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ON TWELVE COUNTS

Admiral Schley Convicted By Court of Inquiry.

MINORITY REPORT BY DEWEY.

Majority Report Finds Twelve Counts Against Schley, But Praises His Conduct.

Washington, Special.—The most prolonged, interesting and important naval tribunal ever held in this country came to a close Friday having in open and secret session lasted three months short of one week, when Secretary Long was handed the finding of the court of inquiry which examined into the conduct of Rear Admiral Schley during the Santiago campaign. For seven weeks the court heard testimony and for fully a month it deliberated upon the mass of evidence, finally reaching the conclusion announced Friday. The result was a complete surprise and it is probable that no prophesy has approached the truth. Instead of one report there are two. Both are signed by George Dewey, president, and by Sam. S. Lemly, as judge advocate. This is a form to be recognized in all courts of inquiry, the signatures of the other members not being necessary, but it is explained that Admiral Dewey signed the second report, a minority report, to express his qualification of, or dissent from the views expressed by the court, comprising beside himself Admirals Benham and Ramsay. In the first report. It is said at the Navy Department that there will be no further proceedings in this celebrated case on the Departments initiative. Secretary Long and Judge Advocate Lemly positively decline to discuss the finds in any phase. The Secretary received the reports at 5 o'clock Friday evening and he has not yet acted upon them. It is probable that he will simply append his signature with the word "Approved" to the whole record. The court itself recommends no further proceedings, owing to the lapse of time.

After reviewing the conduct of Schley during the whole campaign, the court gives the following:

"OPINION:

"Commodore Schley, in command of the flying squadron, should have proceeded with the utmost dispatch off Cienfuegos and should have maintained a close blockade of that port.

"He should have endeavored on May 23, at Cienfuegos, to obtain information, regarding the Spanish squadron by communicating with the insurgents at the place designated in the memorandum delivered to him at 8:15 a. m. of that date.

"He should have promptly obeyed Cienfuegos to Santiago de Cuba with all dispatch, and should have disposed of his vessels with a view of intercepting the enemy in any attempt to pass the flying squadron.

"He should not have delayed the squadron for the Eagle.

"He should not have made the retrograde turn westward with his squadron.

"He should have promptly obeyed the Navy Department's orders of May 25.

"He should have endeavored to capture or destroy the Spanish vessels at anchor near the entrance of Santiago harbor on May 29 and 30.

"He did not do his utmost with the force under his command, to capture or destroy the Colon and other vessels of the enemy which he attacked on May 31.

"By commencing the engagement on July 3 with the port battery, and turning the Brooklyn around with port helm, Commodore Schley caused her to lose distance and position with the Spanish vessels, especially with the Viscaya and Colon.

"The turn of the Brooklyn to starboard was made to avoid getting her into dangerous proximity to the Spanish vessels. The turn was made toward the Texas and caused that vessel to stop and to back her engines to avoid possible collision.

"Admiral Schley did injustice to Lieutenant Commander A. C. Hodgson in publishing only a portion of the correspondence which passed between them.

"Commodore Schley's conduct in connection with the events of the Santiago campaign prior to June 1, 1898, was characterized by a vacillation, dilatoriness and lack of enterprise.

"His official reports regarding the coal supply and the coaling facilities of the flying squadron were inaccurate and misleading.

"His conduct during the battle of July 3 was self-possessed and he encouraged, in his own person, his sub-

ordinate officers and men to fight courageously.

GEORGE DEWEY,
"Admiral U. S. N., President."
"SAM C. LEMLEY,
"Judge Advocate General U. S. N.,
"Judge Advocate."

"In the opinion of the undersigned the passage from Key West to Cienfuegos was made by the flying squadron with all possible dispatch, Commodore Schley having in view the importance of arriving off Cienfuegos with as much coal as possible in the ship's bunkers.

"The blockade of Cienfuegos was effective.

"Commodore Schley, in permitting the steamer Adula to enter the port of Cienfuegos expected to obtain information concerning the Spanish squadron from her when she came out.

"The passage from Cienfuegos to a point about 22 miles south of Santiago was made with as much dispatch as was possible while keeping the squadron a unit.

"The blockade of Santiago was effective.

"Commodore Schley was the senior officer of our squadron off Santiago when the Spanish squadron attempted to escape on the morning of July 3rd, 1898. He was in absolute command and is entitled to the credit due to such commanding officer for the glorious victory which resulted in the total destruction of the Spanish ships.

