

LARGEST ON EARTH! An instructive Table of Comparative Daily Circulation of the Leading Newspapers of the World.

NEW YORK JOURNAL

AND ADVERTISER.

WEATHER.

The local Weather Bureau's prediction for New York City and vicinity is as follows: Showers and warm.



NO. 5,728.

Copyright, 1898, by W. R. Hearst.—NEW YORK, SATURDAY, JULY 23, 1898.—12 PAGES.

PRICE ONE CENT in Greater New York; Elsewhere, and Jersey City, TWO CENTS.

PROTEST MADE TO ALGER.

A British Line to Fight Prisoner Contract.

Against Public Policy to Enrich Spaniards.

Should the Secretary of War Ignore Objections the Matter Will Be Carried to the Courts.

GROUNDS OF THE ACTION.

- 1. The contract is illegal. 2. It is against public policy. 3. It gives an enemy ships and money to arm them. 4. It compels Uncle Sam to furnish convoys to protect an enemy's ships against himself.

The machinery of the United States courts will be invoked to prevent the United States Government from executing a contract to transport Spanish prisoners to Spain in Spanish ships...

enemy's vessels. "These boats must either be conveyed or given a safeguard, which is a paper carried by the captain of a vessel signifying that the vessel is exempt from capture."

What the Spanish Say.

J. M. Ceballos, New York agent of the Spanish line, upon his return with R. A. C. Smith from Washington yesterday, said: "We are under bonds for \$250,000 to fulfill all the conditions of the contract, including the deportation of these soldiers within a given time, and the contract will be carried out literally."

English Line Will Fight.

He has retained Robert L. Stanton, a lawyer, of No. 68 Broad street, to contest the award, and a bitter fight is in prospect.

A demand will also be made to-day upon General Burnett, United States District Attorney, to begin proceedings to dissolve the contract.

"I have written a letter opposing the award to the Spanish line on two grounds. The first is a strictly legal contention. The specifications under which bids were invited provided that the vessels must be ready within ten days. The Spanish company is given twenty-one days. I have asked Secretary Alger consequently to reject the Spanish line bid and reopen the bids to all parties."

"I have also based my contention against the award on the ground that it is against international law, which forbids a nation at war to enter into business relations with a public enemy. There is only one method whereby such a contract can be made with an enemy—by a treaty between the President and Spain, which must further be confirmed by the Senate."

"A still more vital objection to such a contract is the fact that it is against public policy. Consider the circumstances carefully. Here is a company, which is the representative steamship line of the Spanish nation, with which we are at war. It has ships scattered throughout the world. It already has three ships armed to destroy our commerce. It has eight ships in Mexican and other neutral Atlantic ports which could never reach home without being captured by our war ships."

"What is proposed? That our Government shall pay \$15,000 to this enemy's corporation and shall safely convey to Spanish ports ships which are our legitimate prey. The Spanish Cortes, moreover, recently passed a law which provided that one-half of this and other companies' profits should be turned over to the Government as a war tax."

"The money of this nation will be turned over to the Spanish treasury, and will be used to arm vessels against our country. With the money which has come from our own treasury, Uncle Sam's fleet will convey vessels to Spain which will be used against Uncle Sam's fleet, with money from Uncle Sam's pocket."

"This is clearly against public policy, and I am confident the courts will so hold."

Why Not Aid Allies? (K17)

"Mr. Lord, my client, represents an English company. If the profit for the transportation of the captured Spanish army must go to a foreigner, it is better that it should go to England, which is practically our ally, than to Spain, which is our active and armed enemy."

A prominent naval officer said yesterday: "The clause in the bid stipulating safe conveyance to the ships conveying the Spaniards home is likely to cause trouble. It means that the ships of the line in neutral ports can be used as transports, and must be conveyed from those ports to Cuba and thence to Spain. Under the admiralty law the Government has no power to order its vessels to keep hands off certain of the

ADMIRAL DEWEY THANKS THE JOURNAL FOR THE FLAG SENT HIM.

