

## UNDER PROTEST

### Schuetz on the Report of Board of Navigators

## WAS AN AGREEMENT

### Sampson Again Requests Permission to Be Represented by Counsel and is Again Refused for Reasons First Given

Washington, Oct. 10.—The sessions of the Schley court of inquiry at the navy yard today were occupied almost entirely with the testimony of witnesses in repudiation of the chart showing the location of the battleships in the Santiago fight. The usual routine questions led in each case to this much discussed map, which was thoroughly discredited.

During the morning session of the court the testimony developed no sensational features. Lieutenant Leiper continued his statements, the chief feature of which was his contradiction of the evidence of Captain Folger, who was in command of the vessel on which the witness served, in regard to the results of the reconnaissance and the distances which the fleet had patrolled east and west of Santiago harbor.

Lieutenant Commander Schuetz, who was one of the board of navigators who plotted the positions of the vessels during the battle off Santiago, was another witness today. He admitted that the chart was inaccurate and said he had signed under protest. He declared that he had been persuaded to do so by Commander Wainwright of the Gloucester in order that an agreement might be reached upon the spot.

Lieutenant Mark Bristol, while on the stand to correct his testimony, took the occasion to disagree with the reports of officers concerning the value of the stadiometer. He preferred his own personal experiences, he declared, to any investigations made by other officers and submitted to the Navy Department as official reports on the instrument and its reliability.

Lieutenant Commander Templin M. Potts, the naval officer who insinuated yesterday that Admiral Schley was a coward, was called to the witness stand when the court convened this morning. He was given an opportunity to correct his testimony if he so desired. He had no important changes to make, and his evidence against Schley was allowed to remain practically as it was recorded yesterday.

Lieutenant Edward F. Leiper, the watch officer of the New Orleans, was then recalled. He was upon the stand when adjournment was taken yesterday.

Lieutenant Leiper being questioned by Judge Advocate Lemly described the blockade off Santiago. He said the vessels were nearly the same distance off by night as by day and affirming this in his cross examination. Mr. Rayner, the counsel, read from the testimony of Captain Folger, of the New Orleans, in which the latter said that at night the vessels moved in somewhat nearer the shore than the position they had occupied during the day. Mr. Rayner asked if he could agree with Captain Folger.

remember that the vessels moved in closer to the shore at night, although the New Orleans did move in one-fourth or one-half mile to take her correct position in the column. The total distance which the vessel steamed east and west was not more than eight miles; it was probably less. The minimum distance was six and one-half or seven miles.

Lieutenant Commander Schuetz, navigating officer of the Iowa, concerning his assertion that the chart plotting the positions of the vessels during the battle off Santiago and his signature to the report under protest, was cross examined by Mr. Rayner, as follows:

Q.—You say you signed the report of the board of navigators under protest; is that right?

A.—I did.

Q.—Why did you sign a report that was wrong? Why did you not state to the board: This chart is wrong and I will not sign it?

A.—I did.

Q.—Then why did you sign it?

A.—I was persuaded to do so by the other officers. We wanted to come to an agreement and this was the best we could do.

Q.—Then this chart was signed for the purpose of coming to an agreement, rather than to show accurate results?

A.—There never was a chart prepared of any battle in the history of the world, which was drawn accurately.

Mr. Rayner—I do not know about the great battles of the world.

Witness—Well, I do (laughed).

Lieutenant Commander A. W. Grant, senior watch officer of the Massachusetts was called. He described the arrival of the Massachusetts at Cienfuegos.

Q.—Did you hear the firing of any guns on the morning of your arrival off Cienfuegos?

A.—(Emphatically) I did not.

Q.—Did you hear any guns in the direction of Cienfuegos that evening?

A.—No sir.

The witness further said in answer to the question of the judge advocate, that there were no instructions to the squadron as to what was to be done in case the enemy suddenly came out of Cienfuegos.

Q.—Was anything done to destroy the batteries at Cienfuegos or to prevent their completion?

A.—Nothing to my knowledge.

Stayton, the New York attorney, who some time ago asked to be allowed to represent Rear Admiral Sampson before the Schley court of inquiry, and whose request was denied by the court, today again asked to be allowed to appear.

Mr. Stayton declared in his application that in the course of the testimony given before the court of inquiry covert attacks had been made upon Rear Admiral Sampson under the name of argument but nevertheless he said they have been given great currency and are embedded in the record to remain on the files of the Navy Department.

The request was again denied by Admiral Dewey on the ground that Rear Admiral Sampson is not an interested party in the case and is not therefore entitled to appear as such either in person or by counsel.

