

SCHELEY'S BILL OF EXCEPTIONS

The Admiral Through Counsel Objects to Findings of the Court of Inquiry.

PAPERS IN HANDS OF SECRETARY LONG

Attorneys for Admiral Sampson Are Expected to File Their Objections to the Findings of Admiral Dewey on Friday—The Claims of Scheley's Bill—Comments by Attorney Raynor.

Washington, Dec. 18.—Late this afternoon Admiral Scheley, through his counsel, filed with the secretary of the navy his bill of exceptions to the majority findings of the court of inquiry and also a letter asking to be allowed to be heard in connection with the objections to be filed by attorneys for Admiral Sampson to the individual opinion of Admiral Dewey. This action was taken after Mr. Raynor, Mr. Teague and Captain Parker, of counsel, had held a consultation throughout the day with their client.

Secretary Long almost immediately after the receipt of the communications, called Judge Advocate Lemly and the solicitor for the department, Mr. Hanna, into conference. At his conclusion the secretary said that he had no statement to make regarding any action that he might take in the premises. He, however, indicated to Mr. Teague, through the judge advocate, that he would not hear an oral argument by attorneys regarding the Admiral Sampson's protest but that he would receive a written statement.

It was expected that counsel for Admiral Sampson would file their objection to the findings of Admiral Dewey in the case today but it is now stated that such objection may not be offered before Friday.

Admiral Scheley's bill of exceptions objects to the approval of the findings of the court upon the ground that the opinions rendered and all the facts made by the majority of the court are in conflict with the overwhelming weight of evidence; and that the majority of the court in their said opinion have ignored the testimony of the applicant, and of the whole of the applicant's witnesses, and all the facts of the evidence given by witnesses for the government, which was favorable to the applicant, and have thus deprived him of rights guaranteed to him by the laws of the land and the constitution of the United States.

Claims of the Bill. The bill claims that the majority of the court gave their opinion that Commodore Schley had acted with the utmost dispatch and courage when there was no specification covering this point and without giving the applicant an opportunity to furnish evidence on it. The fact that no place was mentioned in what is known as the McCall memorandum for meeting the insurgents is regarded as a paramount reason why communication was not held with the insurgents and further that the said memorandum was sent to Commodore Schley only for use in connection with the information which it contained relative to the location of the insurgent camp in the vicinity of Cienfuegos. The bill further contends that overwhelming evidence was presented to the court to show that a close blockade of Cienfuegos was maintained, that the majority of the court entirely ignored the material testimony proving that the British steamer Adula was allowed to enter Cienfuegos to obtain information regarding the Spanish fleet; that the order of Admiral Sampson, known as No. 7, was an imperative order for Commodore Schley to hold his squadron off Cienfuegos whether the Spanish fleet was in that harbor or not; that the majority of the court have ignored the admitted fact that the commander of the Eagle did not communicate the situation at Cienfuegos to Commodore Schley; that they ignored the fact that Captain Evans failed to communicate to Commodore Schley the meeting of the signal lights on shore at Cienfuegos; that Commodore Schley, as proved by the evidence, had no knowledge of these lights until the night of May 24, 1898; that the majority of the court are silent in their reference to masking the movements of the flying squadron in front of Cienfuegos; that the majority based their opinion as to the retrograde movement upon a statement that Commodore Schley, before sailing from Cape Cruz and Goanives channel, whereas it is denied that there was any such positive information and that the record shows that not until three days after leaving Cienfuegos did Commodore Schley receive definite information concerning the feasibility or practicability of coaling ships from a collier in Goanives channel; that the majority erred in stating that Commodore Schley received no positive information from the scout ships as to the enemy's presence in Santiaago harbor because Captain Sisbee had reported to Commodore Schley that the Spanish fleet was not in that harbor.

