M'CALLA HITS SCHLEY.

HE SAYS COALING AT SEA WAS EASY.

DECLARES COMMANDER OF THE FLYING SQUADRON TOLD HIM HE FEARED COURT MARTIAL—SAMPSON'S LAWYERS BARRED OUT.

[BY TELEGRAPH TO THE TRIBUNE.]

Washington, Sept. 27.—To-day's sessions of the naval court of inquiry were the most important of all held up to the present time. The judge advocate's principal witness, relied upon to support nearly all the statements of the precept, was on the stand during the afternoon, and gave more damaging testimony than any who have preceded him. His recitals were those of the unwritten history of the Cuban blockade, matters which in the greater part had barely been touched upon in official reports, and which, if uncontroverted, would perhaps defeat any inclination of the court to be lenient.

There was no such reluctance exhibited by Captain McCalla to calling things by their proper names as had marked the testimony of earlier witnesses. His statements were fearless, he took no refuge in indistinct recollections, and his opinions were given with the confidence of a recognized expert upon strategic and military matters. Concerning his own ability to do the things Schley had not done, or to do better those which Schley had essayed to do, Captain McCalla was emphatic and unhesitating. He had studied the problems of the Caribbean through the war college course of 1897, had tested them in actual practice as commander of the Marblehead during the winter when the conflict was impending, and had held independent command over a fleet of small war vessels blockading the south coast of Western Cuba until Schley had relieved him and had taken him to the Flying Squadron, a month after war was declared.

SOME FRANK CRITICISM.

Considerable portions of his evidence consisted of opinions which may have been influenced by these facts, notably his frank criticism of the failure to destroy the Colon and other Spanish ships before Sampson arrived, but in a great degree he presented declarations of fact, quoted conversations and described matters reflecting gravely upon Schley's capacity for commanding a great fleet of modern battleships and cruisers.

Throughout this part, at least, of the testimony if he had the slightest animus against his superior officer it was not apparent, and altogether his replies to interrogatories, as well as his remarks volunteered beyond the examination, bore every indication of sturdy, deliberate effort to hide nothing which the court cared to know. This willingness was sharply curtailed by Admiral Dewey just at the close of the day, when the judge-advocate was pressing for an expert dictum on the omission of the Marblehead from the ships that went in to take a pot shot at the Colon.

The chief facts produced by McCalla were that to Captain Chadwick alone did he confide the code he had arranged with the insurgents near Cienfuegos; that he told Commodore Schley he could easily coal at Cape Cruz; that he actually had no difficulty whatever in coaling at sea at Cienfuegos or Santiago at any time; that his advice was never asked on any question, and, of greater interest to the court and to the public than any testimony hitherto adduced, was his relation of a conversation which he had with Schley in the cabin of the Brooklyn at Cienfuegos when the Commander-in-Chief, perplexed by the various instructions he had received, said he could not coal at Santiago, and if he returned to Key West he would be court martialled.

M'CALLA'S ADVICE TO SCHLEY.

"I said," added Captain McCalla, "Commodore, I think you must go to Santiago, even if you don't stay there," and he replied: "This is a matter I shall have to decide for myself. You may return to your ship." That night the fleet started east.

The other new witness to-day was Lieutenant John Hood, who was on the Maine when that ship was destroyed at Havana, and who commanded the converted yacht Hawk in the war. His examination regarding the delivery of dispatches was tedious, and not very damaging, although apparently expected to be.

The only disagreeable incident of the day occurred just before McCalla was heard. There had been some discussion on a trivial point of admitting a quotation of a few words from a magazine article signed by Rear Admiral Sampson, to be used as aiding the memory of a witness. As the colloquy closed, W. H. Stayton, of New-York, pushed past the marine guard of the court, and, standing behind the president's chair, presented a letter from Sampson requesting that Stayton and Campbell be admitted to represent him before the court. Admiral Dewey read the letter, and said to Mr. Stayton: "You'll get an answer."

