

SCHLEY APPEALS IN VAIN

President Holds Substantial Justice Was Done.

GIVES CREDIT TO CAPTAINS.

Insists That to Them Belongs the Real Merit—Finds No Excuse on Either Side for Further Agitation, Schley's Offenses Condoned.

Washington, Feb. 20.—The president yesterday made the following statement public:

"I have received the appeal of Admiral Schley and the answer thereto from the navy department. I have examined both with the utmost care, as well as the preceding appeal to the secretary of the navy. I have read through all the testimony taken before the court and the statements of the counsel for Admirals Sampson and Schley, have examined all the official reports of every kind referring to the Santiago campaign, copies of log books, signal books and the testimony before the court of claims, and have also personally had before me the four surviving captains of the five ships, aside from those of the two admirals, which were actively engaged at Santiago. It appears that the court of inquiry was unanimous in its findings of fact and unanimous in its expression of opinion on most of its findings of fact. No appeal is made to me from the verdict of the court on these points where it was unanimous.

Court Did Substantial Justice.

"I have, however, gone carefully over the evidence on these points also. I am satisfied that on the whole the court did substantial justice. It should have specifically condemned the failure to enforce an efficient night blockade at Santiago while Admiral Schley was in command. On the other hand I feel that there is a reasonable doubt whether he did not move his squadron with sufficient expedition from port to port. The court is a unit in condemning Admiral Schley's action on the point where it seems to me he most gravely erred, his 'retrograde movement,' when he abandoned the blockade and his disobedience of orders and misstatement of facts in relation thereto. It should be remembered, however, that the majority of these actions which the court censures occurred five weeks or more before the fight itself, and it seems that if Admiral Schley's actions were censurable, he should not have been left as second in command under Admiral Sampson. His offenses were, in effect, condoned when he was not called to account for them. Admiral Sampson after the fight, in an official letter to the department, alluded for the first time to Admiral Schley's 'reprehensible conduct' six weeks previously. If Admiral Schley was guilty of reprehensible conduct of a kind which called for such notice from Admiral Sampson, then Admiral Sampson ought not to have left him as senior officer of the blockading squadron on the 3d of July, when he (Sampson) steamed away on his proper errand of communicating with General Shafter. We can, therefore, for our present purposes, dismiss that portion of the appeal relating to anything but the battle. Regarding this, the point raised in the appeal is between Admiral Sampson and Admiral Schley as to which was in command and to which was entitled the credit, if either of them was really entitled to any unusual and pre-eminent credit by any special exhibition of skill, genius and courage.

"The court could have considered both of these questions, but as a matter of fact it unanimously excluded evidence offered upon them and through its president announced its refusal to hear Admiral Sampson's side at all, and in view of such exclusion the majority of the court acted with entire propriety in not expressing any opinion on these points. The matter has, however, been raised by the president of the court.

Question of Command.

"The question of command is in this case nominal and technical. Admiral Sampson's ship, the New York, was seen at the outset of the fight from all the ships except the Brooklyn. Four of these five ship captains have testified that they regarded him as present and in command. He signalled, 'Close in' to the fleet as soon as the first Spanish ship appeared, but his signal was not seen by any American vessel. He was actually under fire from the forts and himself fired a couple of shots at the close of the action with the torpedo boats, in addition to signalling the Indiana just at the close of the action, but during the action not a single order from him was received by any of the ships that were actively engaged.

"Admiral Schley, at the outset of the action, hoisted the two signals, 'Clear ship' and 'Close in,' which were simply carrying out the standing orders of Admiral Sampson as to what should be done if the enemy's ships attempted to break out of the harbor. Until after the close of the first portion of the fight at the mouth of the harbor and until after he had made his loop and the Spanish ships were fleeing to the westward, not another American ship noticed a signal from him. When the western pursuit had begun the Oregon, and the Oregon only, noticed and repeated one of his signals of command. The captain of the Oregon then regarded him as in command, but did not in any shape or way execute any movements or any action of any kind whatsoever in accordance with any order from him. In short, the question as to which of the two men, Admiral Sampson or

