REVOLT IN TAMMANY

Greatest Strength in Fusion Movement Comes From That Source.

CROKER'S PETS WERE TOO GREEDY

Alienated the Element Which Produced the Sinews of War.

A COMPLICATED SITUATION

Special From a Staff Correspondent.

NEW YORK, October 29.—Today I talked with the man who is regarded as the most skillful observer of New York politics and whose judgment goes in many quarters, and he said:

"The fight has not shaped up for a finish yet; it is still too close. Don't make a bet before Saturday night. One bad break by Low or Jerome or by Shepard or Croker might turn the tide either way. Keep hands off as to predictions at this time. It's the worst political mess I ever saw."

Tammany sent out last night 647 wagons, each equipped with one or more cart-tail orators, who harried the town with campaign speeches from dark until the last crowds went home. Up and down Broadway and in the more populous side streets white screens were swung across the thoroughfares upon which dark lantern slides threw campaign mottoes and abuse of the opposition. Bands were driven through the town on wagons whose sides bore legends testifying to the great and good government that Tammany is giving the city.

Morris Blumenthal's Absaloms.

All through the lower end of the city the Tammany speakers held forth. Morris Blumenthal's band of "Absaloms" stormed the town. In every campaign Blumenthal enrolls the young lawyers who like to hear themselves talk, the college students who belong to the debating societies and the amateur talent from all sides on his staff of campaign talkers. These are the "Absaloms," so termed in the vernacular. They are to do the rough-and-ready work of the campaign and address a crowd wherever they can find or gather one. Blumenthal trains them to their duties, tells each man what peculiar line of the work to make in his district, instructs them in gestures and gives them the local gags. All orators above 28th street are required to provide themselves with silk hats. Those working below that street must carefully avoid display in dress.

Last night there were often rival campaign meetings on opposite corners of the streets. The Steckler Democratic Association jumped the Tammany reservation and joined the fusion movement. This association is said to be good for 12,000 votes. I went over to see Charlie Steckler lead his braves out and found a Tammany cart-tail orator in front of the door haranguing the crowd, while the Steckler ghost dance was going on inside. The president of the Franklin Pressmen's Union told the Steckler leaders that his union of 1,500 men would join the Low movement.

Tammany's Bar'l Open.

Tammany is spending money in the campaign with profusion, and times are prosperous with the boys. There is "something doing" all along the line, with prospects of even better things before next Tuesday. The anti-Tammany forces have not thus far been able to raise the $40,000 they considered necessary for their legitimate campaign uses.

It is already apparent that if Tammany is beaten it will not be at the hands of the church element and reformers of that class. It will be by a revolution in Tammany's own ranks, the result of Tammany having over-played its game of extortion upon its own people.

The ground swell of anti-Tammany feeling that is being felt here now comes mainly from the direction of that organization itself. That is the quarter in which the greatest danger to Tammany lies, for there Tammany has held its strength in the past. That is not reform, however, as it is understood uptown, it is resentment, revenge and the instinct of self-preservation. There are two features of this "reform" movement. One is the righteous indignation of the conservative citizens over the wide-open town, the protection given gambling, vice and lawlessness, the usufruct of public offices to private ends, the patronage given the degradation of young women and the many counts of the indictment against the municipal government.

The Other and Potent Danger.

The other feature, probably the most potent one, if its strength had been correctly analyzed, is the resentment of those who are the beneficiaries of Tammany; who have in the past been willing to pay, but now object to being harried. When the exactions of Tammany are such as to make the compact unprofitable, they threaten to dissolve partnership. This dissatisfaction exists not only among the criminal classes who enjoy prosperity under Tammany, but among the ones, hard-working wage-earners, who get their bread by Tammany's favor.

The most interesting and, according to observers experienced in New York politics, the most important feature of the campaign is this revolt within Tammany's own lines, a revolt not for moral reasons remember, but purely utilitarian. If its extent could only be estimated, many think the election's outcome could be forecasted now. But it is a "ground swell" movement. It necessarily is below the surface. Common safety to all concerned demands that they do not shout their dissatisfaction from the housetops.

Tammany's Perfect Organization.

It is but repetition to say that Tammany is the most compact and perfect politico-business organization in the world. It is the result of years of labor by many men. Its present head is Croker. He is beneficial to Tammany but not indispensable. When he dies, Tammany will not perish. Another leader will appear, for the organization is too gigantic to be dependent upon one man's existence.

Take a brief glance at the perfection of organization of this association; the organization is political first, then commercial, as necessity requires or occasion offers.

There are fifty-nine assembly election districts in New York, Brooklyn and the component boroughs. Each is presided over by a Tammany democrat, who is known as the district leader. He is the temporal father of his people in that district and the supreme authority within his territory upon all things political or in which Tammany takes a hand.