Mr. Stayton asked if he should remain within the bar, but the Admiral, with gestures of vexation and marked signs of annoyance, said to the lawyer: "Wait outside till you get an answer. Leave the letter; I'll answer it."

SAMPSON BARRED OUT.

After Mr. Stayton had retired, the Admiral in whispers dictated a letter to his secretary, which was subsequently read aloud, ruling that Sampson was not a party to the inquiry. Mr. Stayton then asked if he could make a brief statement, but this the Admiral peremptorily declined to permit. It is understood the attempt will be repeated to-morrow.

This occurrence made a bad impression upon the court, and was regarded as unfortunate in placing Rear Admiral Sampson in the position of volunteering to appear in the controversy or become officially a part of it. It was, moreover, regarded as exhibiting a lack of confidence in the Navy Department's conduct of the inquiry, and the unmistakable imputation it cast on the judge-advocate and the solicitor, who have successfully resisted all efforts to attack Sampson, was warmly resented. Upon any repetition of the effort a severe rebuke will probably be administered.

One of the notable developments of the case which struck every one to-day, and which, though gradually becoming apparent, has now been emphasized, is Admiral Dewey's ready assumption of full responsibility for the conduct of the inquiry, and the exhibition of his determination to expedite the proceedings and not to let the counsel of the court or of the applicant transgress the rules that have been established. His management of the Stayton incident and his prompt support of Captain Parker's protest against expressions of opinions calculated to help the court in its exclusive prerogative of giving the only permissible opinion on Schley's capacity, were conspicuous demonstrations of this determination. While this is no indication that the court will become a one man affair, it encourages the belief that its judgment will be wholly unbiassed by unsubstantiated vituperations.

THE TESTIMONY IN DETAIL.

CAPTAINS M'CALLA AND WISE AND LIEUTENANTS WOOD AND HOOD EXAMINED.

[By The Associated Press.]

Washington, Sept. 27.—As usual, Admiral Dewey lost no time to-day in bringing the Schley 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. Indeed, Captain Lemly and Mr. Hanna, the Navy Department's representatives, had been in the courtroom for an hour or more preparing the details for the day's work.

The 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 that it had been carried out.

"The Flying Squadron was ordered to proceed with all possible dispatch," he said, and then he added: "I did not desire to inform the commodore of the Flying Squadron of his own movements. The order was to inform commanders of the movements of the Flying Squadron."

The court then asked: "Did you direct Captain Sigsbee to give Commodore Schley the information contained in the dispatch from the Navy Department regarding the whereabouts of the Spanish squadron?"

"I did not."

WOOD CONTRADICTS HARBER.

Lieutenant Spencer S. Wood, who commanded the dispatch boat Dupont during the Spanish war, was then called and continued his testimony, begun yesterday. Mr. Rayner resumed his cross-examination. The witness said that while off Cienfuegos he had been on picket duty two miles from shore on 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 Commander Harber, of the Texas, saying that there had been no picket vessels within 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 Captain Harber's veracity. We are impeaching his recollection, not his integrity."

Mr. Rayner—Captain Harber has stated that there were no picket boats at Cienfuegos. He was wrong, was he not?

"He was," replied the witness. "As I have seen since, the commander-in-chief also reported that the Dupont was not there. I have written the department that I was there. Other people forgot about it, too."

"You are trying now to justify Captain Harber's want of recollection by stating that the commander-in-chief wrote a letter that there were no picket boats there?"

"He did not mention their presence, and I corrected it."

"Do you recollect any statement made by the commander-in-chief when he had a picket boat within the picket line, that he had arranged a signal from the picket boat to the flagship?"

"He did not mention any, and I have a letter on file in the department calling attention to the omission in that report."

"I call your attention to the report of the commander-in-chief, in which he states, 'The line of blockade,' etc."

"I wish to bring it out that the Dupont was inside the line and that is the report I made to the department. I still stand on the point that he is not bringing out where the torpedo boat was."