GEORGE DEWEY,
"Admiral U. S. N., President."
"SAM LEMLEY,
"Judge Advocate General U. S. N.,
"Judge Advocate."

"RECOMMENDATION.

"In view of the length of time which has elapsed since the occurrence of the events of the Santiago campaign, the court recommends no further proceedings be had in the premises.

GEORGE DEWEY,
"Admiral U. S. N., President."
"SAM LEMLEY,
"Judge Advocate General U. S. N.,
"Judge Advocate."

"Will Protect Germans.

Berlin, By Cable.—The Polish grievance growing out of the punishment of parents at Wreschen, who refused to oblige their children to learn their catechism and prayers in the German language, was the subject of an interpellation by Prince Rodzwill, in the Reichstag. The imperial chancellor, Count Von Buelow, replied that the question pertained to the Prussian Diet and that therefore he must refuse to discuss it in the Reichstag. He could say, however, the prestige of the Empire had not in any way suffered through the attitude of the Wreschen authorities, and that the relations with Austria and Russia were entirely unaffected.

"Boers Killed and Wounded.

London, By Cable.—Lord Kitchener, in a dispatch from Standerton, Transvaal Colony, dated Tuesday, December 10, announces that General Bruce Hamilton, after a night's march, surprised and captured practically the whole of the Boer Bethel command at Trichardsfontein, early that morning. Seven Boers were killed and 131 were made prisoners.

"A Prospective Coal Famine.

Knoxville, Tenn., Special.—The coal car shortage, together with a notice from the Southern Railway that it will confiscate coal for its use, threatens grave danger to industries of four States which depend on Coal Creek and Jellico for their supplies. So serious is the coal shortage becoming that textile industries in Tennessee, Georgia and North and South Carolina may be compelled to shut down. Coal operators of this section are said to be losing thousands of dollars through their inability to get cars to move their output.

"Preparing to Mourn For the Empress.

A high mandarin recently sent to a draper's shop in Shanghai to buy cloth for a mourning suit. The cloth was rich black satin and was very costly. When asked why he required such a suit he replied in a dignified tone: "I am going to Hsian-fu, and will probably stay there for some time. We expect the Empress Dowager to die at any moment, and when her sad death is announced every one of us mandarins is obliged to wear it, and any failing to carry out the command means heavy punishment."—China Times.

M. Santos-Dumont threatens to fly across the Atlantic Ocean. He will find plenty of soft places on which to light, anyway.

STARTLING WORDS.

1,000 Soldiers Said to Have Died On Account of Neglect.

CHARGES AGAINST ARMY OFFICER

A Cincinnati Physician Claims That Many Lives Have Been Sacrificed Needlessly.

Marion, O., Special.—Dr. Charles A. L. Reed, of Cincinnati, the retiring president of the American Medical Association, was given a banquet here Tuesday night by the medical profession of northern Ohio. In the course of his remarks on pending congressional topics, viewed from a medical standpoint, he said:

"It seems, from evidence that has recently come from within the army itself, that the medical department has not only been degraded, but that it is practically without authority. This was strikingly, indeed tragically, illustrated during the recent war. A commandant was in charge of a quarter of the entire army. His command was made up of the flower of American manhood, and was encamped at a health resort. He, however, in violation of the precedent of the usually cultivated and competent gentlemen of the line, but acting under the permission of existing army regulations, not only set aside recommendations of his sanitary officers, but by personal example incited his men to violate the most fundamental sanitary laws. The result was what might have been expected. Of the more than 50,000 men in his command 12,000 were invalids, nearly 1,000 died from preventable causes. If in an active campaign the commandant had ignored the advice of his scout and had led his command into ambush with similarly disastrous result, 12,000 wounded and 1,000 killed, he would have been court-martialed, and, doubtless, dismissed from the service.

"The resolution, however, I am informed, fix no responsibility for this parallel calamity, the enormity of which is only beginning to be understood. It is not surprising that efforts have been made to suppress knowledge of it. I am advised that the army investigation committee, in the interest of public decency, omitted from its public report much testimony on this phase of the conduct of the war. An officer in the service who today agitates this unsavory subject is banished to the Philippines. No wonder the Surgeon General cannot fill the 60 and more vacancies now existing in his corps; self-respecting medical men are not offering themselves for a service that is dominated by gag law and tyranny. But such methods must fail. The agitation cannot stop until the responsibility is fixed for the enforcement of a regulation under the present terms of which the bumpiness of an accidental and incapable commandant, with impunity to himself, may deprive an entire army of the benefactions of science."

