

OLD GLORY FLOATS

AT LAST OVER CUBAN SOIL AND SPANIARDS FLEE.

SPANISH RAMPARTS OURS

FIRST LARGE DETACHMENT OF MARINES LAND.

Spaniards Scamper Before the Conquering Heroes without Firing a Single Gun or Shedding a Drop of Blood.

Calmanera Blockhouse, Guantanamo Harbor, June 10, by the Journal's Dispatch Boat, Simpson, to Mole St. Nicholas, June 14.—The first considerable detachment of American troops to land on Cuban soil to assist in the campaign that is centering about the harbor at Santiago was effected here this afternoon.

It was exactly ten minutes past 2 o'clock—this was twelve minutes ago—that Color Sergeant Richard Sulvey, company C, first battalion of marines of Brooklyn, N. Y., planted the flag on top of the smoking ruins, amid the frantic shouting of 900 Americans.

At this first shout of American soldiers—a reminder of the yell that made the soldiers of the old southern states famous—floated out over the water, it was answered by a furious salute from the Yankee and the Yosemite, the two vessels that had acted as convoys for the troop ship Panther.

As this dispatch was written, the men from the troop ship are swarming from the beach to the blockhouse. The blockhouse stands on the summit of a hill that rises 150 feet above the surrounding country. The Spaniards can still be seen in the distance, beating a hasty retreat, utterly demoralized by the movements of the Americans for the past twenty-four hours.

Just below the hill is a small fishing village, at the entrance to Guantanamo harbor. Three days ago it was inhabited by the fisher folk who were assured by the Spanish garrison that the Americans would never be able to effect a landing.

These houses are now a mass of flames. As the marines landed the torch was applied to them, and the fishermen and their families, thankful to be allowed to depart with their lives, fled in every direction.

A squad of officers stood in the single street of this village as the American troops passed through. When the last of the inhabitants had fled, they gave the order that the houses should be fired.

Even in the excitement, care was taken that it should be fully understood by the men that this act was one of precaution, and not of wanton destruction. It was deemed necessary to burn the cabins as a safeguard against the spread of yellow fever.

While the marines were landing from the Panther the battleship Oregon, the cruisers Marblehead, Yankee, Yosemite, the torpedo boat Porter, the Dolphin and Vixen, accompanied by a collier, lay in the harbor to protect them.

It was believed by the first detachment of marines which left the ship that it would be necessary to shell the surrounding country to prevent the troops from running into a dangerous ambush. The Yankee and Marblehead had shelled the country back of the beach for some distance up and down the coast on Tuesday, when a Spanish gunboat was surprised and put to flight.

A reconnoitering party, sent ashore in advance to the first boatload of marines, reported the coast safe, and the anticipated shelling was dispensed with.

The Panther arrived at the entrance to the harbor, under escort of the Yankee and Yosemite, at noon. She had 900 sailors and marines aboard, who were to constitute the landing party. All of the vessels steamed slowly into the harbor and cast anchor.

Almost simultaneously the small boats of the Panther were lowered, already loaded with the tents, supplies and accoutrements of the landing party.

As the marines and sailors went over the side of the ship and the towing line of the small boats was caught up by the steam launch, the frightened Spanish garrison fled in dismay towards the fishing village.

Like all Cuban harbors, the entrance to the one at Guantanamo is long and tortuous. Guantanamo is fifteen miles inland, only the cable station, the blockhouse and the shelter for the pilots being at the entrance.

It was impossible to impress the services of a native pilot to take the vessels into the harbor, as the houses in which the pilots live at the entrance of the harbor were deserted.

It was found that the cable station was in ruins, having been completely demolished by the shells that were poured indiscriminately into the mouth of the harbor by the Yankee and Marblehead.

As the first detachment of the landing party put off from the Panther, there came prolonged yells from the deck of the Oregon, the gun crews, men-of-war-men and marines being permitted to come on deck along with the officers, when it was seen there could be no use for the big guns of the warship.

