

City Semi-Weekly Telegraph.

NO. 102.

VOL. XXXIX

ST. JOHN N. B., SATURDAY, SEPTEMBER 14, 1901.

FIRST VICTORY IN THE ENQUIRY IS WON BY ADMIRAL SCHLEY.

Howison Objected to as Member of Court, and He is Ruled Out—He Makes a Statement—Great Interest in the Investigation.

Washington, Sept. 12.—Within three hours from the time of convening the Schley court of inquiry today it was announced that Rear Admiral Howison was disqualified from serving as a member of the court and was excused from further duty. This brought proceedings to an abrupt termination and caused a temporary adjournment of the court in order to permit the navy department to designate an officer to succeed Admiral Howison. No further session is probable until the early part of next week.

"Prior to the court convening a good sized crowd assembled at the Washington navy yard where the court made its way to the coming of the prominent naval officers who were to take part in the proceedings. Until the full dress uniforms had been donned at quarters inside the yard for the actual session of the court, there was little to draw dramatic interest to the occasion. Admiral Dewey and Admiral Schley naturally were the premier figures in popular interest. The latter had about him a distinguished party of court members including Hon. Joe Wilson, attorney general; Isidor Rayner, of Maryland, and Captain James Parker, with Mr. Tougus, acting as advisory counsel.

The German naval attaché, Captain Reber-Paschewitz, occupied one of the seats in the public area and the number of wives of naval officers present was noteworthy. A salute of seventeen guns in honor of the admiral of the navy marked the opening of the proceedings at 1 o'clock. The first skirmish was opened by Admiral Schley rising from his seat and speaking in a strong voice, calmly and deliberately, challenging Admiral Howison's eligibility as a member of the court. Three witnesses were brought forward in support of this challenge, Francis S. Frow, Wm. E. Spon and Foster Nichols. They gave very positive testimony as to expressions they had heard Admiral Howison make, favorable to Admiral Sampson and unfavorable to Admiral Schley.

Mr. Frost testified to a statement Admiral Howison had made to him at Boston while the witness was seeking medical attention. Mr. Spon testified that while he and the admiral were journeying back to this country from Europe on a trans-Atlantic steamer, and Mr. Nichols' conversation occurred at Yonkers.

On concluding this testimony the question arose whether Admiral Howison would join with the witnesses, or would rest his privilege to withhold any answer until he chose to submit it. The admiral made issue by turning at once to Admiral Dewey and announcing that he would make a writ of rejoinder to the statements of the three witnesses. This rejoinder he prepared very speedily. While conceding the accuracy of some points in the evidence, it threw considerable doubt on other points and disclaimed any recollection of the talks said to have taken place on the trans-Atlantic steamer. It was not sufficient, however, to controvert the very direct testimony given by the three witnesses and, moreover, the admiral himself in concluding his statement, indicated plainly that he had no desire to remain on the court and was there simply in obedience to orders. He even appealed to his associates on the court to decide all doubtful questions as to his eligibility in favor of Admiral Schley.

Before submitting the challenge to the determination of the court, Mr. Rayner cross-examined Admiral Howison very minutely as to his personal sentiments toward Admiral Sampson and Admiral Schley, and developed that Admiral Howison had expressed certain definite convictions as to Admiral Sampson's retention of authority and responsibility, even while he was absent temporarily from the fleet at Santiago.

The challenge was then submitted to the court which, under the circumstances, was referred to Admiral Dewey and Rear Admiral Benson to pass upon. After hardly more than 15 minutes in the consultation room of the court, Admiral Dewey briefly announced that the court sustained the challenge and that Admiral Howison would be excused from further attendance. The decision came so quickly and so unexpectedly that it sent a flutter of agitation throughout the court room. There was a buzz of animated comment and Admiral Schley exchanged looks of satisfaction with his counsel.

Admiral Dewey at once closed the proceedings of the day by announcing that the court would adjourn indefinitely until the navy department had named an officer to succeed Admiral Howison.

Howison Makes Statement. Gives Reply to Allegations of the Three Witnesses as to His Eligibility to Serve. Washington, Sept. 12.—Following is Howison's statement to the court: Mr. President and gentlemen: In re-

ply to the objection to me as a member of this court, I submit a copy of my personal letter to the Hon. Frank W. Hackett, which has been made public by the navy department.