Admiral Schley, was at the time in command, is of merely nominal character. Technically, Sampson commanded the fleet and Schley, as usual the western division. The actual fact, the important fact, is that after the battle was begun not a helm was shifted, not a gun fired, not a pound of steam was put on in the engine room aboard any ship actively engaged in obedience to the order of either Sampson or Schley, save on their own two vessels. It was a captain's fight. Therefore, the credit to which each of the two is entitled rests on matter apart from the claim of nominal command over the squadron; for, so far as the actual fight was concerned neither one nor the other in fact exercised any command. Sampson was hardly more than technically in the fight. His real claim for credit rests upon his work as commander-in-chief. Upon the excellence of the blockade; upon the preparedness of the squadron; upon the arrangement of the ships head-on in a semi-circle around the harbor, and the standing orders in accordance with which they instantly moved to the attack of the Spaniards when the latter appeared. For all these things the credit is his.

Brooklyn Did Well.

"Admiral Schley is rightly entitled—as is Captain Cook—to the credit of what the Brooklyn did in the fight. On the whole, she did well, but I agree with the unanimous finding of the three admirals who composed the court of inquiry as to the 'loop.' It seriously marred the Brooklyn's otherwise excellent record, being in fact the one grave mistake made by any American ship that day. Had the Brooklyn turned to the westward, that is, in the same direction that the Spanish ships were going, instead of in the contrary direction, she would undoubtedly have been in more 'dangerous proximity' to them. But it would have been more dangerous for them as well as for her! This kind of danger must not be too nicely weighed by those whose trade it is to dare greatly for the honor of the flag. Moreover, the danger was certainly not as great as that which, in the self-same moment, menaced Wainwright's fragile craft as he drove forward against the foe. It was not, in my judgment, as great as the danger to which the Texas was exposed by the turn as actually made. It certainly caused both the Brooklyn and the Texas materially to lose position compared to the fleeing Spanish vessels. But after the loop had been taken Admiral Schley handled the Brooklyn manfully and well. She and the Oregon were thenceforth the headmost of the American vessels—though the Iowa certainly and seemingly in Texas also did as much in hammering to a standstill the Viscaya, Oquendo and Teresa; while the Indiana did all her eastward position and crippled machinery permitted. In the chase of the Colon the Brooklyn and Oregon share the credit between them.

"Personally, I feel that in view of Captain Clark's long voyage to the Oregon and the condition in which he brought her to the scene of service, as well as the way in which he actually managed her before and during the fight, it would have been well to have given him the same advancement that was given Wainwright. But waiving this, it is evident that Wainwright was entitled to receive more than any of the other commanders; and that it was just to Admiral Sampson that he should receive a greater advance in numbers than Admiral Schley—there was nothing done in the battle that warranted any unusual reward for either. In short, as regards Admirals Sampson and Schley, I find that President McKinley did substantial justice and that there would be no warrant for reversing his action.

Both Admirals Sampson and Admiral Schley are now on the retired list. In concluding their report, the members of the court of inquiry unite in stating that they recommend that no further action be had in the matter. With this recommendation I most heartily concur. There is no excuse whatever from either side for any further agitation of this unhappy controversy. To keep it alive would merely do damage to the navy and to the country."

SPARKS FROM THE WIRES.

A British officer has arrived at Seoul to reorganize the Korean army. William B. Fasig, the well known horse dealer died Wednesday at his country place at Brewster, N. Y.

The Tenth Indiana district congressional convention renominated Congressman E. D. Crumpacker (Rep.) without opposition.

John Vredenberg, well known as a traveling evangelist, died suddenly at his home in Springfield, Ill., of heart disease, aged 57.

Calvin C. Burt, aged 82, a lawyer well known in Michigan and at one time private secretary to General Lewis Cass, died at Detroit Wednesday.

A. T. Goshorn died at his home in Cincinnati Wednesday, aged 68. He was director general of the Centennial exposition at Philadelphia in 1876.

Joe Walcott has posted a forfeit of \$1,000 and challenged any man, any weight, in the world to box him. Walcott prefers to meet any pugilist living for \$2,500.

The charges against Mrs. Margaret Sheppard, the alleged ex-nun, for selling obscene literature, were dismissed in police court at Columbus, O., Wednesday on request of the prosecutor.

Hughy McGovern, brother of Terry McGovern, easily defeated Ching Fong, the Chinese pugilist, in the first round at the Blue Grass Athletic club, Covington, Ky., Wednesday night.

