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FIFTY-SECOND YEAR

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SCHLEY INQUIRY DRAWING TO A CLOSE

The Testimony Covers Sixteen Hundred
Printed Pages—Court Has Listened
To It for Thirty-Six Days.

(Washington, Nov. 1.—The Schley court of inquiry began its proceedings today with the understanding that with the exception of some witnesses who will be recalled to correct their testimony on Monday next, the last testimony would be taken before adjournment. There were only two witnesses on the list for today and the understanding when the court opened was that after they should be heard the court would adjourn over until Monday next.

The witnesses called for today were both summoned by the department. Lieut. John Hood, who commanded the dispatch boat Hawk during the Cuban campaign, was summoned for the purpose of relating his version of his interview with Admiral Schley. Cleofuegos, Sylvester Scovill was called to answer questions concerning the St. Paul which Capt. Sigbee of the St. Paul is said to have megaphoned to the press boat Somers N. Smith on May 28. Photographer Hare testified that at that time Capt. Sigbee was in the harbor of Santiago and gave the name of Mr. Scovill as one of the correspondents on board the press boat with himself at that time.

Admiral Schley was in the courtroom half an hour before proceedings began, but he announced he would not be able to undertake the correction of his testimony before next week.

"There were five whole days of it," he said, "and to go over it and make the necessary corrections is no light task."

It is probable that he will have something more to say concerning his interview on May 18, with Admiral Sampson relative to which Capt. Chadwick spoke yesterday.

NO SUR-REBUTTAL WITNESSES.

It is not now intended to call any witnesses in sur-rebuttal and it is expected that the argument will begin soon after Admiral Schley concludes his testimony. How long the court may take to consider the evidence is entirely problematical. The members of the tribunal are evidently preparing to devote considerable time to the consideration of the testimony for they have taken rooms in the city for the purpose. The testimony covers 1,600 printed pages, and the court sits thirty-six days in listening to it. With the additions yet to be made by argument and documents, the record probably will run over 1,700 pages.

COUNSEL AGREE ON PLANS.

The court was six minutes late in entering the hall today, this being the first time that absolute promptness has not been observed. Judge-Advocate Lemly announced that counsel had agreed on the order of the speeches in closing the case, subject to the sanction of the court. Mr. Hanna is to open for the department. He will be followed by Capt. Parker and Mr. Raynor for Admiral Schley and Judge-Advocate Lemly will close for the department. Admiral Dewey announced that this arrangement was satisfactory to the court.

CHARACTER OF ARGUMENT.

Capt. Lemly then brought up the question of the character of the argument to be made, saying: "I would like for my own information to ask the instructions of the court as to whether or not we are expected in the closing argument to confine ourselves to the evidence and to the scope of the precept as defined by the court. I mean the arguments made both by counsel for the applicant and by my associate and myself."

Mr. Raynor—We have to confine our argument to the evidence and we cannot allude to any facts that are not in the evidence, but we will in making our allusion to the evidence respectfully and within proper bounds.

Capt. Lemly—I think that should be the general scope of the argument. The court has defined the scope of the precept, but of course, we could not undertake, and the court would not undertake, to restrict ourselves entirely. I assume, in stating just exactly the words and in manner, that would be a question which at the time they would have to say whether it was proper or not."

WHAT COUNSEL EXPECT.

Mr. Raynor—Of course, in making an argument we must pretend to refer to anything not in the record. We are bound by that, but I do not want to have any more restrictions placed upon my argument than I would in any other court. I want the constitutional right to argue this case within proper bounds and with great respect to everybody concerned, but to make criticisms as they appear proper to me, or to make comment. If I should find, for instance, that I believed a witness had not told the truth, I should not hesitate to say so.

Capt. Lemly—That is right.

Admiral Dewey—That will be any trouble about that. When we come to that bridge we will cross it.

SYLVESTER SCOVILL CALLED.

Sylvester Scovill was then called as the first witness of the day. He said that while on the press boat Somers N. Smith, as a newspaper correspondent on May 27 or 28 it came up with the St. Paul of which Capt. Sigbee was in command off Santiago. There was a conversation with Capt. Sigbee through the megaphone and he himself had used the megaphone in conducting the interview.

