

SHAMROCK IN THE LEAD

Turns the first stake half a mile ahead of the Columbia

ANOTHER UNSUCCESSFUL TRIAL

The Race Called Off—Could Not be Finished in Time Limit Because of Light Wind—Shamrock Shows Her Good Qualities Under Such Conditions—Barr's Successful Jockeying at the Start—Not Half the Distance Sailed.

New York, October 1.—Today's attempt to sail the second of the present series of international yacht races for the blue ribbon of the sea proved a dismal failure. Between 25,000 to 30,000 people who crowded the pleasure fleet off Sandy Hook lightship in the hope of seeing a repetition of the thrilling sport of last Saturday witnessed instead more of a drifting match than a race.

The wind was exceedingly light and variable, at times falling so low that the gossamer wind pennants which are as light as thistle down, hung limp against the masts of the big single stickers. The wind, with crews lined up on the lee rails, was not sufficient at any time to make the racing machines heel to their lines.

At the end of four and a half hours the two yachts had covered less than one-half of the prescribed course of thirty miles, and as there was no possibility of their finishing within the time limit, the regatta committee declared the race off.

When the gun was fired announcing this decision the challenger was about half a mile ahead of the defender and to that extent today's trial was a victory for Shamrock II; but the fluke today demonstrated little as to the question of supremacy between the two boats, except perhaps that Sir Thomas' new champion is more dangerous in light airs than was supposed at her two former meetings with white flyer, to which the patriots are pinning their faith. In fluky winds of variable strength shifting as they did today, through six points of the compass, luck cuts almost as much figure as model and seamanship and today fortune was unmistakably with the foreigner.

The course was an equilateral triangle, ten miles to the leg, the first leg being a beat due east into the wind. The Yankee at the start out-generated his adversary in a splendid piece of jockeying, crossing the line in the windward berth twelve seconds ahead of the Britisher.

This advantage the Columbia held for two hours, while both yachts steered far off their course to the southward looking for a streak of wind that would profit them.

Finally Barr declined longer to continue the vainless quest. He put his helm down and headed in shore on the starboard tack. The Shamrock at this time, after both had been sailing in the same air was a beaten boat, and her skipper could afford to take a gambler's chance for fortune. He held doggedly on and fortune smiled upon him. Within five minutes he crossed the line to the south which ruffled the crestless seas and wafted him like a groat through the Columbia's weather; but this was not his best piece of good fortune.

After this reverse the Columbia, slipping through the stays at an astonishing pace considering the lightness of the breeze, had worked out ahead of the Shamrock, but to leeward.

When the two yachts were in this position about two miles from the first turn a cant of wind threatened to blanket the Columbia, and to avoid such a possibility Barr went under the Shamrock's stern. Just as he did so the wind hauled around more to the south knocking the Columbia's head off until to the astonished spectators, she seemed headed almost back for the lightship at the starting line. The golden boat, favored by the same breeze, was headed in exactly the opposite direction. Then the shifting wind backed again and Barr got the Columbia straightened out. He was a third of a mile astern.

This position the two boats held, rounding the first mark, Shamrock 3 minutes and 8 seconds before the Columbia or a gain for the Shamrock in the beat to windward, adding the twelve seconds which Columbia beat her over the line, of 3 minutes and 20 seconds.

During the next hour in a close race for the second mark the yachts were able to cover about four or four and a half miles of the remaining twenty and as only fifty minutes then remained before the expiration of the time limit, the race was declared off.

After turning the mark the experts thought the Shamrock increased her lead slightly. This may, however, be accounted for by the fact that she carried a large reaching jib topsail while the Columbia was working close to the wind with a small baby jib topsail, a mere handkerchief compared to the Shamrock's large sail.

When the excursion fleet headed back for home the only real race of the day occurred.

It was the race for New York. Tonight both the Yankees and the foreigners are praying for a good stiff breeze on Thursday when today's race will be re-sailed.

