

MORE OF SCHLEY'S WITNESSES

THE NAVIGATOR OF THE OREGON ON THE STAND.

He Says There Was No Well-Developed Movement of the Enemy's Ships Toward the Brooklyn—Rings Centered on the Statement that the Texas Was Obligated to Stop to Avoid Collision With Schley's Ship—The Oregon Claimed to Be in the Running Fight and Closer to the Spanish Ships at All Times—Brooklyn's Surgeon Says He Heard Schley Give the Order to Make the Loop—Ensign Ryan Says the Brooklyn Said the Loop Was Firing Range After the Loop Was 1,100 Yards—Schley's Counsel Says He Expects to Get Through Next Week.

WASHINGTON, Oct. 18.—A great many witnesses called in behalf of Admiral Schley appeared before the Court of Inquiry to-day. They included Lieutenant-Commander Nicholson, the Navigator of the Oregon; the Chief Engineer of the Brooklyn, two Assistant Engineers, the Assistant Surgeon, a naval cadet, now Ensign, who acted as signal officer, and the chief of the deck of the Brooklyn, the Chief Engineer of the Texas, and a chief machinist of the Texas.

Mr. Nicholson's testimony was the most important and interesting of the day. He told of how the Oregon conducted herself in the battle of July 3 and what he saw from her. He said it was almost certain that when the Spanish started out of the harbor that they intended to run away. He said that the Viscaya changed her course a little toward the Brooklyn, but this was well along in the action, and the Brooklyn had made the "loop," and was heading for the westward. There was no well-developed movement, he said, at the time the Spanish vessels started out of the harbor to go toward the Brooklyn. His testimony helped confirm the statements on the stand that the Texas was obliged to stop and back her engines to avoid collision with the Brooklyn when that vessel made her turn away from the direction taken by the enemy, for he said he had seen the Texas lying dead in the water, with her head pointing seaward, and the Oregon passing under her stern, and the Oregon probably blanketed the fire of the Texas in going past. He said also that the Brooklyn was about a mile from the Texas when he first saw the flagship, but admitted on cross-examination that they might have been closer together.

To one question he said that to him the Spanish fleet, in leaving the harbor, appeared to him to be going to the west just as soon as they could. The Oregon, Mr. Nicholson said, was closer in shore than the Brooklyn in the running fight with the Spanish ships, and closer to the Spanish ships, he believed, at all times.

Passed Assistant Surgeon Dr. De Valin of the Brooklyn, called to testify to the fact that he had seen the Brooklyn in the battle of July 3, said on cross-examination that he heard Admiral Schley give the order to make the "loop" and that he had not heard anybody else give it. He admitted that he had said he had an indistinct recollection of a conversation between Schley and Navigator Hodgson, but he was unable to testify to it under oath.

Carpenter Warford of the Brooklyn gave a new and interesting lot of evidence. He said that shortly after the battle began the order was passed "stand by to ram." On cross-examination he said he heard a marine orderly pass it. He, too, testified that the Viscaya, just before she was sunk, turned toward the Brooklyn as if to ram her. Like Lieut. McCauley, Schley's aide, he heard the Admiral say "Give them hell, boys."

Chief Machinist Hanley who served on the Texas, testified that the port engine of the vessel was slowed, but not stopped or backed in the action. Six witnesses who were on the Texas, including her Chief Engineer, have testified that the engines were backed and stopped to prevent collision with the Brooklyn while she was executing the "loop."

Lieut. Ryan, a former engineer of the Brooklyn, said that after the loop the firing range given was 1,100 yards.

Lieut. Wells, Flag Secretary to Admiral Schley in the war, identified an indorsement made by him on a copy of the "Dear Schley" letter, saying "23d concerning movements," which meant, he thought, that the letter had been received on May 23, and not on May 22, as the Judge Advocate maintains. He said that Admiral Schley did not take refuge behind the conning tower when the Massachusetts, his temporary flagship, was coming in to shoot near the Santiago. He said that he was with Mr. Rayner, Admiral Schley's leading attorney, announced to-day that he expected to get through with his witnesses next week. The court will not hold a session to-morrow.

