

## LEMELY LETS UP

### Cross Examination of Schley Is Finished

## LONG AND TEDIOUS

### A Suppressed Report of the Battle Off Santiago Furnishes the Only Relief to the Monotony of the Proceedings

Washington, Oct. 30.—The cross-examination of Admiral Schley by Captain Lemly was concluded at 2:55 o'clock this afternoon. Mr. Rayner had no questions on re-direct examination.

The examination was begun by Captain Lemly, who asked:

Q.—Did you impart to Captain Evans your verbal order of battle at any time?

A.—He was disabled and sent his executive officer, Commander Rodgers, aboard the flagship. I talked to him a good deal, but I do not remember what I said.

Q.—Can you say how your squadron compared with that of Wei-Hai-Wei?

A.—No, but I have an idea that the blockading squadron there, according to the statement made by Captain Folger, had more ships.

Q.—Captain Folger stated that on May 30 he advised you to move in closer, and you say that the enemy fired on Captain Folger in the position which he then held, the day following the conversation?

A.—I think it was on June 1, not the next day.

Q.—You stated that no vessels passed the blockade either coming in or going out, either at Cienfuegos or at Santiago, prior to June 1. Did any attempt to do so?

A.—No, none that I know of. I remember that a French steamer succeeded in passing the blockade, and the fact was widely advertised; so I think that if one had succeeded on the south coast I would have heard of it.

Q.—I want to pass now to the affair of May 31. When did you first receive notice that the commander-in-chief would be at Santiago on June 1? Do you remember?

A.—I am not able to say unless I can see the telegram. It appears to me, according to my recollection now, that it came to me in a telegram, but I cannot recollect now whether the New Orleans or some other vessel brought it later. My recollection is that it was in a telegram. It may be that Captain Folger communicated the fact, but of that I cannot say.

Q.—Now, you had been off Santiago two days when you made this reconnaissance, had you not?

A.—Yes.

Q.—Why did you wait two days before making it?

A.—Simply because I availed myself of the opportunity of coaling on all occasions when it was possible. I thought it was best to get my ships in good coaling condition in case the reconnaissance should develop the fact that the enemy might come out.

Q.—I want to ask you if before you left the Brooklyn, May 31, to go aboard the Massachusetts, you made the remark testified to by Commander Sharp: "The admiral will be here tomorrow."

A.—I do not recall that. If I did, it may have been said incidentally.

Q.—It is in evidence that you went on board the Vixen from the Brooklyn and transferred your flag to the Massachusetts. I want you to give as nearly as you can the conversations which you had with Captain Higginson, who commanded the Massachusetts, and with the other officers on board that ship, May 31.

A.—That would be a very different proposition because I talked a great deal with them, especially with Captain Higginson.

Q.—I mean in relation to the subject of the reconnaissance, but I do not want to be interrupted now. I have not asked him to explain this report, and he may make an explanation of it at the proper time. It is brought in here now for the express purpose of interfering.

Admiral Dewey—If you are going to bring in the report at any other time, why not bring it in now?

Admiral Dewey—I withdraw the objection at this time. It has accomplished its purpose. It was done expressly to disturb the order of the cross-examination. That has been done and he has succeeded.

Admiral Dewey—We will wait in until after 2 o'clock. The court is adjourned for recess.

When the court reconvened after recess the question to be considered was whether Admiral Schley had the right to refer to a certain letter not recognized as an official part of the proceedings, in connection with the controversy over the report he had made to Admiral Sampson in which mention of Sampson's name was alleged to have been omitted.

posure of the ships against land batteries.

Q.—You mentioned three orders.

A.—I mentioned those because I found them in the appendix, but if you will go a little further it will be found out that the department was explicit in its interdiction against exposing the ships, even as late as July 10, I think.

Q.—Indicted unconditionally?

Mr. Rayner—Do you think that is necessary? July 10 was after the battle.

Admiral Schley—That was in relation to exposing the ships before the destruction of the Spanish fleet.