When the string of signals was hoisted on the committee boat indicating the course the rival racers were circling about the lightship performing nearly every kind of variety of marine maneuvers. The Shamrock was clothed in a brand new sheet of light weather sail, admirably cut and of marvelous fit. The Columbia, however, was obliged to content herself with the same old suit that carried her to victory on Saturday. Before the start the Shamrock hoisted a tiny jib topsail, perhaps the smallest ever carried by a cup contender. It answered its purpose capably as a steering sail and proved of great advantage in a day so prolific of flukes and calms.

The preparatory gun was fired at 10:45. At that time both yachts were on the port tack standing to the southward with the Shamrock in the lead and the Columbia following in her wake. Ten minutes later the bang of the warning gun was heard and the Columbia, wearing sharply around, trimmed her sails on the other tack, the Shamrock crossing her bow. The Columbia took on a secure weather berth and ten seconds after the starting gun, which was fired at the dot of 11 she crossed the line on the starboard tack ahead and well to windward. The Shamrock luffed over the line a few seconds before the gun fired and was recalled by the judges boat and had to put back.

The official time of the start was: Columbia 11:00:10; Shamrock 11:00:22. Luck was with the American boat at first, for a fortunate catspaw struck her sails, blowing her to head up a couple of points higher than her opponent. This gave her a commanding lead, the Shamrock meanwhile scarcely moving through the water and appearing to be dull and loggy.

The Shamrock went on the port tack fifteen minutes after the start, the Columbia following immediately. Once again the American boat showed her superior smartness in stays, coming about much quicker than her rival and gathering way as soon as her head sheets were trimmed down.

At 11:29 both yachts were pretty nearly becalmed, the Columbia having a lead of about a quarter of a mile. At 11:35 the Shamrock went on the starboard tack, the Columbia following, and then a lucky streak filled the Shamrock's sails and gave her an appreciable lift.

At noon both yachts were on the port tack almost becalmed. The club topsails and topsails were the only sails that luffed out responsive to the stray streaks of air. The big mainsails flapped at the yards and fell in the long easterly roll and the luff of the headsails quivered. The result was that the yachts barely had steerage way.

The unexpected happened. Wafted along at a fine clip by a stray puff, the Shamrock overhauled the Columbia and at 1:15 she was so close that Captain Barr bore down on her in order to kill her wind as he had so often killed the wind of the Constitution. The Shamrock went on the port tack immediately followed by the Columbia and in another minute the Britisher was ahead and to windward.

The wind now became more southerly. Both yachts set reaching jib topsails and eased off sheets, steering a direct course for the mark. Then the Shamrock forced ahead and got into the dead calms while the Columbia got a slant of wind and at 1:35 passed the Shamrock. Then it was Shamrock's turn to get the benefit of a breeze, and she ran along and placed herself on the Columbia's weather quarter, crawling upon her until at 2:08 they were neck and neck with the British boat to windward, blanketing her opponent. To escape from this blanket Captain Barr sent the Columbia on the port tack at 2:12, but luck favored the Britisher and she lost every breath of the fleckle wind as well as steerage way and it was fully two minutes before she got away and filled away on the starboard tack again and by that time the Shamrock was too far ahead to be overtaken.

The first mark was then close at hand and the yachts tacked around as follows: Shamrock 2:41:36; Columbia 2:44:44.

The Shamrock had beaten the defender three minutes and twenty seconds in the first ten miles, and the Columbia would she was unable to lessen the wide gap that separated her from her antagonist. She held her luff hunting for wind, but failing to find it, dropped slowly astern until the gun from the committee boat brought her to a halt. She was nearly half a mile of blue water between her and the golden boat of Lip-ton.

AN IMPORTANT DECISION

Involving Title to Entire Water Front of City of Mobile.

