

SERG'T WADDELL

Writes An Entertaining Letter From the Philippines.

LIFE ON THE FIRING LINE

Is Depleted With a True Soldier's Enthusiasm—The Rainy Season and Its Discomforts—Don't Take Much Stock in "Googoo"—Pays Some Attention to Critics of General Otis.

Following up the letter published yesterday morning from Mr. E. L. Waddell, the Intelligencer presents another from his pen, addressed to his parents:

IMUS, P. I., Sept. 21. CO. H., 4th U. S. INFANTRY. DEAR FATHER AND MOTHER:—I have at last gotten a chance to write you. I landed in my "old nest" with Company H. Is it not strange I got what I hoped for, so far? I have three letters all ready to mail, written on board the Newport, but did not have a chance to mail them, as our baggage was taken from the transport to the Fourth Infantry headquarters just outside of Manila, and we were hustled out here on the "firing line." My letters were all in my valise with us except three. We did not bring anything with us except one rubber blanket, and one suit of Kiaki uniform that we had on. We have had lots of excitement so far. I have been on outpost duty every other night right along. There is scarcely a night that we are not fired on by the "Googoo." We are holding between 2,000 and 3,000 of them at bay, and our forces are only 600 to 700 strong. The insurgents are all around us, armed with Mausers.

I was made company clerk day before yesterday. I do not have to do guard or fatigue duty, but when there is any fighting I am in that in the "front rank." Well, to take up my trip from Honolulu first. It is a very beautiful place. I was allowed to go ashore for several hours and got to look around a good deal, although we did not remain there as long as expected. I went through "Queen Lili's" palace, also the Hawaiian Hotel, and had the pleasure of hearing the native band play. It is composed of forty or fifty pieces, and the music was fine. But it made me good and homesick. It took a good while to get the "lump out of my throat." You know that is my weak spot. Whenever I hear a band play, I get "rattled." It brings to my mind so many things, and I find the big tears rolling down my cheeks. I am not ashamed to own up to it. I find other soldiers the same way. The best of them, and they are the boys who fight the best. Everything grows around Honolulu. It is the "garden spot" of the United States now, coconut and banana trees in every yard. Everything looks prosperous. I would like to live there. Uncle Sam's influence is at work. I took a bath in the bay, off the pier they used to use for taking the leper off to the leper island.

After we left Honolulu everything went well until one of our men died. Don't know what was the matter. They embalmed him and took him to Manila. The next occurrence was the passing of the Volcanic Island, which was a grand sight. It was in full eruption. We passed it about 1 o'clock in the morning and it was certainly immense. I can't depict it in words. I could only think, and wonder, lost in astonishment and awe. The next event our ice plant broke down, and we had to drink water almost hot, as it is condensed and the climate will not allow it to cool without ice. Our meat spoiled and we were compelled to fall back on canned goods altogether. Then, to cap the climax, we ran into a terrible storm or "typhoon," which was a dandy. Lasted for three days, and everybody got sick except a very few. Again I was fortunate and never felt it. Capt. Dupree told me he could not understand how I stood it, but I did, and thoroughly enjoyed it. In fact, I had been wishing to myself that we would have a storm, (not too hard), as I wanted to experience the sensation, and I tell you I got it. We drifted away out of our course. Our engine broke down and we had an awful time. After we got righted there was not much happened that would interest you.

Going into Manila Bay was a beautiful sight. However, it was pouring down rain (and it has never stopped since we

