

DEATH FOR STOESEL

CONDEMNED BY COURT.

Commulation of Sentence Asked for Port Arthur's Defender.

St. Petersburg, Feb. 20.—Lieutenant General Stoessel was condemned to death this evening by a military court for the surrender of Port Arthur to the Japanese. General Fock, who commanded the Fourth Siberian division of Port Arthur, was ordered reprimanded for a disciplinary offense, which was not connected with the surrender, and General Smirnov, acting commander of the fortress, and Major General Reiss, chief of staff to General Stoessel, were acquitted of the charges against them for lack of proof. The court recommended that the death sentence upon Lieutenant General Stoessel be commuted to ten years' imprisonment in a fortress, and that he be excluded from the service.

General Nodar, president of the court, read the sentences amid a tense silence. By a great



GENERAL STOESEL.

effort of self-control, General Stoessel maintained a rigid soldierlike impassivity. General Smirnov also was seemingly unmoved, but there were tears in the eyes of General Reiss. The sentence of death was pronounced upon General Stoessel for surrendering the fortress before all the means of defence had been exhausted; for failing to enforce his authority and for military misdeemeanors.

Commulation of the sentence was asked on the ground that "Port Arthur, beset by overwhelming forces, defended itself under General Stoessel's leadership with unexampled stubbornness and filled the world with astonishment at the heroic courage of its garrison; that several assaults had been repulsed, with tremendous losses on the part of the enemy; that General Stoessel throughout the siege had maintained the heroic courage of the defenders, and, finally, that he had taken energetic part in three campaigns."

Before the sentence was read measures were taken to prevent a demonstration in favor of Stoessel by a number of the younger officers and witnesses who were present. These later sent a dispatch to the Empress saying that they would humbly bear testimony that General Stoessel was the soul of the defence of Port Arthur, that he had always encouraged and put heart in the garrison to the best of his endeavor, and that in case of war they would wish to serve again under such a hero. They asked the Empress graciously to bespeak from the Emperor a full pardon.

There was a dramatic moment after the reading of the sentence, when a detachment of soldiers filed into the hall. The spectators, thinking that they were about to seize General Stoessel, displayed great excitement, several women fainting. It became known, however, that this was merely a guard for the dispersal of the court. General Stoessel, who was accompanied by his son, was the object of a sympathetic demonstration, friends kissing and shaking him by the hand as he left the court leaning on his son's shoulder.

A public festival is being organized by the municipality of St. Petersburg in honor of the defenders of the fortress.

STORY OF THE TRIAL.

The passing of the sentence of death upon Lieutenant General Stoessel is a harsh and tragic ending to the career of this Russian commander, who three years ago was acclaimed around the world as the hero of Port Arthur. The general, who was decorated by Emperor William of Germany and honored by the Russian army for his gallant defense of the Port Arthur fortress, has now been tried and found wanting in courage and capability by his own people, and sentenced to give up his life to the fetter of a gallows.

The trial which has just come to an end opened in St. Petersburg on December 30, 1907, when General Stoessel appeared before an assemblage of his old comrades in arms. The punishment for the offense charged against the general, by the Russian code is death.

The trial has excited the little auditorium interest in army circles, and the most intense interest in the army and Navy Club of St. Petersburg, where the hearings were held, has been crowded by privates as well as officers in the army ever since the opening of the case. The stand taken by General Stoessel, Reiss and Fock was that the capture of Port Arthur was sealed with the capture of the Eagle's Nest and two other positions. Every point remaining in the hands of the Russians was exposed to the Japanese, and the so-called second and third lines of defence were absolutely valueless.