Mobile, Ala., October 1.—Judge Toulin, of the United States circuit court in equity today rendered an important decision against the city of Mobile. The suit involved the ownership of the wharf property along the river front within the limits of the city. The question was one of riparian rights and ownership, and Judge Toulin decided that while the legal title to the land was in the name of the city, it was stopped from asserting the title because it had granted property owners the right to build wharves and bulkheads. This litigation carries with it the possession of the entire river front valued at \$20,000,000, and this suit while it involved only about \$100,000 of wharves, has rendered the law as to the ownership of the river front, and its many valuable improvements, sheds, warehouses, docks and mills. The city claimed its title under an act of the general assembly of Alabama 1867, granting it the shore and soil under Mobile river. The case was carried from the city and state courts to the federal courts.

SEVENTEEN MEN KILLED

By Fire and Explosion in British Columbia Coal Mine.

Victoria, B. C., October 1.—Seventeen men are dead as a result of a fire and explosion in Extension mine No. 2, belonging to the Wellington Colliery Company. The flames started from a curtain which caught fire from a miner's lamp at the bottom of Level No. 3, and was communicated across the slope. In half an hour the whole slope was on fire. Rescuers flocked to the mine and reached the place where the miners had been at work, but the men had gone. They had run with the fresh air instead of against it in an attempt to get out by the accustomed route, thus meeting death half way. While the rescuers were at work several explosions occurred. When it was realized that the men could not be saved a strong force started to choke the mine but their work was undone by a terrific explosion which blew down the barricade. A little later the fan house was burned.

EVANS AND SIGSBEE

The two leading witnesses in the Schley court yesterday.

EVANS REFRESHES HIS MEMORY

He Now Remembers a Conference of Commanders of Vessels on the Brooklyn May 29th—Also Remembers More of His Conversation with Schley July 5th—He Tells Why the Colon Was Attacked From Long Range—A Newspaper Reporter With Convenient Memory.

Washington, October 1.—The Schley court of inquiry made good headway again today, concluding with Admiral Evans and hearing three new witnesses, although the testimony of one of them was not concluded when the court adjourned for the day.

The new witnesses were Captain Sigbee, who commanded the scout S. Paul during the Santiago campaign, Thomas M. Dieuaide, a newspaper correspondent who was on the Texas during the battle of July 3rd, and Chief Yeoman Gustave E. Becker, who was a clerk to Admiral Sampson during the war.

General sympathy was expressed on the part of members of the court and those in attendance with Judge Advocate Lemly because of the death of his sister, which occurred yesterday. Captain Lemly was present when the court convened, but immediately withdrew.

Admiral Evans, recalled, said that when Captain Chadwick communicated the secret code of signals to him he did not instruct him to give the information to Commodore Schley.

Mr. Rayner asked: "Did you have a conversation with Commodore Schley on July 4th in the course of which you used language as follows: 'Did you see the signal on the morning of May 29th away at the beginning of the battle' and to which Commodore Schley replied, 'You are mistaken about that, Evans, I saw nothing of the kind. The Brooklyn made a turn and you must see the critical situation that made it necessary.'"

"In thinking over, last night, what did occur with reference to the Texas, I think Commodore Schley and I discussed the position of the Texas when by signal on the morning of May 29th, but that I ever intimated that the Texas attempted to run away with the Texas is preposterous on the face of it."

CONFERENCE ON BROOKLYN MAY 29TH

"Were not the commanding officers called on board the flagship Brooklyn by signal on the morning of May 29th after the Colon was discovered?"

"They were."

WHY LONG RANGE FIRE ON THE COLON

"There was a general talk about the Spanish fleet having been located at last at Santiago. I do not recollect any special conference. I remember being a conversation with Commodore Schley about the firing of the batteries on the ships, in that he told him of the experience we had had at San Juan and expressed the opinion to him that it was not worth while to ask ships fighting shore batteries alone. Commodore Schley remarked before we left that he felt that the country held him responsible; that the ships should not be risked under the fire of the shore battery until the Spanish fleet was destroyed."

PLAN OF BATTLE ARRANGED

"I want to call your attention to the report of Captain McCalla, of the Marblehead, on page 496 of the appendix, which says: 'Commodore Schley explained to the commanding officers that in case the Spanish ships came out he wished to concentrate the batteries of all our ships on a portion of those of the enemy. During the time the commanding officers were on board the flagship Captain Evans asked Commodore Schley if it were his intention to steam at the enemy's ships in case they should start to come out. Commodore Schley indicated that his intention to attack them as they came out of the narrow defile.'"