Every assembly district contains from thirty to forty election districts each, with a captain. He knows every voter within his subdivision, and is the channel of communication with the assembly leader. The district leader is the recourse of all faithful followers when they get into trouble. He goes bail for them if they are arrested. He uses his friendly offices with the magistrates in sweet mercy's behalf, when the cases come to trial. He comes to the rescue when the poor tenant is to be evicted for non-payment of rent. In blizzard time his friends don't lack coal. The poorest unfortunate are his wards—that is, those who vote his way. It is easy to see the power such an organization can build up. Tammany knows through the assembly district leader and through election district captain where and how to place its hands upon every man in nether New York. So much for the political organization.

Tammany Extorts Blood Money.

The commercial features are subjects of common report, some of the most atrocious and shocking are those most widely known. The "blood money" extracted from the red light district every one probably knows about.

It is charged that the saloon keepers, the gamblers, the pool room keepers and others who pay tribute either for immunity from persecution or protection against prosecution have been taxed the past year unbearably. Firemen, policemen, the thousands of employes of the street cleaning and other city departments have had to yield a portion of their meager incomes. The merchant who piles his goods on the sidewalk must make arrangements with the wardman or he is arrested. The Italian peddler, or owner of a sidewalk stand, pays a fixed sum. The itinerant street merchant if he diverts an inch from the strict letter of the law pays the wardman or goes to the station.

Complaint is General.

These are the kind of charges you hear on every side. Within the past few weeks some of these unfortunates have commenced to turn upon their tormentor.

When this fusion movement took hopeful shape they thought they saw an opportunity to wriggle loose from Tammany's hold. They don't fear that reform will drive them out of town. They are very skeptical of reform in New York going very far, and a great many of their betters are of the same mind. The nation's red-light district is established here and there will always be one here.

That is the ground swell that they are feeling today. I don't know its extent nor can any one estimate it now. But I know that Tammany has already recognized it as a menace, and the Tammany leaders are taking steps to counteract it. The city employes are told they will lose their jobs surely if the fusionists win. The denizens of the nether world are menaced with a closed town and the enforcement of blue laws that will ruin them. In the meantime the merciless attacks of Jerome have aroused the Tammany leaders to denunciatory defense. He whom the unionists would destroy they first make mad. The air reeks with crimination and recrimination. It's a nasty mess and getting worse. But it's mighty interesting. N. O. M.

ON THE CUBAN COAST

(Continued from First Page.)

founded the witnesses Wood and Hood. He thought that Wood had not made that statement.

Admiral Schley replied that he might have made that mistake, that the names were quite similar and that the two officers arrived at about the same time. After it was looked up Admiral Schley said he thought it was a mistake to have said that that was said by Lieutenant Wood.

The McCalla Memorandum.

Q. Are you sure you received but one copy of the McCalla memorandum? A. I have not the slightest recollection of having received any other and my flag lieutenant and secretary is unable to remember but one. I am quite sure that I never received a second one.

Q. Do you think you can state with regard to any paper, as for example, the McCalla memorandum, that if you had it in your papers it must have been transmitted through the department when your papers accompanied by letter of transmittal were sent there? A. Yes, all my papers were put up in a box and I did not, so far as I know, retain a single paper on the ship except perhaps some blue prints which the flag lieutenant has told me were possibly left there. Another exception would be the paper which I have since given to the judge advocate and which was put in storage.

Q. Did you overlook the regulation requiring papers to be sent to the department at the expiration of your service until the department called your attention to it? A. I explained the other day that I had my papers sent to Porto Rico with me by mistake. I did not know of it until November when the box was returned from the Newark and delivered to the department. I knew perfectly well that that was the regulation.

Q. In your testimony in chief you said you had a copy of the memorandum accompanying dispatch No. 8 delivered by the Hawk and that was the first one you received, and that you recognized by a marginal note on it that you received two copies of it. (The memorandum referred to was the order from Admiral Sampson to the witness to proceed to Santiago). A. Yes, I think there were two copies of that memorandum. This is one (as the counsel handed Admiral Schley a copy of the paper referred to.) But there was another somewhere. Have you not got it somewhere?

The judge advocate: "We have no other copy. We have No. 8, but not a second copy of that memorandum."

The Wind While Off Cienfuegos.

Q. Admiral, you referred in your testimony in chief to the wind being fresh while you were before Cienfuegos? A. That is my recollection.

Q. Please look at the log book of your flagship. My question will be to you, how many hours was the force of the wind regarded as "four?" A. I do not see there was but one hour marked "four" on the 24th.

Q. There was no record of a greater force than "four" on May 26th? A. No.

Q. What was the greatest force on May 23? A. "Three."

Q. Why did you on the day the Iowa coaled from the Merrimac inform Admiral Sampson that coaling was dangerous? A. Because that was the condition.

Q. But you did coal one battle ship? A. Yes.

Q. Did you inform Admiral Sampson that you had coaled one of the battle ships on that day? A. My recollection is that I did.

"I will give you the report that you may see."

The admiral, after looking over the appendix, said that it was the condition of the sea rather than the wind that made coaling dangerous.