Q.—What particular or unusual preparations were made July 2 to meet the forthcoming sortie of the enemy's fleet?

A.—I had a conversation with Captain Cook. I remember stating that if the enemy attempted a sortie he might catch us unprepared, owing to the difficulty of coupling up. If the shafting had been in the slightest out of line it would have taken a great deal of time to get it right. I concluded to adopt his suggestion to use all the boiler power available.

Q.—Were there any instructions as to priming furnaces, etc.?

A.—That, of course, I assumed the captain would attend to. Captain Cook stated that we were always kept in good condition.

Q.—Did not Captain Cook state that he had no intimation that the Spanish ships were coming out?

A.—Nobody had any such intimation. It was merely a suspicion. I thought, of course, that they might come out.

Q.—Now in regard to your statement that in response to the message of the commander in chief, July 2, that an order was given to the squadron to move in closer that night, did the vessels all move in closer?

A.—Yes.

Q.—Do you recollect any record of the direction for the vessels to close in that night?

A.—No. But I recollect that on June 26 the signal was made to the commander in chief, and that the tender came around. I think it was on the 25th or 26th then, that the unusual movements in the harbor were noticed.

Q.—What was the first movement of the Brooklyn on the day of action?

A.—I think the first movement of the Brooklyn was to rush toward the harbor. As to her exact course, it would be impossible for me to say, but I think she was heading north-west.

Continuing his cross-examination, Captain Lemly read from Admiral Schley's report of the battle and based one or two questions upon it. To one of these Admiral Schley replied:

"I can explain the whole thing if you will permit me to introduce a preliminary report which I made."

Admiral Schley—Unless it comes under the rule that it was not sent.

Admiral Schley—It was sent.

Mr. Rayner then produced a report sent by Admiral Schley to Admiral Sampson, giving an account of the battle. This report contained no mention of the New York, and Admiral Sampson sent it back on this account. Admiral Schley would not include the New York in this report, and consequently it did not get to the Navy Department, as the subsequent one did.

There was a long discussion over the introduction of this report. Mr. Rayner said it had not been introduced in evidence before. He said he thought that there should be no objection to it.

Admiral Schley said he had no objection to the report coming in. What he did object to was the interruption of his cross-examination.

Mr. Rayner replied by saying that he had sat quietly by and had not objected a half-dozen times during the three days of the examination. Now the witness wanted to refresh his memory by a report which he had made, and he thought he had a right to do so.

Admiral Dewey—The court decides that he may make the explanation.

Admiral Dewey—One moment. If the court please, I want to say a word.

Admiral Dewey—Enough has been said already.

Admiral Dewey—I am willing to let this come in afterwards, but I do not want to be interrupted now. I have not asked him to explain this report, and he may make an explanation of it at the proper time. It is brought in here now for the express purpose of interfering.

Q.—Lieutenant Hood testified very positively to a conversation which you had with him at Cienfuegos; can you say that no such conversation took place?

A.—I cannot recall one single word that Mr. Hood said to me, or any conversation that I had with him.

Q.—If Admiral Cervera had left Santiago for some point to the west at the same time that you left Cienfuegos, could not his squadron have passed between your ships and the shore without being seen by you?

A.—If by night, probably yes; in the day time, I think not.

Q.—What was your reason for going over twenty miles to the south of Santiago, May 20?

A.—I think I laid a course for that point supposing that if the Spanish squadron was out, or had gone out they would run to the southward; and also with a view of giving me a larger horizon.

Q.—Did not the order under which you were acting, require you to remain off Santiago?

A.—Possibly yes, but I did not think orders given me would deprive me of all discretion in the matter if I heard to the contrary.

Q.—Was not the situation at Santiago on May 26th such as to warrant you in taking considerable risk in coaling the ships of your squadron?

A.—I think the risk would have been very great—too great in my judgment.

Q.—Is that your final answer to that question?

A.—I should have said that I thought that the risk of coaling on the day would have been too great. We probably would have lost the collier; and under the circumstances of my information, I thought that ought not to occur.