"I recollect it perfectly."

"So there was a plan of battle arranged by Commodore Schley was there not?"

"There is nothing there to indicate it from what you have read."

"Was not that the same order that was afterward given by the commander-in-chief, substantially 'close in toward harbor entrance and attack them?'"

"You have not read anything about indicating any plan of battle."

lyn at any time after the battle began?"

"I saw the Brooklyn about ten or fifteen minutes after the battle began."

"Where was she when you first saw her, with respect to the Texas?"

"On the port bow of the Texas."

"How far away?"

"I would not like to make an estimate of the distance. It seemed very close. She was going seaward."

"Was she headed toward the Texas?"

"She was on a course about at right angles to us at that moment."

"Have you any notes on that subject made at the time?"

"Yes, sir."

"I have a note made at 9:50 o'clock in quotation marks 'stop both engines, helm hard starboard.'"

"Who gave that order?"

"Captain Phillip."

Mr. Hanna: "Did you make any entry at the time with respect to the passing of the Brooklyn before the Texas?"

"Yes, the next line here (reads) 'It was Brooklyn—close shave.'"

"Could she have been half a mile away?"

"I should think not, not anything like it. I would not suppose it was a quarter of a mile when I saw her. I went around to the lee side of the conning tower to find out why we stopped. Captain Phillip waved his hand toward the Brooklyn and I saw her. He said: 'Look at that fellow going out to sea.'"

Admiral Dewey: "Did you hear Captain Phillip give any orders to back the engines?"

"No, sir. I do not remember that I did, but turned away almost immediately."

Admiral Dewey: "You would have if he had given the orders, would not you?"

"I might and might not."

Admiral Dewey: "You seem to have known everything else."

"Oh! Not everything."

Mr. Dieuaide said in response to questions that he had on the day of the battle written a report of the battle, but that these facts had not been given because Captain Phillip had asked him to "make it nice for everybody," and this had been his own inclination.

CAPTAIN SIGSBEE ON THE STAND.

Captain Charles D. Sigbee told of taking aboard the Cuban pilot Nunez which he did that he had great confidence in that individual. His instructions were to report to Commodore Schley that the Spanish squadron probably was in Santiago harbor. He fell in with the flying squadron on the evening of May 29th, the squadron then being twice as far as twenty-five miles south of Santiago. He had reported to Commodore Schley that he "knew nothing positively" about the Spanish fleet.

He was then asked if he had expressed his opinion to Commodore Schley that Cervera's fleet was not in the harbor, as reported later by Commodore Schley.

The witness replied: "I stated that we had seen nothing of the Spanish fleet to which I attached that knowledge nothing positively or absolutely about its movements, but I recited certain events to show that there was a probability of the fleet being in Santiago at that time."

May 26th regarding the whereabouts of the Spanish squadron?"

"The department's order to me directed me to state that the Spanish squadron was there or had been reported there, and again the circumstantial evidence afforded by the capture of the Restormel after her very peculiar cruise."

"Did you show this dispatch to Commodore Schley on May 29th?"

"I cannot recollect the act of showing it to him. I presume I did, but that I informed him, I remember."

CHIEF YEOMAN BECKER.

Chief Yeoman Becker identified the memorandum from Captain McCalla, saying there was a good landing place near Cienfuegos, which Admiral Sampson sent to Commodore Schley under date of May 19th, and said that this memorandum had been carried in duplicate by the Iowa and the Dupont.

Mr. Rayner questioned the witness very closely, bringing out the fact that Becker was dependent upon his memory in making the statement.

The court adjourned for the day with Mr. Becker still on the stand.

SCHLEY'S FIRST WITNESS

Lieutenant Doyle of the Brooklyn on witness stand.

