

HOWISON IS OFF THE BOARD

Dewey and Benham Veto Him Disqualified for Inquiry Service.

COURT MUST WAIT FOR ANOTHER MAN

Cannot Proceed Until Navy Department Fills Vacancy—He Retires with No Personal Regrets.

(Continued from Second Page.)

to give the credit to Schley. In response, he testified, Admiral Howison went on to say that Sampson's standing as an officer and as a man was greatly superior to that of Schley.

Thought Howison Prejudiced.

"What he said," pursued the witness, "inclined me to the belief that he had no use for Admiral Schley." The witness also gave in detail the circumstances leading up to the publication. On cross-examination he was shown the precept and was asked by Solicitor Hanna if Admiral Howison had expressed an opinion on the points in the precept. The witness thought he had not, as many points in the precept were not involved in the conversation. The witness adhered strictly to his first statement.

On redirect examination, Mr. Rayner asked: "What was Admiral Howison's manner during his conversation with you?" "He spoke of Schley in what I would call a sneering way," replied the witness.

There had been no announcement of the names of witnesses who would be introduced to substantiate Mr. Frost's testimony as to Admiral Howison's attitude toward Admiral Schley and the information given was manifested when the next witness, William E. Spoon of the firm of Spoon & Chamberlain, bookellers and publishers in New York and London, made his appearance.

Spoon Recalls Talk on Boat.

Mr. Spoon testified that he had been a passenger on the steamer Minnesota, which had sailed from London for New York on the 11th of October, 1890, and that Admiral Howison also had been a passenger on the same vessel. The witness related that one day during the voyage the Sampson-Schley controversy came up and one gentleman expressed himself as favorable to Admiral Sampson. Mr. Spoon had taken the opposite side, and in his effort to show that Admiral Sampson was not a fit man for that position he mentioned that the admiral had been a member of the Board of Ordnance to agree to the use of smokeless powder by the navy. Admiral Howison walked up to the group and said: "I correct you; this is not so. You men do not know what you are talking about. You don't know anything about it. Sampson is very much respected and looked up to, especially by the younger members of the navy."

Continuing, the witness said that some colloquy had followed, after which Admiral Howison had said: "Anyhow, Schley should have been court-martialed. He was the main cause of all this controversy in the newspapers."

Decidedly a Sampson Man.

Mr. Spoon added that Admiral Howison had seemed much excited during his conversation and that the other members of the party had listened in silence to what he had to say. "From his manner," the witness went on, "I inferred that he was a violent partisan of Sampson and correspondingly prejudiced against Schley. He was not content to correct me, but because he was so seemed willing to say bitter things, almost vindictively, against Admiral Schley."

Mr. Spoon was immediately succeeded by Foster Nichols of Yonkers, N. Y., which is Admiral Howison's place of residence, where Mr. Nichols is interested in naval publications, and had called upon Admiral Howison July 10 for the purpose of securing from him notes for a biography of the admiral. He stated that the day on which the call was made was very hot and that on this account the admiral had asked to be excused from granting an interview. Mr. Nichols said that after this conversation he had produced a copy of the work which his house was getting out, containing sketches of the leaders in the Spanish-American war and containing pictures of Sampson and Schley. The witness said that at the sight of Schley's picture Howison said Schley had no business in the navy and added that if Schley were in the British navy he would have been put out "for less cause than there is in his case."

Nichols Tells Tar Tales.

"I asked," said the witness, "the reason why Schley should have been put out. Admiral Howison replied: 'For disobedience of orders.' I asked why if he disobeyed orders, he was permitted to remain. The admiral replied: 'Because he gave the excuse that he had to go to port or to starboard, everybody knows that coaling at sea is impossible.'"

The witness said that he had expressed surprise at Admiral Howison's attitude and that he replied the admiral had said: "You would not be surprised if you were in touch with the sentiment among naval officers."

Witness said that in response to an inquiry from himself Admiral Howison had explained the Santiago battle occurred by saying: "The explanation is, there had been lack of co-operation between the land and naval forces and Sampson was trying to harmonize them. The day on which the battle occurred was the last day on earth when the Spanish fleet should be expected to come out."