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"Large Canal Appropriation.

Washington, Special.—Senator Morgan introduced a bill providing for the construction of the Nicaragua Canal. The bill provides an aggregate of \$180,000,000, of which \$5,000,000 is made immediately available, and of which aggregate sum such amounts as are necessary are to be appropriated by Congress from time to time. The control of the canal and the canal belt is vested in a board of eight citizens of the United States in addition to the Secretary of War, who is to be president. The members of the board are to be paid a salary of \$5,000 a year each, and they are to be chosen regardless of political affiliation. There is a provision authorizing the establishment of a regiment from the regular army on the canal belt to properly guard it, and courts also are authorized conformable to the powers granted by the governments of Nicaragua and Costa Rica. There also is a provision making three divisions of the canal during the construction and there is to be a chief engineer and two assistants on each division, the chief to receive a salary of \$6,000 and the assistants \$3,000.

"To Be Deported.

Manila, By Cable.—The Supreme Court Tuesday dismissed the writ of habeas corpus in the case of Patterson, the Englishman, private secretary to Sixto Lopez, whose deportation is sought by the authorities, as he refused to take the oath of allegiance to the United States when he landed at Manila. Justice Cooper dissented. Patterson will be deported on the first steamer bound for Hong Kong.

CONGRESS AT WORK.

Doings of Our National Lawmakers Day By Day.

THE HOUSE.

Sixth Day.—Chairman Payne, of the ways and means committee, presented to his Republican colleagues of the committee a revenue tariff bill for the Philippines, which he had drawn to meet the conditions of the recent Supreme Court decision.

The Payne bill is quite brief, with two main features, viz: applying the Digley law as against Philippine exports to this country, and applying the Philippine commissions tariff schedule to goods entering the Philippines. A further section grants a rebate of customs tax on goods which have paid an internal revenue tax in this country. There is no proviso in the measure that it shall be temporary, so that the rates if imposed, would be applicable until Congress otherwise acted.

During the discussion on the bill it developed that Mr. Russell, of Connecticut, and some other Republican members, strongly favored a proviso to the bill offered by Mr. Payne, by which the tariff rates would be scaled down from 15 to 20 per cent on goods passing between the United States and the Philippines.

This was urged on the ground that Great Britain now had 40 per cent of the trade of the Philippines, and Germany and other European countries held a considerable percentage, while the United States had but 8 per cent of the trade.

Seventh Day.—Speaker Henderson, at the session of the House, announced the appointment of the committees. Unusually the committees are not appointed until after the holiday recess, but Speaker Henderson had the situation well in hand when Congress met and having completed the lists he announced them. The early appointment of the committees will facilitate legislation considerably, as the committees can now organize and get their work under way before the holiday adjournment.

A resolution for the distribution of the President's message was made the occasion of a general speech on the Philippines by the venerable ex-Speaker G. A. Grow, of Pennsylvania.

Mr. Burke, of South Dakota, formally announced the death of Senator Kyle and as a mark of respect the House immediately adjourned. The adjournment was until Friday. The recess for the holidays will be from December 19 to January 6.

Eighth Day.—The session of the House was brief and devoid of interest. Nothing will be done now until after the holidays.

Ninth Day.—Chairman Payne, of the ways and means committee, and Mr. Richardson, of Tennessee, the ranking Democrat of the committee, were engaged in preparing the majority and minority reports, respectively, on the Philippine tariff bill.

Mr. Payne's report will not be of an argumentative character, and will be confined to an explanation of the new bill. The need of revenue for the islands, because of the extensive work of development and the establishment of schools, is set forth.

The minority report promises to be quite extensive, taking up the general subjects of colonial policy, imperialism and protection.

SENATE.

Sixth Day.—In the Senate Mr. Depey, of New York, reported a joint resolution appropriating \$75,000 in aid of the South Carolina Inter-State and West Indian Exposition at Charleston. The resolution was passed.

By the terms of the resolution the appropriation is to be used for the transportation and installation of a government exhibit at Charleston.

