

OPEN WAR ON SPAIN

That Is What Morgan Favors in Order to Free Cuba.

PREY OF COMMISSIONED GUERRILLAS.

It Is Time, Declares the Alabama Senator, for Uncle Sam to Stop the Pillage.

CONGRESS SHOULD OVERTHROW THE PRESIDENT.

This Government Must Extend a Hand to Those in the Grip of Robbers and Cutthroats.

WASHINGTON, D. C., Dec. 15.—Morgan (D.) of Alabama occupied more than an hour in the Senate to-day in presenting arguments to show why the United States should at once intervene to put an end to the war in Cuba.

The resolution offered yesterday by Morgan requesting the President to furnish copies of papers relating to the condition of affairs in Cuba as to the competitor case, was taken up and Morgan addressed the Senate on the subject.

The people and the property of the island were, he declared, the prey of commissioned guerrillas who had become robbers, cutthroats, assassins, ravishers and pirates, and an end had to be put to this saturnalia of blood and fire.

In commenting upon the President's message, Morgan said that it was a marked feature in it that the President assumed that the issue between Cuba and Spain was either independence or extermination. The President had warned Spain that the time for decisive action was near at hand and that if he should now say that the time had arrived the American people would sustain him.

American citizens of Cuba had rights under the law of nations which the courts of the United States and of all neutral countries would protect and enforce—even in despite of opposition from the President.

The United States Government would be in the most humiliating state of "innocuous desuetude" if it extended no helping hand to the sufferers in Cuba and if it refused to forbid further devastation and death which a cruel government was now inflicting.

After quoting some paragraphs from the President's message Morgan asserted that Congress had never been presented with a stronger or more moving statement of facts than had been thus solemnly laid before the political and war-making departments of the Government.

Speaking of the President's annual message on the subject of Cuba, Morgan said it was of the most impressive importance as a statement of the leading facts, and that he had not heard that Spain controverted any of the President's statements.

He condemned "the cruel and inhuman butchery" practiced by the Spaniards, and said that if the United States wanted to stop a war of annihilation and extermination it was time to do so.

Congress, he said, should not hesitate to declare (for the reasons stated in the President's message) that the independence be recognized.

Morgan went on to discuss the condition of Americans sentenced to death in Cuba on account of their connection with the competitor, and spoke of the United States standing by and witnessing that tragedy because interference would be perilous and injurious to certain business interests.

If the United States were to intervene at all he would prefer open war. And he would vote for a resolution to that effect, his justification being the law of nations, as he understood it and the feeling he entertained for those who lifted up their appealing hands and called for help against appalling cruelty and misrule.

No State in Spanish America has been forced to endure such oppression, in peace and war, as the President's message had justly charged to Spanish rule in Cuba.

The United States had no alternative but the choice between the continuous repetition of terrible evils practiced by the Spanish or a base humiliation and cruel delay while rapine and destruction were rampant. He hoped that some fortunate turn in events might relieve the United States from a duty it owed to Christian civilization.

At the conclusion of Mr. Morgan's speech, which was read from manuscript, the resolution was agreed to.

FRIENDS OF CUBA ACT. The Newly-Formed League Issues an Appeal to New Yorkers.

NEW YORK, N. Y., Dec. 15.—The organization known as the Friends of Cuba to-day issued the following call:

To the American Public—Follow-citizens: We are informed through the columns of the daily press that Spain has added another to the long list of outrages committed by her.

Falling in her efforts to suppress the people of Cuba in their struggle for liberty by the ordinary methods employed by civilized nations in warfare, she must needs resort to treachery and bribery to accomplish by trick and stealth what her impotent army and incompetent generals failed to accomplish by arms.

We call your attention to the dastardly murder of that gallant leader of the Cuban people, General Maceo, investigated into ambush under the flag of truce and there with his companions foully murdered. That is the latest accomplishment of Spain. Can we, as citizens of the United States, stand by and let this crime pass by unnoticed? Shall we let the glowing gleam of the Spanish people at their own infamy go unrebuked? Or shall we act in accord with the traditions of our country and extend a helping hand to the struggling



CLEVELAND—"Don't stop my duck-shooting. Leave those things for McKinley."

CHARLESTON, S. C., Dec. 15.—A special to the News and Courier from Georgetown, S. C., says: President Cleveland and party pitched camp at Fords Point, which is at the southern extremity of South Island, yesterday morning, and have been shooting ducks in the preserves of General Alexander to-day.

