

DRAMA OF THE TRIAL OF COMMISSARY GENERAL EAGAN Charged to Madness by the Insanuation that He Murdered Soldiers for Gain.

WASHINGTON, Jan. 26.—The feature of the proceedings before the Eagan court-martial to-day was the testimony, dramatic in many parts in its quiet intensity, of Commissary General Eagan himself. Not more than fifteen or twenty people outside of the court and a dozen or so of newspaper correspondents were admitted to the trial room. Several witnesses preceded the chief, Eagan.

WASHINGTON, Jan. 26.—When the Eagan court-martial reassembled to-day Judge Advocate Davis stated that he wished to submit formally the testimony of General Miles as read yesterday as an exhibit in this trial, and with this statement, he said, the prosecution rested its case.

Mr. Worthington, counsel for General Eagan, read several exhibits in connection with the testimony given at yesterday's session. These included the correspondence between General Miles and General Eagan, through the adjutant general, in which the latter asked as to whether the interview published in a New York newspaper, in which General Miles is alleged to have severely criticized the commissary general's department, was authoritative. Extracts from the alleged interview were also read and submitted as part of the record.

Colonel W. L. Alexander, U. S. A., of the Subsistence Department, was the first witness called for the defense. He said he returned to Washington the morning of the morning of the day General Eagan gave his testimony before the War Investigating Commission. General Eagan, he said, was hastily going over papers in connection with his testimony and showed signs of great excitement. General Eagan nervously handled the papers and witness had rarely seen a man in such a nervous condition. His manner was so exceptional that he asked Colonel Davis of the Commissary Department, who was present, what he had to say about it.

Colonel George B. Davis, assistant to Commissary General Eagan, was the next witness. He testified that he had been very closely associated with General Eagan during the last several months. He was in the office of the day General Miles gave his testimony before the War Investigating Commission. General Eagan, he said, had become considerably excited and wrote to General Miles, asking as to the truth of the interview published in the New York paper. General Eagan's excitement increased to such an extent that he did not and apparently could not attend to the duties of his office. Later on General Eagan reached his state that he had never known and to any business. The day before General Eagan appeared before the commission, he read his statement to the witness, who urged him to modify it.

General Merritt asked whether, to his knowledge, General Eagan had consulted any one as to the substance of his testimony to be presented to the commission. Colonel Alexander, who had been present, said that he had seen General Eagan at the office of the day before General Eagan appeared before the commission, he read his statement to the witness, who urged him to modify it. General Eagan, he said, had become considerably excited and wrote to General Miles, asking as to the truth of the interview published in the New York paper. General Eagan's excitement increased to such an extent that he did not and apparently could not attend to the duties of his office.

TRAGIC DEATH OF FORMER ATTORNEY GENERAL GARLAND Falls With a Fatal Stroke of Apoplexy While Arguing a Case in the United States Supreme Court.

WASHINGTON, Jan. 26.—Former Attorney General Augustus H. Garland was stricken with apoplexy while addressing the United States Supreme Court at 12:15 o'clock this afternoon and died within ten minutes. The occurrence came with startling and tragic unexpectedness, changing the usual calm and dignity of the court into temporary confusion, while the dying man was carried from the chamber in a futile effort to alleviate his condition.

When the court convened at noon Mr. Garland resumed an argument in the case of Towson vs. Moore, which had begun yesterday. There was a full bench, with the exception of Justices Brewer and White. Mr. Garland spoke calmly and with no evidence of agitation or effort. He had read from a volume and had followed with the sentence: "This, your Honors, is our contention."

As the last word was uttered Mr. Garland was seen to raise his hand and then to gasp. He tottered and fell sideways, striking against a chair and overturning it as he fell heavily to the floor. A succession of loud, deep gasps came from him as he lay on the floor. His associate in the case, Franklin Mackey, was at once by his side with other counsel and officials. The head of the dying man was raised, his shoes removed and a draught of water given him. A deadly pallor had overspread his face, but this soon gave place to a deep purple, which foreshadowed the gravity of the attack. He was carried from the chamber across to the room of Chief Clerk McKenney, and there placed on a sofa. Senator Gallinger, who is a physician, was near at hand. A single glance told him that the attack would be fatal, and within ten minutes from the time of the stroke Mr. Garland breathed his last.

