

RILEY ACUSED WITH JUSTICE IN SCHOOL ROW

Jurist Faces Charges That Bring Hint of Impeachment.

JUDGE HELD TWO JOBS, EX-OFFICIAL SAYS

Weeds, Father and Son, Also Named in Plattsbury Scandal.

Albany, Nov. 8.—An appeal has been filed with Dr. John H. Finley, State Commissioner of Education, in which serious charges are made against Justice Henry T. Kellogg, of the Supreme Court, 5th District. Hints of impeachment proceedings are being freely made by political opponents of the Plattsbury jurist. Concerned in the charges are Smith M. Weed, whose daughter is the wife of Justice Kellogg; his son, George S. Weed; John M. Riley, Superintendent of Prisons, and others.

Dr. Finley is in possession of the papers, filed by Corydon S. Johnson, cashier of the First National Bank of Plattsbury, and Everett C. Baker, former Assemblyman. The latter's place in the local Board of Education is at the heart of the scandal, which follows in the wake of the Sing Sing revelations, that concern one of the men now accused, Riley, whose appointee, George S. Weed, has been acting warden at Sing Sing since McCormick was ousted. Baker alleges that he lost his place in the Plattsbury Board of Education at a snap meeting of the so-called Plattsbury Academy board called at the direction of Smith M. Weed several weeks after the legal date for the annual meeting. Of the twelve members of the board, several were asked to join in the petition, but all refused for reasons which indicate that the Plattsbury "ring" is powerful and is feared.

Attorney Bowled to Judge. Their replies are incorporated in the papers. Of one member it is written: "E. F. Botsford is an attorney and did not wish to join for the reason he was to appear before Judge Kellogg occasionally, and further because he at one time was interested in a company with Smith M. Weed."

Both John H. Booth and H. P. Gilliland are lawyers. E. G. Moore didn't want to join because he objected to being named to sign his name as joining. H. W. Cady regretted the action of the board, but didn't want to stir the matter up.

A. M. Warren, clerk of the board and also of the Plattsbury Academy Board, stated that he was caught between two fires, but his admission that the meeting of the academy board was called on less than 24 hours' notice and a letter from Smith M. Weed directing him so to do in the charges submitted to Commissioner Finley.

According to the charter, the Board of Education is composed of 15 members, 10 appointed by the Mayor, with the approval of the Common Council, and the others named by the academy board, one each year for a term of five years. The academy board consists of 12 members, holding office for life and appointing their own successors. Their only function appears to be to keep 5 of their number on the Plattsbury Board of Education.

The meeting, whose action Johnson and Baker petition Commissioner Finley to declare null and void, was held on Monday, August 17, notices having been sent out the night before. It is alleged that Booth, Moore, Cady and Botsford would have been present if they had received sufficient notice, and each would have voted for Baker to succeed himself. As Baker mustered three votes—his own and those of Warren and Gilliland—it is evident that he would have had a majority. Those voting for William B. Mooers, who was elected, were Mooers, the Weeds, Justice Kellogg and Riley.

Meeting in Kellogg's Room. The meeting was held in the chambers of Justice Kellogg, who, the petition says, has served since January 1, 1908, as president of the Board of Education, in all disregard of the letter, spirit and intent of the section of the constitution that stipulates justices of the Supreme Court shall not hold any other office or public trust. The petition further alleges that Justice Kellogg is not even a resident of the city or school district, but lives in Peru, five miles distant, and is therefore disqualified from holding the school office. The name of the justice is then coupled with those of the Weeds, and it is charged that as the trio are members of the same family two of them are thereby disqualified. The reason for the alleged tactics of the Weeds-Kellogg-Riley group seems to be in the charge "that for a little time past considerable interest has been manifested by a considerable number of people, and by members of the Board of Education of said school district, in regard to its membership to oust the present superintendent of schools by Mr. Weed and his friends."

Baker insists that he understood there would be no opposition to his reelection at the regular meeting August 17, and "that in any event said alleged special meeting (of August 17) at that particular time, under the circumstances and upon so unreasonable notice, was a so-called 'snap meeting,' and was a sham and a fraud upon the face thereof."