During Mr. Rayner's presentation of the matter Admiral Howison interrupted to say that he could not have said what he was reported by Mr. Nichols to have said concerning the matter of coaling at sea. The court again took a recess to consider the question presented. The court remained absent from the room for about fifteen minutes and when it reconvened Admiral Howison presented his reply to the charges made against himself. His statement was typewritten and was as follows: Following is Howison's statement to the court:

Howison's Statement.

Mr. President and Gentlemen: In reply to the objection to me as a member of this court, I submit a copy of my personal letter to the Hon. Frank H. Howison, which has been made public by the Navy department. I think, it is answered in this letter above referred to.

"I never made any such remark as that in regard to Admiral Schley," he said. "If anything of the kind occurred there it was just as I stated in my answer to you before. If he (Nichols) had stated to me that Admiral Schley had positively disobeyed orders or done something that he ought not to have done, that was liable to be brought before a court-martial. I brought to you and tell you that officers are guilty of such and such things it is natural for you, who knew the regulations and laws of the service perfectly, to say: 'If he is guilty of this thing he should be court-martialed.' And I still say so, as to anybody."

Mr. Rayner—He says: "I expressed surprise that he should feel this way toward Schley, and he said: 'You would not if you were in touch with the sentiments among naval officers.'"

Perfectly Willing to Retire.

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Pick Remarks to Pieces.

Mr. Rayner asked permission to interrogate Admiral Howison. The court granted permission and the examination proved to be one of the most interesting features of the day's proceedings. Mr. Rayner pressed questions persistently, but the admiral did not at any time compromise in his conduct. He was very careful to give no personal opinion on the merits of either admiral, but he did not desire to go into any private discussion, to which Mr. Rayner replied: "I will not go into any private matters at all this morning, but the matter of whether or not you had those conversations with these gentlemen is one which we have to go into. I will not enquire at all on anything that is improper. I will be very careful about that because it is no impeachment of your capacity or of your integrity. It is merely a question of whether your mind is made up on certain subjects." He then asked the admiral concerning Mr. Frost's statement that he (Howison) had said that Admiral Sampson deserved the credit for winning the battle of Santiago.

"I would not know," he said, "whether or not you ever said that to Mr. Frost." "Maybe I did," the admiral replied, respectively, and continued.

"If he was commander-in-chief I probably did say so—not only to Mr. Frost, but to the other officers," he said. "I am merely talking now of the navy orders and regulations and the customs and commander of the service."

Cannot Remember Spoon.

Being questioned as to his statement concerning Mr. Spoon's testimony the admiral replied that he did not remember Mr. Spoon's face, but said he had no recollection whatever of the incident concerning which that witness had testified.

"I tried while he was sitting here," the admiral said, "to remember if I had ever seen the man before and I cannot remember having seen him nor do I remember the circumstances on the vessel. I did come home on the Minnesota. It is not my custom to interfere with people's talk when they are talking outside. I heard them abuse me aboard ship many times when I was executive officer. I have heard them and recognized the men's voices, but I never went to the men about it. I know that they never intended that I should hear it. I never would interfere with a conversation of that kind. It would be unreasonable."

Witness Said That in Response to an Inquiry

Mr. Rayner—And you have no recollection of your saying anything on that voyage in regard to the Sampson-Schley controversy? "I do not remember what I said. I may have said something on that voyage. I do not remember where it does not make any difference."

How It Might Happen.

Mr. Rayner—You do not recollect saying on that voyage to anyone that if Schley had done certain things he ought to have been court-martialed?

Judge Advocate Interposes.

The Judge Advocate—May I ask what feature of the precept is referred to with regard to winning the battle of Santiago? Mr. Rayner—It is involved in three of the specifications. I think, if you will look at the specifications. The first specification directs the court to inquire into his conduct in connection with the events of the Santiago campaign. Now, if the conduct of Admiral Schley at the battle of Santiago was not an event in connection with the Santiago campaign I would like to know what it.