"You are perfectly right about that, but you are not asked in reference to any criticism you may have upon the report of the commander-in-chief. The question is this: Captain Harber has definitely stated that there was no picket boat inside the line at Cienfuegos. You say there was, and that the Dupont was one of those boats."

"I was inside the line; inside the Castine."

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

"No, sir."

COUNSEL CROSS SWORDS.

Mr. Hanna objected to Mr. Rayner's method 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. "This," he said, "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 courtroom 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 on 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 that 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."

COURT SUSTAINS AN OBJECTION.

Lieutenant John Hood, who during the war commanded the Hawk, was the next witness. He said that on May 23 he had delivered dispatches from Rear Admiral Sampson to Rear Admiral Schley, when the latter was off Cienfuegos. He related that he had been called aboard the New-York, Rear Admiral Sampson's flagship, on May 21, when the officers on board were preparing dispatches. He spoke of the presence of Rear Admiral Sampson. Mr. Rayner objected to the introduction of conversation or verbal orders, saying that the orders would speak for themselves and must necessarily supersede any verbal instructions. The question was argued at some length by Mr. Rayner and Captain Lemly. In closing his response 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 obstacles in the way of having the investigation."

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

Replying 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 Rear Admiral Schley, which were read to him.

HOOD'S INTERVIEW WITH SCHLEY.

The witness then read dispatch No. 8, from Sampson to Schley of May 21, telling the latter that the Spanish squadron was probably at Santiago. He also read the 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 these as the orders he had carried. He also said that he had carried two other envelopes, one containing orders from the department and the other a memorandum which had not been read to him. He said he had arrived off Cienfuegos at 7 a. m. May 23, and had gone aboard the Brooklyn for the purpose of delivering the dispatches.

In response to a request from the Judge-Advocate, Lieutenant Hood related the conversation he had had with Rear Admiral Schley after delivering the orders, saying that he (the witness) had told the Rear Admiral that it was Rear Admiral Sampson's wish that the Flying Squadron should 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.' I told Commodore Schley 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, my ships all want coal. He added that the Massachusetts, the Texas and the Brooklyn wanted so many tons of coal, and that the day before Admiral Sampson had sent him down the Iowa with only half her coal supply, so that she 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 convoyed by a gunboat only a little before daylight that morning, and it would certainly be there with at least four or five thousand 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 from the Spanish squadron, and he believed they were there.

"I said to Commodore Schley then that the information which the admiral had he considered as definite; he had no doubt 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 had verbal orders from the commander-in-chief, which did not appear in my written orders, to remain with the Hawk alone at Cienfuegos after the squadron had left and conduct a blockade for a day or two, or as long as my coal supply lasted."

SCHLEY'S GREAT PERPLEXITY.

"Describe the Commodore's manner upon this occasion" said Captain Lemly.

"The Commodore was sitting in his chair all the time I was talking to him, very quietly. He seemed to be very much perplexed at what to do."

"Do you remember whether there was anything said about communication with the insurgents?"

"There was something said by me."

"In the Commodore's presence?"

"No, chief of staff, on deck. The Commodore was in the cabin."

"Can you state whether or not during the time you were in Cienfuegos with the Hawk any effort was made to communicate with the insurgent Cubans?"

"There was not."

The witness then testified that the steamer Adula in passing had reported to the Brooklyn that a cable report had been received at Kingston on May 19 saying that the Spanish squadron was in the harbor at Santiago. Rear Admiral Schley's report of this occurrence was also read, as was his statement discrediting the information, because he then believed the squadron to be in Cienfuegos Harbor. All these reports have heretofore been published.

Mr. Rayner began his cross-examination a few minutes before 1 o'clock, and the witness said his recollection was that he had delivered his dispatches to Commodore Schley in his (Schley's) cabin, but it might be that he had handed them to Lieutenant Welles, and had walked down to the cabin with him. He thought there was no one in the cabin when the conversation between himself and the Commodore had taken place.

SCHLEY PROMPTS HIS COUNSEL.

