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FRIDAY, SEPT. 13, 1901.

PERPETUAL YOUTH.

The ordinary human being dreads physical age. The years bring no dread except as they measure physical decrepitude. Long ago the secret of perpetual soul-youth was discovered, but until now, the secret of perpetual physical-youth has been sought in vain. In the books we have read of the alchemist searching the earth for this God-hidden secret. When the tide of life is at its flood; when the heart beats strong, and the pulse thrills "with the joy of girded men;" when love smiles and honor beckons, who would not, if he could, arrest the process of physical decay and live on for a thousand years?

Cases of questionable authenticity are recorded of mortal compacts with the Prince of Darkness, wherein the horologue of time was turned back, restoring physical youth. But the price paid for the boon was eternal bondage. Now, however, this sacrifice of the soul is not necessary to the possession of perpetual youth. For has not Prof. Gautier, a distinguished member of the Institute de France, discovered the great secret? He has found it in the shape of bacteria of physical fatigue. These bacteria closely resemble those of ptomaine poison. The effect being very similar. Prof. Gautier having discovered a means of eliminating these fatigue bacteria, has solved the vexed problem. Man now, relieved of the wear and tear of fatigue, which is simply the evidence that the tearing down process has exceeded the building up process, by careful watching can so maintain the physical equilibrium that his physical life will be at an exact poise. Should he wish to remain at the age—physical age—of twenty-one for a time he can do so. He can keep this up until he is tired of living in a twenty-one-year old body with a century head and a two-century experience. If he conclude that his soul would look better dressed in a forty-year old body, he can let the ordinary process go on for another nineteen years and then check it with a wholesale slaughter of the fatigue bacteria that he finds doing business at the old stand. At just what age the majority of the people will prefer to call a halt will be a question. From ordinary observation we are inclined to think that from thirty to forty will be the ages at which men will arrest the work of the fatigue bacteria. Women—but who can tell what they will do? Some will be foolish enough to stop at the immature age of twenty, others with a fuller appreciation of their charms and the prizes of life will wait until they see the sun of thirty rising, before they begin a crusade against the youth-destroying bacteria. Think of it! A world of people who never grow old except in experience. Death will be confined to accident and violence. The enormous expense of modern education will be almost eliminated for knowledge will become the result of experience and not precept.

We will watch with more than ordinary interest the experiments of Prof. Gaulier. He outriders and outhaggards, Rider Haggard.

THE TRUE REMEDY.

The day following the assassination of the president, the Globe declared its belief that the safety and perpetuation of American institutions demanded that, whether by constitutional amendment or legal enactment, it should be provided that known anarchists not citizens of the United States should be deported, and that those who were naturalized should be held to have forfeited their citizenship, and, furthermore, that an assault on the person of the chief magistrate of the country, being an assault on the sovereignty of the people of the United States, should be treated as treason to the United States and on conviction should be made punishable by death.

Several days elapsed before public thought became directed immediately toward the preventive measures in such a case and now, from the published statements of the most conservative and best informed lawyers and public men in the country, it is apparent that public sentiment is aggressively demanding that measures of this general character shall be adopted.

The uniformity of expression which is now being heard among the anarchists, from Miss Goldman down, to the effect that there was no concurrent action among them in connection with the assassination of the president, and that the deed was done outside the teachings of the anarchistic organizations, is well worthy of note. Indeed, if the concurrent testimony of those persons is to be accepted, anarchism is a form of peaceful propagation of the most exalted conceptions of social relationship, and the knife, the bullet and the bomb have no place whatever in anarchistic policy.

All this should be considered in the light of events within the past few years in Europe. During this time the president of the French republic, the king of Italy and the empress of Austria have fallen at the hands of anarchist assassins. A list which includes the president of the United States has been made public, and strong circumstantial evidence has been produced that it represents a list of victims marked out for assassination by these fiends incarnate. While this is being written it is not impossible that some other victim representing the majesty of the law shall be called into eternity through the act of one of these scoundrels.

As clearly as anything ever was established is it established that anarchism represents a conspiracy to murder individual rulers and to destroy the fabric of civilized society. Toward men who are capable of belonging to such an order or of propagating its teachings there is but one course for civilized society to take, and that is to hunt them out of existence. They are the enemies of God and man, and human society will totter to its fall if they could have their way.

The very first duty of congress when it convenes will be to enact such laws as will meet the urgent requirements of this case. If it be necessary to do so there will be no difficulty whatever in amending the constitutional definition of treason to the United States, so as to convict any assailant of the president of that crime and have meted out to him the just measure of punishment of seeking to assail, through its living representative, the sovereignty of the United States of America. Until this is done, and, further, until an end is brought to the form of political circus which is represented by the prevailing carnival of handshaking, the chief magistrate of this people will be hourly open to being cut down by another Czolgosz.