Telephonic reports received this evening from South Island station, which is five miles distant from the preserves, are to the effect that the party killed some sixty-five fine mallards, twenty-eight of which were brought down by the President's own shots. To-morrow the party will be given the pleasure of a deer-drive, which has been arranged for them by General Miller and Captain W. Miles Hazzard. The scope of the country owned by these gentlemen abounds in wild deer and is conceded to be the finest hunting grounds in the State.

Cubans? What we should do at once is to petition Congress to act. Every citizen should forward his earnest protest against such outrages as have been committed there by Spain, as well as to show Congress that the people of this country are ready to uphold them in any action they may take.

The American friends of Cuba appeal to you in this matter and urge every citizen to do his duty and join with us in our petition to Congress that these outrages may cease at once. FRANZ MAYER, President.

ANOTHER CAUSE OF DISCORD. The Steamship Laurada May Lead to Complications With Spain. BALTIMORE, Md., Nov. 16.—The case of the steamship Laurada, under charge of J. H. Seward & Co. of this city, which is threatened with violence if she attempts to enter the port of Valencia, Spain, because she is alleged to have been engaged in filibustering operations some time ago, promises to develop an international controversy regarding the neutrality laws and to possibly strain the peaceful relations existing between the United States and Spain.

R. A. Tucker of Seward & Co. went to Washington to-day to see Secretary Olney and supplement a letter he sent to the Secretary last night by a personal appeal for protection for the steamer. In his letter to the Secretary Mr. Tucker explained his firm's connection with the Laurada, and stated that she had been ordered to Valencia on a purely business mission and not to create a disturbance.

SAYS IT WAS NOT MURDER. Spain's War Minister Declares That Maceo Was Slain in Battle. WASHINGTON, D. C., Dec. 15.—The Spanish legation here furnishes the following translation of a cablegram received to-night:

MADRID, Spain, Dec. 15. Spanish Minister, Washington: Maceo's death took place in the loyal fight at Punta Brava, and was caused by our soldiers' bullets. This is evidently proved by the letter written by the son of Maximo Gomez, in which he states that he killed himself in order not to abandon the body of his general.

The handwriting of the letter has been verified, and also every detail of the fight, time and circumstances when Maceo and the son of Gomez were wounded. All these details have been published in Europe by telegrams from both Spanish and foreign correspondents.

THE LEGATION ATTACHED to the cablegram a note saying that the Spanish legation at Washington "hopes to discover the origin of the report of Maceo's assassination and to trace it to a certain Cuban resident in Jacksonville."

The note further says that the presence in Jacksonville of several newspaper correspondents at the time of the reported assassination of Maceo "explains the whole circulation of the slander."

"THE TREACHEROUS ASSASSIN." Professor Galbreath Scores Spain for Its Fearful Barbarity. COLUMBUS, Ohio, Dec. 15.—The Evening Press in its issue to-day calls a meeting of citizens on next Friday evening to take action on behalf of the Cuban patriots in their struggle for freedom.

The Press also prints a very strong letter from Professor C. B. Galbreath, State Librarian, an intense Cuban sympathizer who has been in correspondence with the Cuban Junta in New York for several weeks. The following are a few of the vigorous sentences used by Professor Galbreath:

"For many months we have been confronted by an extraordinary condition of affairs. Stripped of all subtleties and apologies these are the naked facts. An American island community, almost within sight of our shores, is dedicated to rapine and butchery. Day and night the carnival of slaughter goes on. Spain is the treacherous assassin and the Government of the United States the chief accessory to the crime.

"One brave, just word from the President; one prompt, patriotic act by Congress—would put a stop to all this. That word rests unspoken.

"Our Government virtually acknowledged the state of war there, but refuses to grant the patriots belligerent rights. Our navy still does police duty for Spain and numbers its guns against the friends of freedom. Our great Republic has not the courage to be just.

"Among the 'plain people' are those who emulate the spirit of Lafayette, who are to-day eager to extend a helping hand to those who fight with desperate valor for the priceless boon of liberty."