The witness said the Somers N. Smith was about 75 or a hundred feet from the St. Paul during the conversation.

"Give us as nearly as you can the words of that conversation," said Capt. Lemly.

"We had been sent to find Commodore Schley and the first question, of course, was 'Where is Schley?' and the answer from Capt. Sigbee was 'You

more witnesses, except possibly the admiral himself."

There being no further business before the court, an adjournment was taken at 12:45 until Monday at 11 a. m.

Kaiser Interested in Voyron Letters.

New York, Nov. 1.—The Rheinische Westfaelische Zeitung states that Count von Buelow's interview with the Kaiser at Liebenberg castle was in regard to Gen. Voyron's correspondence with Field Marshal von Waldersee, says the Herald's Berlin correspondent. In official circles the possibility that this is a correct statement is admitted, but the German government, it is declared, will not take any action in the matter.

CALLAHAN'S TRIAL.

Defendant This Morning Gave Way To Nervous Strain.

Omaha, Neb., Nov. 1.—James Callahan, on trial for perjury in the Cudady kidnapping case, gave way this morning to the nervous strain under which he has labored and had to be removed from the courtroom and the session adjourned. The prisoner has lost considerably in flesh and the strain of the past ten months has brought his nervous system almost to a point of collapse.

Young Cudady continued his narrative of the kidnapping today, going over the entire case. The defense, on cross examination, tried to show that the boy was addicted to excessive cigarette smoking, and was therefore unable to give a clear version of the kidnapping.

Chief Donahue swore to Callahan's arrest and the statement that he could prove an alibi. Court then adjourned until 2 o'clock to await the result of Callahan's illness.

Big Fire in Uniontown, Pa.

Uniontown, Pa., Nov. 1.—A fire which started in Friedman's livery stable, near Pittsburg street, early today, destroyed ten buildings, covering two blocks. One life is reported to have been lost and the property damage is estimated at \$250,000.

TELEGRAMS TO PHILIPPINES.

Can Now Be Sent at \$1.00 Per Word From New York.

New York, Nov. 1.—The Commercial Cable Co. this morning sent out the following notice:

"We are advised that the following reduced rates to the Philippine islands go into effect on the 15th instant:

Luzon islands, \$1.00 per word from New York; all other islands, \$1.75 per word from New York.

The Western Union Tel. Co., later sent out a similar notice.

The Commercial Cable company today issued the following notice:

"Messages for Japan routed via Northern are now accepted without restriction."

Bubonic Plague at Glasgow.

Glasgow, Nov. 1.—Another case of the bubonic plague has been certified to here. Large numbers of people who have been in contact with plague cases or suspects have been isolated. The authorities today are refusing to grant clean bills of health. A bar maid who was recently transferred from the central station hotel (which belongs to the Caledonian railway) to the station at Aldrie, is pronounced to be suffering from the plague.

Must Inspect Ships.

St. Petersburg, Nov. 1.—Ships leaving or entering the harbor of Batum, on the Black Sea, have been ordered to be closely inspected owing to a death from the plague in the town.

The Buford at Suez.

Suez, Nov. 1.—The United States transport Buford, from Manila, October 1, has arrived here.

Carnegie Nominated Rector.

London, Nov. 1.—Andrew Carnegie today was formally nominated for the lord rectorship of St. Andrews university. Mr. Carnegie's election will be declared by the vice-chancellor Nov. 8.

RANSOM OF MISS STONE.

Best Methods of Transmitting Money Being Considered.

Sofia, Nov. 1.—The best methods of transmitting the ransom demanded by the brigands for the release of Miss Ellen M. Stone, the abducted American missionary and for securing the safety of the captives, are engaging the attention of the Samakov missionaries who are with the kidnappers. It is felt that unusual precautions are necessary in order to safeguard Miss Stone and others, as there is undoubtedly a danger that the captives will be murdered after the ransom is paid.

Cecil Rhodes Repudiates Bills.

Capetown, Nov. 1.—The affidavits of Cecil Rhodes, repudiating bills aggregating £120,000, drawn in favor of the Princess Radwili, of the German branch of the Radwili family, and purporting to have been signed by Mr. Rhodes, have arrived here. The supreme court has issued a writ of imprisonment for the princess, on account of a minor debt of £113.