The witness said as a fleet he did not

## CORN IS SHORT

### October Average is the Lowest Ever Recorded

## GAIN DURING MONTH

### Condition of Tobacco Shows Great Variations in Different Sections—Sweet Potatoes Show Differences

Washington, Oct. 10.—The monthly report of the statistician of the Department of Agriculture shows the average condition of corn October 1 to have been 52.1 as compared with 51.7 last month, 78.2 October 1, 1900, 82.7 at the corresponding date in 1899, and 81.8, the mean of October averages of the last ten years. The reports from Indiana, Illinois, Missouri, Kansas and Nebraska are more favorable by 2 points, those from Ohio by 3 points, and those from Iowa by 4 points than the reports received from these States last month.

On the other hand, with the exception of Texas, where there is no appreciable change of condition, the entire South reports somewhat lower averages than September 1, there being a decrease of 2 points in North Carolina and Louisiana, 3 in Mississippi and Arkansas, 4 in South Carolina, Georgia, Florida and Alabama, 5 in Virginia and Tennessee, and 7 in Kentucky. The average for the entire country is the lowest October average ever recorded.

In the condition of tobacco there has been an improvement of 3 points in Virginia and Tennessee, 5 in Maryland, 8 in Kentucky, 10 in Ohio and 13 in Missouri. There has been a decrease of 1 point in North Carolina. The average condition remains about the same as September 1 in Connecticut, Pennsylvania and Wisconsin. As compared with their respective ten year averages, Virginia and Tennessee are 5 points above, Kentucky 7 points above, Pennsylvania and Maryland 12 points above, and Connecticut 8 points above. On the other hand, North Carolina, Ohio, Wisconsin and Missouri are respectively 10, 4, 25 and 43 points below their ten year averages.

As to the condition of sweet potatoes, North Carolina, South Carolina and New Jersey report one point, Virginia 3 points and Georgia 5 points above their respective averages for a series of years, while Alabama and Florida report one point, Tennessee 2, Mississippi 5, Louisiana 6, Kentucky 10, Texas 20 and Arkansas 22 points below their respective averages for a series of years.

As to the condition of sugar cane, Louisiana reports 5, Georgia 3, and Mississippi 2 points above, and Florida 3, South Carolina 4, Alabama 5, and Texas 15 points below their respective averages for a series of years.

As to the condition of rice, Louisiana reports 8, Georgia 2, North Carolina 6, Texas 7 and Mississippi 5 points above, and South Carolina, Florida and Alabama each one point below their respective averages for a series of years.

As to the condition of apples, Indiana reports 2, Virginia 7, North Carolina 4, and Kansas 18 points above, and New York 37, Ohio 11, Pennsylvania 30, Michigan 23, Missouri 11, Illinois 27, Tennessee 2, Maine 11 and Iowa 32 points below the means of their October averages for the last six years.

Pittsburg, Oct. 10.—Plans for the erection of one of the largest schools of technology in the world have been adopted by the trustees of Carnegie Institute in accordance with an offer from Mr. Carnegie to endow and maintain such a school of the highest order in this city. The city will be asked to contribute sixty acres of land for the site and Mr. Carnegie will be asked to give at least \$5,000,000 for the maintenance of the institution. The building of the school will cost several millions.

## REAR GUARD FIGHT

### Botha Retired After the Action Last Sunday

Pretoria, Oct. 10.—After fighting a rear guard action against General Walter Kitchener last Sunday, General Botha withdrew his principal forces towards Piet Retief. It was impossible to telegraph, owing to the weather, and it was extremely difficult to correctly time the movements of the columns forming the cordon about General Botha. The Boer commander, according to the British, is still in a precarious position. It is said that if he manages to withdraw his force it will be in a greatly depleted condition and that he will lose all the transport that he collected for his Natal expedition.

A new judicial system will shortly be put into operation here.

A Supreme Court of the Transvaal will be established in the palace of justice building here. Mr. Rose-Innes, attorney general of Cape Colony, has accepted the position of chief justice. A permanent high court will be established at Johannesburg presided over by one judge. The judges will take this position in turn. The high court will have jurisdiction over the Rand. The Supreme Court will be the final court of appeal. This will be a great advance over the old system which was expensive and tedious.

Governor Lord Milner attended a meeting of the consultative committee Monday. It is evident that he is beginning the task of reconstruction with energy. He reviewed the Rand rifles, 2500 strong, at church parade, Sunday morning.

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## BURN OR BURY?

### A Doctor Sets Undertakers by the Ears

## DON'T LIKE EMBALMING

### The Practices Contrary to Nature—A Grave Subject Discussed with More Heat Than Dignity

Charleston, S. C., Oct. 10.—Dr. Charles W. Kollock, mayor pro tem of Charleston, hurled a firebrand at the members of the National Association of Funeral Directors at their annual convention here today. He had been invited to address the convention and made a strong and urgent plea for cremation as the best way of disposing of the dead. He condemned the custom of embalming, which he said was unnatural and wrong, and announced it in very plain language.