Q. I think you have gone back to a question you have already answered. Now, the next question I had asked was if you had informed Admiral Sampson that one of the battle ships had been coaled on that day.

Admiral Schley found the dispatch he had sent to Admiral Sampson, and remarked that that information was not in that dispatch. He said, however, that he was quite sure that he sent such a message either in a letter or by telegraph. He referred later to a letter dated the 30th.

The Coal Supply.

The judge advocate then spoke of the dispatch of the 24th from Commodore Schley to Admiral Sampson, in which he stated that on account of the short coal supply he would be unable to blockade Santiago. "Why did you say this?" he asked. A. "Simply because we could not have remained off the harbor of Santiago on account of the condition of the coal supply."

Q. Did you state these conditions in your dispatch? A. No.

Q. What did you mean by saying, "I cannot remain off that port on account of general short coal supply?" What did you mean by short coal supply? A. I think all of the vessels were generally short, not having more than one-half of their coal capacity filled.

The judge advocate then asked questions about the coal supply of the Brooklyn and the Massachusetts, to which the admiral said he could not remember the exact condition. "I had a number of signals, in which all of these captains were always anxious about their coal."

Q. I am going to ask you to point out the signals and have in mind the Iowa at the same time. A. The Iowa came down to Cienfuegos with a little more than half her coal supply, and almost the first request that was made from her was to get coal from the collier which was coming.

Q. The collier had three or four thousand tons? A. Yes.

Q. The Iowa did get coal from the collier there? A. Yes, I think she took in 250 tons perhaps, or more.

The admiral then began to read from the signal book signals from the ships to the flagship on the question of coaling. These signals had been introduced in his direct testimony, and after he had read quite a number he was interrupted by the judge advocate, who said: "You testified to all these in your examination in chief." The admiral answered that he did.

Capt. Parker here interrupted and said: "You asked him (meaning Admiral Schley) to point out the signals, and he is doing it. Why do you interrupt him before he is half finished."

The judge advocate: "These were all in his examination in chief and I do not think they ought to be repeated. What we wanted to ascertain was whether the vessels were solicitous about their coal supplies. The signal from the Texas, 'May we coal first?' seems to indicate it."

Capt. Parker: "He asked the admiral to point out those signals and when he proceeds to point them out he is stopped when he gets half way through."

The judge advocate: "Will you proceed, admiral? I have not gone into anything else. Point out any other signals you wish in this connection."

Admiral Schley then continued reading the signals, and then concluded that he had read quite enough.

The judge advocate—"Does Capt. Parker want any more?"

Capt. Parker—"If the admiral doesn't want to read any more I am satisfied."

Q. (By the judge advocate): Which of these signals indicates solicitude? A. I think all of them indicate solicitude.

Q. Kindly look at the log book of your flagship on the 22d, 23d and 24th. I want to know if the sea was not remarkably smooth, and it was on the 24th that you reported your apprehension of difficulty in coaling at Santiago. A. Yes, but, as I stated the other day, a sea that would be smooth for the Brooklyn and larger ships would be rough to the smaller ones.

Q. I want to ask you if you had on the 24th, before Capt. McCalla returned from the insurgent camp, contemplated a possible necessity of sending two or more of your large ships back to Key West for coal. A. I think if we could not have coaled within a week probably that would have been necessary.

Q. At what hour did you first learn the Spanish fleet was not in Cienfuegos? A. Somewhere toward 4 o'clock on the 24th.

Departure for Santiago.

Q. At what hour did the flying squadron sail for Santiago? A. My impression is now that we formed in column somewhere between 5 and 6 o'clock and stood off on a course possibly south by east and then stopped, leaving the Castine in front of the harbor as directed. I think it was somewhere between 7 and 8 that we got under way for Santiago.

The judge advocate asked if it was too dark to see signals. He then referred the admiral to the report of Capt. McCalla, which stated that it was 5:15 when the first move was made, and said: "Now kindly look at your own report." The admiral said: "Yes, I stated 5 o'clock on the evening of the 24th. My recollection now is that it was dark, but I don't remember just how dark."

Q. At what hour can you use the Ardois signals? A. That would be very difficult for me to say.

Q. Look at the evening of May 24. A. They appear to have been used up to 9:25 p.m.

Admiral Schley then read from a note on the margin of an original order from Admiral Sampson stating that his experience that ships could be traced by their smoke from twenty to thirty miles and suggesting that if he left in the daytime he should stand a good distance to the westward before turning to the southard.

"This marginal note is not in the appendix and I believed myself to be far enough away," said the admiral, "at all events not in a position to be seen from shore when I turned southard."

Q. Were you not signaling in code? A. It was a system of signals in letters.

Q. These letters are interchangeable? Was that precaution taken? A. I do not recall.

Q. That night did you see lights on shore? A. I do not remember to have seen lights. I saw the loom of the light on the clouds.

The judge advocate read from the log of the Brooklyn showing that the fleet passed at 11 o'clock at night a cluster of lights on the shore, which was noted as being apparently a village.