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landed). We got to hail the noted battleship, Oregon, and several English war vessels. They cheered us again and again. We landed in native "casacos" and a Chino workman on board the one I was on, had a fit. It was the worst sight I ever saw. The other Chinos shoved a bamboo stalk in his mouth to keep him from biting his tongue off. After he came around we continued and landed safely, and I have been on the jump ever since. The first thing I found out on joining the regiment was that Major Bubb (my old captain) had been promoted and is now Lieutenant colonel of the Thirteenth Infantry, and is stationed away on the north line twenty or thirty miles from where we are. General Hall (my old colonel), is now brigadier general of volunteers, and not in command of the Fourth Infantry. There is not an officer here that I ever knew before. Our commanding officer I never heard of. So you see how it is. My old officers might as well be in the states. I would have as good a chance (or better) to reach them. I don't know that Lieutenant Castner is on the island, as I have never heard of him since I arrived here. The only officer in the regiment, that I knew is Captain Andrews, who is regimental quartermaster in Manila. You can write Senator Scott just how I am handicapped. We are literally living in water for the past two weeks and will continue to do so for some time, until the dry season sets in. Officers nor men do not attempt to wear shoes or socks, and many of the men only wear their shirts. I am in good health. The climate does not seem to affect me at all, so far. Not even my old rheumatism has been affected. A great many of the men are troubled with the "adobe itch," as they term it. Doctors can't tell what causes it. Most of the natives die during the wet seasons. We can't keep anything dry. Everything is moldy and clothes smell of mold. The natives only wear a kind of shirt, and they are worse than Indians for dirt and filth, (that is the lower class). They live on rice and other dirty concoctions that there is no name for, and they eat with their fingers, but have a slick way of doing it, that I can't explain, but will show you when I get home. The people we see here are all old men, women and children, who live within our lines. They don't use chairs, but sit on the floor. Men, women and children all smoke cigars or cigarettes, and are always willing to divide with anybody. It often "comes in handy" for me. The women don't wear dresses. They buy a few yards of colored stuff and wrap or tie it around their bodies, and they also wear a kind of jacket, no shoes or stockings. The higher class of women are only distinguished by their "togs" being a little more gaudy, and they have wooden shoes that they wear when out of the house. I live in an old native shack, or house, and get along first rate, but we are routed out nearly every night by the insurgents firing on our outposts. Night before last we were attacked and had to stay up all night for fear they would rush in on us. We were anxious to get a whack at them. I was on outpost duty No. 7, with a squad of six, a few nights ago. We were fired on, and we jumped into one of our trenches and gave them a volley at the place we saw the flash of their guns. They did not fire the second time. Two peaceful natives came to us the next morning and told us that we had killed one and wounded another "Googoo." But of course we have no positive proof of it. We were all wanting them to come at us, but they are shrewd and cunning. The scouts, (seventy-five in number), went out after them the next day. Our company backed them as a reserve. We ran into about 1,500 Niggers. We could see them plainly, everything that was going on in their camp. Our officers would not allow us to attack them, as they said they were too strong for us, and the water covered almost everything, but as soon as the rainy season is over we will go after them in earnest. I suppose there was a lot of mail for us on the "Morgan City," that I will not get, as I learn they only saved twenty-nine sacks of mail and I have nothing yet. This letter will probably not reach you for some months, as we have not been able to get any official or any other kind of mail in or out of here for three weeks. We are eating canned goods now and hardtack, as they can't get other provisions to us. We are practically at a standstill until the "damp weather" lets up.

It is all well enough for some people to talk and criticize General Otis on delay, etc., but they simply don't know the situation, or conditions. General Otis knows what he is about. I read lots of cheap criticisms in the papers, even before I left home, and when I was in Preidido. There is always somebody to find fault. They can't help it, and those same people find fault with God Almighty. Of course I have not much opportunity to know all about affairs, but I don't hear the soldiers complain of General Otis. As far as I have gone, I have never heard of an officer criticizing him. He knows how to take care of his soldiers and under existing conditions no sensible commander would do otherwise than he is doing. At our end of the line there is no word of complaint, and the boys of the Fourth Infantry never complain, but are ready to move whenever the commander gives the word, and that can't

come too soon for us. I consider myself very fortunate in getting with my old command. Somebody has evidently engineered this matter for me to my interest, for you know I scarcely expected it when I started from Chicago. I can't tell what it is in the future for me, but I am determined to win. I will make Senator Scott proud that he ever tried to assist me. Just watch me. "Dad!" And don't worry about me. I am doing exactly what I know you would like me to do. If I succeed I will be a soldier for life. If I pull through safely I want, if possible, to go home via the Isthmus of Suez, and then I will have been around the world, and willing to settle down. I will write you as often as possible. It is not the easiest thing in the world to write long letters in my present situation. Love and kisses for all. Your soldier boy, ED. L. WADDELL.

The Reassessment of Property.

To the Editor of the Intelligencer. SIR:—I noticed in a recent issue of your paper a meeting of the Chamber of Commerce, at which the reassessment of property was discussed. I think the chamber was hasty in its action, as the books from the country had not been filed with Clerks Robertson or Moffat. A great howl has been raised over Mr. Helmbright's assessment. One of the members is reported as saying no competent man can be secured to do that work for \$300. Admitting that to be true, a resolution was passed to appoint a committee of ten, one from each district, to take up the matter and see that justice is done. Among the committee are men who would have done the work if they had got the appointment, for \$300. If they were not competent for one work, why competent for another?

The only objection the Chamber of Commerce makes is that most of the money goes to the state, by an increased assessment. That is doubtless true, but even that seems to me to bring out what is taught in that old story of the objections to the waste of the precious ointment. Now if there are any inequalities in the assessments the law provides a remedy. The aggrieved can appeal to the Board of Commissioners, and I believe them to be men of honor, who will do what they believe to be just and right. R. M. M.