Word of the tragedy was soon noised through the capitol and Senators and Representatives hurried to the court room. The United States Senators, Messrs. Berry and Jones, were among the first to view the body, and followed them was a long line of persons, high in legislative and legal circles, who had been associated with Mr. Garland at various times in his long and notable public service.

Augustus H. Garland was born in Tipton County, Tennessee, June 11, 1832, and received his education at St. Mary's College, Lebanon, Ky., and at St. Joseph's College, Bardonia, in the same State. He was admitted to the bar in 1855, and began practice in Arkansas. He was admitted to the United States Supreme Court in 1880, entered political life as a Whig and was an elector on the Bell and Everett ticket. His first

est tracts to be planted are the Leonard and Captain 500-acre tract and the A. F. Maulhardt 400-acre tract. The planting of beet seed under the contract was completed about February 15 and continues until May 1. The harvesting will commence about the middle of August, continuing until the close of the season in the latter part of November. The rainfall during the month of October was 6.5 inches, and the factory officials are confident of an extra good sugar beet season.

WASHINGTON, Jan. 26.—Secretary of War Alger to-day appeared before the War Investigating Commission. Secretary Alger, in beginning, stated that he had been on duty at the War Department constantly during and after the war with Spain. The chiefs of bureaus in the department, he said, were generally appointed to such places because of seniority, but the President, if he thought proper, could break this rule. When asked in regard to expenditures by the department of the war fund the Secretary replied that the larger part had been devoted to strengthening coast defenses. In anticipation of such an inquiry he had brought with him memoranda, prepared by heads of bureaus, giving details of the expenditures of this fund. Secretary Alger further said that he had never had any cause during the war for complaint of any officers.



public position was that of delegate to the convention in his State, called to confer her relation to the Union after Lincoln's election. He voted for the secession ordinance and was elected a member of the Confederate provisional congress. Afterward he served in the more regularly organized Confederate House of Representatives, and yet later as a Confederate Senator, continuing in the latter office until the end of the war. In 1865 he was formally pardoned by President Johnson, but was not permitted to resume practice in the United States Supreme Court, because of the "iron-clad oath" bar, until he had fought for and won that privilege by a masterly legal struggle. In 1874 he became acting Secretary of State of Arkansas and later Governor of the State. Subsequently he was twice sent to the United States Senate, and in 1885 President Cleveland appointed him Attorney General. He was a delegate to the Chicago convention in 1892, when he was nominated for the office of former chief. Personally he was of markedly genial, and his popularity was great.

AGGER BEFORE WAR COMMISSION Secretary Asked Pointed Questions. DENIES VIGOROUSLY THAT HE WAS BIASED IN EITHER. Declares That He Never Had Any Personal Interest in the Expenditure of Government Funds.

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WASHINGTON, Jan. 26.—The caving in of the bank where the city sewer is being dug on Laurel avenue caused the serious injury of three men. Wilnot, son of Arthur V. Bogart, yesterday fell from a depth of ten feet to the ground, in burying two men under nearly three feet of earth and partially covering the third man. The others who were injured by the caving in were not so seriously injured as had been the case of Mr. Wilnot, who was badly cut about the head and face by rocks and was also nearly suffocated, but was soon resuscitated.

SANTA CLARA ELECTION CONTEST. SAN JOSE, Jan. 26.—The contest begun by E. A. Herrington to oust James G. Campbell from the office of District Attorney opened in Judge Lorigan's court this morning. Agnews and Alameda precincts were counted, with no material change. The official canvass gave Campbell a majority of 29. Campbell kept a count of the vote during the other contests, and claims he should have 100 more votes than were given him. Campbell is also confident that he will gain some.

POLICY OF THE PRESIDENT OPHELD GROSVENOR Declares if Blood Is Shed in the Philippines It Will Be Upon the Heads of Opponents.