FRISCO FEELS QUAKE

Shock Hardly Perceptible—Trans-Bay Region Affected.

San Francisco, Nov. 8.—A week of exceptionally warm, clear weather was followed here to-night by an almost imperceptible earthquake shock. Open doors in downtown buildings swung slightly. The disturbance was felt in the trans-bay region, including Oakland, Alameda and Berkeley, and at San Jose, fifty miles down the peninsula. No damage was reported.

According to Professor Burkhalter, in charge of the observatory of the University of California, the disturbance was local and was what is known as a "minor four" earthquake, which is a very minor one.

The university seismograph recorded the shock to have begun at 6:31 p. m., continuing six seconds.

Los Angeles, Nov. 8.—A slow, vibrating earthquake rattled windows here early to-day.

What the leader of Tammany Hall said is purely conjectural. The head writer was reserved on that point and Mr. Murphy even more so.

ANGRY DEPOSITORS RAGE AT RICHARDS

State Superintendent of Banks Rescued by Police at East Side Meeting.

Eugene Lamb Richards, State Superintendent of Banks, was heckled for more than an hour last night by a crowd of 1,400 depositors of defunct East Side private banks at a meeting of the East Side Forum in Public School 62, Essex and Hester sts. Police reserves were finally called to clear the hall.

The crowd became so noisy and demonstrative that when Dr. Henry Moskowitz, who had taken the place of Jonah J. Goldstein, as chairman and interpreter, called Sergeants White and Ryan to clear the hall, threats and accusations were shouted against the Banking Department, officials of which were called "crooks and thieves."

Outside the hall the crowd gathered in groups and continued shouting. There were fully 2,000 more men and women who were not permitted to enter the hall. The doors were closed shortly after 8 o'clock, when all the seats were occupied.

When those in charge of the meeting saw the uselessness of trying to have the Superintendent of Banks answer the shower of questions he was escorted from the hall by Sergeant Ryan by a side door. Mrs. Richards was present during part of the time, but left before Mr. Richards left the platform. She was waiting for him in an adjoining room, and together they were ushered to a waiting taxi.

EXPERIMENT KILLS COLLEGE TEACHER

Professor Mines, of McGill, Victim, Apparently, of Heart Action Test.

Montreal, Nov. 8.—G. B. Mines, a professor in physiology at McGill University, met death mysteriously and tragically last night in his laboratory at the university.

Principal William Peterson believes that Professor Mines met his end in the course of experiments on himself in phenomena of the heart action and respiration, probably losing his life through the apparatus, which was attached to his body, getting out of order in some unknown manner.

Professor Mines had been in the laboratory all afternoon working on his experiments. He was discovered in an unconscious state by the janitor about 6 o'clock. The broken mechanism was still attached over the professor's heart. Aid was at once summoned and Professor Mines was conveyed to the Royal Victoria Hospital, but he died shortly before midnight without recovering consciousness.

Professor Mines was twenty-nine years old. He leaves a wife and a child. He was a Cambridge University man and came to Montreal from Toronto University.

SEEK SULLIVAN'S \$1,000,000 LOOT CACHE TO-DAY

Probers Will Quiz Miss Burkhardt About Missing Funds.

STOLEN SECURITIES HIDDEN IN VAULT

No Trace of McCormick or Banker's Wife—Depositors After Riley.

The most important disclosure in the investigation, which the Kings County Grand Jury is conducting in regard to the actions of David A. Sullivan, former president of the wrecked Union Bank, since he entered Sing Sing prison, is expected to-day. The place of concealment of the securities and other assets of the plundered financial institution, it is fully expected, will be disclosed. Sullivan's hidden fortune is said to be about \$1,000,000.

An official of the State Banking Department, who was identified with the work following the taking over of the wreck of the Union Bank, was the authority for the statement that Sullivan's peccadilloes netted him a sum in excess of the million dollar mark. Depositors of the Union Bank assert that the exact sum which Sullivan salvaged away is not known, but that the above figures are not a whit too high.

