read General Miles' statement. Standing in the door of his house, with the newspaper containing the evidence in his hand, he had exclaimed wildly:

"I have been crucified by General Miles."

Throughout the three days of the trial the members of the court sat in their places and attentively listened to every word of the testimony. Only on two or three occasions did they ask the witnesses any questions and then, an answer of yes, sir, or no, sir, sufficed. Where their sympathies were or what was passing in their minds, was not disclosed by even the slightest change of expression.

Immediately upon the case being closed, the room was ordered cleared and the court went into executive session to deliberate upon their findings.

MR. ABBOTT'S VIEWS

On the Philippine Question—He Presents the Case in an Entirely Rational Light.

NEW YORK, Jan. 27.—Dr. Lyman Abbott addressed a joint meeting of the post graduate club of Columbia and the woman's post graduate club of Columbia, in Barnard college hall, last night. Dr. Abbott, during his lecture, made it clear to his listeners that he thought it cowardice to destroy the government of any country and then sail away and leave the country to its own resources. He expressed the opinion that the United States should exercise a protectorate over its newly-acquired territory until the people have been educated to a condition when they would be able to govern themselves.

He would then leave it to them to determine by suffrage whether they wish to govern themselves or be governed by the United States. He said further: "What is this country to do? I believe myself that the late war was a righteous one. I did not believe the same thing of our war with Mexico, but after the conclusion of that war I accepted the conditions as they were and believed with those who thought we ought to accept the new conditions.

"How are we to accept the conditions now confronting us? We can disavow the relations we find ourselves in with Cuba and the Philippines. We can sail away from Cuba and the Philippines and say, 'We have freed your lands from the Spaniards; now do the best you can.'

"The golden rule is a good one. I believe that it applies to nations as it does to individuals. Suppose we were to leave these countries to their destinies, now that we have shaken their former governments to the roots. I think we can supply a better government for them. I think we might send Quay to Cuba and Croker to the Philippines and improve their government and perhaps we would thereby improve our own. (Applause.) It is foolish for any government to act upon its traditions. It is almost incredible that any intelligent person should think that a minister thought in the sixteenth century. It is incredible to believe that any such person would expect any politician to think as politicians thought in the eighteenth century. Life is a condition of intelectual growth. We ought to apply new thought to new conditions.

"I have no fear of imperialism. I think we ought to exercise a protectorate over Cuba and the Philippines. We ought to say to the people that we will protect them from internal strife and from outside attack.

"How can we escape the responsibility? We can show them that we can give them a better government than they had. We can do just what we have been doing. We can improve their streets, establish schools and institute a civil government as good as our own."

Supreme Court.

Special Dispatch to the Intelligencer.

CHARLESTON, W. Va., Jan. 27.—In the supreme court here to-day the case of Taylor vs. Maynor, from Fayette, which was continued on Wednesday by agreement of the counsel was taken up and submitted

A FROZEN TRAGEDY.

Prospectors for Wealth Perish in the Icy Clasp of a Klondike Glacier Pitiful Tales of Suffering.

SEATTLE, Wash., Jan. 27. — The steamer Cottage City, from Alaska, brings news that a number of Copper river prospectors perished in Valdez Glacier. The following are known to have been lost: Charles Khron, New York city; C. P. Smith, Chicago; Ole Evjen, Baldwin, Wis.; ——Henderson, Wisconsin; George Sweeney, New York city.

Among the many badly frozen miners are: George Poalowitz, New York city; Sylvester Grog, St. Joseph, Mo.; Holven Evjens, Baldwin, Wis.

There are six men at Valdez suffering from frozen feet, hands and face. A hospital has been established at Twelve Mile camp, on the other side of the glacier, and fifteen men are suffering there from the same cause. All were forzen trying to cross the glacier, but managed to get back to camp. The freezing of the Evjens (father and son), is particularly sad. They started for Valdez, but on getting well toward the summit of the glacier found their feet freezing. Both started back. The son gave his father extra wrapping for his limbs, and as a result both the son's legs were frozen in a few minutes and he was unable to proceed. He bade his father goodbye and compelled him to go on without him. Then the boy lay down in the snow to die. His body will probably never be recovered. The father reached Twelve Mile camp very badly frozen and is not expected to live.