MR. SCHLEY'S CONTRADICTION OF SIOBREE. When all the officers who had testified yesterday had certified to the correctness of their evidence as recorded, the examination of Lieutenant-Commander Reginald Nicholson, Navigator of the Oregon, the principal witness of the day, was resumed. The son of the five young ensigns who served as naval cadets on the Brooklyn in the Spanish war was asked any questions in regard to his testimony yesterday. He was Ensign Ralph N. Marble. He was questioned closely by the Judge Advocate in regard to his contradiction yesterday of Capt. Sigbee's statement that he had not told Admiral Schley of Santiago, on May 24, 1898, that he believed the Spanish ships were not there.

Mr. Marble was asked by Capt. Lemly if Capt. Sigbee had not said: "I have been here about a week and have not seen anything of you." Nicholson replied: "No," he responded the young officer. "As I remember it he said, 'they could not be here unless I knew it.' He added that he had not seen him since." He added that a confirmation of Capt. Sigbee's statement to Schley that the information he was giving related to the time he had been there.

Nicholson-Commander Nicholson told graphically the story of the Oregon's part in the battle of July 3, with particular reference to what he saw of the Brooklyn during the conduct of the Spanish ships, as follows: "The engagement began at about half past 8, when the Spanish ships were seen coming out of the harbor. I went to my station on the first bridge and then to the conning tower, and saw that the proper connections were made. By this time steam was coming up on all the boilers of the Oregon. A few minutes after that Capt. Clark called me to the conning tower. We went slowly first, the speed increasing all the time. We turned the ship on her starboard beam and started in toward the enemy.

"The Spanish ships came out at full speed, apparently. When we started they were all ahead.

about that time (she being to the westward of us), and apparently she got in closer to the enemy than we did. We passed under her stern a few minutes after that we passed under the stern of the Texas, apparently lying still in the water.

"As soon as the enemy cleared the mouth of the harbor they commenced to fire and the batteries commenced to fire. Then we returned the fire at long range, three and one-half to four miles off. About the other side of the Texas the Texas's stern was the Iowa coming on a course nearly parallel, a convergent course with ours. Capt. Clark called me to the conning tower to look out to avoid a collision. There was no collision very imminent, but we did change our helm and passed on. About that time that they started firing ahead of us was the Brooklyn. We had passed the Texas and the Iowa not more than twenty minutes after the battle commenced.

"The Brooklyn was off her customary position, toward the west. All the Spanish ships had got out at that time and we were pursuing them. When I got out the Maria Teresa, which had apparently dropped astern. Then we saw a volume of smoke from the Texas. The Texas was firing and the Iowa was firing. A few minutes after that the Oregon was covered with smoke and we concluded that she was firing. Just at that time the Viscaya started her helm and headed off to the southward and westward. At the same time it seemed evident that she was going the other way, steaming toward the shore. It was developed that she was running away and was well ahead. She ran that course for some time, then she straightened out again and turned in shore.

"A short time after that Capt. Clark called my attention to some object in the water. It was a torpedo net, and the Captain called my attention to them to avoid them. They were carriage cases, showing we were clearly on the track of the Viscaya. By that time the Colon was well ahead, going much faster than any other ship. We were in the Colon's wake.

"The Brooklyn, in commencing the action, was in her usual blockade position, well off to the westward. I kept her well as I could.

THE CHARGE OF THE COLON. "The chase of the Colon continued until 1:15, when she surrendered. She was about a mile from the Brooklyn when she was captured. She was about a mile from the Brooklyn when she was captured. She was about a mile from the Brooklyn when she was captured.

"In the first part of the day I saw some signals made by the Brooklyn. One signal was a red flag, and another was a red flag. This signal I did not see, but the signal officer reported it to me.

"The Oregon passed her stern, and the Oregon probably blanketed the fire of the Texas in going past. He said also that the Brooklyn was about a mile from the Texas when he first saw the flagship, but admitted on cross-examination that they might have been closer together.

