

SAMPSON NOT YET IN IT

Court Does Not at This Time Regard Him as Party to the Case.

SO INFORMS HIM IN REPLY TO REQUEST

He Asks to be Represented in Court, but Has to be Referred—Hood and McCalla on the Witness Stand.

WASHINGTON, Sept. 27.—In the Schley court of inquiry today a letter was presented from Rear Admiral Sampson asking to be allowed to be represented in the court by counsel, but the court refused to grant the request on the ground that "the court does not at this time regard you as a party to the case."

The principal witnesses of the day were Lieutenant John Hood, who commanded the dispatch boat Hawk during the Spanish war, and Captain Bowman H. McCalla, who was in command of Marblehead. The testimony of both these officers related to the delivery of dispatches from Admiral Sampson to Admiral Schley. Captain McCalla gave in detail an account of his arranging a code of signals with the insurgents near Cienfuegos and an account of his communication with them May 27, 1898, when it was learned that the enemy was not in the harbor there. It was stated that Captain Chadwick, who was Admiral Sampson's chief of staff, and the only person at Key West to whom he had communicated the signal code, Captain McCalla expressed the opinion that cooling was feasible off Santiago at the time Schley began his retrograde movement.

Court Opens Punctually.

As usual, Admiral Dewey lost no time today in bringing the court of inquiry to order, and as usual the counsel on both sides of the case were in their seats and prepared to proceed promptly with the business before the court. Captain Lemly estimates that he will be able to conclude the presentation of the government side of the case by the close of next week, if no unforeseen contingency arises to cause delay. He says he will have about fifteen or twenty more witnesses to introduce.

One of the most regular attendants upon the court is Mr. William H. Clayton, the attorney who is understood to be prepared to represent other naval officers than Admiral Schley. He sits outside the rail and does not in any way participate in the proceedings. He said yesterday that so long as Admiral Sampson was kept out of the case he would have nothing to say.

Today's session began with the recall of Captain Wise to make verbal changes in the official copy of his testimony. He altered his previous statement concerning the order of the Navy department of May 20, 1898, in which he was directed to "inform every vessel off Santiago that the flying squadron is off Cienfuegos," saying that he desired to correct his response to the court's question as to why this order was not carried out by stating it had been carried out. "The flying squadron was ordered to proceed with all possible dispatch," he continued, "I did not desire to inform the commodore of the flying squadron of his movements. The order was to inform commanders of the movements of the flying squadron."

Contradicts Captain Harber.

Lieutenant Spencer S. Wood, who commanded the dispatch boat Dupont during the Spanish war, was then called and confirmed his testimony, begun yesterday. Mr. Rayner resumed his cross-examination. The witness said that while off Cienfuegos he had been on duty with the Hawk from the night of May 22 and had been instructed to signal the squadron with two red lights in case the enemy's torpedo boats came out of the harbor.

Mr. Rayner then read from the testimony of Captain Harber of the Texas, saying that there had been a dark squall with rain from the line of the fleet off Cienfuegos. The witness said that the statement was wrong. Captain Lemly said Captain Harber had testified that there were no pickets "so far as he could recall," to which Mr. Rayner responded, "We are not impeaching Harber's veracity. We are questioning his recollection, not his integrity."

Mr. Rayner—Captain Harber has stated that there were no pickets boats at Cienfuegos. He was wrong, was he not? "He was," replied the witness. "I have since seen that the commander-in-chief has also reported that the Dupont was not here. I have written the department that I was there. Other people forgot about it, too."

By the Court—Could you see the Texas from the Dupont during the nights of May 22 and May 23?

"No, sir."

Hanna Objects.

Mr. Hanna objected to Mr. Rayner's methods of questioning, especially to his characterization of Captain Harber's testimony as wrong, when Captain Harber had said distinctly that he only "spoke from his best recollection." "Is an indirect impeachment of the witness?"

Mr. Rayner again insisted that he had only intended to bring out the facts. Mr. Hanna asked what steps had been taken while the flying squadron was off Cienfuegos to ascertain if the Spanish fleet was inside the harbor there. "None that I know of," was the response. "Was there any effort to destroy the shore batteries there?" The witness replied that he knew of none. He said, replying to another question by Mr. Rayner, that vessels in the inside harbor could not have been discerned from the outside.

Lieutenant Wood was then dismissed and

as he was leaving the court room Mr. Hanna took occasion to say: "I will make an announcement while we are waiting. There has been introduced before the court a question of the correctness of the identity of a certain very important dispatch sent by the Harvard, May 27, from off Santiago by the commanding officer of the flying squadron. It appears that in the process of translation from the commander-in-chief to the department some changes in the language of the dispatch occurred. I do not desire at this moment to interrupt the proceedings by any discussion of that point, but I shall merely make the announcement here that we do intend to enter into that matter very fully and completely; that is to say, as fully and as completely as the court may desire before we leave it."