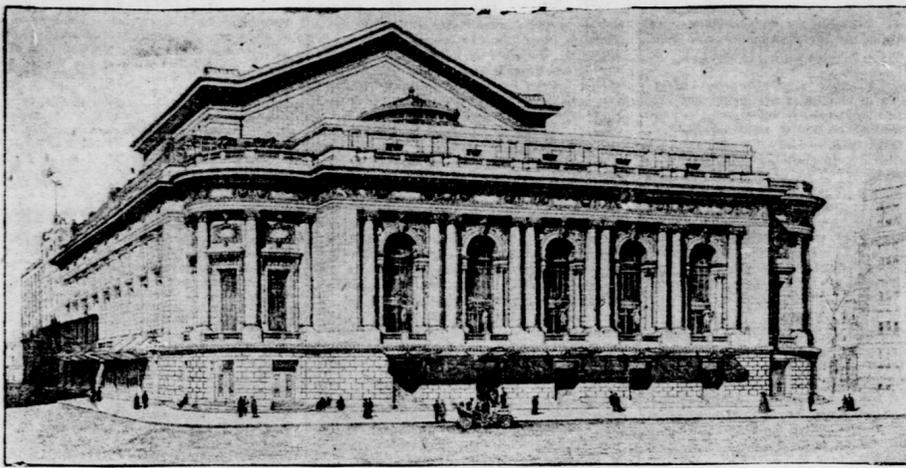
When the court martial convened for the first time General Stoessel appeared in civilian attire, and this made him conspicuous. He wore around his neck the cord of the Military Order of St. George, which was conferred upon him by the Emperor during the siege, and on his breast was pinned the Cross of George III, awarded for conspicuous services in frontier fighting. The other accused officers, General Fock, Reiss and Smirnov, came to court clad in their uniforms. The indictment against General Smirnov charged him with having failed to remove General Fock from his command, although he suspected the agreement between General Stoessel and Fock to surrender the fortress. Instead of preventing the capitulation, General Smirnov contented himself with telegraphing to General Kurapatkin asking him either to confirm him in his appointment as commander of Port Arthur, or to remove him from his post and its attendant responsibilities.

The first few days of the trial were taken up with the presentation of the voluminous indictment and the charges in detail. On December 12 General Kurapatkin appeared in court and his testimony created a sensation. He declared that the Japanese could have taken Port Arthur by assault in the early days of the war. The defence were then so completely that the fortress must have fallen at the first vigorous attack, but the slowness of the Japanese and the resistance made by the army in the field gave the Russians time to improvise defence works, which ultimately withstood the Japanese for months. General Kurapatkin's evidence was favorable to General Stoessel.

The progress of the trial General Stoessel became convinced that the court was excluding witnesses for the defence and otherwise discriminating against him. He at once sent a protest direct to Emperor Nicholas, and as result the Emperor sent a personal aide-de-camp to himself. It was then furnished a report direct to the Emperor, and the defence greater consideration than theretofore.

THE NEW THEATRE TO BE BUILT IN CENTRAL PARK WEST.

(Carrere & Hastings, architects.)



PLANS A GREAT NAVY

Russian Admiralty Calls for Expenditure of \$1,978,000,000.

St. Petersburg, Feb. 20.—Representatives of the Russian Admiralty submitted to-day to the Commission of National Defence of the Douma the financial outline of the much discussed naval programme. The matter was discussed with open doors instead of in private, as had been expected.

The programme is to be completed in 1917, and it includes not only the construction of a fleet of battleships, but also a certain amount of hydrographic work at several of the ports of Russia. The expenditures involved amount to \$1,978,000,000, and increase yearly from the \$43,500,000 already included in the budget of 1908 for the laying down of four new battleships to a maximum of \$25,000,000 in 1914. The expenditure then decreases to \$8,000,000 in 1918, and the subsequent expenditures are to be maintained at this figure. One of the features of the programme is a duplicate complement of guns for every ship to be constructed.

In reply to a question Admiral Weylenus, chief of the general staff of the navy, declared that the Russian yards would be able to handle and complete the entire programme, including the installation of turbine machinery and other late developments in naval construction. The first ships called for are to be completed in four years and the others in three years after they are laid down.

An alternative minor programme also was submitted. This provides for the construction of only four battleships and a fleet of smaller vessels. The estimated expenditure under this schedule is \$25,000,000.

The commission took no action, and several members advocated that the matter be discussed at length before the Douma. A complete reorganization of the admiralty is generally held to be essential before the new plans can be adopted.

QUEEN'S AUTO RUNS OVER CHILD.

Margherita of Italy Takes Little One to Hospital and Gives Her a Big Doll.