Q. (By the judge advocate)—That is there, is it not A. I see that, but I did not say that. Perhaps they might have seen them from the bridge which was elevated over the quarterdeck.

Whereabouts of the Spanish Fleet.

Q. When you left Cienfuegos where did you think the Spanish fleet was? A. I did not know where it was.

Q. Where was it? A. At that time it was in Santiago.

Q. I want to know your best judgment as to where you thought the Spanish fleet was at that time? A. According to the information which came to me, which information was probably bad, I supposed if it was not at Santiago it was somewhere in that neighborhood. But my impression was resulting from the information we got from the Adula, that she had left there, and where the fleet was I could not say.

Q. Did you give any special instructions to your captains going from Cienfuegos to Santiago? A. No special instructions.

Q. Do you know that the Adula was afterward captured and condemned as a prize? A. I do not know whether it was the same vessel. I never saw it afterward. There was nothing in the examination of her to cause us to think she was a suspicious ship. She had a certificate from our State Department, which carried her into the port of Cienfuegos.

Capt. Parker spoke to the witness in a low tone, that could not be distinguished a few feet from him, and his action promptly called forth a remark from the judge advocate, who said that he hoped counsel would ask his questions loud enough to have them go on the record.

Admiral Dewey smiled, Admiral Benham being engaged in writing a note, while the third member of the court, Admiral Ramsay, sat with his arms folded.

Condition of the Weather.

Q. Did you say in your communication to the department that the weather after leaving Key West was boisterous? Will you look at that letter? A. (after consulting his letter book) Yes, I said that.

Q. Kindly look at your log and tell whether the weather was boisterous on the 19th. A. This dispatch was sent on the 27th. That was sent after we left.

Q. Was the weather boisterous on the 19th? A. No, the weather was not so then.

The witness read in regard to the weather from the log book on other days following the 19th. On the 20th he said it was boisterous only so far as the sea was concerned. It was marked smooth and moderate. It was smooth up to 8 or 9 o'clock in the evening on the 20th, and after that it was marked moderate. On the 21st it was indicated as being moderate up to 9 o'clock and after that as smooth. On the 22d, when they were at Cienfuegos, the log indicated smooth sea. On the 23d it indicated smooth, on the 24th smooth, on the 25th moderate all day except during one hour, on the 26th moderate all day, on the 27th moderate up to 4 o'clock and smooth after that.

Q. (by the judge advocate) You sent a dispatch that the weather was boisterous on the 27th? A. On the 27th, yes.

Q. You say the Adula was certified by the State Department? A. She had a certificate and a letter from the State Department permitting her to enter. My impression is that the authority was from the State Department. That is my recollection now.

Condition of the Eagle.

Q. You testified in chief that while on the run from Cienfuegos to Santiago the Eagle had her forward compartment filled with water? A. Yes.

Q. When did you first know that? A. I do not know whether the information came to me before or after that time. It is difficult to know whether I knew that before or since.

Q. Can you state whether you had this information at the time? A. I really do not remember. It is a difficult thing to remember what you did know then and what you know now.

Q. Your memory is clear upon this point as it is upon other points? A. Pretty clear, yes.

Q. Look at your testimony and see what you said in regard to your recollection? A. My recollection is pretty good, but this matter of detail is not clear, that is all. You ask me how I knew it.

Q. The question is whether you had this information. A. My recollection is that Southerland said something about it at the time.

Q. Do you know whether by signal or otherwise? What I want to get at is whether that was a part of the information you acted upon when you sent the Eagle away. A. No, I think it was her coal supply mainly.

Q. Don't you say on your direct testimony that you had a good deal of recollection and very little imagination? A. I say so still.

Q. You say your memory was better than Folger's. My purpose is to find out whether you acted on this information. A. My recollection is during this time that the Eagle came up under the quarter and there was something said about it. But as he was all clear and the weather had gotten smoother, the compartment pumped out, I don't believe that was the matter that controlled me in any way.

Q. See what you said there in regard to the Eagle's coal. A. I said (referring to a report in relation to sending the Eagle away from the squadron that the witness had made to the department): "Sent to Port Antonio to coal, with instructions to return to Key West," etc.

Q. How many days' coal did the Eagle have? A. That would depend upon what her service would be.

Q. But considering a liberal supply of coal? A. Before leaving Cienfuegos Southerland said he had enough for making ten knots nine days, and the second day informed me that he only had enough coal for one day.

Q. How informed you? A. Megaphoned me. Southerland came up under the quarter of the ship and reported by megaphone. I do not remember whether there was a signal or not, but there was that information.

The Eagle's Signal.

Q. Did not the Eagle signal you before leaving Cienfuegos that they had five days' coal supply and could take enough in six hours to last nine days?

The witness was asked to read from the log of the Eagle May 24 at 3:45 p.m. and read a signal from the Brooklyn to the Eagle asking how many days' coal they had to steam nine knots. The signal from the Eagle to the Brooklyn said: "Five days; can take enough in six hours out of collier to last nine days." Admiral Schley said that signal was recorded in the Brooklyn as nine days at ten knots.