A New Portuguese Minister.

Lisbon, Oct. 31.—Senhor Hortega Michado has been appointed Portuguese minister at Washington.

Black Troops Beaten and Eaten.

London, Nov. 1.—A special dispatch from Antwerp says that a detachment of black troops recently sent by the Congo authorities to quell a revolt at Balindi in Kasai, was captured and five soldiers were murdered, roasted and eaten.

The Gedney at Victoria.

Victoria, B. C., Nov. 1.—The United States steamer Gedney is here from Alaska. She has been engaged during the summer in survey work in Icy straits and Crows channel. Her officers report that there will be no radical changes in the chart as a result of the season's work.

The sailing schooner Otto, Penelope and Arletta arrived from Hering sea today. The Otto had 322 skins and is the high line schooner of the Bering sea fleet. The other two had 320 and 340 skins respectively.

DUKE OF YORK'S RETURN.

Grand Naval Pageant in His Honor At Portsmouth.

Portsmouth, Eng., Nov. 1.—Today's naval pageant in honor of the return of the Duke and Duchess of Cornwall and York was almost a reproduction of the ceremonial attending their departure.

The town and harbor were astir early. Immense crowds assembled along the sea front, and rounds of cheers mingled with the national anthem and salutes from the harbor ships and land batteries as the royal yacht Victoria and Albert steamed to meet the Ophir. On board the royal yacht the king, in the uniform of an admiral, stood on the after bridge at the salute, while the queen and the children of the duke and duchess paraded the hurricane deck.

The roads were a striking spectacle, owing to the gathering of ships, dressed from stem to stern, and with their yards manned, and the sides lined with crews. Nelson's old ship, the Victory, started the salute to their majesties, and each ship in turn took it up as the Victoria and Albert moved down the Solent, escorted by a fleet of all the royal yachts. Off Yarmouth, Isle of Wight, the Victoria and Albert fired a salute. The Ophir met and exchanged signals of greeting. About 2 o'clock the booming of distant guns announced the approach of the royal vessels and the naval procession soon moved in sight. With the Trinity house yacht Irene acting as pilot, she was followed by the Victoria and Albert, the Ophir and two ironclads. The Ophir and the Victoria and Albert exchanged signals of greeting. The Ophir and the Victoria and Albert exchanged signals of greeting.

As the Victoria and Albert moved down the harbor, the troops saluted, presented arms and the harbor batteries fired a final salute. The bands everywhere struck up "God Save the King" and thousands of blue jackets on board the ships in the harbor repeatedly cheered the royal party.

The demonstrations were renewed as the Ophir entered, her band playing "Home, Sweet Home." The Duke and Duchess of Cornwall and York occupied a conspicuous position on the upper deck of the yacht, respectively seated on the left and right of the duke. The Duke and Duchess of Cornwall and York joined their majesties and the children on board the former yacht.

Case of Miss Stone.

Constantinople, Nov. 1.—The negotiations with the captors of Miss Ellen M. Stone, the American missionary, appear to be going on so successfully that her release seems now to be only a matter of days. So far from there being any confirmation of the rumors of her death circulating in the Bulgarian border districts, it is said here that another letter, written two days ago, has been received from her.

Porte Pays Officers.

Paris, Nov. 1.—A dispatch to the Temps from Constantinople says thirty officers of the navy recently mutinied on account of arrears of pay and proceeded to the palace to make a demonstration. The sultan then sent an aide de camp with an installment of the money due them and the officers thereupon desisted.

Negro Hanged to Telegraph Pole.

Jeffersonville, Ga., Nov. 1.—The negro who was hanged to a telegraph pole this morning was a Daugherty, the wife of a Representative. He was surrounded and captured in a swamp late last night.

York Arch Pulled Down.

Montreal, No. 1.—The big wood and steel arch erected at the entrance to McGill university grounds in honor of the Duke of Cornwall and York, was pulled down last night by several hundred men. The arch was a reproduction of the Brandenburg gate in Berlin, and it was the intention to make it permanent at a future date. The students say that no offense was meant to the duke by the demolition of the arch.

Aghans Called to Return.