Question of Coaling. The bill denies that the conditions of wind, sea and weather from May 26 to June 1 were favorable for taking coal from a collier off Santiaago. It also claims that the coal charts submitted in evidence, showing the chasing capacity of the flying squadron, have been ignored; that no reference has been made to the orders of the secre-

tary of the navy forbidding the hazarding of American ships against shore batteries; that the majority opinion failed to contain any reference to the character of the blockade of Santiaago, although covered in the specifications; that the demonstration made by Commodore Schley before Santiaago on May 29 and 30 was pre-determined and executed solely as a reconnaissance and not as a formal attack upon the Colon or the other vessels in the harbor; that the majority opinion of the court is ambiguous with respect to the loop of the Brooklyn in that it holds that said loop was made to avoid getting into dangerous proximity to the Spanish vessels, without stating whether such was the intention of Commodore Schley or to his desire to preserve the ship intact and ready for further work; that the majority of the court entirely ignored the overwhelming testimony in arriving at the opinion that Admiral Schley erred in commencing engagement on July 3 with the port battery and that the Brooklyn did not lose either distance or position with the Spanish ships in making the turn; that the majority opinion is ambiguous upon the subject of the backing of the Texas, in that it does not state whether the danger of collision was real or imaginary; that Captain Cook's testimony on this point was entirely ignored; that the finding with the Hodgson controversy has been repeatedly contradicted in the testimony; that the majority opinion that Commodore Schley's conduct was characterized by vacillation, dilatoriness and lack of enterprise is not justified by the evidence submitted; that the majority opinion is entirely silent upon a charge, specifically abandoned by the judge advocate, and that the testimony of a few hostile witnesses have been made prominent. The bill concludes with the statement that the proceedings of the majority of the court were irregular; that Admiral Schley's testimony in many particulars not considered, and that the evidence is absolutely insufficient to sustain the opinion which has been rendered, and therefore a grave and irreparable injustice has been done Admiral Schley.

Commenting on today's action Mr. Raynor said: "The objections that we have filed rest upon the ground that Admiral Schley has been deprived of his rights as guaranteed to him by the laws of the land and the constitution of his country. We claim that the whole of the evidence in favor of the admiral, including his own and the testimony of all of his witnesses, has been rejected by the majority of the court and not even considered or noted upon. Such a method of procedure would not be permitted to stand for a moment before the tribunal governed by any people of common principle law or common justice. The admiral was on the stand for about four days and not a word that he uttered and not a solemn assertion that he made under the sanction of his oath, has been adverted to by the majority of the court. Such a method of disposing of a case is unparalleled in the annals of civil or criminal law. The greatest malfeasor in the land under the constitution is entitled to have his evidence considered and passed upon.

"We shall therefore, avail ourselves of every remedy that we have to impeach this appalling verdict."

DR. HEDIN RETURNS. The Swedish Traveler Returns from the Gobi Desert.

Calcutta, Dec. 18.—Dr. Sven Andren Hedin, the Swedish traveler, who, for the past year or more, has been exploring the Gobi desert and Tibet, returned to civilization, having reached Laskar, Kashmir, on his way home.

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MR. CLEVELAND HAS NOT ACCEPTED APPOINTMENT.

By Exclusive Wire from The Associated Press. Philadelphia, N. J., Dec. 18.—Former President Cleveland has not yet accepted the nomination of the United States to the office of ambassador to the Netherlands.

Right to Use Name of Union Party.

By Exclusive Wire from The Associated Press. Harrisburg, Dec. 18.—Frank M. Riter, state chairman of the Union party, and others of Philadelphia, requesting themselves to be members of the Union party, today filed papers in the prothonotary's office in this city claiming the right to use the name of "Union party" as a political appellation in Pennsylvania.

Pennsylvania Postmasters.

Washington, Dec. 18.—The following fourth class Pennsylvania postmasters were appointed today: Bileysville, Wayne county, Emily E. Stevenson.

JUSTICE JEROME PLEADS FOR OPEN SALOONS.

Wants a Bill Passed, Because It Is the People's Will.

By Exclusive Wire from The Associated Press. New York, Dec. 18.—Justice Jerome, district attorney-elect, addressed a closed meeting of the board of trustees of the New York State Brewers' and Millsters' association today. He asked the support of the association of a bill providing for the opening of saloons, between the hours of 1 and 11 p. m., on Sundays in this and other cities of the state having a population exceeding 100,000.