Rome, Feb. 20.—An automobile in which Queen Dowager Margherita was riding to-day ran over a five-year-old girl, who, however, was only slightly injured. The Queen alighted from the automobile, lifted the child in her arms and drove with her to the hospital. She then sent for the mother and presented to the child a big doll, which was put into the little bed next to her. The Queen would not leave the child until assured that she would be well again within a few days.

DEATH OF MARQUIS DE CASTRONE.

Husband of Mme. Marchesi, the Singer and Teacher, Expires in Paris.

Paris, Feb. 20.—An official announcement was made this evening that Mme. Mathilde de Castrone Marchesi, the famous singer and vocal teacher, had died in this city to-day, but this soon was followed by a statement that it was not Mme. Marchesi who had died, but her husband, Salvatore Marchesi, Marquis de Castrone, an Italian composer and singer. The mistake arose through the faulty wording of the original announcement issued to the newspapers from the Marchesi residence. Mme. Marchesi is prostrated on account of her husband's death.

Signor Salvatore Marchesi-Cavaliere de Castrone, Marchese della Rojada, baritone singer and teacher, was born at Palermo on January 15, 1822. His family belonged to the nobility and his father was Governor General of Sicily for four years. While studying law and philosophy in his native city he took singing lessons and continued them in Milan. When called for participation in the revolutionary movement of 1848 he took refuge in this country and made his debut as an opera singer in "Ernani." He then went to London and studied under Garcia. In 1852 he married Mme. Graumann, who had already worked in opera in Berlin, Brussels, London and Italy. In 1854 they began teaching in the Vienna Conservatoire, and later in Paris, where they had many pupils who became famous. Signor Marchesi was the composer of a number of German and Italian songs, and translated many works in music and composed several volumes of vocal exercises. He and Mme. Marchesi had ten children, of whom the last and only surviving one is Mme. Blanche Marchesi, Baronne Casanovi, who is a well known opera singer and has been preparing pupils for her mother for several years.

THINK IT MEANS BRITISH TREATY.

English Leaders Interested in Franco-American Arbitration Agreement.

London, Feb. 20.—Fresh interest was aroused in Parliament to-day in the American-British negotiations looking to the conclusion of an arbitration treaty by the announcement that the American Senate had ratified the American-French treaty of arbitration. It being felt that this practically assures the completion of a similar treaty between this country and the United States.

FRENCH CONSULATE A REFUGE.

Legal Trial for Haytian Rebels Only Object Sought.

Paris, Feb. 20.—An official of the Foreign Office said to-day that the only purpose of France in protecting the Haytian revolutionists who have taken refuge in the French consulates at Gonaives and St. Marc is to insure them humane and lawful treatment when they leave the protection of the French flag. In this connection it was explained that according to French tradition, any man who seeks refuge under the flag of France shall have at least temporary protection.

RUSSIA'S AMBASSADOR TO JAPAN.

St. Petersburg, Feb. 20.—The "Slavo" to-day says that Senator Malozky-Malavitch, at one time minister of a department in the Foreign Office, has been selected to succeed M. Bakmeteff as Russian Ambassador to Japan when that post is raised to the rank of an embassy. This change will be made after the Douma has taken action on a bill authorizing the necessary increase in salaries, etc.

BRUCE ON FISHERIES.

Ambassador Has Conference with Sir Wilfrid Laurier.

Ottawa, Ont., Feb. 20.—Ambassador Bryce had a long interview with Sir Wilfrid Laurier and the Hon. L. P. Brodeur to-day in regard to the fishery question, which is to be referred jointly with Newfoundland to the Hague Tribunal. The reference is about complete, and is said to be satisfactory to the Canadian authorities and the Ambassador. Some of the officers of the fisheries department were present during part of the interview. The inland fisheries also came in for a general discussion.

As a delegation is expected here from Toronto from the Ontario government to oppose the proposals for the beautifying of Niagara Falls which may prevent any further power plants being established there, the hydro commission wants to draw power from the Falls if it cannot deal with the existing power companies. The interview will take place with the Dominion government to-morrow forenoon, so that Mr. Bryce may have the benefit of their views.

GOVERNMENT SUSTAINED.

French Senate Passes Vote of Confidence on Moroccan Question.