A safe deposit vault, in which the securities are hidden is said to be one of the objective points in the investigation which District Attorney Crosby is conducting. Once located, the matter of determining whether Sullivan actually transacted business detrimental to the interests of the bank depositors while on leave from prison, allowed him by the deposed warden, Thomas J. McCormick, would be simplified. The Kings County authorities, as well as those interested in the wrecked bank from a monetary view, are interested in knowing the whereabouts of the safe deposit vault.

On Trail of Hidden Funds.

The depositors, for whom Louis Goldstein, the Assistant District Attorney of Kings County, is attorney, it has been learned by The Tribune, feel that they are close on the trail of the hidden vault wherein reposes the equivalent of the money Sullivan contrived to conceal before his indictment and commitment to Sing Sing for larceny of other funds.

At various times it has been ascertained that Sullivan concealed the money in New York or England. The theory that the safe deposit vault is located abroad, however, is not generally accepted. The missing papers are right here in New York, it is the accepted belief. Those who are in a position to know say that it will be only a short time before Sullivan's hidden fortune is returned to its rightful owners.

The developments toward that end, expected to-day, will take place in the grand jury room. The first witness will be one of the most important of the entire investigation, if not the star witness of the proceeding, Miss Louise D. Burkhardt, former private secretary and business agent of Sullivan.

From the city-barred girl secretary District Attorney Crosby may be able to wring information that will lead to the recovery of the safe deposit box. Once its whereabouts is known, a court order will have to be obtained before an inspection of the contents can be made. That, however, should not be difficult, the authorities maintain.

Miss Burkhardt, who is thirty years of age and said to be exceptionally clever, has been a much sought for witness in the present inquiry. When the Kings County authorities began the investigation of Sullivan's further alleged mispractices after The Tribune's exclusive story of the liberation of his body, she was arrested by ex-Warden McCormick, Miss Burkhardt disappeared from her home at Yonkers. Since then, it has been learned, she lived at Myer's Hotel, in Hoboken, and in other New Jersey towns. She was a voluntary witness Friday, but District Attorney Crosby did not call upon her for testimony.

A subpoena to appear before the grand jury this morning was served upon Miss Burkhardt before she left the grand jury room, where she was taken, although not called to the stand. The Kings County officials learned where Miss Burkhardt was yesterday, and they are confident she will appear in Brooklyn. As she holds a power of attorney for Sullivan and his wife and transacts a great deal of business for both, as well as being a conversant with all of the details of the business transactions of Sullivan, the recovery of the assets hidden in the mysterious safe deposit box depends largely upon her testimony.

KITCHENER PRAISES GRAND DUKE NICHOLAS

Petrograd, Nov. 8.—Grand Duke Nicholas has received from Earl Kitchener, British Secretary of State for War, a telegram conveying the congratulations of himself, Field Marshal French and the British army on the brilliant termination of the second stage of the Russian operations.

Earl Kitchener adds: "We are convinced that the joint efforts of the Allies will result in the final crushing defeat of the enemy."

DRIVE GERMANS 14 MILES A DAY

Russians, in Close Pursuit, Allow the Fugitives No Rest.

Petrograd, Nov. 8.—Rapidly of movement on the Polish battlefields has been unequalled since the days of the great Napoleon. Eighteen days after the first attack near Warsaw the Russians are across the German frontier at a spot 134 miles from Warsaw. Deducing the time spent in fighting the battle before Warsaw and another north of the Pilzitz River, this means that the Russian pursuit has been pressed for more than a week at a rate averaging fourteen miles a day, and over Polish roads after the rainy season. Military men will have no difficulty in appreciating the condition of the fugitive German forces after such experiences as these figures indicate.

There is not a doubt about the Germans having passed by Czenstochowa without stopping on their way home. The troops of this column, which apparently is marching in good order, are probably the first line of German divisions extricated from the disastrous fighting in Poland at the cost of reserve troops and allied Austrians. Similar tactics seem to have been employed elsewhere, for example, on the Kolkovata and Wartasarsahn fronts.

The object of preserving the finest troops in this manner in itself indicates that the Germans have given up their Russian adventure and will doubtless now once more concentrate against the French and English in Belgium.