DAVID LLOYD-GEORGE PRECIPITATES RIOTS

His Eloquence Arouses the Fighting Blood of Birmingham, England.

London, Dec. 18.—David Lloyd-George, M. P., in speaking in Birmingham town hall tonight, precipitated a scene unprecedented in that city since the Aston Park riots.

ANTI-ANARCHY BILL. A Measure Providing a Death Penalty for Assaults on President and Government Officers.

Washington, Dec. 18.—Chairman Ray, of the house committee on judiciary, today introduced an anti-anarchy measure, which probably will be the basis of legislation on that subject in the house. The measure is very elaborate and brings together features of the many proposals made for dealing with the subject. It provides the death penalty for assaults on the president or other executive officers.

MINE WORKERS' CONVENTION. Officers Elected at Mahoney City Yesterday.

By Exclusive Wire from The Associated Press. Mahoney City, Pa., Dec. 18.—The convention of the United Mine Workers of the Ninth district today elected officers as follows: President—John Fahney, Shamokin; Vice President—Paul Pulaski, Mount Carmel.

SPANISH TREATY CLAIMS. Commission Hears Arguments in Support and Opposition.

Washington, Dec. 18.—The Spanish treaty claims commission today heard arguments in support and in opposition to a construction of government counsel that the commission has jurisdiction under the Paris treaty, of claims growing out of the sinking of the battleship Maine.

BLUFFED THE BURGLAR. Miss Hamilton Shoots at the Man Who Threatened to Kill Her.

By Exclusive Wire from The Associated Press. Youngstown, O., Dec. 18.—A stranger entered the office of Justice Walsh today and finding the clerk, Miss Clementine Hamilton, alone, demanded that she open the safe, which contained \$2,000. Upon her refusal, he attempted to strangle her, saying: "If you don't open the safe, I'll kill you."

Referee Stopped the Fight.

By Exclusive Wire from The Associated Press. Buffalo, N. Y., Dec. 18.—The referee stopped the fight between Waldott and Ferns, who were given the decision.

THE PLANS FOR PEACE

Scheme of the Committee Appointed at the Labor and Capital Conference.

STATEMENT OF THE PROGRESS MADE

The Scope and Province of the Department Shall Be to Do What May Seem Best to Promote Industrial Peace—Committee Will Not Consider Abstract Labor Problems and Assumes No Power of Arbitration Unless Such Be Conferred by Both Parties in Dispute.

By Exclusive Wire from The Associated Press. New York, Dec. 18.—Charged with the task of drafting a scheme of plan and scope, the general committee appointed yesterday at the labor and capital conference to take up its work. Among those in attendance were Oscar Strauss, Charles M. Schwab, S. R. Callaway, Charles A. Moore, Cornelius N. Bliss, Lewis Nixon, J. J. McCook, P. M. Easley, Samuel Gompers, John Mitchell, Frank Sargent and James Duncheon.

ENCOURAGING NEWS FROM THE ISLANDS. According to Report of Commission the Federal Party Has Been Successful in Persuading Insurgents to Surrender.

By Exclusive Wire from The Associated Press. Washington, Dec. 18.—Provision for a permanent civil government and for much important legislation regarding the industrial development of the Philippines is embodied in the annual report of the Philippine commission.

WHEELMEN MEET. Delegates Elected to the National Assembly at Tarrington.

Philadelphia, Dec. 18.—The annual meeting of the Pennsylvania division of the League of American Wheelmen was held here today. The report of the secretary-treasurer shows that, notwithstanding the membership of the division has fallen from 5,000 last year to 1,876 this year, the organization is free from debt. Several changes were made in the constitution so as to conform to the reduced membership.

LEHIGH TRAFFIC TO BE RESUMED.

By Exclusive Wire from The Associated Press. Hazleton, Dec. 18.—The long expected, traffic on the main line of the Lehigh Valley between New York and Buffalo, via Pottsville, will be partially resumed today.

INDICTMENTS AGAINST N. Y. CENTRAL.