Mr. Rayner was proceeding to question the witness concerning his conversation with Rear Admiral Sampson, when Rear Admiral Schley leaned over and warned him that this conversation had been ruled out. Mr. Rayner then changed his line of questioning. He said: "I want to ask you whether in this conversation with Commodore Schley upon this occasion he did not tell you that Admiral Sampson had instructed him before he left for Santiago to satisfy himself that the Spanish fleet was not at Cienfuegos."

The reply was: "I gathered from his conversation that he had information in some of the dispatches which were written previously to the dispatch I carried him, which was of a considerably later date and therefore, of course, annulled all the others."

"But this dispatch you carried gave him that discretion?"

"That was not the latest dispatch whose contents I knew."

Mr. Rayner questioned the witness concerning the report of the presence of the Spanish fleet at Santiago and attempted to read a quotation from a magazine article alleged to have been written by Rear Admiral Sampson to sustain his point that the Adula had reported that the fleet remained at Santiago only one day. Mr. Hanna objected to the introduction of the article as testimony. He said among other things:

"I have written magazine articles myself for prominent gentlemen whose names were signed to them." He said, however, that he did not doubt that the article was Rear Admiral Sampson's. The question was ultimately withdrawn for the time being.

Captain Lemly then asked: "Wasn't it your understanding that the Adula, in the communication with the Brooklyn, led the officers of the Brooklyn to believe that the Spanish fleet had arrived in Santiago one day, and had come out of the harbor the next day? Wasn't that the impression it left on your mind?"

The reply was: "The impression made on my mind was no impression whatever. It is my recollection that at that date I knew the fleet was in Santiago."

Captain Lemly questioned Mr. Hood concerning the dispatches delivered by him to Rear Admiral Schley, eliciting from him a statement that, while he carried two dispatches to the Rear Admiral from the Commander-in-Chief, he knew that the information contained in one of them was later than that in the other, because the one was dated at Havana and the other at Key West. The Havana dispatch had contained more positive instructions about proceeding to Santiago.

M'CALLA TELLS OF SECRET CODE.

Lieutenant Hood then was excused, and Captain Bowman H. M'Calla, who commanded the Marblehead during the Spanish war, was called. The witness said he had first come into contact with the Flying Squadron on May 19, 1898. When he was proceeding from the south coast of Cuba to Key West he met the squadron on its way to Cuba. He had not been asked to come aboard the Brooklyn for the purpose of making a report on conditions in Cuba, but had made a full report to Captain Chadwick, Admiral Sampson's chief of staff, when he arrived at Key West. On this point he said:

"In addition to written reports or dispatches which I carried, I explained to the chief of staff the secret code which I had established with the Cubans near Cienfuegos. That was not done until I heard that Commodore Schley was proceeding to Cienfuegos."

Q.—What was that secret code, briefly? A.—On the 15th and 16th of May, 1898, I had been in communication with three Cuban officers and two privates on the Marblehead, and I had arranged with Lieutenant Lavarez, who spoke English very well, a system of signals in case they wished to communicate with the Marblehead or my force. There were to be three horizontal lights at night and three horses in line on the beach by day.

Q.—To whom, according to the best of your recollection, did you communicate that secret code of signals? A.—Only to Captain Chadwick, chief of staff.

Q.—Did you make any written report respecting those signals? A.—Never. It was a secret code arranged by myself, and I did not wish any publicity to be given this code, because the Cubans might be betrayed by any publicity which would reach the Spanish government in Havana.

Q.—Did you have any fear of betrayal of our own force in like manner? A.—I thought that was possible, of course; that was in my mind at the time.

Q.—How long after you reached Key West before you made that communication to the chief of staff? A.—So soon as I reached the flagship and found that the Flying Squadron had been directed to Cienfuegos.

M'CALLA DISSOLVED DOUBTS.

Captain McCalla next told of his return to Cienfuegos, on May 24, with dispatches for Rear Admiral Schley. He said:

"It had been reported authoritatively in Key West on May 19, and when I sailed on the afternoon of May 21, that the Spanish squadron was still at Santiago."