WASHINGTON, Jan. 26.—The third day of the debate upon the bill for the reorganization and increase of the regular army passed without notable incident. Its feature was an hour's speech by Mr. Grosvenor of Ohio, whose utterances, rightly or wrongly, are frequently supposed to reflect the views of the President. Mr. Grosvenor declared most emphatically that the present situation in the Philippines was due to the opposition in this country to the ratification of the peace treaty. He announced that the future of the islands was a matter for Congress to decide and that for the President to announce a policy would be for him to usurp the authority of Congress. The friends of the bill continue to express great confidence in the passage of the bill, but they admit that some important modifications will be made. The advocates of a general staff detailed from the line may be successful and the size of the infantry companies may be reduced.

Disimore (D.) of Arkansas opposed the bill. A standing army might lead to disaster, he said. In the course of his remarks Disimore raised a laugh at the expense of Dooliver (R.) of Iowa by recalling a statement made by the latter in a speech during the Fifty-first Congress in which he predicted the free college of silver to be the close of President Harrison's administration. Dooliver called attention to the fact that the speech was made in opposition to free coinage.

Disimore warmly opposed the annexation of the Philippines. Grosvenor (R.) of Ohio followed Disimore. In opposition Grosvenor said he would approach with due solemnity the measure fraught with such far-reaching consequences. He about the same time pointed out his own position, distinctly disclaiming that he spoke for any one else. He did not want to see that there was a distinct, antipodal difference upon the question said to be involved in the bill. He thought that the President had a right to take a stand upon their liberties naturally opposed it vigorously. Despite this alleged opposition the prospect of militarism, he had twice in the history of the United States had the regular army been used save in the Cleveland administration. The idea that the army might be invoked as the result of the Cleveland administration, he thought, was a very serious matter. The idea that the army might be invoked as the result of the Cleveland administration, he thought, was a very serious matter.

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necessities of the United States considered than the standing army which Thomas Jefferson supported. He defended the course of the President relative to the Philippines. He declared there was no justification for the reckless assertions that the administration desired to hold the Philippines permanently. They would be shortly returned to Cuba, and when the islands were pacified, when anarchy had been expelled, when the inhabitants have had a fair trial to express their wishes and form a government then would be the time to sail away. (Jett D.) of Illinois, who is a member of the Military Committee, attacked the bill vigorously, but said he would vote for the minority substitute. He was unalterably opposed to the annexation of the Philippines.

Butler talks for the ex-confederates. WASHINGTON, Jan. 26.—As the Senate seemingly was about to conclude consideration of the pension appropriation bill, late this afternoon Butler (Pop.) of North Carolina offered his amendment, announced some time ago, providing for the pensioning of ex-Confederate soldiers. Upon this he took the floor and delivered a speech, which, as he proceeded, developed into a most unexpected utterance. While his colleagues on both sides of the chamber listened with interest, Butler defended the position taken by the South during the great civil conflict of a third of a century ago. He declared that the South was right and that history would so record, and that every shot fired by a Southern soldier was in defense of the rights of his State conferred by the constitution in self-defense and in defense of his home and friends.

Butler (D.) of Tennessee, himself a distinguished Confederate officer, declared that while the South believed it was right, the occasion was not opportune for the proposition which Mr. Butler had made, and that the Southern soldiers do not desire pensions from the General Government, and he expressed his satisfaction that Mr. Butler had withdrawn his amendment.

Said good-bye and sought death. E. A. Howe, a prominent resident of Sonoma County, attempts to Destroy Himself. SANTA ROSA, Jan. 26.—E. A. Howe, one of the best known and most highly respected residents of Fulton, attempted suicide last night at that place with a pocket knife. He was found by a neighbor, Mr. Howe arose from his seat by the fire and told his wife that he would go to the barn to look after the horses before retiring. Stepping out the back door he disappeared in the direction indicated.

Navad: Legislator Exonerated. CARSON, Nev., Jan. 26.—The investigation committee in the bribery case against Assemblyman Leidy reported this morning that the evidence against the legislator was so meager that he should be exonerated and exonerated him in every measure. An investigation relative to Assemblyman Gillespie was called for by the committee on Jan. 15. Gillespie returned to Carson this morning and says the reason he was absent was that he could not vote for Newlands or Stewart and no Republican candidate had any show to win. He claims the privilege to act that way as his individual right. He was at Virginia City, his home.

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