This yell was taken up by each of the other American ships in turn, and cheered the men on until the music of their bugles called as the boat touched shore.

Before 100 men had reached the blockhouse fire could be seen bursting through the crevasses between the logs and in less than twenty minutes was completely enveloped in them.

As soon as it was found that a landing was a success and that no resistance was to be offered by the Spaniards a careful inspection was made of the cable station.

It was found that one solid shot had cut the wires on the side of the building and that another one had smashed the dry batteries and the instruments inside.

The place is admirably adapted for a rendezvous for the fleet and is to be used for that purpose. The complete success of the landing expedition, without the injury of a single man or the wasting of a pound of ammunition, is highly gratifying.

The discipline of the men, and particularly naval reserves, who were engaged in the undertaking, is perfect. They seemed disappointed that there were no Spaniards who would remain to face them in a fight, for they are as anxious to prove their mettle as they are to display their patriotism and discipline. The guard is being mounted about the blockhouse to prevent a surprise from the Spaniards, though such a thing is almost beyond the range of possibilities.

The order of marching, which was at first regular, the men falling in as they would at drill, was broken as soon as the order to charge the blockhouse was given and they sallied across the intervening space of 200 yards at a full run.

PLANTS THE COLORS.

The heat drove the men down the hill for a minute or two, and the Color Sergeant Richard Sulvey broke from the ranks, and running into the midst of the smoking ruins, planted his flag.

OMAHA IS SECURE.

Lawlessness and Crime were Never at a Lower Ebb.

Omaha, Neb., June 14.—Omaha never was freer from lawlessness and crime than it is at this time. Naturally a gang of criminals of high and low degree make it a business to follow up all kinds of big gatherings, but the police authorities of Omaha, acting upon the old saw, "an ounce of prevention is worth a pound of cure," have been able to forestall a large per cent of the prospective exhibition criminals and nipped their plans in the bud. This is evidenced by the fact that there have been no holdups for several months, no burglaries, and petty thieving is no greater now than usual.

Con. Gallagher, chief of police, has been a resident of Omaha for 30 years. He is a broad-gauged, practical man, and a splendid organizer of men. For the first time in over ten years Omaha's police force are working as one man. Heretofore the effectiveness of the service has been greatly impaired because of quarrels and factions among officers and men, but now everything is harmonious.

Kansas City, with a population less than Omaha's and covering only sixteen square miles, has 208 policemen. Omaha, with a larger population and covering twenty-four square miles, has only 84 policemen. However, the number has been recently increased to 116. Yet the criminal record of Omaha is better than that of Kansas City.

The chief, who is making a splendid record at the head of the Omaha police, has done wonders since the opening of the exposition in driving away, before they had an opportunity to start, the mischief, the army of thugs and grafters who usually swarm to the opening of a great exposition like bees to a sugar boiler. Chief Gallagher made his plans for the especial entertainment of these individuals long before the fair opened. He determined that the society for the quick accumulation of other people's money would not hold its annual convention in Omaha this summer. His men met most of the light-fingered gentry at the depots and either sent them out of town on the spot or locked them up.

The skillful work of Chief Gallagher has been manifest ever since the exposition opened. In spite of the enormous crowd of opening day, only a few reports were made of the work of crooks, and these were confined to isolated cases of cheating gamblers. In the majority of these cases the thieves were afterward run down and the property restored.

Chief Gallagher's course is meeting with the hearty approval of the citizens, and the Trans-Mississippi exposition has one more thing to boast of over the other expositions and fairs. It preceded it—a total absence of any epidemic of crime or carnival of law-breakers, who, like the more honorable portion of humanity, are addicted to "following the crowd."

Some of the slanderers of Omaha would have you believe that the city is not under their thumbs that everything about it is either weak or bad. That the force has become suddenly inefficient; and that the chief of police and his subordinates are leaders in a gang of cutthroats. The absurdity of such vile stuff being sent out broadcast over the country can only be accounted for on the grounds of jealous rage or insanity.