Smith and Khron were members of the same party, in company with George Poalowitz, Sylvester Grog and several others. They started across the glacier early in December. Smith was the first to freeze his feet. After they had crossed the summit and were going down the long stretch toward Valdez his strength began to fail him. At last he could keep up no longer. Calling his companions around him he told them he was doomed, even if they got him into camp, and that they must try and save themselves. Telling them to tell his wife and children, back in Chicago, how he died, he lay down in the snow and was soon lulled into a last sleep by the deadly frost.

Charles Khron wanted to lie down and die when the trip was almost at an end. His comrades kept him moving, in spite of the pain of his badly frozen feet, and at last got him to Valdez. His toes were so badly frozen that they fell off when his boots were cut away. Blood poisoning set in soon after and in ten days the miners buried him in a rough grave. He was a member of the Manhattan Mining company, of New York, and leaves a widow and family in that city.

The third man of the party to lose his life was a miner named Henderson, from some small town in Wisconsin. He started out with the party, but was frozen before they reached the summit of the glacier. He decided his only hope was to turn back. Soon after he left the party a terrible blizzard swept over the glacier, obliterating all trails and making travel impossible. He probably lost his way then and perished.

George Poalowitz, of the Manhattan Mining company, of New York, was the fourth member of the party to be badly frozen. He returned on the Cottage City to-day in charge of Dr. Lewis, of Chicago. He will lose the greater part of both feet and is in danger of losing his life from blood poisoning. He would not let Dr. Lewis amputate his feet in the north. He said: "It was bitter cold and for four days we wandered about the glacier trying to find our way down. We had little food. The other four members of the Manhattan company were waiting on short rations at the foot of the lake. I don't know what will become of them now that Khron is dead and I am here in almost as bad a fix. I don't want my wife to know of my condition, so I will not tell you my New York address."

George Sweeney, of New York, was a blacksmith at Valdez for a long time. He started across the glacier early in the winter, drawing a heavy sled. The details of his death are unknown, for he was alone. He never reached the other side.

The miners who arrived on the Cottage City say that many others perished like Sweeney. They are unable to give names. The men starting out in pairs or singly were never heard of again.

SCENES OF HORROR

Witnessed by Survivors of the Wrecked Ship Manbare—Their Mates Killed and Eaten by Cannibals.

VANCOUVER, B. C., Jan. 27.—After escaping death by drowning eleven of the crew of the ship Manbare were captured and eaten by cannibals of New Guinea. The Manbare was bound for Sydney, Australia, when it was caught in the terrible gale of December. Near Cape Nelson it began to sink. The crew of eighteen, all told, left the vessel in two boats and soon became separated.

One boat containing twelve men was finally thrown ashore ten miles from the cape. The sailors were seized by natives from the interior and hurried off to the village of the chief. One man, James Greene, escaped.

The sailors were stripped and bound and killed, one each day. A wild orgie was participated in by at least a hundred savages who had gathered for the feast.

In several cases the sailors were tortured by the old women and children of the tribe. The eyes of one were gouged out. The doomed men stoically watched the elaborate preparations for their death. A huge pot filled with boiling water was used for the feast, which on the first day was prolonged away into the night.

In most cases the men were beheaded, their heads being stuck on poles and paraded before the men who were to suffer the same fate.

Greene was rescued by a steamer after tramping without food a day and a night to reach the coast. The scenes of horror he had witnessed turned his hair snowy white.

Rescued Fishermen.

VICTORIA, B. C., Jan. 27. — Five of the crew of the halibut fishing schooner St. Lawrence, which was wrecked off Piper bay, in Alaska, on December 28, were brought down on the Rosalie. The seven men aboard the St. Lawrence got ashore and managed to live for ten days, when they were rescued by the sloop Nora. Captain Caldor and one of the men remained at Wrangle. The men report the loss of another fishing schooner, but her name is not known.

Took Precautions for Success.