Before leaving Lodz the Germans had an armed conflict with the Polish brigade of volunteers fighting under the German flag. The Germans were retreating in such frantic haste that they had killed nearly all their horses and begged the Poles to spare them. The German officers promptly ordered their men to fire on the Poles. The general commanding in this region finally ordered all Polish volunteers on the German side to be disbanded. The line of retreat of the Germans is covered with dead horses and abandoned wagons by the hundred.

Two Armies Separated. It is asserted that communication between the German East Prussian army and the Polish army has been severed. The Russians, taking advantage of this fact, have thrown troops between the River Warthe and the lower Vistula and are concentrating, especially around Vitolzow, Poland, the last German position in Russian territory is regarded here as fast becoming untenable. On the north the Russians have taken Kolo and the Germans have retreated ten miles to Turek. A battle for the possession of Sieradz is now in progress.

The German right is outflanked by the Russians in possession of Andriew and they advance nearly ten miles west of that base. This appears to afford foundation for the report of an exodus of German troops from Czenstochowa.

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London, Nov. 8.—The German and Austrian armies are now on the defensive both in the east and west. In the east they have fallen back to and over their frontiers in East Prussia, and in Poland have crossed the border, while the Russian cavalry has penetrated Silesia, to the north of Kalisz, and cut the German railway.

It is believed that Russia will turn her main attention toward the settlement of the Eastern question. This means the breaking up of Austria-Hungary first and foremost, the expulsion of the Turk from Europe, possibly the reconstitution among many small protected states of a new Armenia, and many other changes in geographical and political maps in this part of the world. The Slav has arrived and if one examines a globe, or even a map, no further comment is needed to suggest many things which, if not the government, must begin to think about in England.

EAST PRUSSIAN FLEE AS CZAR'S MEN ADVANCE

Cavalry Cuts German Railroad Northwest of Kalisz.

ENEMY DRIVEN FROM WIRBALLEN

Kaiser's Troops Steadily Forced Westward in East Prussia.

Petrograd, Nov. 8.—The following official communication was issued from general headquarters to-day: "On the East Prussian front our troops have dislodged the Germans from the region of Wirballen, which was strongly fortified, and have progressed as far as Stallaponen (sixteen miles east-northeast of Gumbinnen)."

"In the region of Rominten Forest and Lyck our troops continue to press on the heels of the rear guards of the enemy."

"On the left bank of the Vistula our cavalry has penetrated German territory, damaging the railroad near Pleschen station, to the northwest of Kalisz."

"On the roads to Cracow on November 6 we attacked the Austrian rear guards along the Nida River, and the next day were operating on the River Nidzica."

Fighting in Galicia. "In Galicia our troops are continuing their offensive movement. In the latest engagements on the San River we captured 125 officers and 12,000 soldiers, as well as rapid fire and munitions of war. South of Przemyel on November 6 we took more than 1,000 prisoners."

Owing to the general Russian out-flanking movement on both right and left of the main German line from Sieradz to Czenstochowa, Poland, the last German position in Russian territory is regarded here as fast becoming untenable. On the north the Russians have taken Kolo and the Germans have retreated ten miles to Turek. A battle for the possession of Sieradz is now in progress.

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RUSSIAN VICTORIES STIR UP THE KAISER

German and Austrian Commanders Called to Council of War—Many Trains of Troops and Guns Moving East from Belgium.

London, Nov. 9.—A dispatch from Rome says: "German advices received here say that Emperor William, much affected by the Russian victories, has held a council of war, which was attended by General von Hindenburg, the Duke of Wurtemberg and the Austrian chief of staff, Field Marshal Baron Conrad von Hottendorf, to decide on a further plan of campaign."

Rotterdam, Nov. 8.—The Germans are now announcing to the people of Belgium that they welcome the inundations, near Nieuport, as they shorten the line which Germans must defend on this front.

A Dutch correspondent states that many trains of infantry, cavalry and guns are leaving, by way of Brussels and Louvain, for Germany. Wagons and carriages are marked for St. Petersburg. Soldiers say there is no more fighting on the Yser, and they are now going to fight the Russians.