THE FIRST STEP.

The action of the police commission in ordering Chief O'Connor to cause the arrest of any person seen stringing wires within the city without a license may be regarded as the practical beginning of a movement which is essential to the public safety and which has been rendered necessary by the deliberate disregard of the right of the public to the free and safe use of the public thoroughfares.

It may be safely assumed that the corporation attorney will in his forthcoming report set forth exhaustively the present status of the relative rights of the corporations using the poles and the city. There is of course no disposition to interfere with the recognized privileges of those corporations or to render the exercise of those privileges more burdensome than a just public policy dictates. The fact that in other cities those corporations are compelled to bury their wires in the business districts has been recognized, and, to some extent, the requirement has been complied with with us. So far as the law allows the city to insist on that and every other precaution in the use of those wires which may be demanded by the public safety, the police authorities will see that the demand is respected. Further there will be no disposition to go.

The commissioner of public works has shown, since the police commission took the matter in hand, a disposition to cooperate in the necessary work. With the co-operation of the police and the street authorities, it will be a comparatively easy undertaking to put an end to the illegal and dangerous use of street poles and remove the danger and unsightliness attendant on the present situation.

This subject is one which, foolishly enough, certain officials were disposed to surround with a political complexion. There is nothing of the kind attaching to it. It is purely a business proposition, and can be disposed of in a business way through the active exertions of the two departments of city government immediately concerned in the proper use of the public thoroughfares.

THE PUBLIC AND THE STRIKES.

The great steel strike having reached that stage at which it seems universally conceded that nothing short of the exhaustion of the resources of either side will be effective in bringing it to an end, public opinion naturally turns to the consideration of some means by which a semi-barbarous state of things can be avoided in the future.

Mr. Michael Davitt, in a recent issue of a New York newspaper, contributes an altogether interesting article on the New Zealand system of enforced arbitration, the practical effect of which is that, while the New Zealand law affects but a comparatively small community, it has been effective in practice in putting an end to strikes, and that some modification or adaptation of its provisions might with effect be applied to industrial conditions in the United States.

Mr. Charles Francis Adams, on the other hand, in a similar communication also to a New York paper on the subject of industrial disturbances, calls attention to the situation which exists in the state of Massachusetts. The law creating the board of railroad commissioners provides that it shall be the duty in a general way of that body to take cognizance of the fact that the community is sustaining an injury or inconvenience through the prevalence of a strike or tie-up, and to investigate the cause of the same. Having so investigated, the board is empowered to locate the responsibility for such injury and inconvenience and to make its recommendations accordingly. The findings of the board might be made public, being addressed to either or both of the parties or to the public generally, but they possess only that significance which their inherent good sense invests them with. The operation of this law has been, in one case which Mr. Adams specifies, that, such an investigation having been held at which both parties concerned appeared, the statement of the conclusion of the board had such moral force that the atmosphere was cleared at once and no further action was necessary.

The moral which Mr. Adams seeks to draw is that in all such contests the deciding power is public opinion, and that power, being thoughtfully appealed to through some such public agency, there is a strong likelihood of an adjustment as a result, without any interest being interfered with or in anywise prejudiced.

It is now generally agreed that the machinery of the New Zealand law has little or no application to our circumstances, and that the task of adapting it to our needs is necessarily difficult. Neither men nor masters, especially in controversies relating to private industry, may reasonably be expected to approve the idea of arbitration or settlement by private or public compulsion. Mr. Gompers, as chief executive officer of the principal labor union organization in the country, has declared the unyielding opposition of his forces to any public provision which will deny to them, as the New Zealand enactment plainly does deny to workmen, the right to refuse to work when they believe that devotion to their own interests demands that they shall so refuse.

It is now reasonably evident that the remedy, if remedy there is, cannot come, immediately at least, through the idea of enforced arbitration. Public opinion must remain the controlling factor in all such cases. The conditions seen to exist in the steel strike reveal this much at least: Both the men and the corporations involved proceeded from the outset without any regard whatever to public inconvenience or suffering. There has been and there is no agency of intervention between them and the public interest to which appeal may be made as in the case of the Massachusetts railroad law.

As administered today the affairs of the labor organizations and those of the employing corporations, whether trusts or otherwise, are conducted, so far as the relations of employer and employe are concerned, on practically the same principle of conduct. Each conducts its own affairs without reference to the outside public and with a view to realizing the largest possible measure of material advantage to itself. To neither is that outside public of any more moment than it is to the other, whether it is to be taken as representing "unorganized labor," or as representing outside capital.