The Judge Advocate—The conduct of Admiral Schley is, unquestionably, not only at the battle of Santiago, but in the whole Santiago campaign. But I may as well say now that the question of Admiral's conduct upon those occasions is not before this court in any way. This is not a comparative question as to whether some one did or did not do better than Commodore Schley. It is a question as to whether Admiral Schley did his whole duty in the Santiago campaign and at the battle of Santiago. And the general question as to whether some other officer of the navy is a better man than Commodore Schley or not a good man is not in any way before the court.

Not to the Point.

Mr. Rayner—That is not the point, may it please the court that I am addressing. We intend to prove that Commodore Sampson was not in command at the battle of Santiago and it becomes a question of who was the commander-in-chief at the battle of Santiago. If Admiral Sampson was not there, then Admiral Schley was the commander-in-chief. And if a judge of this tribunal has already made up his mind that Admiral Sampson, as commander-in-chief, won that battle, it becomes a very pertinent inquiry under the specification as to what was the conduct of Admiral Schley during the Santiago campaign. That will be one of the questions involved here—not a comparison between Schley and Sampson, but as to who was practically, legally, officially and technically the commander at the battle of

Santiago—to whom credit is due. If the admiral had said, credit is due to the officer who was in charge. If there has been an opinion expressed on that point, of course we want to know it, and we want to know if it is such opinion as to throw upon us the burden of proof. Now, I will ask you, Admiral Howison, whether you have not in conversation with anybody else at times expressed yourself upon the proposition that Admiral Sampson was in command at Santiago and deserves the credit of that victory?

General Official Understanding.

Mr. Rayner—Well, that is the general official understanding, that he was the commander-in-chief and the commander-in-chief is ordered by the president of the United States and it is generally understood that he was and if he was there and did his duty then he would be the commander-in-chief, and should have the credit. Being officially the commander-in-chief he deserved the credit of the victory. It depends upon what he did and what he did not do whether the credit part of it comes in.

There was considerable sparring on this point with the conclusion that Admiral Howison said any conclusions would depend on official reports and then, in answer to further questions, the admiral said that he had discussed the controversy in many conversations during the past three years on the basis of newspaper reports. Some things he had said were favorable to Schley and some to Sampson. He never had said that Schley was not-headed and impatient for he never had thought him hot-headed or nervous.

The testimony having been closed, Mr. Rayner in a few words called attention to three statements by the witness which had not been denied. He asked it understood that there is no impeachment here of the admiral's integrity or his capacity or his eminent qualifications and not the slightest criticism of any remarks he made at the time. "He had a perfect right to talk about this matter and to come to his own conclusions, but if the question remained in the admiral's mind in such a condition, it throws upon us the burden of proof to relieve his mind of prejudice that he has against our side of the case."

(The Rayner) asked the court if it did not find the conclusion of the admiral's mind now is this day, that unless he bears something to the contrary Admiral Sampson was the commander-in-chief on that day.

Counsel then reviewed in detail the testimony given and the fact that Admiral Howison's statement was guarded and did not deny any material statements of the witnesses. Mr. Rayner having referred to Mr. Nichols' statement as to what Admiral Howison had said concerning Schley and the English army and also quoting at sea, Admiral Howison interrupted with very polite disclaimer that he never could have made such statement. Following Mr. Rayner's arraignment of Admiral Howison at the English army and also quoting at sea, Admiral Howison interrupted with very polite disclaimer that he never could have made such statement. Following Mr. Rayner's arraignment of Admiral Howison at the English army and also quoting at sea, Admiral Howison interrupted with very polite disclaimer that he never could have made such statement.

Mr. Rayner—Now you just now that you have in your mind substantially admitted that the credit of the battle of Santiago was due to the commander-in-chief and if Sampson were the commander-in-chief, if that comes under any of the specifications of the precept, have you not made up your mind on a very important question that is come before you?

Mr. Rayner—If you have come to the conclusion that Sampson was the commander-in-chief and that the credit of that battle was due to him, have you not made up your mind on a question that is brought to come before you now as judge of this tribunal?

Mr. Rayner—No, sir.

Mr. Rayner—Then, why not?