The Bruges correspondent of "The Nieuwe Rotterdamse Courant" states that the aeroplane sheds at Knafeldec have been taken down by the Germans and sent to an unknown destination. Troops are moving from Bruges in an easterly direction, and machine guns have been mounted on hills and towers in the town.

Germans in North Belgium are extremely uneasy and despondent. A Liege correspondent declares that numerous trains have carried troops and materials into Germany. The correspondent of a Maastricht Belgian paper states that on Thursday night, for three hours, cavalry defiled across the Meuse bridge, toward their home land. This is not confirmed from other sources.

TURKS BOMBARD BLACK SEA TOWN

Greeks Fleeing in Panic from Smyrna—One of Their Ships Sunk.

Tiflis (via Petrograd), Nov. 8.—The following official communication has been issued under date of November 7 by the army headquarters in the Caucasus: "This morning a cruiser of the enemy of the Brest-Litvinsk arrived at Poti (in Trans-Caucasia, in the Black Sea) and opened fire against the town, the fort, the lighthouse and the railway station, firing from 120 to 150 shots. Approaching the Mole, the cruiser attempted to open fire with rapid rifles against the Russian troops, who replied with artillery. On the first shots from the Russian guns the cruiser withdrew rapidly from the Mole in the direction of Sukhan-Kale."

"We had three soldiers wounded, while four received contusions. The damage to the town and fort was insignificant and none of the inhabitants was injured."

London, Nov. 8.—The Reuter correspondent at Athens says: "Two British destroyers bombarded the telegraph stations at Sarmoussak and Ayasmat. The Turks sank a Greek steamer that was flying the British flag at Avrali."

"The Greek inhabitants of Smyrna are fleeing panic-stricken. A British destroyer went to Avrali to embark the British Consul, but the Turks refused to permit this."

KAISER'S TWO ATTACKS ON COAST FAIL

Invaders Attack in Mass at Arras, 40 Miles South of Ypres.

Paris, Nov. 8.—Defeated in their desperate attack, lasting the whole week, upon the allied lines at Ypres, the Germans are now making assaults also at Arras, in France, forty miles further south, in their determined attempt to cut a path through to the French Channel ports of Calais and Boulogne.

In the most recent fighting the two main offensive movements designed to carry the Kaiser's army to the coast are officially reported to have been repulsed.

At only one point, according to dispatches from Berlin containing official announcements, do the Germans claim success. That is to the west of the Argonne region, where the German Emperor's forces have succeeded in taking from the French an important height near Vienne-le-Chateau.

Elsewhere the French troops have made progress and retaken the positions which they had lost during the course of the week. This is notably so in the Aisne Valley around Soissons, where they have not only regained the ground which the Germans by fierce assaults had taken from them, but have reached the plateau of Vregny, northwest of Soissons, on which they had not previously gained a foothold.

The Belgians who are holding the line reaching to the coast have also made progress. The fighting to-day was carried on in a fog, which interfered with the work of the airmen and likewise with the artillery.

It may be admitted that the position at Ypres three days ago was serious. The town itself was bombarded by the Germans with extraordinary violence, and under the fierce cannonading the Allies had to withdraw from the town, which became a "no man's land," across which the shells from both sides burst.

The Germans made a superhuman effort under cover of a fierce bombardment on the British positions. They had prepared a determined onslaught. Masses of men were launched in succession at chosen points on the allied front.

The assault was met in a supreme way. Two regiments, one Scottish and one of the Guards, went down with bayonets to stem the advance. It was the most terrible bayonet charge of the whole war. It succeeded, the break in the line was repaired, the German attack was once more driven back.

Halt for One Day. That was their last effort for twenty-four hours. Yesterday the Germans dropped only an occasional desultory shell into Ypres, but their attacks ceased until to-day. They are now assailing the allied line at Arras, forty miles further to the south, but not with the same fury as they exhibited in the onslaught of the last week.

So fierce has been the fighting around Ypres that the casualties of the Germans are believed to have reached the enormous figure of 100,000, though these figures may prove to have been exaggerated.

The Allies' steady, though slight, advances from the sea to the Meuse, military experts declare, are creditable in view of the great importance attached by the German General Staff to throwing the allied forces back on the coast, as is shown by the heavy sacrifices they are willing to make to attain this object.