Q.—And you communicated that information to Commodore Schley verbally? A.—Commodore Schley told me he thought the Spanish squadron was in Cienfuegos; that he had received newspapers from the steamer Adula some days previous; that one of the newspapers contained a cable dispatch from Santiago, and from that he gathered that the Spanish force under Admiral Cervera might have sailed from Santiago in time to reach Cienfuegos just before the arrival of the force under his command. I said that I had brought arms, ammunition and dynamite for the Cuban camp to the westward, and that if he would let me go I would find out at once whether they were in Cienfuegos. He immediately assented. I asked him if he had seen any lights on the beach. He said he had. I asked if he saw three. He said he had. I then said the lights were from Cubans trying to communicate. I may have asked him if he saw three horses in line on the beach by day.

Captain McCalla then related how he had gone ashore near Cienfuegos and found the Cubans drawn up in line. He gave them food and ammunition. "We found," he added, "that Cervera was not inside the harbor, and that, in fact, the situation in Cienfuegos was exactly as it was when I left it on the 16th of the same month."

Captain McCalla said he sent the information obtained to Rear Admiral Schley by the Eagle, signalling that vessel to proceed at full speed and report to the Brooklyn that Cervera was not in Cienfuegos.

SCHLEY FEARED COURT MARTIAL.

At that time the witness was steaming with only two boilers, and the Eagle could steam faster than the Marblehead.

Q.—Did you consider that information as of urgent importance then? A.—I considered it of great importance.

Q.—Then what did you do? A.—We followed with the Marblehead, reaching the Brooklyn between 3 and 4 o'clock, somewhat behind the Eagle.

Q.—Did you go on board the Brooklyn? A.—I steamed under the quarter of the Brooklyn, and after some conversation with Commodore Schley I asked if he would like me to go on board. He said that he would. I went on board, and, of course, confirmed the fact that Admiral Cervera's fleet was not in Cienfuegos. I saw then for the first time the set of instructions for Commodore Schley. During the conversation the Commodore asked me to read the instructions, and after I had read them he asked me what I thought he had better do. Previous to this he had said that he could not coal off Santiago, that the English had demonstrated that ships could not coal at sea. He also said that if he returned to Key West he would be court martialled. It was after this that he handed me the orders, which I read. After reading them I said: "Commodore, I think you must return to Santiago, even if you do not stay there."

Q.—Where were you when Commodore Schley said that if he returned to Key West he would be court martialled? A.—I was in the cabin of the Brooklyn. The interview lasted perhaps half an hour. Captain Cook either came in frequently or remained the whole time. Lieutenant Sears came in once.

Q.—I assume you do not recollect whether any of those gentlemen were present when that remark was made? A.—That I cannot say.

Q.—Did you hear any reports or remarks, conversational or otherwise? A.—While I was there the flag lieutenant, I think, came in twice to report signals. One was regarding the amount of coal on each of the ships. The other was a report to the effect that the Merrimac had 3,900 tons of coal.

Q.—Was anything further said on that subject of going to Santiago? A.—I do not remember that anything was said then in reply to my suggestion. Shortly afterward the Admiral said: "This is a matter I shall have to decide myself, and you may return to your ship."

Q.—Did the Commodore say anything to you at that time to indicate whether it was his intention to go on that evening or on the next day? A.—Nothing.

NO EFFORT TO OBEY AN ORDER.

In reply to further questions, Captain McCalla said that no effort had been made while he was with the Flying Squadron off Cienfuegos to prevent the Spaniards from continuing the construction of earthworks, which he had been ordered to do. He said the Marblehead could have gone within range of their works, and that he had been told by a Cuban pilot that the water was deep under the bluffs. Captain McCalla said that the squadron had not proceeded with "all dispatch to Santiago."

After telling of the cruise from Cienfuegos to Santiago, of the arrival off that city, and of the retrograde movement toward Key West, the witness was asked if the Marblehead could have coaled on the afternoon and the evening of May 26, when the Flying Squadron arrived off Santiago.