As long as that condition exists there can be no peaceful settlement of strikes or lockouts without some intervening agency which can be said to represent the general public, whose voice, even though it may not be heard with authority, will be recognized as speaking on behalf of the community. Whether we adopt the New Zealand plan in modified form or rely on the principle recognized by the Massachusetts law, it is becoming every day more and more plain that, until the interests of society which are made to suffer are recognized in the prosecution of such contests, there will be little or no hope of their ever being peacefully settled.

The president can eat now. He ought to be a happy man.

If all the cities expel the anarchists they will be obliged to go to the country. Alas poor farmer!

Admiral Howison was excused from bench of the court of inquiry. Thus falls another department prop.

When it comes to getting down from a high perch the P. P. can give instructions to the most agile.

On what ground will the senate expel Senator Wellington? Is it not possible to go too far in times of excitement?

Prince Chun refused to kotow because it was against the customs of his country. The Pioneer Press seems not to be bound by Chinese customs.

The reports say that Emma Goldman is being held. From the mention of Chief O'Neill's name in close proximity with the aforesaid statement, it looks as if Mrs. O'Neill might have grounds for complaint.

Smoke seems to be issuing from the chimneys of the Ryan hotel and the Pioneer Press building in beautiful black clouds on which an ordinary Brownie can ride. Let us see, is the Pioneer Press in favor of abating the smoke nuisance?

W. H. Harrison was elected in 1840 and died soon after taking his seat. Lincoln was elected in 1860 and afterward re-elected and assassinated. Garfield was elected in 1880 and assassinated five months after his inauguration. McKinley was re-elected in 1900 and his life was attempted. Thomas Jefferson, elected in 1800, and James Monroe in 1820 were the only two who escaped the fatality of the cipher years.

Minister Wu is a high-class Chinaman. He would naturally be expected to take as moderate and reasonable a view of the proper treatment for the assailant of the president as the average intelligent and educated Chinaman. And, yet, he advocates slow torture for Czolgosz; he would have him slowly cut to pieces, that his sufferings might be the more intense. If Wu speaks for Chinese civilization, and he is probably entitled to do so. Chinese civilization is still far in the background, and the Boxer outrages not difficult to account for.—Minneapolis Journal.

The Journal, evidently, did not read the remarks of the two Christian gentlemen, Mr. Naylor and Mr. Talmage. These men represent as few others, the Christian civilization of this century. We fail to see any essential difference between the scheme of punishment suggested by Minister Wu and those suggested by the great Christian divines. Yes, we think that Wu represents Chinese civilization. There is no doubt of that, but we see no reason why the "Boxer outrages" should not be accounted for by the revelation of Christian brutality evidenced by Talmage and Naylor.

WISE MASSACHUSETTS DEMOCRATS.

Springfield, Mass., Republican.

The Democratic party of Massachusetts is open to congratulations. It has a candidate for governor in sight, and the promise of returning harmony is good, better than many have dared to hope that it could be made. The immediate effect of Mr. Quincy's nominat on should be the coming together of Democrats who have been split asunder, so that the oppositi n party may once more present such evidences of unity and power as will appeal more strongly for popular support. It is time the Democrats meant business in Massachusetts, as they have not done of recent years.

HOWISON TURNED DOWN

Continued From First Page.

of attitude when the next order of business was reached. This was the challenge on the part of Rear Admiral Schley of Rear Admiral Howison as a member of the court.

While this challenge of course was expected, it created no little commotion, coming as it did without a preliminary announcement beyond the question on the part of Capt. Lemly as to whether the applicant had any objection to the court to urge. Admiral Schley responded promptly. Rising from his seat, he said:

"I have to state, with extreme regret, I am obliged to object to Rear Admiral Howison as a member of the court." He then read his formal objection as follows:

OBJECTS TO HOWISON.

Rear Admiral Schley, in the exercise of his legal right, that of challenge, objects to Rear Admiral Henry L. Howison upon the grounds:

"1. That Rear Admiral Henry L. Howison formed and expressed an opinion on the merits of the case about to be investigated, and he is therefore ineligible for service as a member of this court.

"2. That Rear Admiral Henry L. Howison has already formed and expressed an opinion on the merits of the case about to be investigated adversely to said Rear Admiral W. S. Schley, thereby indicating a bias and prejudice which renders him, the said Rear Admiral Henry L. Howison, ineligible for service as a member of this court.