Chief of Police Gallagher is a gentleman of unimpeachable character, whose moral worth is recognized by everybody who knows him and whose private and official life even human hyenas dare not assail. Under him are Captain Mostyn, who has been in the police service 16 years; Captain Haze, 15 years; Captain Sigwart, 15 years; Sergeant Behouk, 15 years; Sergeant Har, 8 years; Sergeant McGrath, 5 years; Sergeant King, 12 years; Sergeant Haller, 8 years, and Sergeant Whalen, 15 years. Men on the force range in point of service from 20 years down to new recruits, and over 75 per cent of them have an average service to their credit of over 5 years, and 18 out of the 40 new recruits have formerly been in the police service.

The subject of police regulation is always of importance to all the people who expect to have business in Omaha, and at this particular time it is desirable that the exposition city shall not be especially dangerous.

Omaha's police force was never in better working form. No better service was ever rendered, and there never was less crime in Omaha than now.

Judge Baker of the Douglas county district court has overruled the motion of the Omaha National bank to compel the state to make its petition more definite and certain by setting up how much money was paid on ex-Treasurer Bartley's warrant by the bank, and how much by its president, J. H. Millard. The suit is that involving \$201,885.75 paid by the bank on an alleged illegal state warrant.

Shippers and farmers who come to the stock yards report heavy falls of rain throughout the state. In many portions of the country it is said that owing to the excessive rainfall farmers are unable to get into the fields to plow their corn, and as a consequence, the weeds are getting a good start. The indications, however, are that there will be a bountiful yield of corn and small grain this year.

A BAD SHOWING

DEAF AND DUMB SCHOOL DRAGS BEHIND.

WILL BE IMPROVEMENT NOW

TWENTY-NINE YEARS OF REPUBLICAN MANAGEMENT.

Not a Single Graduate Could Carry Out the Studies at the Higher School at Washington—Business Affairs Also in Bad Shape.

Omaha, June 15.—The people of Nebraska will remember what a furor was kicked up because Governor Holcomb asked for the resignation of Prof. Gillespie, who had been for nearly twenty years in charge of the Deaf and Dumb School in the suburbs of this city. It was claimed by the republican politicians that the governor was committing an outrage. But later events only prove that it was only the outgoing of another political striker who had mismanaged the business affairs of the institution and whose weakness and inability to handle the school is attested by the fact that not a single one of the unfortunates who graduated at the school was ever able to keep up the work in the higher school at Washington.

The Nebraska Mute Journal says: "During the twenty-nine years of the existence of the school it has had but four different managements."

For nineteen of these twenty-nine years it was continuously under one management. And a generous-hearted people granted all the money asked to support the school that the best possible results might be had.

A loyal and confident people taxed themselves, to the limit of their ability to pay, that the deaf of Nebraska might receive an education as the deaf in any other state.

It is a well established law that all plants are known by their products; schools will come under this rule, and by their products they must be judged as to their success or failure.

The Nebraska government supports a college for the deaf at Washington. Here the graduates of different state schools meet and their ability to remain in college will depend upon the kind of an educational foundation that has been laid by the course of instruction in the primary school.

Nebraska has not, up to this time, sent a deaf person to Washington that has been able to carry the college studies. Many of the graduates have tried it and all have failed. In answer to an inquiry in regard to this condition, Dr. E. A. of the college says: "I am not prepared to explain the reason why no graduate of the Nebraska school has been graduated from the college." Dr. E. M. Gallaudet, president of the college, says: "One of your pupils, who was a student here some time since, was a very good scholar and he had graduated with honor had he applied himself diligently to study. It was owing to a lack of application that she was constrained to drop out."

"Those of your pupils who came to us a couple of years ago seemed to be of a high order of scholarship. They had a good degree of intelligence, but were not able to master the advanced studies, which naturally were placed before them here."

"They seemed to have done well in the primary course as they passed creditable examinations for admission."