Hero of Manila Expresses Gratitude.

Pleased with the "Beautiful Token."



"Truly a Fitting Memento of the Event."

Will Cherish Banner with Kind Memories.

Flag Presented the Admiral on July 5.

Taken to Manila by Journal Commissioner.

On Board U. S. Flagship Olympia, Manila Bay, July 20, via Hong Kong, July 22. Editor New York Journal:

Accept my hearty thanks for the beautiful token delivered by your representative. It is truly a fitting memento of the event it commemorates and will be cherished by me with kind memories of its donor.

Adm DEWEY, Rear Admiral U. S. N.

FORMAL PEACE MOVES BY SPAIN.



The First Step Taken, Sagasta Admits.

Our Foes Realize They Have Had Enough.

Europe Wearies of Spain's Constant Pleas--Losing Territory by Fighting.

(Copyright, 1898, by W. R. Hearst.) Special Cable to the Journal.

Madrid, July 22.—Premier Sagasta said to-day: "The truth is, something has been done already toward peace. We have entered into the preliminary part of the question."

Polavieja in Madrid. (Copyright, 1898, by W. R. Hearst.) Special Cable to the Journal.

Madrid, July 22.—General Polavieja, who will be a member of the Cabinet if Weyler is at his head, arrived in Madrid this morning. He will confer with the Queen Regent to-morrow.

The Argentine school ship Presidente Sarmiento has arrived at Vigo and reports that she is unable to coal at Gibraltar, as the American consul has bought all the coal.

Spaniards Lose by Fighting. (Copyright, 1898, by W. R. Hearst.) Vienna, July 22.—A high diplomat, conversant with the intentions of the Washington Government said that unless the Spaniards had entirely lost their heads they ought to make peace now. They might save the Philippines. The longer the war continues the more the imperialist tendency gains ground in America. The minimum of what the Spaniards must lose are Cuba and Porto Rico. The latter must absolutely be incorporated into the United States, it being the strategic key of the West Indies and the future Panama Canal.

Another solution would be rejected by public opinion in America. As regards Cuba, it is true that President McKinley has pronounced for liberation, but doubts are arising whether the island is ripe for self-government. At all events, if the Cuban insurgents continue to make difficulties for the Americans they jeopardize their right to an independent administration, and it might happen that America, contrary to its original intention, would be constrained to annex Cuba for good, or at least for some period till the island is ripe for independence.

For Secret Negotiations. Paris, July 22.—The Matin to-day publishes a paragraph saying: "It is rumored that Senor Leon y Castillo (the Spanish Ambassador at Paris) has been instructed to approach General Horace Porter, the United States Ambassador to France, with the view of opening secret peace negotiations."

General Porter said to-day: "You can deny in the most emphatic manner that any peace negotiations have been opened up to the present moment. I cannot conceive what originated the Matin's statement."

Expects "Honorable Peace." Madrid, July 22.—The Minister of Public Instruction, Senor Gamaza, is authority for the statement that peace, honorable to the Spanish army, will shortly be concluded. Senor Gamaza says: "The suspension of the constitution will not last long, for several reasons. One of them is the calmness displayed by the people and the army. It is not for me to conceal the intentions of the Government, which will in the first place satisfy the aspirations of the army. After that, if Senor Sagasta thinks fit, he will ask the Queen Regent if she still has confidence in her present advisers."

Statement Not Confirmed. London, July 22.—A prominent official of the British Foreign Office said to-day: "We have absolutely nothing confirmatory of Senor Gamaza's alleged statement. We wish we had, and we hope it is true, but so far as we are advised the signs do not seem propitious for early peace."

It is known that the Spanish Ambassadors at all the courts of Europe, with the object of inducing concerted representations at Washington to stop the war, and there is reason to believe that Great Britain is no longer alone in denouncing at this and pointing out the uselessness of such a course. It is recognized by all except Spain that the United States will refuse to listen to suggestions upon the part of the concerted powers.