By Exclusive Wire from The Associated Press. New York, N. Y., Dec. 18.—The grand jury today handed up two indictments against the New York Central and Hudson River railroad growing out of the round house explosion, on Aug. 19 last in this village, which resulted in six deaths and great damage to surrounding property.

"GRUFFO" FORCED TO QUIT THE RING.

By Exclusive Wire from The Associated Press. Chicago, Dec. 18.—Albert Griffio, well known throughout sporting circles as "Young Gruffo," a lightweight pugilist, was today forced to quit the ring because of a violent affection of the heart, which may result in death to him in the next few days.

CASE OF SANTIAGO IGLESIAS.

Has Awakened Much Interest in Government Circles.

By Exclusive Wire from The Associated Press. San Juan, Porto Rico, Dec. 18.—The case of Santiago Iglesias, the labor organizer, awakens interest in government circles. The acting governor, Charles Hartzell, has called Attorney General Harlan's attention to the alleged conspiracy to raise the price of labor, on which charge Iglesias was sentenced to three years imprisonment.

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MURDERED FOR MONEY.

The Body of James B. Hay Found Buried Beside Railroad Track.

By Exclusive Wire from The Associated Press. Salt Lake, Utah, Dec. 18.—The body of James B. Hay, secretary of the Pacific Lumber company, was today found buried in a shallow trench alongside the Rio Grande railroad tracks.

ADA DENNIS DYING.

The Police Are Without a Clue to the Assassin.

By Exclusive Wire from The Associated Press. Washington, Dec. 18.—Mrs. Ada Gilbert Dennis, the modiste, who was assaulted in her apartments early on Tuesday morning of last week, is dying.

STANESHIP ARRIVALS.

By Exclusive Wire from The Associated Press. New York, Dec. 18.—Arrived: Havre, Havre; Naples, Genoa; La Bretagne, Havre; St. Louis, Southampton; Teutonic, Liverpool; Southampton, Antwerp; Plymouth—Arrived: Bristol, Liverpool; Arrived: Oceanic, New York via Rotterdam—Arrived: Potsdam, New York via Boston.

CORPORATIONS CHARTERED.

By Exclusive Wire from The Associated Press. Harrisburg, Dec. 18.—Charters were issued by the state department today to the following corporations: The Vampuna Electric Light company, Vampuna, Lawrence county; capital, \$25,000; Manufacturers' supply company, Philadelphia; capital, \$25,000; The Washburn Coal company, Evans City, Butler county; capital, \$100,000; Imperial Wagon company, Philadelphia; capital, \$100,000; Pittsburgh Paper company, Pittsburgh; capital, \$100,000.

THE PHILIPPINES REVENUE BILL

The Measure Is Passed in the House by a Vote of 163 to 128.

FIVE REPUBLICANS AGAINST THE BILL

Members McCall, Littlefield, Heatwole, Eddy and Stevens Vote with the Democrats, While Roberts, Davey and Broussard Join with Republicans in Supporting the Measure—The Bill Imposes Dingley Tariff Rates on Goods Entering the Philippines from the United States—Duties to Be Expended for the Benefit of the Islands.

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THE LADIES' KENNEL ASSOCIATION. First Bench Show Begins at Madison Square Garden—Prizes Taken by Scranton Dogs.

By Exclusive Wire from The Associated Press. New York, Dec. 18.—The first bench show of the Ladies' Kennel association of America was begun at Madison Square Garden this morning. Among the first prize awards today were the following:

Pointers, puppies, dogs and bitches, Westlake East, Westlake pointer kennel, Scranton, Pa.

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YESTERDAY'S WEATHER. Local data for Dec. 18, 1901: Highest temperature... 22 degrees; Lowest temperature... 12 degrees; Relative humidity... 83 per cent; S. by E. wind, 8 to 12 m.p.h.; Precipitation, 24 hours ended 8 p. m., 0.02 inch.

WEATHER FORECAST. Washington, Dec. 18.—Forecast for Thursday and Friday: Eastern Pennsylvania—Partly cloudy and continued cold. Thursday, Friday, threatening weather, possibly snow, variable winds.