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they turned in column and ran to the west for safety. "It was almost certain when they started out," he said, "what they intended to do, but I am not sure."

"The Viscaya changed her course a little, about two points to the south in the direction of the Brooklyn," Mr. Nicholson testified. He explained the statement that the Viscaya started out toward Schley's flagship. "That was well along in the action. There was no well-developed movement at the time the vessels came out to go toward the Brooklyn. I am sure of that."

Concerning the position of the Texas when the Brooklyn saw her lying dead in the water Mr. Nicholson said: "The Texas was heading to the southward. We must have been heading west south of west at that time, but apparently lying dead in the water, but was firing her guns, probably all her after guns. We probably blanketed her fire as we passed under her stern."

Q. You say that when you saw the Brooklyn she was about a mile from the Texas? A. Yes, that is correct. When I first saw the Brooklyn she was heading toward the harbor mouth, but I am under the impression that she also intended to run away. The course was parallel with the course of the enemy.

Q. How close was she to the Texas? A. I never saw her any closer than that. I am not sure that she had been closer.

QUESTIONS BY THE COURT. By the Court—Was the Oregon in her proper blockade position when the Spanish ships came out? A. Practically.

Q. What was the Oregon's position on the blockade with reference to the Morro? A. In the regular blockade position, about three miles distant from the shore and almost south, a little to the eastward of south or south by east. The shortest range that we could get was about three miles. The blocking squadron was increased and decreased, and when a ship left the space was filled up.

Q. What was the relative position of the American ships when the Spanish ships were in the harbor? A. The Iowa was almost due south from the entrance to the harbor. The Texas was on her port bow, and the Oregon was on her starboard bow. The Brooklyn was on her port bow, and the Oregon was on her starboard bow.

Q. What was the position of the Oregon when she turned with her starboard helm? A. Lying still in the water in her blockade position. She was on her starboard bow.

Q. Did you see any signals made by the Brooklyn? A. Yes, I saw some signals. One was a red flag, and another was a red flag.

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ferred an accident to her machinery and could only hobble along, having lost one screw, but finding that his testimony would help Admiral Schley had not placed him on the stand.

"I am sure that the Brooklyn could steam ten knots, her most economical speed, with seventy or seventy-five tons of coal a day. Her speed in the action was probably not more than ten knots.

THE BROOKLYN'S SPEED IN THE BATTLE. Lieut. Thomas H. Carter, who served on the Brooklyn as a Passed Assistant Engineer in the West Indian campaign, testified that he was in charge of the main engines in the battle of July 3. The aft main engine, he said, were in use in the engagement, the forward main engine were uncoupled and fire was on in three of the main boilers. The engines certainly were not stopped or reversed in the battle.

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him. The inference from this was plainly that Capt. Lemly had summoned the witness, but finding that his testimony would help Admiral Schley had not placed him on the stand.

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Brokaw Brothers Fall Overcoats Fall Suits For All Occasions. Both LONG, SHORT AND MEDIUM. For BUSINESS, FOR SEMI-DRESS, FOR FORMAL OCCASIONS. Correct in Style. Honest in Manufacture. Moderate in Price. The same high standard of excellence prevails throughout this establishment as has for so many years. Fourth Avenue Astor Place Lafayette Place

SALOONKEEPER AFTER COLER.

Wants Comptroller Punished for Contempt in Not Paying \$32.54 Damages.

Frank B. Hoag, a saloonkeeper, had a motion on before Justice Maclean of the Supreme Court yesterday to punish Comptroller Coler for contempt of court in not paying a judgment for \$32.54, rebate on a note for \$100, which he had issued in violation of a writ of mandamus issued by Justice Bugbee Sept. 10 last. When the Baines Excise law went into effect on May 1, 1898, Hoag's license had twenty-four days to run. He had paid \$100 for the license from May 1, 1898, and so claimed a rebate on the old license. He got judgment on default.

TUBERCULOSIS, MAN TO BEAST.

Disease Transmitted to Calves in a Test Case in New Orleans.