He replied in the affirmative, but said that he had not considered the vessel in need of coal. He also said in reply to questions that he had not been at any time anxious or apprehensive concerning the coal supply of the Marblehead. He had, he said, coaled on the night of the 27th, at first by boats with bags, but after daylight on the 28th his vessel had gone alongside the collier. The reason why this had not been done in the beginning, he said, was that he had been apprehensive of injuring the guns of the Marblehead in the dark, the weather conditions having nothing to do with the precaution. Captain McCalla said he had told Rear Admiral Schley he coaled without difficulty at Cape Haytien. In reply to an explicit question, the witness said that with a collier present he could not have anticipated any difficulty in remaining off Santiago for a considerable time.

In response to questions, he next related briefly the story of the bombardment of the Cristobal Colon on May 31. When asked what had been left undone to accomplish the destruction of that vessel, he replied that Rear Admiral Schley had failed to use his entire force in making the attack.

Mr. Hanna inquired if this was an important omission.

Captain Parker, on behalf of Rear Admiral Schley, objected.

The objection was sustained by Admiral Dewey, who remarked that "such questions should not be asked under the ruling of the court."

Captain Parker was about to proceed with further remarks, whereupon Admiral Dewey asked him to desist, saying: "We will adjourn now; we can take all day to-morrow for that."

Accordingly, at 4 p. m., the court adjourned.

SAMPSON WANTS TO BE IN IT.

During the afternoon session of the court, while Rear Admiral Sampson's relation to the campaign was indirectly under discussion in connection with a magazine article written by him, W. H. Stayton, attorney-at-law, of New-York City, sent to the court a note from Rear Admiral Sampson requesting that counsel be allowed to appear before the court in his behalf. Lieutenant Hood was at that time on the stand, and no immediate reply was made to the request. Mr. Stayton, who was present in the room, then approached Admiral Dewey to remind him of the request. The Admiral told him that a reply would be made to his letter, and asked him to remain outside the railing inclosing the court.

When Lieutenant Hood had ended Judge-Advocate Lemly, by direction of the court, read Rear Admiral Sampson's letter, which was as follows:

Brockhaven, Lake Sanapee, N. H.
September 9, 1901.

Sir: I respectfully request that Messrs. Stayton and Campbell be permitted to appear before the court of inquiry as my counsel, to represent my interests. Very respectfully,

WILLIAM T. SAMPSON,
Rear Admiral, U. S. N.

Admiral George Dewey, President Court of Inquiry, Navy Department, Washington, D. C.

Addressing the court the Judge-Advocate said: "If the court please, the precept in the third clause from the bottom says: 'Rear Admiral Schley has been informed of his right to be present there in person or by counsel during the investigation to cross-examine witnesses and to offer evidence before the court should he so desire. The court may at any time grant to others interested and entitled thereto like privileges.'

"I have only to say that I still think Admiral Sampson is not a party to this inquiry. The matter is one within the discretion of the court."

Admiral Dewey responded: "The court decides that they cannot appear."

After the court adjourned Mr. Stayton said that to-morrow he would renew his request to be allowed to appear in Rear Admiral Sampson's behalf. He added that the continued references to Admiral Sampson were offensive and should be properly met. He further said that he did not regard favorably efforts on the part of the Judge-Advocate to prevent exploitation of Rear Admiral Sampson's part in the war. He thought it better to bring the matter in and meet the questions squarely.

SEARCHING FOR WIGWAG DISPATCHES.

Washington, Sept. 27.—Two naval officers, one representing the Judge Advocate and the other Rear Admiral Schley in the court of inquiry, were at the Signal Office of the War Department to-day, searching the records for copies of dispatches that were exchanged between the fleet and the signal station at Aguedores between July 1 and July 3, 1898, inclusive. Nothing could be found, and it is supposed that as the messages were wigwagged and communicated to General Shafter's headquarters by telephone, the signal officer in charge made no record of them. This officer, Major Green, has been asked by telegraph whether or not any records were kept of these messages. The messages sought were those between the flagship New-York and the shore.