DON'T GIVE UP.

Discouraged Citizens Will Find Comfort in the Experience of a Wheeling Citizen.

Don't give up. Discouragement has lost many a life. Fight it out. Frustration means failure in one case does not mean success in an impossibility. Everybody makes mistakes. Experience is the modern instructor. Profit by the experience of others. It may save your life. The experience of friends and neighbors.

The testimony of Wheeling people will bring renewed encouragement. Here is a case in point: Mrs. Edward Kurts, of No. 2220 Main street, says:

"I was so crippled at the time I got Doan's Kidney Pills at the Logan Drug Company, that I could scarcely get around, and they took all the aches and pains away. I tried many things at different times. Someone recommended juniper berries, and I took a tea made from them for a whole month, but it did me no good. Doan's Kidney Pills were a great friend to me, and I can honestly recommend them to others, knowing that they will do everything that is claimed for them." Doan's Kidney Pills for sale by all dealers. Price 50 cents. Mailed by Foster-Milburn Co., Buffalo, N. Y., sole agents for the United States. Remember the name—Doan's—and take no substitute.

Recent Charters.

Special Dispatch to the Intelligencer. CHARLESTON, W. Va., Jan. 22.—Charters have been issued as follows: To the Davis Publishing Company, for the purpose of editing and publishing a newspaper and running a job printing office at Davis, Tucker county; authorized capital, \$10,000.

The Southern Manufacturing and Construction Company of Charleston, W. Va., for the purpose of manufacturing steam boilers and all kinds of machinery, with an authorized capital of \$100,000. The Incorporators are T. J. Carmack and R. McNeill, of Charleston; C. J. Colony, of Toledo, Ohio; M. J. Carmack, of Covington, Va., and J. H. Smith, of Cleveland, Ohio.

Long Time Between Drinks.

"That famous Canadian sleeping girl woke up the other day and called for a drink." She asked for cider, and after drinking it dropped back for another six weeks' nap. "Say, a girl like that shouldn't drink." "Why not?" "It takes too long for her to sleep it off."—Cleveland Plain Dealer.

Comparison That is Odious.

The Nebraska legislature will have to elect two United States senators next year. But its members mournfully reflect that nothing like the Montana market can be established there.—Pittsburgh Dispatch.

Prevented a Tragedy.

Timely information given Mrs. George Long, of New Straitsville, Ohio, prevented a dreadful tragedy and saved two lives. A friend of Long had long kept her awake every night. She had tried many remedies and doctors, but steadily grew worse until urged to try Dr. King's New Discovery. One bottle wholly cured her, and she writes this marvelous medicine also cured Mr. Long of a severe attack of Pneumonia. Such cures are positive proof of the matchless merit of this grand remedy for curing all throat, chest and lung troubles. Only 50c and \$1.00. Every bottle guaranteed. Trial bottles free at Logan Drug Co.'s drug store.—6

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THE QUAY CASE.

Views of Majority and Minority of the Committee.

PRESENTED TO THE SENATE.

The Main Contention is As to the Right of the Governor to Fill the Vacancy in the Senate When the Legislature Fails to Do So.

WASHINGTON, Jan. 21.—The reports of the committee on privileges and elections in the case of M. S. Quay, who claims a seat in the United States senate on the strength of an appointment from the governor of Pennsylvania, were presented in the senate today. The majority report opposing the seating of Mr. Quay, was signed by Senators Caffery, Pettus, Turley, Harris and Burrows, the last named the only Republican signing it. The minority report bears the signatures of Senators Hoar, Chandler, Pritchard and McComas, all Republicans, and advocates giving the seat to Mr. Quay.

Majority Views.

The majority report first reviews the circumstances under which Mr. Quay's appointment was made, including the failure of the Pennsylvania legislature to elect a senator. It then says:

"After a vacancy in the office of United States senator occurs or comes to pass, if the next legislature does not fill it, it continues to exist. It is the same vacancy, not a new one. Now the state executive is given power to make temporary appointments in case of a vacancy, not as long as it continues or exists, but only until the next meeting of the legislature, which is then required to fill the vacancy. This clearly means that the paramount intent to have the legislature choose the senators is to prevail, and that, whenever the legislature has had the opportunity to fill the vacancy, either before or after it occurs, the executive has no power to appoint. And when we take the phrase 'If vacancies happen by resignation, or otherwise, during the recess of the legislature of any state,' if we concede that the general word 'otherwise' is not qualified nor limited by the specific word 'resignation' and that it includes vacancies which are caused by efflux of time and which can be foreseen, as well as vacancies which are caused by a casualty or the happening of an unexpected event, and which cannot be foreseen, still it must be construed and defined with reference to the balance of the phrase: so as to give effect to all its parts; and it thus results that the vacancy, no matter how it is produced, must happen, take place, or begin during a recess of the legislature; and this of itself would be decisive against Mr. Quay's claim."