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"Antonia," by Jesse Van Zile Belden, is a highly romantic story of the Dutch settlements in the new world near the middle of the seventeenth century, when the Hollanders, under the auspices of the Dutch West India company, had away from Manhattan Island to the sources of the Hudson. The story opens with the arrival at New Amsterdam from Holland of Antonia, the beautiful young widow of Roger Van Slyck, a wealthy official of declining years occupying a pretentious residence near that city. The story opens with the arrival at New Amsterdam from Holland of Antonia, the beautiful young widow of Roger Van Slyck, a wealthy official of declining years occupying a pretentious residence near that city. The story opens with the arrival at New Amsterdam from Holland of Antonia, the beautiful young widow of Roger Van Slyck, a wealthy official of declining years occupying a pretentious residence near that city.

Small, Maynard & Co. have in the course of preparation several volumes to be added to their "Century Classics," a most useful series of little volumes.

Kovacs, Platt & Co. of Boston announce for this fall "American Moral Fables," by Pauline King, "Mother Goose's Menagerie," by Carolyn Wells, "Mr. Munchausen," by John Kendrick Bangs, and "A Whist Calendar," by Mildred Howells.

Mrs. Amelia Gere Mason will follow her "Women of the French Salons," issued by the Century company a few years ago, with a new book, "The Country with the Golden Aesop," containing chapters on woman in Greek poetry, Sappho and the first woman's club, the "New woman of Rome," etc.

Four new volumes of the "Century Classics," a series of delightful little books, will be issued by the Century company in a few weeks. They comprise "The Autobiography of Benjamin Franklin," from the original manuscript discovered by John Higginson with an introduction by Prof. Woodrow Wilson; Charles Kingsley's masterpiece, "Hypatia," with an introduction by Edmund Gosse; a collection of Edgar Allan Poe's most famous prose tales, with an introduction by Hamilton Wright Mabie, and a volume of John Ruskin's most characteristic lectures, "Resaume and Lilies" and "A Crown of Wild Olive."

The Baker & Taylor company will publish this fall another book by W. J. Lincoln Adams, the author of "Amateur Photography," "Sunlight and Shadow" and "Nature's Image." Mr. Adams was formerly editor of the "Photographic Times" and an American Annual of Photography and as a manufacturer and editor became one of the most skillful men in the country with the camera. "Woodland and Meadow" is not primarily a book on photography, but is really a series of charming country sketches on a New Hampshire farm, dealing with the phases of life in various seasons. But these papers are grouped about and illustrated by a rare lot of photographs taken by Mr. Adams and others.

Together with the announcement of the much-heralded Aaron Burr romance, "Benedict Arnold," by Charles Felton Wilkinson, is that of the phenomenally successful "Quincy Adams Sawyer," comes the information from the publishers, the C. M. Clark company, that they had actually printed and sold 20,000 copies before the date of publication (three had honest editions of 20,000 each, making a total of 60,000 copies of this much-discussed book. At the time of this announcement two more editions of 20,000 each were under way and it was expected that 100,000 copies would have come from the press before the book was first placed before the public.

Considerable interest has been aroused as to the identity of "C." the author of "Home Thoughts," that delightful and helpful collection of essays recently published by A. S. Estes & Co. Most reviewers are of the opinion that the writer is a woman, but the point of view sustained throughout the book leads a minority to believe the author a man. The book has been cordially received in England, that "land of homes," and is being translated by the Liverpool Daily Post, in an enthusiastic editorial, the London edition of the author to Oliver Wendell Holmes and George William Curtis. A third large edition is in the press.

The above books are for sale by the Megesth Stationery Co., 1308 Farnam St.

Rainin Men Secure Contracts. FRENCH, Cal. Sept. 12.—A mass meeting of rain growers has instructed the directors of the Associated Fruit combine to procure signatures on the new contract up to Wednesday, September 13. There will be a meeting of the rainin men on the following day to take joint action in the matter. Not more than 25 per cent of the acreage has been secured under the new lease. About 60 per cent under the old contracts remain unexpired.

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Don't Go It Blind—Like Mag and the sheep—if you want a good sweater made don't send away so that you can't see what you are getting—take a look at ours—they are at our store for inspection—We always like to show you what you are going to get—We can make it any style, size or color—Send for prices—Remember, we make them.

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