Q.—Why did the Brooklyn and Massachusetts on May 29 run short of coal?

A.—I think the Brooklyn was about 100 tons short, as nearly as I can remember. The reason they left was because the order of the commander in chief to do so was sent over on the morning of the 10th by a young officer whose name I do not recall.

There was some talk in which it was arranged that Captain Follen would be called tomorrow for Admiral Schley and Captain Barker, commandant of the New York navy yard, another Selvey witness, would be telegraphed if needed. These things disposed of, Admiral Schley suggested that the court adjourn, and Admiral Dewey, at 3:15 declared the court adjourned.

## REPORTERS BARRED OUT

### Pan-American Congress Gets Down to Business

City of Mexico, Oct. 30.—The Pan-American Conference seems finally to have agreed upon an organization. The original scheme for vice-presidents has been abandoned. There is still a strong feeling that the United States should have the first vice-presidency.

The South American say they will nominate an American in conference anyway. Duarte Pereira, of Brazil will be named first vice-president, Senor Escupiniano, of San Salvador, as second, and Senor Raigosa, of Mexico, will be continued in the presidency.

This morning's session decided against admitting newspaper reporters. The secretary will publish a resume of each day's proceedings with copies of speeches. Tomorrow's session will probably complete the organization.

## DEAD IN THE WOODS

### Three More Victims of the Live Oak Church Affair

New Orleans, Oct. 30.—The bodies of three negroes were found in the woods near Balfour, La., today. They had evidently died of wounds received in the fight at Live Oak church. There are still some forty or fifty negroes missing who are supposed to be hiding in the woods and Pearl River swamp, having been so frightened by the shooting that they have been afraid to come out. Nearly a hundred negroes crossed the Pearl River into Mississippi today and some returned to Balfour today to recover property which they left behind, but most of them will not return to live. The fight will probably cause the closing for the season of the turpentine industry.

## CHINESE CORRUPTION

### Big Stealing by Customs Officials at Tien Tsin

Pekin, Oct. 30.—Sir Robert Hart, director of the imperial maritime customs, has instructed the heads of that department that no changes are to be made for the present in the native customs, but when the latter are transferred to the imperial customs, November 11, the native customs department will return daily reports of receipts and the movements of junks. Later commissioners will investigate the condition of the native customs, and reforms will be gradually put into effect. Although the native customs department is greatly and grossly corrupt, Sir Robert does not wish to estrange the officials. He hopes, however, to quadruple the receipts. He says that the native customs at Tien Tsin formerly amounted to 400,000 taels annually, but of this sum only 100,000 reached the government, the balance being disbursed upon Xamon officials and benches. A similar condition prevails at other stations.

## A SLICK MOVE

### Pritchard Puts a Strong Democrat Out of Action

## AND REMOVES A RIVAL

### Judge Osborne Erroneously Supposed to Be a McKinley Democrat—Pritchard Complimented on His Smartness

Washington, Oct. 30.—Special.—It is the unexpected that happens, and the appointment today of Frank I. Osborne to be associate justice of the Court of Private Land Claims does not prove an exception to the rule. Mr. Osborne is classed here as a gold Democrat, one who voted for McKinley as against Bryan; but at the same time one of the most effective stump speakers in the state. An able politician and lawyer, he always threw his influence and voice to the support of the state Democracy, and his appointment today, through the influence of Senator Pritchard, to the position of judge of the Court of Private Land Claims, removes one of the ablest and most aggressive Democrats from the stump in North Carolina. As a Democrat was to be appointed, the selection of Mr. Osborne by Senator Pritchard is considered a good move politically, as it removes his antagonism to himself for re-election as senator and silences to some degree, at least, his friends.

[The supposition, prevalent in Washington, that Mr. Osborne is a McKinley Democrat is an error. Mr. Osborne not only voted for Bryan, but supported him on the stump, at the same time making some of the strongest free silver speeches heard in North Carolina. He has always voted the Democratic ticket straight.—Ed. Post.]