"3. That Rear Admiral Henry L. Howison has, in connection with the subject matter about to be investigated, expressed an unfavorable opinion on the personal and professional characteristics of said Rear Admiral W. S. Schley, thereby indicating a bias and prejudice, which renders him, said Rear Admiral Howison, ineligible for service as a member of this court.

"4. That Rear Admiral Henry L. Howison, in connection with the opinion formed and expressed by him upon the merits of the case about to be investigated, has instituted and announced a comparison between the acts and personal and professional characteristics of the principal parties to the present issue, viz. Rear Admirals Sampson and Schley, to the disadvantage and disparagement of the latter, thereby indicating a bias and prejudice which renders him, Rear Admiral Henry L. Howison, ineligible for service as a member of this court."

EVIDENCE AGAINST HIM.

Capt. Lemly then asked if there was any evidence in support of the statements concerning Rear Admiral Howison, to which Mr. Raynor, speaking for Rear Admiral Schley, said there was. Admiral Dewey announced that this would be heard.

Francis A. Frost, of the Boston Record, who had reported a conversation with Rear Admiral Howison in which the latter was alleged to have made reflections upon Admiral Schley, was called to the stand.

The witness explained the nature of his duties in securing news from the Charlestown navy yard. He then detailed the conversation he is said to have had with Admiral Howison. This occurred, he said, in the commandant's office, and while it had not been given with the distinct understanding that it should be published, there was no injunction of secrecy.

Publications had begun to appear concerning the credit for the victory. This had been referred to during the witness' visit to Admiral Howison, and in reply the admiral stated, so the witness testified, that Sampson was entitled to the credit of the victory at Santiago.

Admiral Howison described the duties which had devolved on Sampson; how vessels had been placed off the entrance of the harbor to guard against the escape of the Spanish fleet. The witness said Admiral Howison stated that if the American fleet had been defeated Admiral Sampson would have been asked why it had occurred. Mr. Frost said he had suggested that the public seemed disposed to give the credit to Schley. In response he testified that Admiral Howison went on to say that Sampson's standing as an officer and as a man was greatly superior to that of Schley.

"What he said," pursued the witness, "inclined me to take the belief that he had no use for Admiral Schley."

The witness also gave in detail the circumstances leading up to the publication. On cross-examination he was shown the precept and was asked by Solicitor Hanna if Admiral Howison had expressed an opinion on the points in the precept. The witness thought he had not, as many points in the precept were not involved in the conversation. The witness adhered strictly to his first statement. On redirect examination Mr. Raynor asked: "What was Admiral Howison's manner during his conversation with you?"

SNEERED AT SCHLEY.

"He spoke of Schley in what I would call a sneering manner," replied the witness.

Occasionally during the examination of this witness there was slight issue between counsel, but on the whole there was little or no objection to the lines on which the evidence was developed.

There had been no announcement of the names of witness who would be introduced to substantiate Mr. Frost's testimony as to Admiral Howison's attitude toward Admiral Schley, and considerable interest was manifested when the next witness, Mr. William E. Spon, of the firm of Spon & Chamberlain, book sellers and publishers in New York and London, made his appearance. Mr. Spon testified that he had been a passenger on the steamer Minneapolis, which had sailed from London for New York on the 11th of October, 1900, and that Admiral Howison also had been a passenger on the same vessel in this voyage. The witness related that one day during the voyage the Sampson-Schley controversy came up and one gentleman expressed himself as favorable to Admiral Sampson. Mr. Spon had taken the opposite side, and in his effort to show that Admiral Sampson was not a fit man for that position, had remarked that the admiral had been the last member of the board of ordnance to agree to the use of smokeless powder by the navy. Continuing, Mr. Spon said that Admiral Howison came within hearing of the conversation at this point and walking up to the group, said:

"I correct you; this is not so. You men do not know what you are talking about. You don't know anything about it. Sampson is very much respected and looked up to, especially by the younger members of the navy."

Continuing, the witness said that some colloquy had followed, after which Admiral Howison had said:

HOWISON A VIOLENT PARTISAN.

"Anyhow, Schley should have been court-martialed. He was the main cause of all this controversy in the newspapers."

Mr. Spon added that Admiral Howison had seemed much excited during his conversation, that the other members of the party had listened in silence to what he had said. "From his whole manner," the witness went on, "I infer he was a very violent partisan of Sampson, and correspondingly prejudiced against Schley. He was not content to correct me as to Admiral Sampson; but seemed willing to say bitter things, almost vindictively, against Admiral Schley."