He was asked to read the signal at 12 o'clock on May 26 from the Eagle and Brooklyn and was asked whether it did not say "Twenty-eight tons; expended nine." He assented to this statement.

Q. Can you state whether the squadron made better speed after the Eagle was sent away. A. You asked that question yesterday and I said I really could not recall it. The wind had gone down and I think the direction was changed, and it is possible that we made a little more speed

Q. In what way did Southerland make known his regret that he had to leave the squadron for coal. A. By megaphone.

Q. You say he did not protest against leaving the squadron? A. No, no; he did not protest.

Q. You dwell upon the word protest. A. A protest would have been so extraordinary I would have remembered, I am sure. I do not recall that he did in this conversation express any other than regret. I do not remember as he testified that he begged to coal alongside because it would not have been possible. I was particularly attracted by the motion of his vessel at that time. She was quite close.

Mishap to the Merrimac.

Q. I think you said that the Merrimac signaled regarding a disarrangement of its engines. Which way was the squadron proceeding at that time? A. We were heading, when she broke down, in the direction of Santiago. As nearly as I can recall, it was just after she got up with the squadron that she broke down. That is my recollection now.

Q. You say also that you steamed to the westward, and as soon as the weather calmed down you coaled, and that in your judgment it was not possible to have coaled before. A. I remember something of the sort.

The judge advocate had the witness read the state of the barometer as shown by the records of the Brooklyn during the time of the retrograde movement.

Q. Now did you not steam thirty-three miles to the westward, notwithstanding these facts before attempting to coal. A. Yes, sir. I do not remember without looking at the log.

Q. Well, what has the log, page 234. A. No, I did not (reading).

Q. How far did you steam? A. From the log, about 18.6 knots, or about eighteen miles.

Q. Were you not steaming westward at 8 o'clock? A. As I stated the other day, we tried to catch the Yale, which we were attempting to overhaul.

The admiral here said that he was mistaken in the distance, that he had been looking at the log at 7 o'clock, and that the distance according to that was between twenty and twenty-one miles, but the movement was made to catch the Yale.

Q. In your testimony you say that on leaving your station you did not disobey orders. Am I right about that? A. I think I so stated.

Decision to Move West.

Q. You did, nevertheless, leave your station after the receipt of your instructions? A. Yes, I did. And for the reason, first, that Capt. Sigsbee, who commanded a scout, placed in front of that harbor, declared that he did not believe the squadron was there; second, Nunez, the pilot, stated that he did not believe the squadron could enter that harbor, and, third, the dispatch No. 7, with the memorandum in which Admiral Sampson minimized the importance of the squadron being there, and the fact that the department's telegram, which reached me on May 27, was so ambiguous in its terms. It authorized me to coal at Gonaives or Cape Cruz. The former was to the eastward, and knowing that Admiral Sampson was in the Bahama channel, I thought if the Spanish squadron was outside the proper strategic move was to go to the westward and not to the eastward. Those were the influencing and operating motives. I thought that the move west was strategically the proper one, with the motive to coal as rapidly as possible, and knowing that the efficiency of my squadron as a unit was only equal to the coal supply of the lowest one. The ambiguity of the telegram was the third. It stated that all the department's information indicated that the squadron was at Santiago, and then it looked to me to decide whether the enemy was in port or not. Those were the influencing motives.

Q. You were satisfied without taking steps to find out from the reports? Is that true? A. I satisfied myself through the medium the department kept there to obtain information. If the scouts were unreliable they should not have been kept there. I must rely on what they said.

Q. Why did you refer to dispatch No. 7, when you had received No. 8 at that time? A. Because that was the dispatch which from its terms indicated the position of the fleet.

Q. You had No. 8? A. Yes (continuing the answer). If you will look at that you will see that Admiral Sampson thought that the Spanish squadron had left Santiago. Of course if I had gone to the eastward instead of the westward there might have been more serious consequences.

Q. Which is the one which was ambiguous? A. The one in which the department's information goes to indicate that the Spanish squadron was still at Santiago.

The admiral then repeated what he considered to be the ambiguities in the dispatch and referred to the location on shore where it stated he would find the insurgents. He was afterward informed, he said, that at this time the insurgents were not there. This information came to him from Nunez, the Cuban pilot.

Regarded Dispatch as a Suggestion.

Q. Note in this communication which you have referred to these words: "The department looks to you to ascertain the fact and see that the enemy does not leave without decisive action." Did you take steps to ascertain these facts? A. No; I thought the information which I had was pretty conclusive. I did not see anything in this dispatch, however, that partook of the character of an order. It was more a suggestion.

Q. Even a suggestion would not mean any difference in terms in view of the rank of the officer to whom it was addressed. A. I do not think that makes any difference. I think the department never hesitates to order distinctly when it decides upon it. But all this points to the fact that there was no certain information in the possession of any one that the enemy were really there.