## LAWYERS SURPRISED

### Judge McMahon Refuses to Hear Molineux's Motion

New York, Oct. 30.—Judge McMahon, of the Court of General Sessions, decided this afternoon that he would not hear the motion to quash the indictment of Roland B. Molineux for the murder of Mrs. Katherine J. Adams. This decision was a surprise to Molineux's lawyers, for the judge had concluded in the morning to hear the arguments in the afternoon, even though the district attorney wanted a week's adjournment.

Judge McMahon is a friend of General Molineux and his final decision, it is said, was the result of an idea which came to him that because of his friendship it would be better to let some other judge hear the motion.

When the case came up this morning Judge McMahon held the district attorney's motion to adjourn and set down the argument for 2:30 o'clock. On opening court at 2:30 he said: "The court has decided to adjourn the case a week."

"Upon whose motion?" asked ex-Governor Black, of counsel for Molineux.

"The court's," said Judge McMahon.

"But this is a sudden change," said Mr. Black. "Has the defendant's lawyer no right to be consulted as to the time of adjournment? I cannot be here a week from today."

"Then make it a week from tomorrow," spoke up Mr. Philbin, who was present.

"But I should like to know the reason of this adjournment," said Mr. Black, who was plainly displeased.

"The court has satisfactory reasons," replied Judge McMahon, sharply. "I am not going into any further explanation."

It is Judge Newburger's turn to sit in part I next month.

## WANT TO BE CITIZENS

### Prevailing Sentiment Among Influential Porto Ricans

Washington, Oct. 30.—Luiz Munoz Rivera, a leader of the Liberal party in Porto Rico, who was a caller at the White House today, informed the president that the Liberals almost unanimously favored admission to citizenship in the United States. Mr. Rivera said that while the Liberal party was not the dominant one in Porto Rico, it was the most influential and the wealthiest, controlling about 70 per cent of the property of the island.

Mr. Rivera was accompanied to the White House by Wenceslao Bora and Wenceslao Bora, Jr., prominent Porto Ricans.

President Roosevelt has decided to reappoint Aulick Palmer United States marshal for the District of Columbia at the expiration of his term in January.

## FOUGHT FOR FOOD

### Hunger-oppressed Men, Women and Children Attacked Granaries and Were Met by Volleys of Bullets—Twenty Were Wounded

San Antonio, Tex., Oct. 30.—News reached this city today of a bread riot in the town of Purnandus, Mexico, October 28, in which twenty persons were wounded, many of whom will die. The riot is the result of a corn famine, which has prevailed in that part of Mexico for months, and the action of monopolists in advancing the price of corn to a figure that prevents the poor classes purchasing enough for their needs. Some time back the Mexican government, on account of the famine, removed the duty on corn from the United States, and shipments from the States for a time served to relieve the situation. Speculators, however, got hold of all the corn shipped in the Purnandus district and at once advanced the price one hundred per cent. The people stood this until driven to the verge of starvation, and then organized for a raid on the grain warehouses of the monopolists, who, being apprised of the movement, had armed men stationed in the warehouses to resist any attack on them.

The natives, many of them being women and children, advanced on the corn warehouses in a body and assaulted the barricaded doors, finally breaking them in. As the doors gave way the hungry people rushed in and were met by a volley before which a number went down wounded. This did not serve to stop the mob, and a second volley was fired that was so effective that the rioters retreated, leaving twenty of their number in the warehouse, seven of them being women, four children under fifteen years of age, and nine men. The women and children were in the front and received the worst of the fighting. Purnandus is fifty miles from the railroad. The last reports from the place were that the situation was critical and more bloodshed was probable.

The people are desperate from hunger and will resort to any measure to get food. The government is sending troops to the scene.