When he had concluded there was a storm of disapproval. While the speaker was treated with courtesy, his address was condemned by many leading members who realized that if his suggestions were followed a reaction would set in and the business of the undertaker would be crippled. George L. Thomas, a member from Milwaukee, moved that the address be excluded from the minutes. He said the sentiment was not in accord with the meeting. "Too much reverence cannot be paid to the dead," he shouted, "and we have endeavored to do the proper thing."

The proceedings were turned from the gay to the grave and numerous speakers clamored for recognition. Frank W. Dickerson, of Springfield, Mass., took issue with them. He said incineration had not injured his business and he believed it the proper way of handling the dead. The meeting was resolved into a heated debating hall. Dr. Kollock was allowed to speak again. He said embalming preserved bodies, and this was against nature. Finally there was a smoothing of the troubled meeting and the Kollock address was allowed to go in the minutes.

MISSIONARY PRISONER

### American Board in Deep and Tender Sympathy with Her

Hartford, Conn., Oct. 10.—Officers were elected at the business session of the American Board of Missions this afternoon and Oberlin, Ohio, was selected as the place of the next meeting, which will be held beginning the second Tuesday in October, 1902. Samuel Billings Capen, of Boston, was elected president.

The following resolution was passed: "Resolved, That the American board is in deep and tender sympathy with its missionary, Miss Ellen M. Stone, now held in captivity by brigands; that its officers and members are heartily grateful for the prompt and strenuous efforts of our government in seeking her release and for the popular movement to provide for her ransom, and trust that efforts in her behalf may speedily be crowned with success."

The session this evening was addressed by Rev. Dr. Samuel Herrick, of Boston, and Rev. Dr. S. Parks Cadman, of Brooklyn. President Capen made his annual address, his subject being "A Million Dollars for Foreign Missions; How to Raise It; How to Spend It." He urged more systematic personal and church work and keener sense of the obligation to lend liberal support to missions.

The meeting of the board will close with a session tomorrow morning.

## A GOOD WORD FOR MARTIAL LAW

Cape Town, Oct. 10.—The Cape Times this morning praises the enforcement of martial law in the newly proclaimed districts. It says: "We believe martial law will be heartily welcomed by loyalists throughout the newly proclaimed districts; the more so as the nature of its administration will impose the minimum of inconvenience upon all who are zealous for the maintenance of the king's authority and the speedy termination of the war. At the recent conference of Sir Gordon Sprigg, the Cape premier, with Lord Kitchener it was demonstrated that there was a necessity for the extension of martial law to the Cape peninsula. This should have no terrors for the loyalists."

Made a Great Stir

London, Oct. 10.—General Buller's speech has made a tremendous stir. The newspapers are divided in their opinions as to it. A majority of them, including some that are not hostile to General Buller, regard it as an amazing blunder and greatly regret that the general did not adhere to his lately avowed practice to answer newspaper criticism. Several papers declare that his exclamation that he heliographed to General White suggesting that it might be necessary for him to surrender, and advising what to do in such a case, was actually an instruction to surrender, and they condemn him accordingly. One paper compares the message to Sir H. Parker's order to Nelson to retire at Copenhagen, which posterity has unsparingly condemned.

London, Oct. 10.—Speaking after a luncheon given in his honor by the King's Royal Rifles today, General Sir Redvers Buller, whose recent appointment as commander of an army corps has been much criticised, expressed his condemnation of the newspaper criticism of men who were doing their best and risking their lives for the country. He asserted that nobody junior to him was fitted to command an army corps, one.

General Buller said he had been attacked and he challenged the critics to name tacked on account of a telegram which it was said he had sent ordering General White to surrender Ladysmith after his (Buller's) attack on Colenso, December 15, 1899, had resulted unsuccessfully. General Buller rescried at length his own and General White's difficulties at that time. He said that at that time he prepared a message telling General White that his (Buller's) attack had failed and he could not make another attempt to relieve him within a month in the then slow fighting.

General Buller said he read this telegram over several times, saying to himself, "that's a mean thing to send a fellow," but he knew the responsibility was his and General White could say, if he surrendered, that General Buller had advised it.

The same telegram suggested that it might be necessary to surrender and in that case General Buller made some suggestions as to what General White should do and how he should do it, thinking that it would be cover for a man whom he believed to be in greater difficulties than his own.

General Buller declared that he wanted to bring the man who said he had counseled General White to surrender into the ring. Therefore he challenged him to produce the telegram, which, he said, he knew was in the hands of the editor of a magazine and must have been stolen, because it was in cipher addressed to General White and was perfectly private.

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