Q. Now, in regard to this landing place, you say you ascertained subsequently that the insurgents were not there, and you did not try to land? A. No, thank God, I did not, for the Spaniards would probably have gobbled us up.

Q. You did not follow that clew? A. No. I think it was lucky that I did not.

"Perhaps it might have been lucky if you had."

The judge advocate then began asking a question in which he used the word "remain," when he was interrupted by Mr. Rayner, who said he objected to the use of that word, as it was not in the order, but was in the letter of the Secretary of the Navy, who had doubtless used it inadvertently. He said he thought the order was at first for Schley to remain, but he had looked up the dispatch and found that the word "remain" was not in it.

The judge advocate—"I will change my question and ask you if you did not interpret the dispatch as requiring you to return?" A. No; that was not my reason for remaining. I used the word "remain" because I was still in the vicinity.

Mr. Hanna interrupted here and said that the objection by Mr. Rayner and the reference to the letter of the Secretary of the Navy was an impropriety.

Mr. Rayner replied hotly that it was no reflection on the Secretary of the Navy; that his letter was in evidence and that he had used the word "remain" doubtless inadvertently.

Foot Ball Phrase Introduced.

The judge advocate then remarked that in the parlance of a foot ball game this was an interference. He said it worked only delay in the cross-examination.

Mr. Rayner replied as Admiral Dewey arose to adjourn the court for lunch: "Anyway, it has kicked the ball a good distance," and Capt. Parker remarked: "It is interference that wins the game."

"The court will now take a recess," said Admiral Dewey.

Reason for Returning.

When the court reassembled at 2 o'clock Admiral Schley gave an additional answer to a question that he had been asked just before the recess was taken. It was in regard to the retrograde movement.

"I think my reason for returning was that we were, after the coaling efficiency of the squadron had been established on a better basis, in a better position to operate there. After we returned we discovered the Spanish squadron in the harbor."

The judge advocate said that the witness used the word "returned" instead of "remained," as he had formerly done, and the admiral replied that he would change the word "remain" to "return."

Q. You stated in your examination-in-chief that you did not remember that you went ahead again after the Merrimac's engines had broken down until 4 o'clock on the afternoon of the 27th. A. I stated that I did not remember. I think there were several times we started to get in line and the cable slipped several times on the Merrimac, so the squadron really did not get under way until, I think, it was after 4 o'clock.

The judge advocate referred to a signal in the log of the Texas, and the witness said that the log showed that her engines were not connected until the afternoon of the 27th, when it was noted in the log from the 4 to 8 p.m. watch. He said the log indicated that Captain Philip himself was uncertain whether or not to again try to coal. He said that movement of the flagship was to get up with the Yale, so that she could see the ardois signals.

Q. Does it not appear from the record book that the squadron stopped at midnight on the 26th until 4 p.m. on the 27th? A. Yes. I do not think she started ahead again until 4 o'clock on the 27th. On the 27th up to 8 o'clock, according to the log, they ran about two miles.

Injury to the Texas.

Questioned about the injury done to the Texas in attempting to coal, the witness said that the damage was caused by some rivets loosening and causing a leak. He thought that the signal informed him that they would explain the extent of the damage later, and his recollection was that they did explain it later, and that it was not serious.

Q. After the Merrimac went ahead with one engine you then stopped to coal the Texas and Marblehead? A. Yes.

Q. What was the difficulty you remember after that? A. Her stumping box was broken.

Q. Was that after this? It was before this, was it not? A. I sent the chief engineer on the morning of the 27th and brought the box of this vessel aboard the Brooklyn and had it fixed. It required twenty-four hours, I think.

Q. Do you remember when the signal was made to the Texas about making six or seven knots? A. The signal book gives it exactly. The signal was made that slow speed be maintained on account of the collier. There was also a signal from the Merrimac to go slow.

Q. Was it not that they could make between six and eight knots? A. Yes. (Continuing the answer.) At 12 o'clock on the 28th it was the Texas to the flagship: 'We can steam between six and seven knots' and at 12 m. the flagship signaled the Texas, 'We asked you about the Merrimac.' The Texas replied, 'She can make between six and eight knots.'"

Q. Did not the collier proceed under her own steam before the retrograde movement? A. Yes.

Q. Now, you said you steamed one-half or three-quarters of a mile to meet the scouts? A. Yes.

Q. The signal book shows that this speed was twelve knots? A. Yes.

Q. Your statement is that the Brooklyn was not further south than twenty-two miles? A. I thought about twenty miles.

Q. It is twenty-two miles according to this chart.

Mr. Rayner—"It is understood, of course, that we do not accept that chart as conclusive."

The judge advocate—"Well, it was made from the log of the Brooklyn."

Continuing the judge advocate said: "Having brought the flying squadron into the vicinity of Santiago and having had in your possession dispatches from the department, did you hoist the signal designating Key West without consulting the officers of the other ships in the squadron?"

Mr. Rayner objected to this question, emphatically stating that all the testimony had shown that the admiral did not have dispatches from the department in his possion; that the only dispatch which he had was dated May 25.