TO FIGHT FOR CUBA. Brave Men Enlist to Aid the Insurgents and Ask No Reward. BOSTON, Mass., Dec. 15.—Eighty-five men, strong fellows, intelligent and well up in military drilling, have left Boston bound for Cuba, where they will fight in the army of the insurgents. They were in command of Louis Marshall of East Boston, who has seen service in actual warfare. He was a corporal in the Union army during the Rebellion. Since the outbreak of the war in Cuba his sympathies have been with the insurgents and he has in many ways assisted them materially.

The men volunteered their services to the cause over a month ago and since that time they have been drilling persistently each day and anxiously awaiting the time for their departure. They received no promises in the way of a return for their services from the Cuban Junta in this city, but they persisted in their requests to be enlisted as volunteers and said they were willing to die if necessary for the cause of Cuba. They then paid their own expenses and when they boarded their cars last evening each man carried in his pocket the latest revised military manual of military tactics and enough money to purchase supplies for many days.

WYATT EARP EXPOSES THE EXAMINER'S FAKE METHODS

Swears He Never Gave Any of Long Green's Young Men the Statements Printed as From Him.

General Barnes Will Move to Dismiss the Injunction on the Coin.

IT WAS AN UNLAWFUL FIGHT. Proceedings in the Sharkey-Fitzsimmons Case—Colonel Kowalsky Refers to Earp's Howitzer.

Wyatt Earp yesterday exposed some of the fake methods employed by that sensational and utterly unreliable journal, the "Long Green" Examiner, when he went on the witness-stand and declared under oath that he had never written anything about the fight for that or any other newspaper, and that he had never given a reporter an interview.

It will be remembered that the Examiner published what purported to be a half-column statement from Earp about the fight over Earp's signature.

William Greer Harrison and others were called to prove that the prize-fight between Sharkey and Fitzsimmons was not a prize-fight but a gentlemanly glove contest "for points," some of the "points" involving broken ribs, smashed noses, blackened eyes and the knocking of one of the gentlemanly contestants into a state of coma guaranteed to last at least ten seconds.

General Barnes announced that on Thursday morning he would move for a dismissal of the complaint and the injunction on the ground that the contest was a fight for a prize and not a kindergarten game.

One of the main bluffs made by Mr. Bad Man Earp during his examination was that Chief Clerk Clough of the Baldwin Hotel would testify that he, Earp, had called at the hotel the day after the battle and had asked to see Fitzsimmons. Earp was particularly strong in his denial of this point, just as he was in other points where he stands alone as against the sworn testimony of many witnesses.

But, in this Clough matter, the chief clerk of the Baldwin gives Earp the lie in a way most unequivocal.

"Earp has been coming here almost daily for his mail," Mr. Clough stated last night to an assemblage of attorneys and newspaper men.

"The morning after the fight he came in, got some letters and telegrams and asked me if Fitzsimmons was around. The latter was in the cafe, and I suggested that he send him his card. Earp did not wish to do this, but came around a second time asking if Mr. Fitzsimmons had yet come out. It was evident Earp wanted to see Fitzsimmons, but did not care to meet him in the cafe. Finally he walked away."

This statement made by Mr. Clough, a man of unquestioned integrity, and a tried and true, most favorable renown for the past twenty years, stands now against the denial of Wyatt Earp, the gun-fighter and border ruffian, the bodyguard of "Long Green" Andy Lawrence.

Mr. Clough is to make his sworn statement to the Commissioner in regard to this matter, and, at the outcome of the whole matter, Wyatt Earp will be brought up with a round turn by the Grand Jury on an indictment for perjury.

The prosecution is particularly anxious to see the Sharkey faction piece "Dr." B. B. Lee on the stand. This alleged physician is credited with having been either paid or promised \$1000 for his services to Sharkey.

Yesterday afternoon Attorney Kowalsky and Martin Julian were closeted with Captain Lees of the detective force, to whom they disclosed some of the evidence they had against Dr. Lee. In return they asked for the police's record of Lee in the matter of Matheny, the associate of a burglar killed in Oakland a couple of years ago while robbing a saloon. "Dr." Lee came to the front in that case and tried to prove an alibi for Matheny, who he claimed was with him in Sausalito on the night of the Oakland tragedy.

In another case "Dr." Lee again attempted to assist a criminal with an alibi, and again he was exposed.

Long Green's latest exploit in attempting to browbeat the Tufts-Lyons baseball team of Los Angeles has aroused great indignation in Southern California. A dispatch published elsewhere in this paper exposes the contemptible smallness of soul and the petty meanness of the leading spirit of the Examiner.