Mr. Spon was immediately succeeded by Mr. Foster Nichols of Yonkers, N. Y., which is Admiral Howison's place of residence. Mr. Nichols is interested in naval publications, and in this capacity called upon Admiral Howison, July 1 last, for the purpose of securing from him notes for a biography of the admiral. He stated that the day on which the call was made was very hot, and on this account the admiral had asked to be excused from granting an interview. He said that after this conversation he had produced a copy of the work which his house was getting out, containing sketches of the leaders of the Spanish-American war and containing pictures of Sampson and Schley. The witness said that at the sight of Schley's picture Howison said Schley had

NO BUSINESS IN THE NAVY,

and added that if Schley were in the English navy he would have been put out for less cause than there is in his case.

"I asked," the witness continued, "the reason why Schley should have been put out. Admiral Howison replied, 'For disobedience of orders.' I asked why, if he disobeyed orders, he was permited to remain. The admiral replied: 'Because he gave the excuse that he had to go to port to coal; yet everybody knows that coaling at sea is possible.'"

The witness said that he had expressed surprise at Admiral Howison's attitude, and that in reply the admiral had said: "You wouldn't be surprised if you were in touch with the sentiment among naval officers." Witness said that in response to an inquiry from himself, Admiral Howison had explained the absence of Admiral Sampson from the scene of action when the Santiago naval battle occurred by saying:

"The explanation is there had been lack of co-operation between the land and naval forces and Sampson was trying to harmonize them. The day on which the battle occurred was the last day on earth when the Spanish fleet should have been expected to come out."

Mr. Raynor at this point called the attention of the court to the fact that the witness' testimony had not been answered. The letter Admiral Howison had written to Acting Secretary Hackett had not been produced. Neither had Admiral Howison been asked to testify. After reading from a law authority, Mr. Raynor said that the issue could not be argued until Admiral Howison had been heard from.

Judge Lemly maintained that Admiral Howison could make a statement if he desired, either before or after the arguments.

Admiral Howison settled the matter, however, by reaching forward for his cap and whispering to Admiral Dewey. The latter then announced that Admiral Howison would make his response at once. Thereupon Admiral Howison withdrew to the private apartments in the rear, and the court took an informal recess.

The court remained absent from the room for about fifteen minutes, and when it reconvened Admiral Howison presented his reply to the charges made against himself. His statement was typewritten and as follows:

HOWISON'S DEFENSE.

Following is Admiral Howison's statement to the court:

"Mr. President and Gentlemen: In reply to the objection to me as a member of this court, I submit a copy of my personal letter to the Hon. Frank W. Hackett, which has been made public by the navy department."

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

"Mr. Nichols did call at my house at Yonkers, on a very hot day, on his own business. He would not take 'no admittance' for an answer and during his stay he did discuss with me several naval matters, among which was the Sampson-Schley much-talked-of affair. Our talk was short, as I desired him to leave me in peace.

"I desire to say that I am, as you know, here to obey the orders of the department to report to you for duty as a member of this court; it is not optional with me to obey or not obey these orders. My commission requires obedience.

"These orders were not sought by me, nor are they agreeable ones, but I have been taught obedience to all lawful orders by my long service in the navy.

"I do not propose to enter into the subject of my private discussions. I do not wish to recall for the information of the public what has been said to me by acquaintances; in fact, it would be a difficult task to perform. Private utterances are not long retained, particularly when there is no personal interest in the matter under discussion. It is sincerely hoped that during the examination of my eligibility for membership, should there be any doubtful points in the minds of the unobjected to members of this court, that all such points be decided in favor of Admiral Schley, who is the one most particularly concerned in the investigation to follow. I will accept my detachment, as I have my orders for this duty, as an officer should.

"I have no personal feelings and no personal interests in the matters to come before the court, except the interests I have for the good of the service. I have great faith in the impartiality and justice of naval officers serving on courts, and sincerely hope that the results finally obtained may be satisfactory to our navy and to our country. Respectfully,

—"H. L. Howison.
Rear Admiral, U. S. N.

HOWISON CROSS-EXAMINED.

Assistant Judge Advocate Hanna, as a further part of the admiral's reply, read his letter of explanation to Assistant Secretary Hackett, made public some days ago.

Mr. Rayner asked permission and the examination proved to be one of the most interesting features of the day's proceedings. Mr. Rayner pressed his questions persistently, but the admiral did not at any time compromise in his contention that he was competent to sit as a judge in this inquiry. Before the questioning began Admiral Howison remarked that he did not desire to go into any private discussion, to which Mr. Rayner replied:

"I will not go into any private matters at all, admiral; but the matter of whether or not you had those conversations with these gentlemen is one which we will have to go into. I will not encroach at all on anything that is improper. I will be very careful about that; because this is no impeachment of your capacity or integrity, either. It is merely a question of whether your mind is made up on certain subjects in connection with this matter."