Paris, Feb. 20.—The reports of numerous recent severe battles in Morocco which have been printed in the newspapers here, with the accompanying rumors that General d'Amade's army is really in serious straits through reverses at the hands of tribesmen, led to a long discussion of the Moroccan question in the Senate this afternoon, which finally adopted a vote of confidence in the government's present course of action.

Senator Gaudin de Villaine contended that the recent murderous attacks upon the French troops at close quarters indicated that the government should increase the army and end the intolerable situation in Morocco.

"You are face to face," he said, "with the dilemma of evacuating Morocco or dispatching an army of 100,000 troops to that country. While we are debating, Spain is taking all she pleases on the coast, and one day Great Britain will take Tangier."

Comte de Treveneux favored a wider action on the part of the government.

General Picquart, the Minister of War, responded at some length. He denounced as false the sensational reports which were coming out of Morocco, and claimed that General d'Amade was succeeding in his mission, which always must be carried out in accordance with the delicate restrictions of the Algeiras act. The general situation, he said, in Morocco is excellent.

The Chamber of Deputies will take up the discussion of the new questions propounded by M. Jaurès, the Socialist leader, to-morrow.

WORRIED OVER U. S. GUARANTEES.

Cubans Discussing What Will Happen When Republic Is Re-established.

Havana, Feb. 20.—Interest in politics, which lately has been languid, is reviving under the stimulus of a spirited discussion in the newspapers as to whether the United States intends on the re-establishment of the republic to impose additional guarantees to insure the stability of the new government.

Liberals strenuously oppose the imposition of guarantees additional to those included in the Platt amendment, insisting that the relations between the United States and Cuba should remain the same as they were prior to the latest revolution.

The Conservatives favor the idea of the United States undertaking the responsibility of giving full support to the new government, and also making Cuba responsible for all damages to native and foreign property resulting from future revolutions.

Major General Enrique Loynaz de Castillo, a former Congressman and commander of the second division of the insurgent army, has called to Señor Quesada, the Cuban Minister at Washington, asking whether it is advisable that he and other representatives of the political parties in Cuba visit Washington and present their views before President Roosevelt. He has also inquired of the Cuban Minister as to what are the intentions of the United States relative to guarantees.

Minister Quesada, in reply, says that he has consulted with President Roosevelt and Secretaries Root and Taft, and finds that the United States has not formulated its intentions with regard to guarantees, but that the President would gladly receive the views of the representatives of Cuban political parties.

ACTIVE MILK CRUSADE IN ENGLAND.

The Rev. Dr. C. H. Yatman, who arrived on the Adriatic yesterday, said there was widespread interest in England in the plans of Nathan Straus to reduce infant mortality and to lessen the ravages of tuberculosis. He was the representative of Mr. Straus in presenting to the London public the perils of raw milk.

"Mr. Straus's name," said Dr. Yatman, "was a talisman; his sixteen years of successful work in saving lives by pasteurizing milk opened doors everywhere and offers of aid came from all sides. The House of Lords and the House of Commons took cognizance of the movement for the safeguarding of life, and it is proposed to have Parliament act along the lines of Mr. Straus's crusade. The medical officers of health of the various London boroughs called upon me and the Countess of Aberdeen, the wife of the Viceroy of Ireland, sent me to call at the Admiralty House, and the result was a promise to her ladyship of a complete milk pasteurization plant for Dublin by Mr. Straus."

"Mr. Straus is giving a complete plant to Liverpool and another to Brussels and has one in operation in Heidelberg, and recently the Dowager Grand Duchess of Baden sent for him and thanked him for the good he was doing in saving lives and urged him to continue the work."

DOMINION COURTS TO PASS ON ACT.

Ottawa, Feb. 20.—The Dominion Cabinet did not consider the British Columbia Natal act at its meeting to-day, but will permit the courts to be heard from on the constitutionality of the act before acting.

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By B. L. PUTNAM WEALE

whose work is such that the London Telegraph says: "Emphatically without the aid of the student of the Far East will be incomplete." The Daily News considers the author "so far superior to any other authority on the subject that he may be considered really the only one." His presentation is "remarkably searching, analytical, clear and comprehensive," says the New York Tribune.