Concluding, the report says: "Thus construed, this clause of the constitution affords every facility for always keeping the senate filled with senators who are the real representatives of their respective states. A senator who is chosen by the legislature of his state is likely to be the choice of the majority of the citizens of his state. A senator who is appointed by an executive is frequently only the personal or political favorite of the executive. "The legislature, as we construe the clause, chooses the senator in the first instance. If he declines to serve or dies before he is inducted into office; or if, after qualifying, he dies, resigns, or is expelled, the executive may make a temporary appointment until the legislature meets again; or if, owing to changes in state constitutions the legislature, which is authorized to fill the term at its commencement, cannot meet until after the term has commenced, the legislature can also make a temporary appointment. "Every contingency is thus provided for except the sole contingency that the legislature will fail to perform its sworn duty. Against a contingency of this kind the framers of the constitution did not intend to provide."

After discussing at length the circumstances under which the constitution was framed the majority announced its conclusion as follows: "We think that the framers of the constitution never contemplated nor intended to provide for a case where a state, by its own deliberate act, should deprive its legislature of the power to fill an entire term at its beginning. In our opinion they never intended to give the executive of a state the power to fill an entire term by original appointment, unless, possibly, in a case where the legislature had chosen and the person elected had refused to accept or died before qualification. In other words, we conclude that the power of appointment was not to be exercised unless the vacancy occurred in the recess of the legislature and was occasioned by some casualty like death or resignation."

The report then quotes numerous precedents, beginning with that of Kersey Johns, of Delaware, 1784, and closing with the case of Henry W. Corbett, of Oregon, in 1838. It then ends as follows: "The statement of these cases and precedents shows that from the beginning of the government down to the present time the senate has never recognized the right of a state executive to make a temporary appointment where the vacancy happened or occurred during a session of the legislature. It shows, further, that for seventy-five years the senate has refused to recognize the right of a state executive to make a temporary appointment, even where the vacancy happened or occurred during a recess of the legislature, if the legislature, either before or after it occurred and prior to the date of the appointment, had had an opportunity to fill it. "The fundamental principle thus established is that if the legislature, either before or after the happening of a vacancy, has had an opportunity to fill it, then there is no power in the state executive to appoint. The result is fatal to the claims of Mr. Quay. No longer nor evil has resulted to the government from the enforcement of this principle. "We therefore, submit that the sen-

Continued on Seventh Page.

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ASSUMPTIONIST FATHERS On Trial in Paris, Charged With Being Royalists. PARIS, Jan. 22.—The trial of twelve Assumptionist fathers began here today before the correctional tribunal. It is alleged they were involved in the so-called royalist and anti-Republican conspiracy. The court was crowded, and a number of ladies were present. The judge opened the proceedings with questioning Father Picard, superior of the order, who denied that he belonged to an illegal association and declared he never took part in the political agitation. The Assumptionists, he added, attended to purely religious questions. Father Picard's counsel then asked for the acquittal of the prisoners. The hearing was then suspended. The trial is attracting much attention.

Prof. Henry Hazen Fatally Injured. WASHINGTON, D. C., Jan. 22.—Henry A. Hazen, professor of meteorology, and one of the chief forecasters of weather conditions at the weather bureau in this city, was probably fatally injured to-night by being thrown from his bicycle. The blow was a terrific one, the skull being cracked from the nose to the back of the head, and causing also a hemorrhage of the brain. Physicians trepanned the skull and removed a large clot of blood from the right side. They say his injury is one of the most severe on record and the chances for recovery are very remote.

Story of a Slave. To be bound hand and foot for years by the chains of disease is the worst form of slavery. George D. Williams, of Manchester, Mich., tells how such a slave was made free. He says: "My wife has been so helpless for five years that she could not turn over in bed alone. After using two bottles of Electric Bitters, she is wonderfully improved and able to do her own work. This supreme remedy for female diseases quickly cures nervousness, sleeplessness, melancholy, headache, backache, fainting and dizzy spells. This miracle working medicine is a godsend to weak, sickly, run down people. Every bottle guaranteed. Only 50 cents. Sold by Logan Drug Co.'s drug store.—6

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