"Mr. Frost, I think, is answered in this letter above referred to.

"Mr. Spon's statement is one I cannot father. I positively do not remember his face at all. Mr. Frost's face is familiar to me. I have not seen him for two years or more and Mr. Spon, by his statement only last October.

"I do not propose to enter into the subject of my private discussions. I do not wish to recall for the information of the public what has been said to me by my acquaintances, in fact it would be a difficult task to perform. Private utterances are not long retained, particularly when they are of a confidential nature in the minds of the unobjected-to members of this court, but all such points he decided in favor of Admiral Schley, who is the one most particularly concerned in the investigation to follow. I will accept my detachment as I have my orders for this duty, as an officer, and finally ob-

jecting my personal feelings and no personal interests in the matter to come before the court, except the interests of the country and the honor of the navy and of our country.

Respectfully,
H. HOWISON,
Rear Admiral, U. S. N."

KILLED IN POWDER WORKS EXPLOSION. Seven Lives Reported Lost—Boiler Bursting the Cause. New York, Sept. 12.—A despatch from Paterson, N. J., says that an explosion occurred in the powder works at Paterson, N. J., and that seven men were killed.

The explosion occurred in the engine room and is said to have been caused by the bursting of a boiler. The building was totally destroyed. It is believed that the number of killed will not be more than seven.

The works are owned by the American E. C. & Scholtz Gun Powder Company (Limited). The manager is Captain Harry Old Money, the well known trap shooter.

Shamrock II, Came Through A Terrible Squall All Right. Challenger in a 54-Mile an Hour Blow Has an Experience Which Well Tested Her—Good Qualities and Good Handling Saved the Racer. New York, Sept. 12.—The Shamrock and her crew never had a more exciting experience than during 10 minutes this afternoon when the yacht was caught in fierce squall out of the west and blowing 54 miles an hour. It came so suddenly that the men had no time to lurch sail, except to take in the fore-sail, so that the yacht had to take with the whole mainmast, jib and a jacking gaff tassel set. This, it was estimated, was about 12,000 square feet of sail. Just before the squall struck her, she had been trimmed in. The water was white and the wind fairly screaming through her shrouds. Things began to look very serious. Captain Sycamore lost his head, but shifted his position, and then, as the yacht began to heel, he felt the force of the wind. Down she went, until her hull was out of sight and the water boiling around the hatches. The tall mast leaning at an angle of between 25 and 45 degrees and there was not a man watching her but expected to see her go by the board. Gradually she lifted and forged ahead, but a new danger threatened.

The yacht was now inside red buoy, and she was out of the channel and riding directly for the east of that dangerous shoal known as Tipton's Knoll, where there is only 15 feet of water, and a draws about 21 feet. Fearing that she would strike some of the crew hailed the tug Lawrence but the tug could not have reached the yacht in time. The moment she had sufficient headway to go about she Captain Sycamore jumped his tiller hard down and the noble boat responded, staggering up into the wind, until the big mainmast slatted like claps of thunder and it looked as if the jib would perk the boat up into the air, heeling down again as she filled away, heeling down again to the danger angle she cleared the shoal and was soon out in deep water.

It had been a narrow escape but the small boat had yet spent its force and the strain on the mast and gear for the next five minutes was something terrible. Standing on the slanting deck was impossible without holding on to something. A few minutes later the tender Lawrence passed the yacht a line, the mainmast was lowered and the yacht made fast to her moorings at 2.30.

Sir Thomas said: "No big squall was ever subjected to such a awful strain as that. I have Mr. Hyslop's word for it, and Captains Walker and Hall of the revenue cutters Gresham and Chase say they never saw a vessel behave as splendidly in such a blow. Why, the yacht was nearly on her beam ends. It did not blow anything like as hard the day we lost our mast on the other side. Captain Sycamore was in a very tight place in that narrow channel, but he brought her out of it by good handling. For a few moments we were afraid she would run aground."

BOER ATTACK FOLLOWED BY SHARP FIGHT.