READY TO GREET PRINCE

Plans of the President's Delegates Completed.

CAVALRY TROOPS FOR ESCORT.

National Guards in Various Cities Are to Attend the Emperor's Brother. Government Plans Special Precautions for His Protection.

Washington, Feb. 20.—The president's delegates charged with the arrangements for the reception and entertainment of Prince Henry of Prussia held a final meeting at the state department and disposed of several details that were not included in the official program issued a few days ago. Most of the delegates and other officials who will take part in the ceremonies of welcome at New York will go to New York tomorrow morning. This party includes Dr. Hill, assistant secretary of state, and General Corbin, adjutant general of the army; the president's delegates, Colonel Bingham, U. S. A., and Commander W. S. Cowles, U. S. N., aides to the delegates; Baron von Holleben and members of the German embassy. It was decided, owing to the limited accommodation on the special train set apart for the prince's tour and the impossibility of carrying local committee members on the train, that the reception committee appointed by the various towns to receive the prince, shall meet the train at the station on its arrival.

In view of the fact that the imperial visitor desires to see as much of each city visited as possible within the limited time at his disposal, it was also decided to dispense altogether with military processions as features of his reception.

General Corbin, who has special charge of the military arrangements, has arranged with the mayors of the different cities to be visited and the officers of the National Guards of the respective states to provide cavalry troops as an escort for the prince during his visit to each city, and to confine the military representation to such mounted troops. Colonel Barry of the adjutant general's department has just returned from a visit to Boston, Albany, New York city and Philadelphia, where he perfected arrangements with the local authorities for mounted escorts to be provided by the state National Guard. Squadron A of the New York state troops will be the prince's escort during his sojourn in New York city and the city troops of Philadelphia will act in a similar capacity in that city. The making of similar arrangements in the western cities to be visited has been entrusted to Major General Ods, commanding the Department of the Lakes at Chicago. Washington and St. Louis are the only cities where escort duty will be provided by the regular army.

Assistant Secretary Pierce of the state department was in consultation yesterday with the senate committee on foreign relations regarding the proposed visit of Prince Henry of Prussia to the capitol during his stay in Washington. The program as at present arranged provides for his appearance there at 4 o'clock on Monday, but as all the senators will then be engaged in connection with the vote on the Philippine bill no one will be able to give attention to him. There is, therefore, an effort to have the date changed, and Senator Cullom, chairman of the committee, was authorized to confer with the German ambassador on the subject.

Close Guard for Henry.

New York, Feb. 20.—Admiral Count von Baudissin returned here from Philadelphia yesterday. Mr. Bidwell, collector of the port, yesterday received orders from Washington, saying that no persons except the reception committee shall be allowed to board the Kron Prinz Wilhelm when she enters the port, and that none shall be permitted beyond the baggage inspection enclosure at the pier. This is in furtherance of the government's plan to throw around the person of Prince Henry all the safeguards possible. These new orders have forced Collector Bidwell to recall a large number of passes, which permitted the holder to go on the revenue cutter to meet the Kron Prinz Wilhelm. No one will be allowed to witness the arrival of the prince at the pier except members of the reception committee and a few privileged persons who have friends aboard the liner and these designated will be kept in the baggage section.

Valet Jones on the Stand.

New York, Feb. 20.—Charles F. Jones was the star witness in the Patrick trial again yesterday. The fact that he was the closest person to Millionaire Rice in the latter days of his life and that he at one time confessed that it was he who killed the millionaire by administering chloroform at, as he said, the instigation of Patrick, drew all eyes in the court room to him. He was on the stand from the opening to the closing of court and has not finished his testimony. There was a mass of evidence concerning Patrick's alleged drawing of Jones into a conspiracy to utter a forged bill by which Patrick was to be the principal beneficiary.

Liners Racing Across Atlantic.

London, Feb. 20.—The Daily Mail asserts that the Cunard liner Campania and the American liner St. Louis are racing the North German Lloyd steamer Kron Prinz Wilhelm, with Prince Henry on board, in an international contest to New York.

RELIGIOUS SECTS FRIENDLY.

Taft Tells of Present Relationship of Churches in Philippines.