Manager Lynch resumed the stand yesterday morning and was asked by Mr. Kowalsky whether he had any special privileges accorded him by the club. He replied that he had not received any, except such privileges as were usually accorded to the managers of pugilists. He explained further that when he took charge of the door of the Pavilion he did so at the request of Mr. Groom of the athletic club and acted as doorkeeper until Sharkey arrived. This line of examination was as to Lynch's supposed connection with the National Athletic Club.

On the preceding day Lynch swore that the bet he had made on Sharkey was the smallest he had ever made on a prize-fight. Yesterday, in response to a similar question, I said that it was a smaller bet than any he had made before on Sharkey. He admitted in answer to a direct question that he had a pool ticket for \$1400 at odds of 1000 to \$400, his wager being \$400 on Sharkey, but that was nearly a week before the fight. His money was placed with Henry Harris.

The witness was asked as to the certificate of deposit, and he replied that it was made payable to James Chesley, who indorsed it payable to Wyatt Earp. The certificate was handed to Earp in the ring by Police Captain Wittman. Lynch was positive that Earp did not indorse the certificate in the ring, and that it was indorsed at the Anglo-Californian Bank.

An important fact was drawn from the

witness at this point, and that was that Earp did not deliver the certificate of deposit to him or Sharkey on the night of the fight, but took it home with him, so that he had it in his possession when Lynch called on Earp at his residence the next morning.

Mr. Kowalsky then inquired as to Lynch's reputation as a horseman and asked whether any of his entries had been refused at the Bay District racetrack within the last few years, but an objection was raised by Mr. Barnes, who remarked at the same time: "If we have got to try horse-racing as well as prize-fighting we will never get through with this case. We will next get down to cock-fighting."

"At which you are an expert," remarked Mr. Kowalsky.

"Yes, was the retort, "I have watched you many a time."

The objection was sustained and Mr. Lynch was allowed to escape from the stand.

Thomas Sharkey, whose cauliflower ear had been reduced to its normal proportions, was called by Mr. Barnes and, after giving his age at 23 years, denied every statement made by Smith and Allen as to his arrangement with Earp to have the decision made in his favor. He denied that he had put up \$2500 for himself and \$2500 for Fitzsimmons to insure their appearance in the ring, or that he had made any statements to that effect, or that he knew of any fraud in connection with the fight whatever. He had gone through a severe course of training for five weeks, running twelve miles every morning by way of a brace, and punching the bag and his training partner for an hour.

Sharkey described the disabling blow he received as follows: "He gave me a left-hand jab in the mouth. Then he feinted with his left and sent his right hand across my head. I jumped back and he sent his left hand and hit me in the groin. As I was falling he hit me in the jaw. I was not insensible at any time."

It appears that none of the Sharkey crowd were acquainted with Dr. Lee. Sharkey swore that he didn't know him and that he had no idea who had sent for him. Dr. Lee dressed the wound in the groin and then Dr. Ragan arrived on the scene. In conclusion, Sharkey said that he had had no voice whatever in the selection of the referee.

B. Benjamin, sporting editor of the Chronicle, was called by Mr. Kowalsky. He swore that on Tuesday, December 1, he asked Mr. Lynch as to when a meeting would be held with regard to the selection of a referee. Lynch replied that they would meet on the next day, the day of the fight, but he (Lynch) did not think that he had any prospect of their agreeing. Lynch said also that he had \$400 on Sharkey against \$1000, with a bookmaker named Harris, a few days before.

The witness was in the press stand and was busy writing from the indication of Mr. King. He saw Sharkey fall down, but did not see the blow that felled him, because Fitzsimmons' back was toward the press-stand and obstructed the view.

Sharkey was then recalled for cross-examination by Mr. Kowalsky and was asked as to whether any of his money was in the \$10,000 purse or whether he had any money bet on the result. On being asked whether Dr. Lee in making his examination had said that Fitzsimmons was better acquainted with him, Sharkey replied that such was not the fact, whereupon Mr. Kowalsky asked why then had Sharkey yelled with pain under Dr. Lee's examination when he did not yell at the time he was struck by the blow?

This question raised a buzz throughout the courtroom and Sharkey in a hesitating manner replied that he did groan "a bit" when lying on the floor of the ring.