Simla, Nov. 1.—The ameer of Afghanistan, Habib Ulla Khan, has caused to be spread broadcast a proclamation informing all Afghans who have fled from their country because of extortion, oppression or fear of arrest, or for any other reason, that they can return safely and that loans will be advanced for improvements and that a year's taxes will be remitted.

GEN. WESTON'S REPORT.

Details Expenditures of Subsistence of the Army for Fiscal Year.

Washington, Nov. 1.—The report of Gen. John F. Weston, commissary general of subsistence, shows that the total expenditures for the subsistence of the army during the fiscal year were \$15,622,228. The receipts from the sales of subsistence stores during the same period were \$2,290,234. An interesting feature of the report is a statement from Col. Woodruff, chief commissary of the army in the Philippines, in which he says:

"During the first three months of the period covered by this report, stores here had, for various causes, become greatly reduced, but owing to the grand response made by the commissary general to every call from this office, and the energetic action of the purchasing commissaries in San Francisco and New York this was speedily corrected, and no other army of its size has ever been supplied in the world's history."

"During the period covered by this report the command to be supplied extended from the great wall of China on the north to the island of Borneo on the south and the islands of Guam on the east. There were 450 stations in this archipelago, besides the troops in China and the prisoners in Guam."

"In addition to the 68,000 troops and 3,000 officers in this division, the subsistence department supplied the delicacies for the sick, rations for 4,000 prisoners of war, 1,800 marines, many of the stores for the navy, rations for 1,000 civilian employees, and salutes for the Philippine commission and attaches, and Americans employed by the army and by the government in its treasury, post office, interior and educational departments, metropolitan and native police, scouts, transports, etc. In other words, nearly 100,000 persons occupying a country almost destitute of meat, vegetables and other food supplies suitable for Americans were supplied largely from a single base 7,500 miles distant. After the stores reached Manila they had to be landed in caques and were then distributed by short railroads and then piled up narrow rivers by wagons and carts and marine officers, they had to be packed by pack mules and coolies over mountain trails, often through a hostile country and some of the posts supplied were more distant. In point of time, from Manila, than is the capital of our country."

Col. Woodruff says that during the period covered by the report \$5,500

men have been returned to the United States and about 18,000 have arrived in the Philippines, and that not a single serious complaint has been received concerning the food supply. There have been received at the Manila depot 118,554,830 pounds of ration articles and 62,444,996 pounds of sales stores. There have been shipped from this depot 11,771,559 pounds of ration articles and 5,022,571 pounds of sales stores. There has been some deterioration of stores due to poor storage and climatic conditions. Col. Woodruff refers to the charges against the subsistence department and takes occasion to say that such charges were greatly exaggerated and he reviews what has already been published concerning the losses by dishonest officers and commissary sergeants, together with the trials and convictions of those implicated. He denies any illegal purchases of champagne, and says that the purchases that were made were necessary for sick and debilitated troops who purchased it at 32 cents a pint.

Gen. Weston's report deals quite extensively with the Philippine campaign and quotes from officers who were in that expedition to show that the troops were well supplied.

WASHINGTON SURPRISED.

Because European Papers Discuss Miss Stone's Case.

Washington, Nov. 1.—Some surprise is expressed here at the extent to which the question of indemnity in Miss Stone's case is being discussed in the European papers. The United States government, so far, has directed its efforts solely to the procurement of Miss Stone's release and there is good reason for the statement that all other questions connected with the case, including that of a possible claim for indemnity, have been regarded as secondary and laid aside for future discussion. This is almost necessarily the case owing to the fact that in its present light the state department cannot place the responsibility for Miss Stone's capture and detention; further evidence must be had on that point.

HOODLUMS GREASE TRACK.

Boys in Nineteenth Ward Endanger Lives of Car Men.

There is retribution swift and sure in store for the gang of hoodlums in the Nineteenth ward unless the practice of greasing the street car tracks on the Center street hill is not stopped. The police have been notified regarding the matter and the first culprit caught red handed will be dealt with accordingly.