Enemy on the Heights Above Wolve Kloof Have British in Bad Position, Below.

FIGHTING SOME TIME.

Next Day Boers Were Put to Flight --Scheeper's Trusted Lieutenant, Van Der Merwe, Killed -- Lord Roberts' Final Honor List Has 5,000 Names.

Cape Town, Sept. 11.—While Colonel Munro's column was en route from Barkly East to Dordrecht it was attacked by the Boers under Commandants Pouché and Milburgh in Wolve Kloof. The advance guard was well in the pass when a terrific fire was opened upon them from the heights above the kloof. The British were in a precarious position on the flat, where there was a shelter of a serious character. The foot given to the Boers was rapidly unlimbered and returned a brisk fire. The fighting continued for some time. The British had four wounded. It is reported that the Boers had four killed and a considerable number wounded.

On the following morning a reconnoitering force with big guns cleared Wolve Kloof of the Boers, who retreated in the direction of Drakensburg. The British followed the burghers for a distance, shelling them incessantly. The River-dale district of Cape Colony has been entirely cleared of the invaders. Two alleged Boer spies have been arrested at Mossel Bay. The Dordrecht Volunteers have surprised the camp of the Boers and ordered them to surrender. The Boers refused and the British opened fire, wounding General Smuts and another officer and killing Captain Arben-dorff. General Smuts succeeded in making his escape.

Mafeking, Cape Colony, Sept. 11.—Colonel Gubbins, who conducted the lieutenant of Commandant Scheeper, killed him and another Boer and made prisoners of 37 and 10 men under Van Der Merwe's command.

London, Sept. 11.—Lord Roberts' final list of recommendations for meritorious service in South African service, which includes about 5,000 names, and the recommendations affect every rank and branch of the service. The list includes Colonel Yale, who conducted the Boers' retreat from Dundee to Ladysmith, and the omission of whose name from previous lists had excited much comment in military circles. While the list includes a high appreciation of the promptitude and completeness with which all the administrative departments at home and in the colonies met his demands, Lord Roberts trusts that the list of recommendations will not be thought too long, "considering the number engaged, the extent and severity of the campaign, and the very great hardships cheerfully borne by all ranks." He also states that "the opportune arrival of the Indian contingent saved the situation in Natal."

ST. JOHN'S FIRE HAS BEEN EXTINGUISHED. Eight Dwellings Included in Buildings Burned—Bodies of Victims Interred.

St. John's, Nfld., Sept. 12.—The fire which broke out here yesterday morning on the south side of St. John's, resulting in a loss of about \$300,000, lasted the greater part of the day and was extinguished last night with the help of the crew of the British warship Alert. The buildings destroyed include eight dwellings. The losses were fully covered by insurance.

Ontario to Pay Immigrants Fare. Premier Ross Said to Have Made Agreement With Elder-Dempster Line.

Toronto, Sept. 12.—(Special)—The Evening Telegram's special cable from London says: "It is reported on good authority that Hon. G. W. Ross, premier of Ontario, has come home with him an important agreement with the Elder-Dempster Steamship Company. Under this agreement the Ontario government to transport emigrants to Ontario at the expense of the province of Ontario, the Ontario government advancing the passage money for the emigrant is allowed to be practically unsecured terms of repayment."

Nova Scotia Nominations. Halifax, N. S., Sept. 12.—(Special)—The Liberals of Queens county nominated E. M. Farrell and Rev. Chas. E. Cooper today. Hon. Thos. Johnson and Thomas Robertson were nominated by the Liberals of St. John's county.

An Opponent for Provincial Secretary. Vancouver, B. C., Sept. 12.—(Special)—T. Gifford has accepted the provincial party nomination in New Westminster, to oppose the new provincial secretary, J. C. Brown.

GRAVE FEAR IS FELT FOR PRESIDENT MCKINLEY.

Improvement of the Night Followed by Very Serious Conditions in Early Morning -- Heart Fails to Respond to Stimulation.

Milburn House, Buffalo, Sept. 13, 4.55 a. m.

--The following bulletin was issued by the president's physicians at 2.50 a. m.: The president's condition is very serious and gives rise to the gravest apprehensions. His bowels have moved well, but his heart does not respond properly to stimulation. He is conscious. The skin is warm and the pulse small, regular easily compressible and 126; respiration, 30; temperature, 100.