NEW ORLEANS, La., Oct. 18.—Upon the announcement of Dr. Koch's theory that tuberculosis could not be transmitted from cows to man, Dr. E. A. White, veterinarian in charge of the Bureau of Health, under the authority of that body, began the opposite test, whether tuberculosis could be transmitted from man to cattle.

LAWYER LEVENSON SUSPENDED.

He Delayed Turning Over Proceeds of a Damaged Ship.

Lawyer Nathan H. Levenson was suspended from the practice of law until further order of the court by a decision of the Appellate Division of the Supreme Court, rendered yesterday. He was employed by the firm of Levenson & Co., in recovering damages for the loss of the tugboat of Elizabeth Zeuner against the firm of Haas & Fried. Mr. Zeuner said he agreed to act for the firm of Levenson & Co. in settling the claim and he did not turn over the \$200 to Mrs. Zeuner until the proceedings were instituted against him.

Appointments by the President.

WASHINGTON, Oct. 18.—The President today appointed Frank H. Mower of Ohio to be consul at Ghent, Belgium; Augustus Loomis to be postmaster at York, Pa.; Frank M. Swinton at Nome, Alaska; Fred Lesser, Jr. at Mayaguez, Porto Rico and Vile A. Vrelasen at Walluku, Hawaii.

Register to Stop Blackmail.

If you are in business in New York register to-day, and you will be in a position to aid in relieving merchants of the burden of blackmail which is laid upon them now.

MARRIED.

HUNT—(Cress.) On Wednesday, Oct. 16, 1901, at the Church of the Holy Trinity, Highland Park, N. Y., by the Rev. Dr. J. J. McLaughlin, Lieut. Sidney Hunt, U. S. N., and Margaret Cress, daughter of Mrs. Craig Pitt.

DIED.

BENSON—On Friday, Oct. 18, 1901, at 100 West 77th st., Hudson, New York, in the 62nd year of his age.

Federal services will be held at the Church of the Holy Trinity, Highland Park, N. Y., on Sunday, Oct. 20, at 11 a. m. Burial will be in the cemetery of St. Ignace, N. Y.

COBB—At Johns N. Y., on Thursday, Oct. 17, 1901, John Noble, son of the late Oliver Elsworth and Julia Noble, in the 74th year of his age.

COX—At New Haven, Conn., on Friday, Oct. 18, 1901, at his parents' residence, 127 Hamilton st., John D. Cox, in his 24th year.

DENNISON—On Friday, Sept. 20, 1901, William Dennison, who left his parents' home in Canada in July, when he had been since his health failed. He sailed for England for his health, but died here on Friday, Sept. 20, 1901. He was 27 years old and was formerly a resident of New York city. Mr. Dennison was interred in the family cemetery.

FYFFE—On Thursday, Oct. 17, 1901, Florence Lavinia, daughter of George J. Lavin and the late George J. Lavin, in the 2nd year of her age.

Federal services will be held at the residence of the late George J. Lavin, 127 Hamilton st., New York city, on Sunday, Oct. 20, at 11 a. m. Burial will be in the cemetery of St. Ignace, N. Y.

LAMBERT—At Asheville, N. C., on Thursday, Oct. 17, 1901, John W. Lambert, wife of George H. Lambert, in the 74th year of her age.

On Thursday, Oct. 17, 1901, a young, protracted and painful illness, George H. Smith, for upward of thirty years a member of the National Bank of New York and a member of the New York State Bar.

The funeral will take place from the residence of the late George H. Smith, 127 Hamilton st., New York city, on Sunday, Oct. 20, at 11 o'clock, P. M.

Religious Notices.

CHURCH OF THE BEAVERLY HEBB, 137th St., above 44th St., Rector, Rev. Dr. Parker, Oct. 19, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, Nov. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, Dec. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, Jan. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, Feb. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, Mar. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, Apr. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, May 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, Jun. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, Jul. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, Aug. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, Sep. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, Oct. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, Nov. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, Dec. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, Jan. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, Feb. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, Mar. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, Apr. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, May 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, Jun. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, Jul. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, Aug. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24