The judge advocate asked that the question be read, which was done, and he changed it so as to read, "Having in your possession a dispatch from the department, dated Washington, May 25," and then repeated the remainder of the question.

Reasons for Leaving.

The admiral answered: "I did not get that dispatch until the 27th of May, although it was dated the 25th at Washington, and I did hoist a signal afterward for the reasons, as I stated a little while ago, that the information in my possession at that time from Capt. Sigsbee was most positive that the Spanish squadron was not there, which was supported by the statement of the pilot Nunez that they could not get into the harbor on account of their draught and the narrowness of the channel.

"I considered that I should have to act on my own responsibility and did not call upon the commanding officers on board the other vessels. In my direct testimony, as I stated, I was always ready to assume the responsibility in any movement which might involve censure rather than throw myself back on anybody else."

Q. Did you have this dispatch? A. Not in the first instance, but on the 27th.

Q. I refer to the signal made at 10:40 a.m. on that day.

Mr. Rayner: "On what day?"

The judge advocate: "The 27th."

A. I don't think it was made at 10:40 a.m.

The judge advocate then asked the witness if he had the translation of that signal. Mr. Rayner was at this moment looking over the signal book, and the admiral said he would furnish it in a minute. When Mr. Rayner had concluded his perusal of the book he said: "I would like in this connection to submit the first signal for Key West."

The judge advocate—"I don't think you ought to submit other signals unless you object to my questions."

Mr. Rayner—"I do object, unless you take the first signals hoisted for Key West."

The judge advocate—"If the court please, I was not allowed to do this the other day. I was told that I could not interrupt, and did not. And now my question is pending, and I don't think that this interruption ought to be allowed."

Mr. Rayner replied that this was the second time he had interrupted in the course of a two days' cross-examination, and he thought when the judge advocate read the signals he would want to include the first signal in this connection. He said he had a perfect right to object and proposed to maintain that right.

Mr. Rayner finally withdrew his objections and allowed the matter to go in the record.

The judge advocate then questioned the witness to show what records were contained in signal books in relation to coal supplies.

Q. (by the judge advocate) You said that Capt. Cook was always in your confidence. Did you confide to him the purpose of the retrograde movement before beginning it?

A. I am not able to say. I don't know whether I did, and I don't know whether I did not. I recollect that he and I had some conversation, as we talked over matters from day to day and hour to hour. But I am not sure what was said.

Q. On this particular matter? A. What it was I cannot recall.

Q. Can you recall anything in regard to it? A. I really cannot.

The Coaling Question.

Q. Where did you expect to coal if you had gone back to Key West? A. I expected to coal on the first opportunity available.

Q. Could you have coaled at Key West the vessels of your fleet? A. I could have coaled outside—just outside the lighthouse.

A. You would still have had to coal outside? A. Still have had to coal outside.

Q. What was the condition of the coal supply when you signaled "If Sampson comes here tell him half the squadron out of coal and collier engine broken down?" A. I do not think that was sent. I think the signal, as I recollect it, was, "Short of coal." I see in the record it was "Out of coal." I think in the original it was "Short of coal."

Q. I call your attention to the St. Paul's signal book and ask if it does not say "Out of coal?" A. Undoubtedly it would read the same. If the message was started wrong it would go wrong.

If the flag lieutenant transmitted it wrong it would be received wrong, but I could hardly have dictated a dispatch of that sort, for the reason it was not a fact.

Q. What was the then condition of the collier Merrimac as to coal? A. She had probably 3,000 or 4,000 tons as a guess—but she was disabled, and, as I expressed it the other day, coaling was a risk that I thought ought not to be taken.

Vessels Left Off Santiago.

Q. When you started on the retrograde movement toward Key West on the 26th did you not take all the United States vessels with you and thus leave the port of Santiago entirely unwatched? A. No, I think at 12 o'clock we were pretty near south of it.

Q. How far south? A. I should say eighteen miles as a guess.

Q. My question was when you started on the retrograde movement did you not take all vessels with you and leave the port entirely unguarded? A. I do not recollect. The St. Paul evidently must have been left there.

Q. When did you send the St. Paul back to the harbor entrance? A. My impression is on the 27th.

Q. Did Capt. Cook tell you that he had coal enough to remain off Santiago on the 26th, 27th and 28th? A. He would not have to tell me.

Q. You knew, then, the condition of the coal supply of the Brooklyn? A. I thought so. I had it at least within easy reference.

Q. What did you know of the coaling of the battle ships at Key West? A. Nothing until after I got there.

Q. Do you know the Iowa took coal there? A. No.

The judge advocate then read from the testimony of Capt. Wise, in which Capt. Wise said he steamed twenty miles to the south to pick up the flying squadron off Santiago, and the witness was asked if that statement was correct. He replied that he could not say. He could not see land all the time.