Milburn House, Buffalo, Sept. 12.—The slight alarm which was felt when the afternoon bulletin appeared was increased when the physicians assembled for the evening consultation about an hour earlier than usual. The cheeriness of the morning was succeeded by apprehension and a dreary rain added to the gloomy feeling. The bulletin was personally delivered to the members of the press by Secretary Cortelyou and the frankness with which the physicians announced that the president's condition was not so good, disquieting as it was, was a relief. It was felt to be additional proof that nothing was being concealed. It was explained semi-officially to the Associated Press that the trouble which existed was due to the fact that the food taken this morning had not been digested and the rise in his pulse was attributed to that fact.

It was stated quite positively that the consulting physicians did not believe in the failure to digest the food was due to the condition of the stomach, which were believed to be practically healed and so pronounced by Dr. McElmerney and his associates.

The fact that the food would not agree with the patient could not have been anticipated, so it was stated, but as soon as it was found that it had not, the administration of food by the mouth was discontinued.

The fatigues of the patient noted in the afternoon bulletin continued during the evening and several times the president murmured: "I am so tired; I am so tired."

Dr. Charles J. Stockton, who has a fine reputation as a general practitioner here, was called in at the evening conference. The problem now is one for the physicians rather than the surgeons and the advice and counsel of Dr. Stockton was considered advisable. After the bulletin was issued two of the physicians slipped away through the side entrance, thus escaping the newspaper men. It was understood that Dr. Mann and Dr. Stockton remained at the Milburn house.

Johann Most's Arrest. New York, Sept. 12.—Johann Most, the most widely known of New York anarchists and editor of Freiheit, the organ of the anarchists, was arrested tonight by Central Office Detectives Kaueh and Perschman in a saloon where he was drinking but to no purpose and he was locked up as "a suspicious person."

The complaint against Most is based on and quotes in full an editorial which Most printed in the Freiheit on Sept. 7.

"The greatest of all follies in the world is the belief that there can be a crime of any sort against deposits and their accumulations. Deposits are outlays; they are in human shape what the tiger is among beasts—to spare them is a crime. Yes, the crime directed against them is not merely a right; it is also the duty of everyone who has the opportunity to carry it out, and it will be his glory if it is successful.

"We know our enemies; we know them all and everywhere personally. There can be absolutely no excuse if they are again spared. Whatever stands on the other side of the line which divides the camp of ruling possessors of power from that of the people, has come under the ban. Let the people carry out the sentence.

"We say murder and murderers. Save humanity by blood and steel; poison and dynamite.

NORTH HAMMOND Daniel, daughter

FALCONIO DELEGATE TO UNITED STATES. Reported With Authority That He Will Succeed Cardinal Martinelli. London, Sept. 13.—It is learned upon high authority, says the Rome correspondent of the Daily Chronicle, "that Mr. Falconio will succeed Cardinal Martinelli as apostolic delegate in the United States instead of Mr. Calabrini, as previously reported."

Montreal Nurse Shot Here. Montreal, Sept. 12.—(Special)—Magie Plant, a professional nurse, shot herself this afternoon in her room on St. Catherine street. She was taken to a hospital where she now lies in a critical condition.

Man Who Predicted Assassination. Santa Fe, N. M., Sept. 12.—Antonio Maggio, the alleged Anarchist, has been taken from Silver City to Albuquerque. He was cross-examined but refused to divulge anything upon the subject of the president's assassination, although witnesses were present to testify that he repeatedly predicted that the president would be assassinated before October 1. He was bound over for a hearing on the charge of conspiracy to murder.

No Evidence Against Goldman. Buffalo, Sept. 12.—Secretary Root left for New York this afternoon, and postmaster general Smith returned to Washington tonight. Secretaries Hitchcock and Wilson have made no plans to return.

Chicago, Sept. 12.—Emma Goldman spent a comfortable night and this morning she asked for the newspapers. They were not furnished, but the tenor of the dispatches indicating a lack of evidence against her was imparted at which she smiled and said: "The gentlemen seem to be coming to their senses."

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