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MAASDAM.....Saturday, Sept. 28, 10 A. M.
Twin-Screw S. S. 8,500 tons ROTTERDAM
Saturday, Oct. 5 10 A. M.
AMSTERDAM.....Saturday, Oct. 12, 10 A. M.
Apply to Gen'l Passenger Agency, 39 B'way, N. Y.

COOK'S TICKETS AND TOURS.
Parties and Independent Tickets to ALL parts of the World. Programmes and information free.
THOS. COOK & SON, 261 & 1185 Broadway, N. Y.

Ocean Steamers.

NORTH GERMAN LLOYD.
FAST EXPRESS SERVICE.
PLYMOUTH—CHERBOURG—BREMEN.
Kronprinz Wm.Oct. 1, Noon | Kronprinz Wm.....Oct. 29
Kaiserin M. Th.....Oct. 8 | Kaiserin M. Th.....Nov. 5
Kaiser Wm. Gr.....Oct. 22 | Kaiser Wm. Gr.....Nov. 19
Sailing at 10 A. M., Pier 32, North River.
TWIN SCREW PASSENGER SERVICE.
SOUTHAMPTON—LONDON—(PARIS)—BREMEN.
Gr. Kurfuerst.Oct. 3, 10 A.M. | Bremen.....Oct. 31, Noon
Barbarossa...Oct. 17, Noon | K. Luise.....Nov. 28, 11 A. M.
K. Luise.....Oct. 24, Noon | Bremen.....Dec. 5, Noon
Pier foot of 3d st., Hoboken.
OELRICHS & CO., NO. 5 BROADWAY.
Louis H. Meyer, 45 South Third St., Phila.

HAMBURG-AMERICAN LINE.
TWIN-SCREW EXPRESS SERVICE.
Every Thursday to PLYMOUTH—CHERBOURG—HAMBURG.
Deutschland...Oct. 3, 9 AM | Deutschland..Oct. 31, 8 AM
A. Victoria.Oct. 10, 16 AM | A. Victoria..Nov. 7, 10 AM
Columbia.....Oct. 15, 10 AM | Deutschland...Dec. 12, 7 AM
TWIN-SCREW PASSENGER SERVICE.
Every Saturday to PLYMOUTH—CHERBOURG—HAMBURG.
Pretoria.....Sept. 28, 3 AM | *Palatia.....Oct. 26, 3 PM
*Phoenicia.Oct. 5, 10:30 AM | P'nsylvania.Nov. 2, 9:30 AM
Patricia.....Oct. 12, 5 AM | Pretoria.....Nov. 9, 3 PM
Waldersee...Oct. 19, 9 AM | *Phoenicia.....Nov. 16, 8 AM
*To Hamburg direct.
HAMBURG-AMERICAN LINE, 37 BROADWAY, N. Y.

MEDITERRANEAN EXPRESS SERVICE.
*HAMBURG-AMERICAN LINE. to †NORTH-GERMAN LLOYD.
NAPLES AND GENOA VIA GIBRALTAR & ALGIERS BY EXPRESS STEAMERS.
†Trave .....Oct. 5 | †Aller.....Nov. 2, 10 A. M.
†Hohenz'ern.Oct. 12, 4 P.M. | *Columbia .....Nov. 9
†Lahn.....Oct. 19, 10 A. M. | †Hohenzollern.Nov.16, 10 A.M.
*F. Bismarck.....Oct. 23 | F. Bismarck.....Nov. 23
Sailing at 11 A. M.
FOR ALEXANDRIA (EGYPT), JAN. 4, 18, 30, MCH. 29.
Steamers Werra, Aller, Trave, Lahn, and Hohenzollern do not call at Algiers.
Return tickets available for the steamers of either line from Naples, Genoa, Gibraltar, Hamburg, Bremen, London, Southampton, Paris, and Cherbourg.
HAMBURG-AMERICAN LINE, 37 BROADWAY, N. Y. | NORTH GERMAN LLOYD, OELRICHS & CO., Agents, 5 BROADWAY, N. Y.
Hamburg steamers from First St., Hoboken, N. J.
Lloyd steamers from Amity St., Brooklyn.