Mr. Kowalsky inquired whether Sharkey did not know that Dr. Lee was the witness who proved an alibi for burglar Lou Matheny, charged with murdering a policeman in Oakland. Sharkey replied that he did not know Dr. Lee, but that Matheny's name was on the list of witnesses with Danny Needham and he was then introduced to Matheny.

The witness swore that he never saw Earp before he saw him in the ring on the night of the fight. Mr. Kowalsky was then acquainted with Dr. Lee, because Dr. Lee and Dr. Ragan were still treating him for his injuries.

With reference to Lynch's report of his interview with Frank Cook, the witness said that Lynch said that Cook was an honest man and would be a good referee. Everybody who had been running with Fitzsimmons and betting on him had been advising Sharkey to take Cook as referee, and besides Cook had gone over to Sausalito to visit Fitzsimmons.

"Then," inquired Mr. Kowalsky, "when you heard that Wyatt Earp had visited Fitzsimmons at his headquarters, you didn't object to Mr. Earp as referee?"

"No, sir."

"And you had never heard of Earp before?"

"No, sir."

The witness denied also, in answer to questions put to him by Mr. Kowalsky, that friend Madden to Fitzsimmons was a proposition to give Fitzsimmons \$500 if he would agree to Madden as a referee. He denied also that he knew that Madden wanted to act as referee in the Sharkey-Fitzsimmons second. As his yelling with pain under the examination made by the physicians on the afternoon of the day succeeding the fight Sharkey said: "I didn't holler loud. I'm too game to holler loud."

"So, you are, are you?" sneered Kowalsky. "Then why did you holler loud when Dr. Lee examined you?"

Sharkey explained that at that time he was very sore. After denying that Dr. Lee had used a hypodermic syringe or had made any incision with a knife, the witness admitted that Dr. Lee had used iodine on Friday, the second day after the fight.

Trainer Smith's statement that Sharkey had gone up on a bed and smoked a cigar was positively denied by Sharkey.

After having received the blow in the

THIS MAY LEAD TO WAR WITH SPAIN.

WASHINGTON, D. C., Dec. 15.—Woodman (R.) of Illinois introduced in the House to-day a joint resolution "directing the President to act in Cuban affairs," as follows:

"WHEREAS, The people of the United States have learned with profound sorrow of the murder of General Maceo, second in command of the armies of the Republic of Cuba, and the murder of the members of his staff by a detachment of Spanish troops, while General Maceo and his staff were keeping an appointment for conference under a flag of truce; and

"WHEREAS, The war of extermination carried on by the Spanish Government against the Cuban republic, with its murders, its assassinations, its outrages of women, its treachery, its cruelty, being entirely opposed to the rules of civilized warfare and a disgrace to civilization; and

"WHEREAS, The proximity of the island of Cuba to the United States, and the interests and lives of American citizens being in jeopardy, and the almost universal feeling in the minds of the people of the United States that such manner of warfare should cease; and

"WHEREAS, The President having failed to carry out the wishes of the people of the United States as expressed by their Senators and Representatives in Congress, but on the contrary, having in his annual message submitted to Congress on the seventh day of December, 1896, given no adequate idea of intention to carry out the will of the people, but making an argument in favor of Spanish butchers on the island of Cuba and in support of the alleged honor of the Spanish nation; and

"WHEREAS, The situation having reached a stage where the honor of the United States is at stake, where the continuance of such crimes and brutalities within such close proximity to our shores cannot be borne, and especially as the history of Spanish military operations gives no precedent on which to base a hope of change to compliance with the rules of civilization and of civilized warfare; therefore, be it

Resolved, By the Senate and House of Representatives of the United States of America in Congress assembled, that the President be and he is hereby directed to express to the Government of Spain, through its authorized officials, severe condemnation of the methods of warfare pursued by its forces in Cuba, and especially of the means resorted to in the murder of General Antonio Maceo.

Resolved, That the President is hereby directed to recognize the Republic of Cuba as an independent State and to accord said Republic of Cuba all the rights and privileges in the ports and in the territory of the United States that are enjoyed by the most favored nation.

Resolved, That the President be and he is hereby directed to demand of the Government of Spain, through its official representatives, that all armed forces of Spain be at once drawn from the island of Cuba and its ports, and to take such steps as may be necessary to enforce such demand."

The resolution was referred to the Committee on Foreign Affairs.

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