ST. LOUIS, Mo., Jan. 27.—Arthur Brown, who is employed by a glove manufacturer here, to-day cut his throat and jumped from a Fifth story window, dying soon after. No reason is known for his action. Last Wednesday, Brown, whose father is Truman Brown, a glove manufacturer of Gloversville, N. Y., was married to a young lady of this city.

TREND OF TRADE.

The Country in a Stronger Position Than a Week Ago.

PUBLIC'S GREAT CONFIDENCE

In its Business and Securities Fully Tested by Fall and Rise in Stocks. The World Still Compelled to buy our Wheat, Corn and Cotton. Wheat Goes up in Price, and the Industries are Ceaselessly Active. The Only Weak Spot is Wool, Which was Forced by Speculation Last Year.

NEW YORK, Jan. 27.—R. G. Dun & Co's weekly review of trade will say to-morrow:

The country is in a stronger position than a week ago. Remarkable strength in its industries is an important, but not the chief element. Public confidence in the business of the country and in its securities has been tested to an unusual extent by the sudden fall in stocks and the subsequent rise. Confidence in the value of wheat, corn and cotton has been shown by the markets, and at rising prices the world buys because it has to buy. The vast supply of unemployed capital has been shown impressively, and the new and startling independence of foreign money markets fixes attention. The lumber movement is unusually large for the season, with prices of low grade sharply advancing. Railroad earnings and tonnage have shown surprising gains. Treasury receipts are gaining, and a vote on the peace treaty has been fixed for February 6.

The weak points in the situation may first be considered. Wool grows weaker because forced by speculation a year ago to prices which the market for for goods could not sustain, and has been much embarrassed in trying to sustain it ever since. Western bankers began to advise speculative holders to sell.

Goods are in much greater demand because prices fairly proportioned to the reduction of about 10 per cent in wool since a year ago, have been made in important openings. The sales of wool are still small, manufacturers buying at Philadelphia, where prices are yielding, rather than at Boston, where great efforts are made to sustain them, but the goods movement for heavy weights is still disappointing and comparatively slow. Larger orders and light weights keep many works employed. Sales for the week have been 6,403,400 pounds, and for four weeks 22,899,200 pounds against 30,421,070 pounds last year and 26,317,600 pounds two years ago.

Cotton goods have risen on many grades about .4 per cent on reported qualities, against 5.0 per cent on raw cotton, and the consuming demand is strong.

Iron and Steel.

Pig iron has risen in Chicago because of higher freights from the south,, and at Pittsburgh a shade for Bessemer and grey forge because of growing demand, but for the moment the rise of .2 per cent in pig is exceeded by the rise of 2.0 per cent in products. The pressure for many products is such that the works are able to make their own quotations, and rails and bars at Pittsburgh and wire nails have slightly advanced. The demand is heavy in all lines, covering 30,000 tons of rails in one contract for a southwestern road, and many of smaller quantity; 20,000 bars and many for a less quantity covering 5,000 steel cars for the Baltimore & Ohio, with other ship, car and miscellaneous contracts; numerous bridge contracts, with one pending from Canada and others from all parts of the world; 10,000 tons of sheets at Pittsburgh, with heavy business elsewhere and a general demand never surpassed. Nails are advanced by the combination, pipe works are crowded and negotiations progress for their consolidation, as also in bridge building.

Wheat has risen 8 cents, with much buying, based on extraordinary exports from Atlantic ports for the week, flour included, 3,813,301 bushels, against 2,971,333 bushels last year; from Pacific, 321,255 bushels, against 1,180,272 bushels last week and from other ports 462,454 bushels.

Reports of injury to winter wheat always come at this season, but count for little when the farmers are selling heavily.

Corn has advanced 2c. although exports have been 11,513,365 bushels, against 13,061,477 bushels last year, and the surprising continuance of demand, equalling last year's, seems to be forgotten. But official trade returns show that this one feature counts for millions in the year's excess of merchandise exports.

Failures for the week have been 224 in the United States, against 342 last year, and 33 in Canada, against 34 last year.

Another Tin Plate Deal.

PITT