Washington, Feb. 20.—Among other questions pertaining to the Philippines discussed by Governor Taft yesterday in his testimony before the senate committee on the Philippines was the attitude of the different religious sects toward one another. He said that generally the relationship is of a friendly nature and that the evangelical churches are seeking to secure a foothold in the islands. He referred to the ecclesiastical courts, saying that under Spanish rule the members of the religious orders could elect to have civil cases in which they were concerned tried in those courts rather than in the regular tribunals.

In reply to questions he said that from 25 to 50 persons had been deported from the Philippines and they were all sent to Guam by the military authorities because they are considered irreconcilables, whose presence was injurious. He said in reply to Senator Allison that so far as the Philippine advocates of independence had expressed themselves, all of them desired that the United States should continue its protection of the islands; in other words, they wanted independence, with a United States protectorate.

TRIBUTE TO GENERAL GREENE.

Daughters of Revolution to Attend Re-interment of His Remains.

Washington, Feb. 20.—When Mrs. Fairbanks, president general of the Daughters of the American Revolution, called the convention to order yesterday, but few of the delegates had arrived and it was some time before anything like a fair representation of the society was present. Prayer was offered by the chaplain general, Mrs. Scott of Virginia, after which the audience sang "Hail Columbia."

Mrs. Layton of New York demanded the reading of the minutes of Tuesday's proceedings and much time was consumed in this detail. Mrs. Karow of Georgia offered a resolution, which was adopted, requesting the appointment of a committee to attend the re-interment of the remains of General Nathaniel Greene at Savannah, Ga., in May next.

In the evening consideration of amendments to the by-laws was completed. The most important amendment adopted was one requiring amendments to be sent to all the chapters 60 days before the meeting of the congress in which they are to be voted on. If then adopted they are to take effect from the adjournment of the meeting.

ZIONIST LEADER SEES SULTAN.

Developments Expected Soon in Scheme to Settle Jews in Palestine.

London, Feb. 20.—The leaders of the Zionist movement anticipate important developments as a result of the visit of Dr. Theodore Herzl of Vienna, president of the Zionist congress recently held at Basle, Switzerland, to Constantinople. Dr. Herzl was summoned to the Yildiz palace by a special telegram from the sultan for the acquisition of concessions in Palestine permitting of the unimpeded immigration and settlement of Jews there. Dr. Herzl's demands include a charter granting some simple form of home rule and opening the sultan's crown lands to Jewish colonization.

A representative of the Jewish Colonization association, which was endowed by the late Baron Hirsch with a large sum of money, is also at Constantinople, which is taken to signify that the trustees of the Baron Hirsch fund are about to concentrate their resources upon Palestine.

MASONIC GOLDEN JUBILEE.

Anniversary Brings Scottish Rite Men From All Over the Country.

Cincinnati, Feb. 20.—Over 1,000 prominent Masons have registered here at the Scottish Rite cathedral for the golden convention of the Rite of the Valley of Cincinnati, which was established in this city 50 years ago. While prominent Masons attend this convention yearly, there never was such an attendance as this week. Among those present is Dr. J. Diaz, prieto of Mexico. The 33d and 32d degree men are present from all parts of the country. The program covers four days and includes excellent music and all the pomp and ceremony of the best ritualistic work.

Miss Stone is Not Free.

Constantinople, Feb. 20.—The reports of the release of Miss Stone are absolutely without foundation, although her liberation is expected momentarily.

London, Feb. 20.—A dispatch from Seres, Turkey, says that W. W. Peet, treasurer of the American mission at Constantinople, has gone to that city and that M. Gargiulo and Dr. House, the missionary, who are still at Seres, are growing very anxious at the delay in the release of the captives, which was expected a week ago. The Turkish government declines responsibility for the matter, says the dispatch, as the transaction with the brigands was made without its knowledge.

Billiard Brings Suit.

Topelka, Feb. 20.—J. B. Billard yesterday brought suit in the district court to compel the board of education to restore his son to membership in the public schools. Young Billard had been expelled for refusing to desist from his studies during the devotional exercises taking place in the morning. The suit brought by Billard is the result of an organized effort to stop the use of the Bible in the schools of the city.

DEBATE ON PHILIPPINES

Burrows Reviews Acquisition of Islands.