The Madrid special dispatches this morning to the Times, Daily News and Standard agree that the idea that the capitulation of Santiago was a preliminary to peace must be abandoned. The ministerial organ, El Correo, says: "The Government is satisfied that the nation desires peace; but if the Washington Government raises difficulties, Spain

will cease to seek a pacific solution."

"Fresh developments in the struggle will probably occur before the peace partisans overcome the resistance of the war party."

"Apparently there is a tacit agreement in Austria to pursue a peace campaign in favor of peace, first by endeavoring to intimidate the United States with the spectre of European intervention, and second by appealing to the national conscience of America to confine her action to the liberation of Cuba."

"These overtures of Spanish diplomats tend to nullify the object desired. Continental quality toward the Americans gives a certain prima facie plausibility to the suggested European adaptation of Mrokovian against Commodore Watson's operations, but there are serious preliminary obstacles to its realization. No power likes to take the initiative, and Commodore Watson's coming is not likely to disturb the friendship between England and the United States."

CERVERA'S LOG IN SCHLEY'S HANDS.

An Officer of the Cristobal Colon Begged to Retain It.

(Correspondence of the Associated Press.)

Quetzanamo Bay, July 11.—When Admiral Cervera and the other officers of the fleet of Spain were about to sail on the St. Louis as prisoners of war it was discovered by Flag Lieutenant James H. Sears that the officers of the Cristobal Colon had their log books with them. He reported the fact to Commodore Schley, who at once ordered them seized.

By second in command, Adolphus Contreras, Capataine de Frigate, came aboard the Brooklyn and asked that they be returned, as they were the only record save Commodore Schley's. "I will turn them over to my Government for information," Contreras stormed and pleaded, and finally Commodore Schley lost his temper, as much as he ever does and said: "I do not see that you are entitled to any consideration at all. You sunk your ships after you had surrendered. You ruined your guns and did everything that a dishonorable enemy could think of. I shall hold your log."

The story told by the log book is an interesting one. The minute details, as translated by Lieutenant Benjamin Wells, Jr., from the daily record, constitute the first complete story of the movements of Cervera's fleet from the time it left Spain to the memorable day of destruction. Up to the arrival of the fleet at Curacao, there is little of interest in the log. The squadron steamed at an average speed of between seven and eight knots, considerable difficulty being experienced in towing the torpedo boat destroyers and with the engines of the large vessels.

It is noted that whenever there was to be a general cleaning day, the flagship would signal for it. There are comparatively few entries noted in the log. The log says: May 14—At 6:30 a. m. sighted Little Curacao. During the forenoon the Teresa and Vizcaya entered the harbor. 15—Cruised Puerto. At 5:45 p. m. Teresa, Vizcaya and Pluton returned from the harbor. Squadron steered to the south. 16—Destroyers appointed "Santiago de Cuba." 17—At daylight Colon signalled "This vessel congratulates the Admiral" and all the other ships were also offering their congratulations (what for the log does not state). The flagship replied "Admiral thanks the Colon cordially for congratulations." And later: "The Admiral thanks the squadron for congratulations, and is sure of victory with these valiant crews."

FRENCH STEAMER OUR PRIZE.

Olinde Rodriguez Was Captured Off San Juan.

Charleston, S. C., July 22.—The French steamer Olinde Rodriguez was brought into port this morning in charge of a prize crew from the cruiser New Orleans. The steamer was captured off San Juan, Porto Rico. She was warned July 5 by the cruiser not to enter the port. July 17 the Rodriguez appeared again, making for the harbor. The New Orleans sent two shots across her bow and brought her to.

She had twenty-three cabin and fourteen stowage passengers on board, and a cargo of coffee and tobacco. She is held at quarantine. Among the passengers, it is reported, are a son of the President of Hayti and Mr. Finnin, ex-Minister of Foreign Affairs of Hayti.