He then asked the admiral concerning Mr. Frost's statement that he (Howison) had said that Admiral Sampson deserved the credit for winning the battle of Santiago.

"I want to know," he said, "whether or not you ever said that to Mr. Frost."

"Maybe I did," the admiral replied, reflectively, and continued: "If he was commander-in-chief, I probably did say so—not only to Mr. Frost, but to others. I am merely talking now of the navy orders and regulations, and the customs of the service."

Being questioned as to his statement concerning Mr. Spon's testimony, the admiral replied that he not only did not remember Mr. Spon's face, but said that he had no recollection whatever of the incident concerning which that witness had testified. The admiral said:

CAN'T REMEMBER.

"I tried while he was sitting here to remember if I had ever seen the man before, and I positively cannot remember ever seeing him, nor do I remember the occurrence of any such circumstances as he says did occur at a certain place on board of the Minneapolis.

"I did come home on the Minneapolis, but it is not my custom to interfere with people's talk when they are talking outside. I have had them abuse me aboard ship many times when I was executive officer; I have heard them and recognized the men's voices, but I never went to the men about it. I knew that they never intended that I should hear it. I never would interfere with a conversation of that kind. It would be unreasonable."

Mr. Rayner—And you have no recollection of your saying anything on that voyage to anyone on the subject of the Sampson-Schley controversy?

Rear Admiral Howison—I do not remember what I said. I might have said something on that voyage; I do answer anyone's questions if they are asked politely, where it does not make any difference.

Mr. Raynor—You do not recollect saying on that voyage to anyone that if Schley had done certain things he ought to have been court-martialed?

Rear Admiral Howison—No; I do not remember making any such remark. But if someone, for instance, should come to me and say that a certain officer had done a certain thing, I might say that under the navy regulations he would be subject to court-martial or discipline of some sort if he had done a certain thing. I would not hesitate to say that to you at any time, or to anybody else.

MORE DENIALS.

Taking up the testimony of Mr. Nichols, Mr. Raynor called Admiral Howison's attention to the fact that in his formal reply he had not denied the statements of that witness. The admiral said he had never said to Mr. Nichols that Schley had no business in the navy, or that a man could not remain in the English navy under such circumstances.

"I never made any such remark as that in regard to Admiral Schley. If anything of the kind occurred there, it was just as I stated in my answer to you before. If he (Nichols) had stated to me that Admiral Schley had positively disobeyed orders or done something that he ought not to have done, that was liable to discipline, I would have said he should be brought before a court-martial. That is simply one of the regulations of the service. If people come to you and tell you that officers are guilty of such and such things, it is natural for you, who knew the regulations and laws of the service perfectly, to say, 'If he is guilty of those things, he should be court-martialed for it.' And I still say so, as to everybody."

Mr. Raynor—He says: "I expressed surprise that he should feel this way towards Schley; and he said: 'You wouldn't if you were in touch with the sentiment among naval officers.'"

SPARRING FOR POINTS.

Rear Admiral Howison—Well, how in the world could a stranger to me, coming to my house on his own business, get me to speak in such a way as that unless it were in answer to some question, or unless he misinterpreted my answers to him. I haven't the slightest wish to force mysel on this court. I do not want to sit on it. It is not an agreeable duty for me. I have no desire whatever to do it. I am not making any excuses for myself or for any of my private discussions with anyone outside. I think that is my own affair, and nobody else is asked about these private discussions. It is only this one objectionable man. I am perfectly willing to get out, as I say in my letter.

Mr. Raynor—But are you willing to ask the court to relieve you?

Rear Admiral Howison—I cannot ask the court to relieve me, because they have got to do that upon the merits of the case.

Mr. Raynor—Now, you say just now that you have in conversations substantially admitted that the credit of the battle of Santiago was due to the commander in chief, and if Sampson were the commander in chief, if that comes under any of the specifications of the precept, have not you made up your mind on a very important question that is to come before you now?

Rear Admiral Howison—No, sir.

Mr. Raynor—If you have come to the conclusion that Sampson was commander in chief, and that the credit of that battle was due to Sampson, have you not made up your mind on a question that is bound to come before you now as a judge of this tribunal?

Rear Admiral Howison—No, sir.

Mr. Raynor—Your view, then, is that he was officially the commander in chief?

Rear Admiral Howison—Of the North Atlantic squadron.

Mr. Raynor—Of the North Atlantic Squadron; and being officially the commander in chief, he deserves the credit of that victory?

Rear Admiral Howison—It depends upon what he did and what he did not, whether the credit part of it comes in.