TITLE IS PRONOUNCED VALID.

Says the United States' Occupancy of the Islands Was With Due Regard to International Obligations—Boutell Replies to Wheeler.

Washington, Feb. 20.—The senate continued the consideration of the Philippine tariff bill yesterday, the main speeches being made by Burrows (Mich.), for the bill, and Money (Miss.), against it, although Mitchell (Or.), Foraker (O.), Mallory (Fla.) and Tillman (S. C.) all took more or less part in the general debate on the subject. Burrows maintained that congress was dealing with the question as it was today, and with no reference to what took place in the past, or what might take place in the future. He maintained that the United States' occupancy of the islands was with due regard to international obligations. Mallory spoke particularly in favor of his amendment to that portion of the bill relating to the navigation laws, and said that it was necessary in the interest of American shipping. Money maintained that it was not so much a question of what could be done with the Philippines as it was to legislate in the interests of our own people. There were several rather lively exchanges between Foraker and the opposition senators during the debate.

VIEWS ON WHEELER SPEECH.

Boutell Replies to Kentuckian in Humorous Vein.

Washington, Feb. 20.—The issue raised by Wheeler (Ky.) a few days ago came in for considerable attention and was the feature of the session of the house. Bromwell, an Ohio Republican; Kern, an Illinois Democrat, and Fleming, a Georgia Democrat, added their views to the literature of the subject, but it was Boutell, an Illinois Republican, who entertained the house most. He was well fortified with material and with exceedingly good temper and a trenchant display of wit, he traced the history of what Wheeler had called "truncal sycophancy," as he said, from the day the first Democratic president purchased a bogus coat of arms to the entertainment of Queen Lilioukalani at the white house by the last Democratic president.

Hamilton, a Michigan Republican, enlivened the session with an entertaining speech on trusts. The other speakers were Little (Ark.), who discussed conditions in the Indian territory; Corliss (Mich.) who spoke of the Pacific cable; Timmins (Ga.), on statehood for Oklahoma; Sulzer (N. Y.), on increased pay for letter carriers; Fitzgerald (N. Y.), on the education of the Indians; Jackson (Kan.), on the election of senators by the people, and Newlands (Nev.), on the bill to redeem silver dollars in gold.

Defeat Anti-Pass Bill in Iowa.

Des Moines, Feb. 20.—By a clever parliamentary move the Hughes anti-pass bill was killed in the lower house of the legislature yesterday without a vote on the measure itself becoming necessary. An amendment to include ministers of the gospel among those prohibited from accepting passes was offered. The motion to lay this on the table was carried, and it was discovered to have the effect of killing the measure itself.

Jury for Woodward Case.

Casper, Wyo., Feb. 20.—The 12 men who will decide the fate of Charles Woodward, charged with the murder of Sheriff Ricker, were secured yesterday. The first testimony of the prosecution was introduced immediately after dinner. Only unimportant witnesses were examined during the afternoon, points of law occupying the court the greater part of the time.

Death Due to Financial Troubles.

Lincoln, Ill., Feb. 20.—Paul Smith, a prominent citizen and grain dealer, doing business at several points in this county, yesterday became financially involved to the extent of \$100,000, and late last evening, from the shock caused by his financial embarrassment, died of heart failure.

Negro Shoots White Man.

Winona, Miss., Feb. 20.—A large party of citizens are pursuing Tom Brown, colored, who shot and killed Mert D. Williams, son of a Baptist minister. Williams was a spectator at a dance and quarreled with Brown, who after securing a revolver shot Williams, killing him instantly.

Foss is Amateur Billiard Champion.

New York, Feb. 20.—William P. Foss of Haverstraw defeated Charles F. Norris formerly amateur billiard champion of the Chicago Athletic association, and now of the Knickerbocker Athletic club, for the amateur billiard championship of America by a score of 500 to 464.

Broken Rail Ditches Train.

Columbus, O., Feb. 20.—As the result of a broken rail one man was killed and five injured on the Columbus, Sandusky and Hocking Valley railroad near the Nelson crossing at Shepards, a suburb of Columbus. The dead: William Smith of Grogan, engineer.

Suicide of Demented Man.

Martinsburg, Ia., Feb. 20.—Daniel McCreery, a merchant, committed suicide yesterday by hanging. He was demented.