Senator Hoar introduced a bill giving the United States jurisdiction in cases of lynching and making the crime of participation in lynchings punishable by death.

Other bills were introduced by Penrose, authorizing the use of \$100,000 of the unclaimed funds of the Freedman's Bureau for the establishment of a home for aged and infirm colored people.

By Mr. Mooney, appropriating \$15,000 annually from the sale of the public lands for the support of an institution for the industrial education of women.

Seventh Day.—After the Senate went into executive session Senator Hoar presented the report of the committee on the judiciary recommending the confirmation of Attorney General Knox. He made a brief statement referring to the protests against confirmation as made by the Anti-Trust League, but said that after giving careful attention to this representation the committee had decided to recommend confirmation. No opposition was voiced but action on the nomination was postponed by common consent.

The Senate, then before taking up the Isthmian canal treaty, proceeded to pass upon other nominations, of which

there are an exceptionally large number before the Senate. After a number of nominations had been confirmed Senator Lodge called up the Hay-Pauncefote treaty and made a brief statement regarding that convention. The Senate then adjourned in order to give the Democratic caucus committee an opportunity to hold a meeting.

Eighth Day.—For twenty minutes the Senate was occupied with routine business and then went into executive session to consider the Hay-Pauncefote treaty.

Ninth Day.—In the Senate Mr. Allison favorably reported the concurrent resolution adopted by the House providing for a holiday recess from December 19 to January 6, 1902, and it was agreed to.

Mr. Hoar introduced a resolution, directing the committee on printing to consider the expediency of providing free distribution of the Congressional Record to libraries throughout the country.

Mr. Mason, from the committee on manufacturers, submitted a favorable report on a bill relating to the adulteration of food products and addressed the Senate, briefly criticizing certain products which had come under the observation of the committee.

The Senate at 1 p. m., went into executive session and at 4:40 adjourned until Monday.

A Heavy Shortage.

Wilson, N. C., Special.—E. L. Powell, manager of the brokerage business of Murphy & Company, of New York, has disappeared from Wilson \$40,000 short in his accounts. He left a note saying he would commit suicide and mailed it in Rocky Mount. It is supposed he is in New York. Wilsonians lose heavily on his deal. He claims in his note that he lost the amount on Union Pacific and cotton deals.

Boston Goes Democratic.

Boston, Special.—The Democrats completely overwhelmed the Republicans in the city election Tuesday. General Patrick A. Collins being elected over Mayor Thomas N. Hart by the largest plurality in a quarter of a century. The Democrats likewise obtained control of both branches of the city government, elected their street commissioner, Salem D. Charles, and practically all their candidates for the school commission. As usual the city voted strongly in favor of license.

Articles Eiled.

Trenton, N. J., Special.—Articles of incorporation of the Southern Securities Company, capital \$100,000, were filed here Thursday. The company is authorized to purchase, hold, sell, exchange and deal in stocks, obligations or securities of any corporation, government or municipality. The incorporators are: C. F. Smith, John R. Turner, E. B. Hawkins, E. R. Mogoffin and W. R. Bond, all of East Orange.

Fighting in Philippines.

Manila, By Cable.—Thousands of people are leaving Bataugas province for places of safety. General James M. Bell reports an important engagement between a force of insurgents at Labo, province of Camarines, and a detachment of the Twentieth Infantry. Three Americans were killed. The loss of the enemy is not known, but is believed to have been heavy. General Bell anticipated a speedy extermination of the irreconcilables.

Pleading in Bonine Case.

Washington, Special.—The first arguments of counsel were begun Wednesday afternoon in the trial of Mrs. Bonine, charged with the killing of Census Clerk Ayres, Assistant District Attorney Taggart opened for the government. The entire morning session was devoted to the submission of the prayers for the government and the defense, followed Assistant District Attorney Taggart. The arguments probably will be finished Thursday and the case may go to the jury late in the afternoon.

Between Life and Death.

Washington, D. C., Special.—Mrs. Ada Gilbert Dennis, the fashionable dress-maker, found mysteriously assaulted in her apartments Tuesday morning, is hovering between life and death. She showed some improvement Wednesday morning but the chance for recovery is very slight. "It's a woman," "It's a book," and "I'll tell you all about it," are the only coherent words that the detectives sitting by her side have been able to distinguish. There is no tangible clue to the perpetrator of the crime.