There was considerable sparring on this point with the conclusion that Admiral Howison said any conclusion would depend on official reports, and then in answer to further questions the admiral said that he had discussed the controversy in many conversations during the past three years on the basis of newspaper reports.

Some things he had said were favorable to Schley and some to Sampson. He never had said that Schley was hot-headed and impetuous, for he never had thought him hot-headed or nervous.

RAYNOR SUMS UP.

The testimony having been closed, Mr. Raynor in a few words called attention to the fact that three statements made by the witnesses had not been denied. He wished it distinctly understood that there is no impeachment here of that admiral's integrity, or his capacity, or his eminent qualifications, and not the slightest criticism of any remarks he made at the time. He had a perfect right to talk about this matter and to come to his own conclusions, but the question remained, Is the admiral's mind in such a condition that it throws upon us the burden of proof to relieve his mind of a prejudice that he has against our side of the case? He (Raynor) asked the court if it did not think that the condition of the admiral's mind now is this—that unless he hears something to the contrary, Admiral Sampson was the commander-in-chief on the day and is entitled to the credit for the victory at Santiago?

Counsel then reviewed in detail the testimony given and the fact that Admiral Howison's statement was guarded and did not deny many material statements of the witnesses.

Mr. Rayner having referred to Mr. Nichols' statement as to what Admiral Howison had said concerning Schley and the English navy and also coaling at sea, Admiral Howison interrupted with a very positive disclaimer that he ever could have made either statement. They must have been someone else's statement.

Following Mr. Rayner's arraignment of Admiral Howison as a member of the court, that body took a brief recess to consider the matter. When it returned Admiral Dewey promptly said:

"I have to announce that the objection of the applicant to Rear Admiral Howison is sustained by the court. The admiral is excused from service—for which I know, he is very glad."

Rear Admiral Howison—I am, indeed.

The court then, at 3:45 p. m., adjourned to await appointment of a successor to Admiral Howison by the navy department.

SUCCESSOR IN DOUBT.

Owing to the late hour at which the Schley court reached a decision as to the eligibility of Rear Admiral Howison, the result could not be communicated to the navy department officially before it had closed for the day. Therefore, Mr. Hackett, the acting secretary, will not know officially the fact that Admiral Howison has been relieved until tomorrow. But through unofficial channels, which he knows is reliable, he was acquainted with the court's action, and proceeded at once to consider the selection of another naval officer to replace Admiral Howison.

Messages have already gone forth directly to some of the rear admirals on the retired list, inviting them to declare their eligibility for this particular duty. Owing to the fact that many of these officers are at summer resorts, it has not been possible to get a response as yet, and it is expected that the department will not be able to provide another member for the court until Monday next. The name of the person so chosen will not be announced at the navy department, according to the present intention of the officials, but to the court itself will be left the announcement.

M'KINLEY IS SINKING FAST

Continued From First Page.

night. The other two cabinet officers, Secretaries Hitchcock and Wilson, have made no plans to return. They will remain at least several days longer.

The slight alarm which was felt when the afternoon bulletin appeared was increased when the physicians assembled for their evening consultation about an hour earlier than usual. The cheeriness of the morning was succeeded by apprehension, and a dreary rain which began to fall added to the gloomy feeling which prevailed. The bulletin was personally delivered to the members of the press by Secretary Cortelyou, and the frankness with which the physicians announced that the president's condition was not good, disquieting as it was, was a relief. It was felt that nothing was being concealed.

FIT OF INDIGESTION.

It was explained semi-officially to the Associated Pres that the trouble which existed was due to the fact that the food which the president had taken this morning had not agreed with him. The rise in his pulse was attributed to that fact. It was stated quite positively that the consulting physicians considered that the failure to digest the food was not due to the condition of the wounds in the side of the stomach, which were believed to be practically healed and so pronounced by Dr. McBurney and his assistants. The fact that the food would not agree with the patient could not have been anticipated, so it was stated, but as soon as it was found that it had not, the administration of food by the mouth was discontinued. The problem which now confronts the physicians is to dispose of this undigested food in the stomach. Dr. Mann, who is considered the chief surgeon in the absence of Dr. McBurney, is confident that the undigested food will pass away during the night and that the president will be better in the morning. The fatigue of the president noted in the afternoon bulletin continued during the evening, and several times the president murmured: "I am so tired; I am so tired."

CASE FOR A PHYSICIAN.

Dr. Charles D. Stockton, who has a fine reputation as a general practitioner here, was called in at the evening conference. The problem is now one for the physicians rather than for the surgeons, and the advice and counsel of Dr. Stockton was considered adivsable.