Q. Was not the land high? A. Yes, to the east.

Q. Why did you send a dispatch that you could not coal the Brooklyn. A. Because of the motion of the ships.

Q. Did you need coal? A. No.

The judge advocate then began a question by saying:

"In your dispatch to the department in which you said you could not obey orders—"

Admiral Schley: "I did not say that."

The judge advocate: "What did you say?"

Admiral Schley: "I said that I regretted that the department's orders could not be obeyed earnestly as I had tried."

The judge advocate—"I don't want to put any words in your mouth, admiral."

Wants Entire Dispatches.

Mr. Rayner here called attention to the fact that several times parts of dispatches only were read. He objected to this and wanted the entire dispatches included in the testimony when they were referred to.

In accordance with this request the whole dispatch in which Admiral Schley said, "Much to be regretted orders cannot be obeyed," was read by Mr. Hanna and included in the testimony.

DISTRICT GETS VERDICT.

Third Trial of a Suit Alleging Damages.

The case of Marion O. Burrows against the District of Columbia was tried today before Justice Barnard of the Supreme Court of the District of Columbia. This was the third trial of the cause. The plaintiff instituted suit against the District December 26, 1898, before Samuel E. Church, justice of the peace, claiming $300 as damages for the alleged unlawful killing of his dog, Dandy, by the District poundmaster.

After lengthy argument by Attorney Charles Poe, who appeared for the plaintiff, and Attorney A. Leftwich Sinclair, who represented the District, Justice Church gave judgment in favor of the District.

DEATH OF CHARLES MACNICHOL.

Passes Away in the Eightieth Year of His Age.

Charles Macnichol died last evening at his residence, 105 C street southeast, in the eightieth year of his age. He was for forty years of his life engaged in business in this city as a painter and decorator. He was a native of Philadelphia. During his business career Mr. Macnichol had important contracts in decorating the various public buildings, and was also known elsewhere, where his skill and brush was in demand. His wife and seven children survive him. One of his daughters, the late Lizzie Macnichol, made a distinguished name for herself as a contralto singer.

Funeral services over the remains will be held at his late residence Thursday next at 2 o'clock p.m.

MISS STONE LOCATED.

State Department Establishes Communication With Captured Missionary

The State Department has been advised, through its agents at Constantinople and Sofia that communication has been established with Miss Stone. No details are furnished, and, in fact, it is the policy of the department to refrain from all publicity of its action in this matter.

PROCLAMATION BY MALVAR.

Insurgent Filipino Appoints Himself Commander-in-Chief.

MANILA, October 29.—Malvar has issued a new proclamation, appointing himself captain general and reorganizing the Filipino army under two lieutenant generals and four generals of division. Every guide caught aiding the Americans will be treated immediately as a traitor. Those who surrender to the Americans will be treated in the same manner. Malvar considers his own appointment to be temporary until the meeting of the general assembly of liberators. He congratulates the soldiers on the good work they are doing in the field, and also those who are working for the cause of freedom and liberty in the cities.

Fire Causes $250 Damage.

Drapery on a mantel in the house of Amos Sharpps, No. 470 K street northwest, caught fire from a stove this afternoon about 12:15 o'clock, and caused a destructive blaze. An alarm was made and No. 6 engine company soon reached the house in response to a local alarm. The flames were soon extinguished, but before this could be accomplished damage to the amount of about $250 had been done to the house and furniture. William H. Schleuter owns the house.

Date of Bonine Trial.

It was authoritatively announced this afternoon that the case of Mrs. Lola Ida Hemry Bonine, under indictment for the murder of James Seymour Ayres, jr., will positively be called for trial in Criminal Court No. 1 Tuesday, the 12th of November.

Washington Stock Exchange.

Sales—regular call, 12 o'clock m.—Washington Loan and Trust, 1 at 174. Mergenthaler Linotype, 3 at 174¾, 10 at 174⅝. American Graphophone com., 100 at 5, 50 at 5. American Graphophone pref., 70 at 8⅝. After call—U. S. reg. 3s, $100 at 107⅝. American Graphophone com., 100 at 4⅝, 100 at 4¾, 50 at 4¾, 10 at 4¾, 50 at 4⅝, 86 at 4⅝, 5 at 5, 10 at 5. Lanston Monotype, 4 at 13. Mergenthaler Linotype, 5 at 174¾, 5 at 174¾, 10 at 174¾, 10 at 174¾, 10 at 174¾, 10 at 174¾, 10 at 174¾, 10 at 174¾, 10 at 174¾, 10 at 174¾. C. and P. Telephone, 25 at 73⅞. Washington Traction and Electric 4½s, $1,000 at 67¾.

Error.—The bid and asked prices on Union Trust and Storage printed yesterday 107½a108¼ should have been 106¼a107.

District of Columbia Bonds.—3.65s, 1924, 126 bid. Miscellaneous Bonds.—Capital Traction 4s, 106¾ bid, 109 asked. Washington Traction and Electric coll. 4½s, 67 bid, 68¼ asked. Washington Traction and Electric receipts, 66 bid. Metropolitan Railroad 5s, 117 bid, 120 asked. Met