Conservative military writers, such as General Berthoud Courcour, declare that the Germans will renew their efforts with all the energy and all the means at their disposal, for along that line lies the key to the situation.

Guard Against Flank Attack. The Germans still hold three points on the Yser as a guard against flanking attacks on the right, coming by way of the narrow region of sand dunes under cover of the British monitors. They also continue to hold Roulers, but have retired three miles south of Dixmude, and considerable forces continue to be directed toward Ypres.

That city, which is being bombarded from a distance of eight miles, has hardly a street intact. Two shells struck the famous thirteenth century Cloth Hall, doing much damage to it. French military opinion holds that the Allies' proper policy now is to oppose a firm and patient resistance to the enemy, however distasteful this may be to both the French and the British troops, to enable the Russians to reap the full benefits of their victory in Galicia.

Allies Assume Offensive and Make Steady Advances. Paris, Nov. 8.—The turn of the tide now is very marked. From near Ostend to near to Arrmentieres, along a front due north and south of forty miles, the Allies have repelled every serious attack and nearly everywhere.

Imported Bock Panetela. More satisfying than ever. Sweet and mild.—Advt.

EXPERT SEES END OF WAR IN 1917

French Authority Divides War Into Six Periods—Now in the Third.

London, Nov. 9.—A high French military authority, says "The Daily Mail," has given private expression to the following views as to the probable duration of the war. His estimate is based on the belief that the Germans will commit no great tactical error. He divides the war into six periods—two past, one present and three to come. The first period was the advance through Belgium into France; the second was the battle of the Marne and the German retreat to the Aisne, and the third period is that of the fighting on the Aisne, continuing and developing into the battle for Calais.

The fourth period will be a German retreat and a battle on the Meuse, the fifth a further retreat and a battle on the Marne, while the sixth will be the march on Berlin. He estimates that the battle for Calais will not end completely before the beginning of December. He assigns a period of five months to the battle of the Meuse—May, 1915.

The campaign on the Rhine should last nearly twice as long; that is to say, until February, 1916. The final march on Berlin and the negotiations for peace should bring the war to an end with the full withdrawal of the allied armies of occupation in 1917.

'WOE TO YOU, JAPAN!' SAYS BERLIN EDITOR

Threats of Revenge in Years to Come for Tsing-Tao Defeat Made by Newspaper.

Amsterdam (via London), Nov. 8.—The Berlin "Lokal Anzeiger," commenting on the German defeat at Tsing-tao, says: "Germans will never forget the heroic fighting at Kiaochow and those who defended the colony. Never shall we forget the brutal violence of the yellow robbers, nor England, who instigated them. We know that we can not settle our account with Japan at present; for years she will enjoy her booty. Our mills will grind slowly, but even if years should pass before the right moment comes at last, then a shout of joy will resound through Germany. Woe to you, Nippon!"

DUTCH WILL FIRE ON STRANGE SHIPS

Explained by Russia How Turkey Started Hostilities

Petrograd, Nov. 8.—The Russian Admiralty has made a statement regarding recent events in the Black Sea, with the purpose of establishing the falsity of the Turkish claim that the hostilities there were begun by the Russians. The substance of the statement follows: "On the evening of October 28 the Black Sea fleet, after a cruise, reentered the roads of Sebastopol without having sighted Turkish ships anywhere. On October 29, at 5 o'clock in the morning, the commander of the fleet received word from Odessa that at 3 o'clock that morning two Turkish torpedo boats, with red and green lights and flying Russian flags, entered the port of Odessa."

Although the commands on the Turkish torpedo boats were in Russian, the gunboat Kubanets, which was on the lookout, having received no reply to the stipulated signal, immediately opened fire. The other gunboat in the roads, the Donets, did not even have time to fire, but was sunk by the first Turkish torpedo. Fired on by the Kubanets, the Turkish torpedo boats swiftly took flight, losing one smoke-stack, and by their fire inflicting significant damage upon the Kubanets and nearby merchant vessels and upon a Russian tank.

Having received the report from Odessa, the commander of the fleet informed the coast batteries at Sebastopol.

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