Lieutenant John Hood, who, during the war, commanded Hawk, was the next witness. He said that on May 23 he had delivered dispatches from Admiral Sampson to Admiral Schley, when the latter was off Cienfuegos. He related that he had been called to the New York—Admiral Sampson's flagship—on May 21, when the officers on board were preparing dispatches. He spoke of the presence of Admiral Sampson.

Rayner Objects Again.

Mr. Rayner objected to the introduction of the conversation, saying that the orders would speak for themselves and must necessarily supersede any verbal investigation. The question was argued at some length. Mr. Rayner closing the judge advocate said: "An objection of this character is almost equivalent to withdrawing the request for an investigation. He has asked to have the judgment of his brother officers in this matter. Let us have it and don't put technical objections in the way of having the investigation."

"I only desire to state that while this is our investigation, these are your specifications under the precept. We asked for this investigation and instead of letting us give the precept under which we would like to read the inquiry take place, you form a precept of your own. Here is an applicant who asks for a court of inquiry under specifications framed by others and not by himself."

The court retired to consider the objection, remaining out longer than on any previous occasion. Admiral Dewey read the court's decision as follows:

Schley's Counsel Sustained.

"The court sustains the objection of counsel, so far as it relates to conversations that took place on board New York, but this ruling does not apply to any verbal orders which the commander-in-chief directed witness to convey to Commodore Schley."

In reply to a question put in accordance with this decision, the witness said that his instructions were contained in the memorandum handed him to be delivered to Admiral Schley, which was read to him. The witness then read dispatch No. 3, from Sampson to Schley, May 21, telling the latter that the Spanish squadron was probably at Santiago. He also read Brooklyn's receipt memorandum, showing that this dispatch as well as the accompanying memorandum had been received at 8:15 a. m., May 23. The witness identified those as the orders he had carried. He also said he had carried two other envelopes, one containing letters from the department, and the other a memorandum he had not read.

He said he had arrived at Cienfuegos at 7 a. m., May 23, and had gone aboard Brooklyn for the purpose of delivering the dispatches.

Sampson Orders Fleet to Santiago.

In response to a request from the judge advocate, Lieutenant Hood related the conversation he had had with Admiral Schley after delivering the orders, saying that he (the witness) had told the admiral that it was Admiral Sampson's wish that the flying squadron be ordered to proceed immediately to Santiago, as his information was very positive. His statement was as follows: "Commodore Schley read the dispatches and then turning to me said, 'Captain, Admiral Sampson wishes me to go to Santiago. I cannot do it.'"

Commodore Schley said that the admiral certainly expected the squadron to leave the instant I arrived. Commodore Schley then said, in nearly these words: 'I am not at all satisfied that the Spaniards are not here in Cienfuegos besides the ships, all want coal; that Massachusetts, Texas and Brooklyn wanted so many tons of coal that the day before Sampson had sent him down Iowa, with only half its coal supply, so that it could not go anywhere; that it was useless to send ships down there only half filled with coal. I told Commodore Schley that I had passed a collier conveyed by a gunboat only a little before daylight that morning, and it would certainly be there with at least 4,000 or 5,000 tons of coal within two or three hours. He referred again to his belief of the Spaniards being in Cienfuegos and stated that he had heard some firing about forty miles from port, which he took to be a welcome to the Spanish squadron; he had also seen some smoke which he conceived to be the Spanish squadron and he believed they were there.'

Schley Reluctant to Leave.

"I said to Commodore Schley again that the information which he had considered as definite; he had no doubt but that the Spanish squadron was at Santiago. Commodore Schley then said to me: 'Captain Sampson does not understand. He is not on the spot and cannot judge.' I also informed Commodore Schley that they certainly expected the squadron to leave immediately and that I have had verbal orders from the commander-in-chief which do not appear in my written orders, to remain with Hawk alone at Cienfuegos after the squadron had left

CZOLGOSZ GROWS TEARFUL

Makes Auburn Prisoner Echo for Hours With His Wailing.

JAILER HAS GUARDS ALWAYS AT CELL

Will Give No Opportunity for Escape or Suicide—Assassin Now Regrets Committing His Terrible Crime.

AUBURN, N. Y., Sept. 27.—Czolgosz, President McKinley's murderer, in the custody of Sheriff Caldwell, arrived in Auburn, and twenty-one deputies, arrived in Auburn at 3:15 a. m. The prison is only about fifty yards from the depot. Awaiting the arrival of the train there was a crowd of about 200 people. Either for fear of the crowd, which was very demonstrative, or from sight of the prison, Czolgosz' legs gave out and two deputy sheriffs were compelled to practically carry the man into the prison. Inside the gate his condition became worse and he was dragged up the stairs and into the main hall. He was placed in a sitting posture on the bench while the handcuffs were being removed, but he fell over and moaned and groaned, evincing the most abject terror. As soon as the handcuffs were unlocked the man was dragged into the principal keeper's office. As in the case of all prisoners, the officers immediately proceeded to strip him and put on a new suit of clothes. During this operation Czolgosz cried and yelled, making the prison corridors echo with evidence of his terror. The prison physician, Dr. John Gerlin, examined the man and ordered his removal to the cell in the condemned row, which he will occupy until he is taken to the electric chair, the doctor declaring that the man was suffering from fright and terror, but said that he was shamming to some extent.