THE CHANGE IN THE SHIP'S LOG

Recording Her Movements During the Battle Explained—Navy Department Not Yet Through With Its Case—Commander Sharp of the Vixen Testifies as to His Picket Duty and the "Harlow Notes" of the Battle-Attack on Colon Merely a Reconnaissance.

Washington, October 2.—An interesting turn was given to the Schley court of inquiry today by the introduction of the first witness in Admiral Schley's behalf. This was Lieutenant James J. Doyle, who was a watch officer on board the flagship Brooklyn during the war with Spain.

The fact that Lieutenant Doyle was put on the stand does not mean that the navy department has concluded the presentation of its side of the case. Mr. Doyle was called by the department, but as it also had been the purpose of Admiral Schley to summon him, advantage was taken of his presence on the stand to question him as an original witness for "the applicant."

He was under examination by Mr. Rayner in the interest of the admiral when the court adjourned for the day.

Before undergoing examination at Mr. Rayner's hands Lieutenant Doyle, at Captain Lemly's request, explained his part in the battle of July 3rd and his original entry in the ship's log concerning the famous loop and his alteration of that entry, because he subsequently discovered that his first entry had been erroneous.

Admiral Evans, Captain Sigbee and Correspondent Dieuaide were all recalled for the purpose of correcting their testimony as given yesterday and all made additional statements.

TESTIMONY OF THE VIXEN'S COMMANDER

Lieutenant Commander Alexander M. Sharp, who commanded the converted yacht Vixen was the first witness of the day. He said that the weather on the cruise from Cienfuegos to Santiago had been squally, but that it had not been sufficiently bad to interfere with the speed of the Vixen.

Describing the services of the Vixen during the siege of Santiago under Commodore Schley, Commander Sharp said that he had been placed on picket duty. He was about two miles from the shore, he said, and probably three miles from the mouth of the harbor.

Mr. Hanna: "Could you have seen a vessel undertaking to pass out near the shore under those conditions?"

Commander Sharp: "If she had shown no lights and made no noise, I do not believe we could."

Commander Sharp told of going aboard the Brooklyn with Lieutenant Harlow's notes and of discussion concerning the question whether the Brooklyn made a turn to port or starboard.

Captain Parker questioned Commander Sharp concerning the notes made of the battle of July 3rd by Lieutenant Harlow, on board the Vixen.

This report has occasioned no little controversy, it being claimed by some of Admiral Schley's friends that after the copy of the notes was delivered to Admiral (then Commodore) Schley by Commander Sharp, the original notes were changed somewhat.

The witness said that he had taken a carbon copy to the commodore after the battle.

"Do these notes state the truth of the battle as you saw it?" asked Captain Parker and the witness replied: "These are Lieutenant Harlow's notes. He took them and I am not prepared to say yes or no whether they are absolutely correct in every particular or not."

Commander Sharp said in response to questions by Mr. Rayner that one of the results of the bombardment of the Colon had been to develop the Spanish shore batteries.

Mr. Rayner then asked "Do you recollect a conversation with Commodore Schley after the Colon reconnaissance in the presence of Lieutenant Harlow in which the commodore remarked that his purpose had been to develop the strength of those batteries?"

"I really do not remember," was the response. "I wish I could."

I will have to make some changes in them," I said. "Very well, I wish the notes to go with my report." He afterwards submitted to me the notes written in script which I read and enclosed in my report to the admiral."

Judge Advocate Lemly had the witness compare the original copy of the Harlow notes with the copy printed on board the Brooklyn with the rest of the notes that had been changed before being printed so as to make the account say that at 10:05 the two leading ships of the enemy "bore well on the Brooklyn's starboard quarter," instead of on her "starboard bow," and that at 11:45 the Brooklyn was "one point on port bow. Instead of 'one point on starboard bow.' It was developed that these changes placed the Brooklyn farther ahead and nearer the shore."