ABSURD BADGES OF AGUINALDO.

He Is to Wear a Gold Collar and Carry a Whistle and Stick.

(Copyright, 1898, by W. R. Hearst.) Special Cable to the Journal.

Manila, July 18.—Aguinaldo has issued an absurd proclamation, dealing chiefly with the official insignia of his new Cabinet. He, as President of the Ministry, is to wear a gold collar, with a triangular pennant and three stars. He will carry a gold whistle and also a stick with a handle and tassel of gold. The badges of the other officials are many and are minutely described.

EULATE'S MIND SEEMS SHAKEN.

Vizcaya's Captain Keeps to Himself and Acts Strangely.

Annapolis, Md., July 22.—Captain Eulate, of the Vizcaya, who is in captivity here, has been acting strangely, and those who have observed him closely say he is losing his mind. Eulate keeps to himself and has little to say to his fellow officers. Vagaries of his speech and action are looked upon by his captors as indications of a disordered mind.

The weeks of suspense prior to the fateful day when Cervera's fleet tried to break through the American line of ships had a depressing effect on Eulate, and the destruction of his ship was a terrible blow to him. Eulate is credited with acting the part of a tyrant on board his ship. It is said that when his vessel engaged the American war vessels the captain of the Vizcaya shot forty of his men because they refused to man the guns.

A majority of the Spanish officers are in a state of mind that is pitiable, and many of them have expressed fears for their personal safety when they return to Spain. The officers realize that their careers are practically ended, so far as Government service is concerned, owing to the fact that with true Spanish inconsistency, the people, and probably the governmental officers, will hold them personally responsible for the loss of the Cervera fleet.

The experiences of Cervera and his subordinates since the Spanish fleet left Cádiz months ago were of such a nature as to justify the present mental distress in which the officers find themselves. Ordered across the ocean with ships inadequately provisioned, poorly manned and in a deplorable condition, so far as efficiency went, Cervera and his officers could not but realize the futility of the desperate enterprise upon which they had embarked. They would successfully cope with Sampson's fleet.

SAY WE TRY TO BUY ALLIES.

Dons Claim Americans Seek to Bribe Tangier Natives.

(Copyright, 1898, by W. R. Hearst.) Special Cable to the Journal. London, July 22.—Ridiculous dispatches are sent from Madrid, saying that American agents are trying to stir up with bribes the native tribes at Tangier to attack the Spanish fortifications opposite Gibraltar when Watson arrives.

TROOPS ON R/O FOR MANILA.

Nearly 1,000 Men Will Leave San Francisco To-day to Reinforce Dewey.

San Francisco, July 22.—The troops going to Manila on the transport Rio Janeiro left Camp Merritt to-day and marched with the usual cheering to that vessel. The Rio will carry two battalions of the first South Dakota Infantry, recruits of the Utah Light Artillery, fifty-three men of the Signal Corps and others attached to Brigadier-General Oiler's headquarters—in all fifty officers, 845 enlisted men and ten civilians. Brigadier-General Harrison Gray Otis will command the expedition. The Rio is expected to sail to-morrow. The new steamer St. Paul, with 1,000 troops, on Tuesday or Wednesday, and the Scandia and Arizona are rapidly being put in condition. When they are off, 13,000 men will have been sent to Manila. There is some talk that no more men will be sent out for General Merritt, for Quartermaster Long has received orders to charter no more steamers. If this is so, General Merritt will be 3,000 men short of the force he was originally intended to send him. General Merritt, however, has not been ordered to stop forwarding troops. Colonel Barber, of the New York Volunteers, is to go into the interior to recruit. The New Yorkers are to have a big Army and Navy Christian Commission tent located inside their lines, a similar tent being already up in the camp of the Kansas regiment. The division hospital is now located at the Presidio in the brick barracks.