## RAISED A RACKET

### A Gun Club's Invitation to the President

## STANDS ITS GROUND

### The Club Braves Public Criticism and Still Insists That It Wants Roosevelt to Go Hunting With the Boys

Lynchburg, Va., Oct. 30.—A few days ago members of the Lynchburg Gun Club decided to send President Roosevelt, whom they knew to be an ardent sportsman, an invitation to participate in a big camping-out hunt from November 10 to November 20. The invitation was sent to the President through Maj. Peter J. Otey, congressman from this, the Sixth, district of Virginia. An account of the Booker T. Washington incident the action of the club has been widely commented on, and somewhat criticised, both in this and other sections of the State, and J. Hampton Hoge, the Republican candidate for governor, is making reference in his speeches to the course followed by the Lynchburg club as a reply to the attacks of Democratic speakers on Mr. Roosevelt's conduct.

Today the gun club took the matter up and unanimously endorsed the sending of an invitation to the President. The members deplored the publicity given to the matter, but in decided terms declared that if Mr. Roosevelt would accept the invitation the club would consider it the greatest possible honor; for they regarded Mr. Roosevelt as a thorough gentleman and a courageous, broad-minded man, whom they would delight to recruit and entertain. They declared furthermore that Mr. Roosevelt was able to be the judge of his own acts, and that the club had no apology whatever to make for the course it had pursued. It was stated further, however, that the club did not mean by its action to endorse President Roosevelt's policy in entertaining Booker T. Washington at dinner, but that the members of the club recognized that in other sections of the country his act was endorsed and that it would not be expected that outsiders of the South Southern views of the matter could be cherished. The club did not consider the Booker Washington incident in any way whatever, but simply invited Mr. Roosevelt because they wished for the pleasure of his company, and it was not as President, but as a private citizen that he was asked to participate in the shoot.

This statement is made on the authority of the secretary of the club, who refused to be interviewed. The membership of the club includes a number of prominent business and professional men.

## BURNED OUT OF HOME

### Two Hundred People Deprived of Shelter

Chicago, Oct. 30.—Two hundred persons were made homeless and much property was destroyed tonight by fire which swept Milwaukee avenue and North Union streets between Kinzie street and Austin avenue. The flames which were started by an explosion of gasoline in the building of Leonard, Peterson & Co., 126-130 North Union street, spread with such rapidity that for a time the whole neighborhood was in danger and created a panic among the residents of the district whose property seemed about to be destroyed. There were several narrow escapes from death and several persons were injured, but so far as known none fatally.

The total loss will not reach more than \$500,000. This is accounted for by the cheap character of the buildings destroyed being for the most part wooden structures.

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## CALLOWAY PARDONED

### A Federal Convict Released from a Tennessee Prison

Washington, Oct. 30.—The president today granted a pardon to M. M. Calloway, convicted in the United States court for the Western District of North Carolina of unlawfully entering a distillery warehouse, and sentenced April 22, 1896, to pay a fine of \$500 and serve 18 months in the Albany penitentiary, New York. While en route for that institution the prisoner escaped from the deputy marshal and went to Texas, and was not re-arrested until December, 1899. Calloway's sentence was then amended so as to have him serve his term of imprisonment in the Tennessee state prison.

## RACING AT THE WINSTON FAIR

Winston-Salem, N. C., Oct. 30.—Special.—Six thousand people visited the county fair today. There were two fine and exciting races—the 2:20 class, trot and pace. There were three entries as follows:

East Side, owned by Mr. Yokely of Pulaski, Tennessee; Yokely, driven by Mr. Thomas; Florence, owned and driven by William Hewett of Virginia. The first named horse won the purse of \$200; best time 2:22. During the second contest, trotting, 2:35 class, there were six starters: Albert M., driven by George Dyer, won in first second and fourth heats. Best time 2:30.

During the first race Yokely caught one foot in his hobbles and was thrown to the ground, the driver falling several feet. Another cart ran over the driver, but no serious injuries were sustained.

## BULLER'S MESSAGE TO WHITE

London, Oct. 30.—The November number of The National Review, which Sir Redvers Buller, in his recent speech to the Queen's Westminister volunteers,

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