OLD DOMINION LINE
DAILY SERVICE.
For Old Point Comfort, Norfolk, Portsmouth, Pinner's Point and Newport News, Va., connecting for Petersburg, Richmond, Virginia Beach, Washington, D. C., and entire South and West.
Freight and Passenger steamers sail from Pier 26, N. R., foot of Beach St., every week day at 3 P. M.
H. B. WALKER, Traffic Manager.

JAPAN-CHINA
HAWAIIAN AND PHILIPPINE ISLANDS.
PACIFIC MAIL S. S. CO.
OCCIDENTAL AND ORIENTAL S. S. CO.
TOYO KISEN KAISHA.
Between San Francisco, Honolulu, Yokohama, Kobe, Nagasaki, Shanghai, Hong Kong.
Steamers leave San Francisco at 1 P. M.
RIO DE JANEIRO..Oct. 5 | PEKING.....Oct. 31
COPTIC.....Oct. 15 | GAELIC.....Nov. 7
AMERICA MARU...Oct. 23 | HONGKONG MARU..Nov. 16
For freight, passage and general information apply to 349 Broadway, or 1 Battery Place, Washington Building, and 287 Broadway.

For Porto Rico.
Steamships of the RED "D" LINE will sail for San Juan direct as follows:
S. S. PHILADELPHIA.....Saturday, October 5, noon
S. S. CARACAS.....Saturday, October 9, Noon
For freight or passage apply to
BOULTON, BLISS & DALLETT,
General Managers, 135 Front-st.

AMERICAN LINE.
NEW-YORK—SOUTHAMPTON—LONDON.
Philadelphia.Oct. 2, 10 a.m. | Philadelphia.Oct. 23, 10 a.m.
St. Paul.....Oct. 9, 10 a.m. | St. Paul.....Oct. 30, 10 a.m.
St. Louis...Oct. 16, 10 a.m. | St. Louis....Nov. 6, 10 a.m.
RED STAR LINE.
NEW-YORK—ANTWERP—PARIS.
Friesland.....Oct. 2, noon | *Vaderland.....Oct. 16, noon
Southwark.....Oct. 9, noon | Kensington.....Oct. 23, noon
*New Twin Screw Steamers calling at Cherbourg.
INTERNATIONAL NAVIGATION COMPANY,
Piers 14 and 15, N. R. Office, 73 Broadway.

RED "D" LINE.
For La Guayra, Puerto Cabello, Curacao and Maracaibo, via Curacao—Calling also at San Juan, P. R.
From Roberts Pier, Brooklyn.
S. S. PHILADELPHIA.....Saturday, October 5, Noon
S. S. CARACAS.....Saturday, October 19, Noon
These vessels have superior accommodations for passengers.
BOULTON, BLISS & DALLETT,
General Managers, 135 Front-st.

A.— WHITE STAR LINE.
NEW YORK—QUEENSTOWN—LIVERPOOL.
Cymric.....Oct. 1, 8 A. M. | Oceanic.....Oct. 16, 8 A. M.
Germanic.....Oct. 2, noon | Celtic.....Oct. 22, noon
Majestic.....Oct. 9, noon | Teutonic.....Oct. 23, noon
For passage, freight and general information apply to WHITE STAR LINE,
Pier 45, North River. Office, 9 Broadway, N. Y.

CLARK'S CRUISE OF THE "CELTIC" to the Mediterranean and the Orient, Feb. 8, $400 up. 74 days. First Class, including shore excursions, guides, drives, fees, hotels, etc., the cheapest and most attractive trip ever offered; 18 days in Egypt and Palestine; largest ship afloat. F. C. CLARK, 111 Broadway, New York.