Assistant Superintendent Arnold, of the Consolidated Railway & Power company this afternoon stated that the crews on the Center Street cars have been in a state of panic for some time past on account of the actions of these hoodlums who grease the tracks and the twice across the street on a line with the motormen's faces. "As soon as a car strikes the greased rail it slides down hill with tremendous force," he said, "and should a wagon be crossing the street at the bottom of the hill the car would simply go clean through it. It is a wonder that these lives have not been a bad accident before this."

Continuing, he said: "There is not only the danger attached to this foolhardy and criminal practice on the part of the boys who should know better, but there is also a great deal in the running of the cars, for on the way down the hill the car men have to clean the rails and throw sand on them before the car will climb the hill again."

According to the car men these actions upon the part of certain boys in the Nineteenth ward have been going on for over two months past at intervals.

SOLDIER'S LEG BROKEN.

Fell From a Wagon With Heavy Box On Him.

A new recruit at Fort Douglas had a narrow escape from a horrible death yesterday afternoon between 4:30 and 5 o'clock on Tenth Street and First Street streets.

The soldier and a number of companions were hauling some heavy boxes of goods to the fort. He was seated on top of one of the boxes and was when the wagon gave a lurch and the soldier slipped from its fastenings. The soldier made an attempt to leap out of the way of danger but was caught by the falling box and thrown to the ground. The box fell across the prostrate man's body, breaking his right leg.

The injured man was carried into the residence of Detective Sheets' father, and the ambulance sent for. The poor fellow fainted several times before a doctor arrived. He was placed tenderly in the ambulance and taken to the fort, where his injuries were attended to by one of the army physicians. Inquiry at the fort this afternoon elicited the information that the man was resting as easily as possible under the circumstances.

Z. C. M. I. BEGINS SUIT.

Action to Recover \$429.21 on Goods From Glenn Construction Co.

Zion's Co-operative Mercantile institution commenced suit in the district court today to recover \$429.21, with interest from September 6 and costs, from N. P. Glenn Construction company for goods claimed to have been sold and delivered between the dates of July 1 and September 6, 1901.

SUIT FOR DIVORCE.

Wife From Kansas Asks For Legal Separation From Her Husband.

Mary J. Davis today commenced divorce proceedings against her husband, James H. Davis, whom she charges with having deserted her eight years ago, leaving her to provide for herself. Mrs. Davis states that during this time she has had to canvass books to make a living for herself and that part of the time she has been dependent on the charity of friends. The marriage took place in Butler county, Kansas, on Sept. 15, 1892. There are no children.

MARRIAGE LICENSE.

A marriage license was issued today to P. J. McDermott, 32, and Annie Anderson, 20, both of Salt Lake.

PROPERTY SALES.

Kate E. Farrell and J. W. Farrell, her husband, today transferred 24 acres of land at the northeast corner of Fourth East and Second South streets to Emma J. Earls, the consideration being \$400.

REPORT OF THE SURVEYOR GENERAL

Shows 30 Townships, Containing 632,052
Acres, and 482 Mining Claims Surveyed
Last Year—Needs More Help.

(Special to the "News.")

Washington, D. C., Nov. 1.—In the annual report of the commissioner of the land office, the following appears from the surveyor general of Utah:

There were surveyed 30 townships, containing 632,052 acres, 482 mining claims, including 10 mill sites and 1 placer claim.

Fifteen coal patents were issued, covering an area of 3,372 acres. Of vacant public lands 10,830,242 acres were surveyed, 31,655,813 remaining unsurveyed.

Uncompleted contracts still pending in his office embrace surveys in various stages of progress from those contracted for in 1897 to the last new contracts and estimated total liability is \$59,836. In the line of mineral work surveys for office work on mining surveys amounted to \$9,959 and he has issued orders for the survey of 413 claims by his 57 mineral deputies.

The amount of cash deposits by railroad companies to pay for office work on surveys within their land grants is given as \$8,238.96 at the close of the year.

There were no disbursements from this fund during this period. The surveyor general declares the limited force of clerks and draftsmen in his office causes a delay in various work which should be remedied by an increase of funds applicable to that purpose. Work on agricultural surveys is some four months in arrears. But mining work is well provided for by large amount on deposit. He also calls attention to the general equipment of his office, lack of suitable furniture, cases, tables and instruments. A still more important case of complaint is in respect that there is no vault or safe in which to preserve even part of valuable papers and records.