In regard to this examination it is only fair to those pupils to say that the impression prevails in the Nebraska school that the unfortunates who are sent to Washington are drilled on the questions to be used in the examination, and thus they were deceived, and led to believe that they possessed what they did not have, and by that act, combined with similar deceptions during the primary course, the pupils were incapacitated to receive a higher education.

It is bad enough to rob a helpless deaf child of the money a loving parent has sent to pay for needed clothing, but it is a thousand times worse to rob the child of the power to acquire a higher education.

The people of Nebraska are not ignorant. There are only 3 per cent of her inhabitants that cannot read and write. This is less than any other state in the union. Hence our deaf come from the most intelligent class of people in the United States, and there is no excuse for Nebraska's deaf making failure when they reach the college at Washington, unless it lies in the bad work done in school during their elementary course of instruction.

The state of Nebraska guarantees to each child, whether possessed of all its normal faculties or not, an education. It is the purpose of the present management to make that guarantee good for the deaf of the state.

The graduates of our high schools, universities and other educational institutions are able to hold their own in the schools of the world against all comers. If the deaf of our state have not been so educated as to be able to compare as favorably with the deaf of other states, then Nebraska is failed to do as well for her deaf as for her hearing children.

This is an educational institution and in the future will be treated as such. It is not in any sense of the word an asylum for the deaf child or the hearing teacher.

The mind of the deaf child, like that of the hearing, can receive instruction only at the time of thought-action. A competent teacher will know how to arouse and interest the mind of the child to the point where educational processes are going forward. We expect only such teachers "to take part of this work with us."

Our exchanges were very free with their criticisms when the governor of Nebraska made a change in the management of this school. We felt then, and now, like praying the prayer of the crucified one when on the cross: "Father, forgive them, for they know not what they do."

SAMPSON IS IMPATIENT.

Nobody Can Understand This Dilly-Dallying.

Kingston, Jamaica.—(Special.)—On dispatch boat, Off Santiago.—Rear Admiral Sampson says and authorizes the press to print:

"If I had 10,000 troops I could occupy Santiago within forty-eight hours. All naval officers wonder why no land forces are furnished. Santiago's defenses are now practically demolished, but delay means repairs, remnants of small arms and placing Cervera's Hotchkiss twelve-pounders in their old positions. This week the plan of sending the difficulties of that of last week if given little time Cervera can cover the land and sea approaches by four eleven, two ten, forty six-inch and over 100 six-pounders and smaller rapid-firers. Sampson's daily reports show that these guns have not yet been removed from the ships, but the admiral is most anxious for troops before Cervera plants batteries costing rivers of blood to take."

The Cuban Garcia is nearing Santiago and probably has 1,000 men and twelve Hotchkiss twelve-pounders. Sampson is considering the plan of sending his own field artillery ashore to assist Garcia if he arrives soon and taking Santiago before the troops get there.

Garcia's troops are the best disciplined of the Cubans used to support artillery. The steep hills surrounding Santiago are excellent for bombardment, signaling and assault. The night risk of torpedo boat attacks is wearing greatly on the fleet. Even fighting Bob is growing worn. Sampson appreciates this, but is determined that no Spanish cruiser shall escape. He said to me: "Especially after the other night's fighting, the work of our captains has been great. Neither can the crews stand the night strain and be at their best. But we must keep right close up so that by no possibility, no darkness and by no storm can the Spaniards escape. It is said the sinking of Merrimack at Santiago and its cable connections. Sampson is determined to do something even if unaided by troops. Before this reaches you Guantanamo will have been taken and the first American base established in Cuba. The fleet needs Guantanamo bay for coaling, for the repair of the cable connections for Santiago and its possible reinforcement. The mountains between are fine landing places for infantry, both east and west of Santiago and if Cervera is not given time for extensive fortifications Santiago can be cheaply taken if the troops are not quite so splendidly target practice."

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HIS TRIAL ENDED.

EX-TREASURER BARTLEY IS BROUGHT TO JUSTICE.

G. O. P. MACHINE BROKEN.

PUBLIC OPINION FINALLY FORCES COURTS TO ACT.