Especially Sorry for Mrs. McKinley.

The collapse of the murderer was a surprise to everyone. Enroute from Buffalo he showed no indication of breaking down. He ate heartily of sandwiches and smoked when not eating. He talked some and expressed regret for his crime. He said: "I am especially sorry for Mrs. McKinley." He reiterated his former statement that he had no accomplices and declared that he never had heard of the man under arrest in St. Louis who claimed to have tied the handkerchief over his hand, concealing the pistol with which the president was shot. He says the handkerchief was not tied. He went behind the Temple of Justice, arranged the handkerchief so as to hide the weapon and then took his place in the crowd.

To Jailer Mitchell he sent this message:

"Tell father I'm sorry I left such a bad name for him."

Czolgosz was in normal condition this afternoon and seemed to have fully recovered from his collapse.

There are five cells for condemned men in the prison and Czolgosz was placed in the only vacant cell, so all are now occupied. Two keepers are constantly on guard in the room, which is separate from the prison proper, to guard against an attempt on Czolgosz's part to commit suicide. Two more guards have been added, and one will constantly sit in front of Czolgosz's cell and will have a key, so that any attempt at self-destruction may be easily frustrated.

NEBRASKA A CELERY STATE

Industry in the Western Part of the State Promises to Assume Gigantic Proportions.

W. L. Keller of Kearney was in the city yesterday in the interests of the celery growers of that city. The celery industry of Kearney has grown from a small beginning in the last few years until it amounts to a business of state importance. About twenty years ago a young man named Kearney planted a lot of celery and the returns were out of all proportion from any other crop that season. He was thus encouraged to continue and his neighbors became interested. This spring about 200 acres were planted, of which about 100 acres of the drouth about fifty acres were lost, leaving the net acreage at 122. The land upon which the celery is grown is a sandy loam, having underground irrigation, it being possible to reach water within two or three feet of the surface. As a result the beds are always moist. The work is said to be less tedious than the growing of sugar beets. One acre will produce from 21,000 to 30,000 bunches, which sell in Omaha today for an average of 15 cents per bunch.

BOURKE SEEKS MONEY BALM

Cuming County Man Brings Suit Against Railroad Company for \$35,000.

Because of injuries received on the Chicago, St. Paul, Minneapolis & Omaha railway at Bancroft, Neb., John Bourke comes into United States circuit court asking that road to pay him \$35,000. The company by its attorney admits the accident, but insists that it was all the fault of Bourke. A transcript of the plea in the petition from the district court of Cuming county, which reached federal court yesterday, describes the accident as occurring at 9 o'clock on the night of August 12 last. It is stated that Bourke was driving across the tracks when he was caught by a string of freight cars.

Bourke says that he and his rig were carried about fifty feet and that when he got out of the mixup he had a broken leg, mashed heel, ankle and crushed foot. He has since been in bed, where he will be confined for many months, and he alleges that the injury is permanent.

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SOLDIER PAYS DEARLY FOR NAP

Private Stignaber Yields to Drover's Lure on Duty and Will Spend Four Months Repenting.

General Courts-martial at Forts Rist and Robinson have been grinding a grind the last few days.

Reports of four recent judgments of the two bodies have just reached army headquarters here. "Asleep at his post" was the charge upon which Private Martin Stignaber was brought before the court-martial at Fort Riley. And because this cavalryman swayed one brief nap when on guard duty he will spend four months in prison at hard labor, and for each of those months \$10 will be deducted from his stipend of \$17.70. He is a member of Troop B, Fourteenth cavalry.

At Fort Robinson George Stone, a cav-

STUDIOUS GIRLS.

School Days are Dangerous Periods With Our Girls.

A Chicago Girl Relates Her Experience.

Judging from the letters she is receiving from so many young girls Mrs. Pinkham is inclined to believe that our girls are pushed altogether too near the limit of their endurance nowadays in our public schools and seminaries.

Nothing is allowed to interfere with studies, the girl must be pushed to the front and graduated with honor; often physical collapse follows, and it takes years to recover the lost vitality, — often it is never recovered.

The dawn of womanhood is always a danger period and it is made doubly so by over exertion in study or work.

All young girls at this period of life are earnestly invited to write Mrs. Pinkham for advice; she has studied in a motherly way hundreds of young women; her advice is freely and cheerfully given, and her address is Lynn, Mass.