Mr. Rayner: "I want to see if you recollect this incident. Do you remember that on the afternoon of the 1st or 2nd of July you were called alongside the Brooklyn and by a megaphone message from Lieutenant Sears, speaking for Commodore Schley, directed to go to the New York and report to Admiral Sampson that Commodore Schley had observed suspicious movements of smoke in the harbor indicating vessels were moving toward the entrance and that Commodore Schley thought the enemy was preparing to come out; that you did go to the New York as directed and that by Admiral Sampson you were ordered to go to each vessel on the blockade and repeat Commodore Schley's message with an additional order from Admiral Sampson, directing the ships to close in and keep a sharp lookout; that you performed this duty and so reported later in the same day that you had done as directed?"

"I have no remembrance of the occurrence, I am sorry to say. I wish I could remember."

THE NEW YORK'S LATE ARRIVAL.

In response to questions, Commander Sharp said that, according to Lieutenant Harlow's report, the New York in the Vixen's log, the flagship New York had come up about an hour and fifteen minutes after the Cristobal Colon had surrendered. The record read that the New York arrived three to five minutes after the arrival of the Vixen, which had been at 2:25.

By the court: "What signals, if any, were made by the Brooklyn from the commencement to the end of the battle of July 3rd?"

"The Brooklyn had hoisted a signal 'enemy attempting to escape.' That is in the notes. There may have been others, but I do not find any here."

By the court: "State the orders under which you acted when on blockade off Santiago."

"My impression is that I received my instructions from Commander McCalla to go inside of the line of vessels and to the seaward of Santiago about two miles. That is for the 29th, 30th and 31st of May."

LIEUTENANT DOYLE TESTIFIES.

Lieutenant Doyle said his first impression had been that the Brooklyn made a turn with starboard helm.

The witness read to the court that part of the log book which relates to the turning of the port helm, as follows: "The enemy stood towards us at first, then put helm astern and stood along shore heading into the harbor. We engaged with port battery at first, standing in for the Maria Teresa, the Colon and the Viscaya, all three of which we engaged, but just as soon as the enemy stood to the westward put helm to port, swinging a little northward, 'clear of the fire of the Texas, so as to bring the starboard battery to bear and stood parallel to the enemy.'"

The witness then stated that the original entry in the log had made it appear that the helm was put to starboard instead of to port, as it appears in the permanent log. The change, he said, had been made on the 5th of July, two days after the action after he had had a discussion with Sharp.

Mr. Rayner then took the witness and asked him if it was not true that a change in the log was due to an error on the part of the witness and to no desire upon the part of anybody to falsify the facts?"

"Absolutely," was the response.

Lieutenant Doyle then described the events prior to Schley's blockade of Santiago. Lieutenant Doyle placed the distance of the American fleet off Santiago from the mouth of the harbor at from three to four miles and said there were picket boats on the inside of the line. Speaking of the bombardment of the Colon on the 31st of May, he and Mr. Rayner designating it as a reconnaissance, Lieutenant Doyle said that its effect had been to develop the fact that the Spaniards had new guns in their land batteries.

Here Mr. Rayner asked: "When was the circular form of blockade commenced?"

While no mention was made of the name of Admiral Sampson, this question was regarded as an attempt to bring his blockade into the case for the purpose of comparison and Captain Lemly was prompt in noting a sharp and vigorous objection.

Without waiting for any argument on the point, the court immediately announced a brief recess.

The members retired for a minute or two and when they returned, Admiral Dewey said: "The court decides that all questions relating to the blockade off Santiago must be confined to the time prior to the arrival of the commander-in-chief."

The court then adjourned for the day.

MARIE EASTWICK ON TRIAL

For the \$100,000 Forger—Her Father Says She is Insane

London, October 1.—Marie Josephine Eastwick, of Philadelphia, was brought up today at the Guild Hall police court, charged with having forged a railroad certificate to the amount of \$100,000. The accused was pale and appeared to be more ill than ever. The principal witness against her was William Walker, an American resident of London. The evidence presented largely revolved over the ground already known.

In an interview with a representative of The Associated Press Mr. Eastwick said his daughter had been insane on and off for years. She had been under restraint, but did not believe when they came to England that she had recovered. When he saw her after she had been committed, Miss Eastwick was perfectly dazed and did not remember any of the evidence.