On the Eve of Another State Campaign the Supreme Court Hands Down its Decision in the Bartley Case which Lands Him in the Pen

Lincoln, Neb., June 14.—The supreme court has handed down the opinion on application of the attorneys for ex-State Treasurer J. S. Bartley for a rehearing.

The decision of the supreme court is an affirmation of the former holding and of the judgment and sentence of the Douglas county district court, under which Bartley was sentenced to twenty years in the penitentiary and to pay a fine equal to double the amount of the state warrant for \$184,000 and interest, which he was convicted of embezzling.

The clerk of the supreme court sent the mandate to the sheriff of Douglas county, which commands him to execute the judgment of incarceration in the state penitentiary.

The attorneys for Bartley set up in their brief on the rehearing that undue haste had been made in passing on the case by the supreme court and conduct of the trial judge, Baker, and the language of his instructions to the jury were set up as reasons why a new trial should be granted. The supreme court in the opinion handed down says that there is found nothing in the record to warrant a setting aside of the former decision, which is reaffirmed.

The former hearing before the supreme court and the review by that court of the record of the trial in the district court was decided last winter, the opinion being handed down by Judge Norval, which affirmed the lower court's rulings, just before the reorganization of the court by the retirement of Chief Justice Post and the entering upon his office by Judge Sullivan.

One of these was that there was no handling of money, actual specie, in the transactions charged; another attacked the constitutionality of the state debt law, and another went to the jurisdiction of the district court of Douglas county to try the case.

The syllabus of the opinion, which is written by the chief justice, follows: "First—The provisions of section 429 of the criminal code to the extent they relate to the matter of proof, held not governable of the question of proof in this case."

Second—The conclusion announced in the former opinion (see Bartley vs. State, 73 N. W., 744) approved and adopted, and having been then and therein fully stated, are referred to and need not be restated here.

Third—The judgment and sentence is affirmed.

As to some of the points reviewed, the opinion says: "It was a subject of complaint in the brief filed on rehearing that sufficient time had not been devoted to the examination of record and the preparation of an opinion. It is true as stated in the brief that the record is quite large, containing 120 pages, and that extended and elaborate briefs were filed, but it must here be borne in mind that the argument as such briefs and orally, considerable more than usual time was allowed for the latter, were of great and material assistance in the consideration and decision of the points of complaint which were discussed. Moreover, and finally, it is not a question of a number of hours, days or weeks consumed or to be taken in the examination and adjudication of a cause, but of such a due consideration of the litigated matters without reference to the time employed, as will result in a proper and just disposition of them and render true right to the litigants."

"It is again urged with some strength and force of argument that there was not evidence to warrant or uphold the verdict of conviction, particularly in that it was not shown that any money in the strict sense of the term, or cash, actual dollars and cents in specie, was tangibly employed or involved in the transaction which was and is charged, constituted the crime, the embezzlement of the funds of the state."

"That 50 per cent of the business affairs of the country which involve the payment or transfer of money are conducted successfully and satisfactorily without the exchange of dollars and cents in specie, and yet every one concerned receives and employs his money as asserted in articles on financial questions and heard in discussions and conversation of business men, and it is no doubt approximately true."

"The law, conservative as it is, and rightly so, still must and does, where and when administered and interpreted and applied in the true spirit, and there is no direct statutory provision which must be legislated from its position as an obstruction, keeps it true, a somewhat tardy pace with the progress in business or other matters and meets and becomes accordant or adapts itself in its rules and doctrines to the multifarious changes and conditions which are evolved from the affairs of men; this it does and yet is stable, settled, firm and certain that all men, and rightly so, still must and does, where and when administered and interpreted and applied in the true spirit, and there is no direct statutory provision which must be legislated from its position as an obstruction, keeps it true, a somewhat tardy pace with the progress in business or other matters and meets and becomes accordant or adapts itself in its rules and doctrines to the multifarious changes and conditions which are evolved from the affairs of men; 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