The case of Miss Anna Oettinger, whose portrait we publish herewith, is a fair example of over estimation of physical endurance. Read her experience, and how she was cured by Lydia E. Pinkham's Vegetable Compound.



MISS ANNA OETTINGER.

President of the Young Ladies Sodality, St. Alphonse Society, of Chicago.

"DEAR MRS. PINKHAM:—To be a well woman once more seems little short of perfect happiness. For two years I suffered intensely with nervousness brought on by falling of the womb and general weakness of the female organs. I had leucorrhoea which sapped my strength, and although the doctors said an operation would be necessary I felt too weak to think of undergoing such an ordeal. One of my classmates who had suffered afflictions and been cured through the use of Lydia E. Pinkham's Vegetable Compound, advised me to try it, and I was only too glad to do so. I thought there was little hope for me, but was happily disappointed in finding that I soon began to feel better and stronger. I used 15 bottles before I was entirely well, but it was worth one hundred dollars a bottle to me, for it brought me new life and perfect health. Accept a grateful woman's thanks."—ANNA OETTINGER, 1244 Seminary Place, Chicago, Ill.

Lydia E. Pinkham's Vegetable Compound is the one sure remedy to be relied upon at this important period in a young girl's life; with it she can go through with courage and safety the work she must accomplish, and fortify her physical well being so that her future life may be insured against sickness and suffering.

"DEAR MRS. PINKHAM:—I thought I would write and tell you what your medicines have done for me. I suffered with pains in my stomach nearly all the time for one year; had no color in my lips or face and I felt dull all the time. I tried the doctor, but he did me no good. Since taking Lydia E. Pinkham's Vegetable Compound and Blood Purifier I am now well. Your medicines have done me so much good that I cannot praise them enough."—MISS MABEL CLARK, Starkey, N.Y. (April 10, 1901.)

Take Lydia E. Pinkham's Vegetable Compound and be well.

\$5000 REWARD.—We have deposited with the National City Bank of Lynn, \$5000, which will be paid to any person who can find that the above testimonial letters are not genuine, or were published before obtaining the writer's special permission. Lydia E. Pinkham Medicine Co., Lynn, Mass.

Important Announcement

We have been fortunate in securing the sole agency for

SMITH'S GREEN MOUNTAIN RENOVATOR

a preparation made in Vermont from the roots and herbs of the Green Mountains. We know all about it, what it has done, and what it can do,

AND WE GUARANTEE IT TO BENEFIT OR MONEY REFUNDED.

In all Blood and Nerve Disorders. We guarantee it to cure Rheumatism. We guarantee it to cure Dyspepsia. We have the medicine in our store now.

WE KNOW IT TO BE THE BEST

PREPARATION ON THE MARKET.

We Guarantee It.

BOSTON STORE DRUG DEPT., SOLE AGENTS.

51 YEARS IN THE LEAD. NEVER EQUALED. PERFECT BAKERS. EVERY ONE GUARANTEED. LAST. MADE BY CHARTER OAK STOVE & RANGE CO. ST. LOUIS.

A Good Friend. Don't take Ayer's Sarsaparilla if you are well. Don't take it simply because you are sick. Take it for what the doctors recommend it and you will like it, become fond of it, for it gives health, strength, vigor. I suffered terribly for twelve years. The doctors said my blood was all turning to water. I then tried Ayer's Sarsaparilla, and soon my health was fully restored.—Mrs. J. W. FIALA, Hadlyme, Conn. J. C. AYER CO., Lowell, Mass.

Woman's Work in Club and Charity. The annual reception and fall opening of the work of the Young Women's Christian association will be Monday evening in the parlors of the association and the board will formally introduce the new general secretary, Mrs. Emma Byers, to members and friends. Devotional exercises, led by Mrs. Tilden, will begin at 8 o'clock. Mrs. Lillian Harford will present the association's report and after a piano solo by Miss Ella Ethel Free she will deliver the welcome to the new secretary. Mrs. Byers' response will be followed by a song by Mrs. Allen P. Ell. This year will be the general introduction and refreshments will be served. The devotional committee has arranged for Sunday gospel meetings to begin the first Sunday in October. Mrs. Harford will conduct a class in the study of the Bible as literature. These classes will meet Friday evenings at 7 o'clock. Mrs. Byers will lead the general Bible study classes on Thursday evenings at 7 o'clock and will also conduct a class in the Bible and Shakespeare. There will be an afternoon class, the day to be announced later. The educational committee has been active outlining a full schedule of the classes, which will be issued soon. From the present enrollment the membership in the gymnasium classes promises to be larger this fall than ever. The girls purpose to resume the social features that proved attractive last year will be the general introduction and refreshments will be served. The gymnasium schedule is: Monday and Thursday—High school girls,