After the bulletin was issued two of the physicians slipped away through the side entrance, thus escaping the newspaper men. It was understood that Dr. Mann and Dr. Stockton remained at the Milburn house.

Secretaries Wilson and Hitchcock reached the Milburn house at 9:30 o'clock. They seemed anxious for personal assurances as to the condition of the president, and when they left their carriages hurried into the house. The spirits of the little coterie which Secretaries Hitchcock and Wilson joined in the drawing room of the Milburn house were visibly depressed, although the assurances of Dr. Mann that the president's condition would be better in the morning did something toward offsetting the apprehension they could not conceal.

RELIEF AT LAST.

Doctors Wasdin, Stockton and Rixey remained at the Milburn house during the night and were constantly in the room of the president. For hours the president failed to respond to the treatment to which he was subjected to relieve him of the disturbance caused by the failure of digestion and assimilation. The long process of the treatment added to the depression that existed, but just at midnight the relief so desired came. He had two operations of the bowels within a few minutes. This gave great encouragement and changed the character of the bulletin which the physicians were then writing.

In it they announced that all the unfavorable symptoms had improved since the last bulletin.

The decreased rapidity of the pulse from 128 to 120 which followed the bowel movement was also highly gratifying.

The physicians were really alarmed about the president's heart. The action of the bowels was produced by the administration of calomel and oil.

Abner McKinley, Col. Brown, his business partner, and Lieut. James McKinley, the president's nephew, remained at the house during the anxious hours of the evening. Lieut. McKinley only today reached the city from California, where he is stationed. After the gratifying intelligence in the midnight bulletin was conveyed to them they immediately left the house for the night and went to their hotel. Secretary Cortelyou announced after the bulletin had been issued that he did not look for any further public statement from the physicians during the night nor the regular 6 o'clock bulletin in the morning.

The scene on the corner across from the Milburn house when Secretary Cortelyou brought out the midnight bulletin was impressive. A hundred newspaper men keyed up to a high tension and twice that number of anxious watchers who had been alarmed by the 8:30 bulletin posted everywhere throughout the city were gathered under the gaslight in front of the white tents erected for the accommodation of the newspaper men. Above the suppressed tones of the watchers the only sound was the click of the telegraph instruments inside. Out of the gloom into the circle of light came the president's secretary accompanied by Mr. Milburn. The secretary was immediately surrounded. He distributed words of encouragement with the little typewritten slips on which the bulletin was issued.

GOOD NEWS.

"The president has responded to medical treatment and is better," he said. "The doctors administered calomel and oil and they proved effective. He is resting nicely now and the feeling is better."

The cheering news broke the tension of a half night's anxious vigil. After distributing the bulletin Secretary Cortelyou and Mr. Milburn walked away to get a breath of air and relief from the intense strain of the evening.

After less than a half hour's walk Secretary Cortelyou and Mr. Milburn returned to the house. Soon after, the lights in the lower part of the house, which shortly before were burning brightly, were put out, except in the drawing room, which for the time being is used by Mr. Cortelyou for official purposes. In the chamber occupied by President McKinley the lights were burning dimly. Mr. Cortelyou came out for a moment shortly before 2 and said there was no change in the president's condition since the last bulletin.

At 2:48 a. m. Abner McKinley, brother of the president, was called to the house. He came by carriage and pressed into the house at once. A messenger was dispatched at the same time to summon two absent nurses. The impression is created that the president has taken a serious turn for the worse, but an expression from those within the house was unobtainable.

At the Theaters.

Haverly's Minstrels will close their engagement at the Metropolitan opera house with two performances tomorrow, a popular price matinee in the afternoon and the farewell performance at night.

Sunday night the Metropolitan will offer a strong vaudeville bill, headed by Mary Norman.

A good quality and a great quantity of fun is being furnished at the Grand this week by the company of farceurs, who are presenting Guy F. Steely's amusing comedy, "Hunting for Hawkins." The last matinee performance of the engagement will be given tomorrow at 2:30.

"A Common Sinner" a brand new comedy and one which is said to have scored heavily wherever it has been seen so far this season, is announced as the Grand's attraction the coming week, commencing Sunday night.

One of the most charming songs that has ever been heard on any stage in St. Paul is contributed in the first part of the performance being given at the Star this week by Miss Madeline Sadol, of the May Howard Burlesquers company. It is entitled "The New Born King," and is a sacred composition of great sweetness and beauty, and it is sung in a manner that leaves no room for criticism. Miss Sadol has a contralto voice of rare purity and sweetness and her act is worthy of being featured as one of the headlines in the olio.