By the same Author are:

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The Re-shaping of the Far East. In two volumes. \$6.00 net.
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NEW THEATRE PLANS.

Architects Give Public View—Building To Be Resumed Soon.

Plans of the New Theatre, which have been approved by the founders of that institution, were on public view yesterday at the offices of the architects, Carrere & Hastings. A number of the directors were present, also many persons interested in the project.

As published in The Tribune several weeks ago, the directors have decided that within a few weeks work shall be renewed on the building of the theatre, and it is hoped to have it completed for formal opening in the fall of 1908. The question of a director is still to be disposed of, but until some progress is made in the building of the theatre it will not be finally settled.

As has been made known before, the New Theatre is not a commercial enterprise, but destined to be maintained for the advancement of the art of acting. In the new structure there will be every facility for the production of classical dramas, modern plays and light musical compositions.

The theatre has been designed after European playhouses, especially those of France and Germany. The entire space will not be encompassed by the auditorium and the stage. There will be ample room for an imposing foyer, grand staircase, smoking rooms, entrances, vestibules, elevators, restaurant, roof garden, and stalls for confectioners, florists, etc.

There will be twenty-three dressing rooms for the players, and pleasant quarters for the chorus and supernumeraries. The building will front a full block in Central Park West, from 62d to 63d street, and will be 200 feet deep. The stage will be 78 feet wide, 100 feet deep and 112 feet high. The boxes will be arranged in two tiers of twenty-four each.

Speaking of the plans yesterday, Mr. Carrere said:

After winning the competition for the New Theatre we visited the most important theatres in Europe—Germany, France and England—and in a general way we were much impressed with the fact that on the Continent the theatre builders have respected the principles of evolution and experience, one generation after another, whereas in this country and in England we are apt to begin again every time a new theatre is built.

Another fact which impressed us very strongly was that everywhere, more especially in Germany, Austria and America, most theatres have been built by architects who were so-called "theatre experts," and who have not been very serious students of architecture, whereas in France some of the ablest architects have been employed.

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CENTRAL ON THE GRILL.

Train Service Complaints Before Both Public Service Commissions.

Complaints regarding the suburban train service of the New York Central Railroad are before both the Public Service Commission and the Public Service Commission. A number of the directors were present, also many persons interested in the project.

As published in The Tribune several weeks ago, the directors have decided that within a few weeks work shall be renewed on the building of the theatre, and it is hoped to have it completed for formal opening in the fall of 1908. The question of a director is still to be disposed of, but until some progress is made in the building of the theatre it will not be finally settled.

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LIBRARY CLOCK FOUR YEARS SLOW.

Ordered in 1904, Timepiece Just Delivered Hides Face Behind Hands.

"Time may fly, according to the old saw, but clocks are sometimes indefinitely detained," said Philip Baer, the City Librarian, yesterday as he looked at a brand new clock, with a handsome marble dial and every appearance of wishing to do its duty, which two mechanics screwed fast to the iron railing over the door leading into the library in the City Hall.

"We certainly have waited a while for that clock," said Mr. Baer. "It was back in 1904 that the Aldermen passed a resolution appropriating money for a new clock. When the two men came with the clock to-day I thought there was something wrong about the business, as I had forgotten what the clock was on the way. As I looked at I looked the matter up I discovered that the clock was ours."

"It is an hour slow," suggested a reporter. "That's all right. Give us time," said Mr. Baer. "Come around in 1912. By that time the official clock winder for the city will have included us in his weekly rounds, and then we will have something to watch besides the couples which come in here to fill out their marriage license applications."

WALLS SHOW NO SIGN OF FIRE.

Interior of William Sanger's Home at Hastings Destroyed by Night Blaze.

Fire started early yesterday morning in the home of William Sanger, an architect, at Hastings. The interior and furnishings were destroyed, but the concrete frame of the building does not show any signs of a fire. It had been completed only a month.

The blaze was discovered by a maid, who found the whole lower floor and cellar a mass of flames. She aroused Mr. Sanger and the other occupants, and the volunteer fire company of the village was summoned.

BILLEK SENTENCE CONFIRMED.