GOULD DRAWS EIGHT YEARS.

Prisoner Expected He Would Get Longer Term.

David City, Neb., Feb. 20.—A H. Gould, cashier of the defunct bank at Bellwood, was arraigned before Judge Sornborg in the district court on the charge of forgery. He pleaded guilty to the charge. When questioned as to the amount of forgeries, he stated that he was unable to say definitely on account of the destruction of a private book when the bank safe was blown open by robbers. He gave it as his opinion, however, that the amount was in the neighborhood of \$60,000. He informed the court that the forgeries commenced several years ago, when he became financially involved, and that he had thought he would be able to reconsp himself and take up the forged paper.

Gould made a plea for mercy on account of his family, but the judge was not inclined to take to the suggestion of a light sentence, as he stated such a result would tend to increase crimes of this class.

Gould was sentenced to eight years in the penitentiary by Judge Sornborg. Gould, as well as the large crowd present, was surprised at the short sentence.

TROOPS PATROL BARCELONA.

Conflicts Between Them and Populace Almost Hourly Occurrences.

Barcelona, Feb. 20.—Two additional regiments of infantry arrived here yesterday morning and the city now bristles with bayonets. Troops are incessantly patrolling the streets, occasionally charging and dispersing mobs. Shots were exchanged. The rioters erected barricades in one of the suburbs and the troops carried them at the point of the bayonet. The casualty list is lengthened by every conflict. Industrial and commercial life in Barcelona is paralyzed. No goods arrived here yesterday and there is great scarcity of meat, bread and other foodstuffs.

The university and all the schools are closed. The leaders of the workmen's conventions have been arrested and the meeting places have been closed.

Urge Relief of Cuba.

New York, Feb. 20.—Cuba's needs and what this country should do to prosper the people whose freedom it accomplished were set forth last night at a mass meeting in Carnegie hall by prominent speakers of both political parties. At the close resolutions were read endorsing a reduction of at least 50 per cent in the existing duties on Cuban products in return for an equal concession on the part of Cuba on products from this country.

Two Firemen Killed by Falling Wall.

Milwaukee, Feb. 20.—Two firemen, Chris Mattson and Ed Kinsella, are dead and two others are seriously injured as a result of the falling of a brick wall of the plant of George H. Smith Steel Casing company, which was destroyed by fire last night. The loss is estimated at \$100,000, partly covered by insurance.

Zero Weather in Oklahoma.

Guthrie, O. T., Feb. 20.—The spring weather of the past few weeks was out short yesterday by a cold wave. There is zero weather, with flurries of snow and wind.

Lemon Extract.

A lemon extract that one is sure is pure can be easily made at home. Grate off enough of the outside peel of lemons to fill a small bottle, taking care that none of the white part of the rind gets in, as this will give a bitter taste. When the bottle is full, cover with pure alcohol and set away for three weeks. At the end of that time the contents of the bottle should be strained, and the extract is ready for use. An even teaspoonful of this preparation will flavor a quart of custard or other similar dish.—New York Post.

Their Bible.

A story is told in which the late Lord Idlesleigh figured when as Mr. Stafford Northcote he was appointed a magistrate for Devon. At the castle of Exeter, where he attended to be sworn, he was handed a book tied round with what had once been red tape. Not liking the appearance of it, Mr. Northcote took out his knife and cut the tape and on opening the book discovered that it was a ready reckoner, on which magistrates had been sworn for about thirty years.

Precious Hair.

When the crusaders returned from the Holy Land in 1099, they were loaded with relics of holy personages who had previously been unknown in the west. Bohemond, one of their leaders, divided between Anselm and certain churches a dozen hairs which the patriarch of Antioch had given him with the assurance that the Blessed Virgin plucked them from her head as she stood—Mater Dolorosa—by the cross.—All the Year Round.

Kodol Dyspepsia Cure

Digests what you eat.

This preparation contains all of the digestants and digests all kinds of food. It gives instant relief and never fails to cure. It allows you to eat all the food you want. The most sensitive stomachs can take it. By its use many thousands of dyspeptics have been cured after everything else failed. Is unequalled for the stomach. Children with weak stomachs thrive on it.

Cures all stomach troubles

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