FRENCH SQUADRON DIDN'T RETURN

Officials of Foreign Office Say Yesterday's Announcement of Its
Departure Was Correct—It Was Admiral Maigret, Commandant
of Mediterranean Fleet, Who Came Back to Toulon.

Paris, Nov. 1.—The officials of the foreign office today inform the Associated Press that the information set forth in the dispatches yesterday was correct. The incorrect announcement from Toulon of the return of Admiral Caillaud's division, which created a great sensation, emanated from the correspondent of a well known news agency. The announcement that Admiral Maigret, commandant of the Mediterranean fleet, returned to Toulon at 1 yesterday, with all his vessels

except those belonging to Admiral Caillaud's division. The correspondent of the news agency referred to confused the fleets, owing to the darkness. A correct list of Admiral Caillaud's ships is now published. The list published yesterday was that of his ordinary light division, but it appears that the squadron was formed, composed of battleships Gaulois and Charlemagne, the cruiser Admiral Poissin, Chaney and Galileo and two torpedo boat destroyers of the Heibland type.

SUGAR MEETING.

Directors Receive Report and Fill a Vacancy.

The board of directors of the Utah Sugar company met this morning and filled the vacancy in its number caused by the death of President Snow by electing John C. Cutler to the position. Manager T. R. Cutler submitted a report of the operations of the factory where everything was running smoothly and prosperously. Mr. Cutler stated after the meeting that the company had turned out over 8,000,000 pounds of sugar to date and would run forty or fifty days longer. October had witnessed the sale of a big number of water rights in the Bear River valley due to the fact that the price for these water rights was advanced today, Nov. 1, five dollars an acre.

AFTERNOON MINING CALL.

Prices Were Firm, Though Stocks Were Not Very Active.

Prices were stronger on the mining exchange this afternoon though trading was light in all the stocks. Uncle Sam released about 2,000 shares between 11.00% and 11.05%. Carma was traded in up to 85%. Daily West was active between \$2.10 and \$2.00. May Day advanced to \$1.02, while South Swansea dropped 100 at 94. Star Com. hung around 33 and Tenora sold at 52. Victor Bond purchasers at 56 and 54%. While Ben Butler released 4,000 at 16%. Burton sold at 154. La Reine was active at 25, while Tetra participated at 20%. Manhattan was active at 15%. Martha Washington sold at 2%.

HALLOWEEN CELEBRATION

Weird Occasion Passes Without Anything Fatal—Small Boy Was Out.

Halloween was celebrated last night all over the city both in the houses and on the streets. Of course it was the small boy that occupied the streets while his big brother and sister engaged in more quiet at least more harmless observances of the day. This morning there were the usual absentees, and anything else that a crowd of one-eighty house power boys could move. Some of the citizens were wise enough to take the job off the boys' hands and store their gates safely away in the barn against the hour that the youthful celebrators should come around to the front fence looking for detachable sections of it. Trees, telephone poles and roofs of houses were adorned with gates, chairs and baby carriages, indicating that the phantom spirits became real pranksome last night. The citizens who have been run to considerable trouble in locating their gates and the like have taken the matter philosophically and no complaints have been lodged against any one. Lots of pumpkins were sold, which were converted into grotesque visages and almost on every street up till 10 o'clock these phantom-like vegetables could be seen fitting around and about in dark places, but the laughter of the young ghosts, which they could not suppress, made them appear too mortal to scare the unsuspecting passer-by very badly.

A GALLANT DENVERITE.

Lieut. Means a Courageous Soldier as Well as Fine Football Player.

Among the members of the Denver Wheel Club football team now here is Lieut. Means, of the First Colorado volunteers. Upon his arrival this morning he looked up Major R. W. Young and Capt. J. F. Critchlow and other members of the Utah artillery.

Lieut. Means was twice recommended for medals of honor for distinguished bravery in the Philippine campaigns. He accompanied Gen. Bell on his persistent and dangerous reconnaissance of the Spanish position at Manilla and subsequently ventured into insurgent territory with four companions at the Marikina river. He is among the most prominent of the amateur athletes of Colorado.

He was a member of the University of Michigan football team and is now practicing law in Denver as a partner of ex-Governor Thomas.