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KANSAS SURGEON SEVERELY CENSURED

Report of Board of Inquiry on Transports Tartar and Newport.

THE WOUNDED NEGLECTED

Sensational Disclosures Forwarded to Washington Which May Lead to Reform in Transport Service.

SAN FRANCISCO, Nov. 4.—The Examiner says the most sensational report of a military board of inquiry ever sent to the war department from this city was forwarded to Washington from the headquarters of Major General Shafter a few days ago.

The document consists of nearly 100 typewritten pages, and contains the severest kind of criticism of the methods employed by officers in charge of the sick soldiers who returned from the Philippines on the transports Tartar and Newport on October 16.

Upon Major Rafter, the surgeon of the Twentieth Kansas volunteers, who came back on the Tartar, the heaviest censure is laid. Colonel Metcalf of the same regiment, who commanded the troopship, General Funston being only a passenger, is indirectly referred to.

Many other officers are given a hard measure of criticism, but their names are being withheld until the war department sees fit to make known the details of the report.

The board of inquiry, which has so severely arraigned the transport service, was appointed by General Shafter two weeks ago at the suggestion of Colonel Alfred Girard, chief surgeon in the general hospital at the Presidio. Colonel Girard's desire for an investigation was occasioned by the deplorable condition in which he found the sick men from the transports Tartar and Newport.

There were about 46 of them, and nearly all of them were suffering from dysentery. Three men who came on these transports died a few days after

arrival. They were John Fabiak and John A. Logan of the Fourth cavalry and George W. Mills of the Twentieth Kansas.

NAVAL RETIREMENTS.

Secretary Long Will Have to Convene a Board to Enforce Them.

NEW YORK, Nov. 4.—A special to the Herald from Washington says:

Unless there should be a large number of casualties or applications for voluntary retirements, it is apparent, from the new retired list in the navy, just published, that Secretary Long will have to convene next year a board of rear admirals to select officers for retirement.

But three retirements on account of age will occur next year—Commander W. C. Gibson, Captain P. A. Rearick and Captain J. Lowe.

The board will also probably be required to act in 1901, as only four age retirements occur in that year, but after that it is likely that there will be a sufficient number of vacancies caused by retirements and casualties to bring about the number of promotions required.

Another party of engineers will leave the United States on Monday next to engage in the surveys being made under the direction of the Isthmian canal commission. This party will go to the isthmus of Darien and be in charge of James R. Maxwell. It will consist of 17 men and will sail from Norfolk on the Scorpion.

FOSTER ON THE ALASKA BOUNDARY

DISPUTE NOT TENABLE

Can Be No Proof or Pretense That Great Britain Ever Occupied Claimed Territory.

WASHINGTON, Nov. 4.—Ex-Secretary John W. Foster, a member of the joint high commission to settle differences between the United States and Canada, has prepared a summary of this government's case on the Alaska boundary. It was read last night be-

fore the American Geographical Society.

Mr. Foster reviews the history of the negotiations between Russia and Great Britain and showed that the British only sought to prevent the extension of the Russian claims eastward of the Rocky mountains. The British government was then prepared to accept a boundary line a hundred miles from the coast of the mainland. Great Britain afterward succeeded in reducing this strip to a width of ten marine leagues. Russia permitted a 10-year license to fish and hunt in the estuaries, but declined to make it permanent.

That license was terminated at the end of the period, and Mr. Foster says it is itself inconsistent with any interpretation of the treaty other than the complete sovereignty of Russia all over not only the strip of mainland, but all the bays and inlets.

Mr. Foster showed that in 1859 the Hudson Bay Company leased from the Russian government the very strip in question, as shown by the Russian maps, and in 1857 a parliamentary committee, examining the head of the company, brought out the fact that Russian sovereignty extended 30 nautical miles inland, following the indentations of the coast. In 1878, he continued, a provisional boundary was established by the United States at the crossing of the Stikkeen river, which follows the present American contention, and in 1878, a criminal being tried and convicted, was released by Canadian courts because his offense was committed "in American territory."

Mr. Foster quoted the British Secretary Canning in his instructions to the Duke of Wellington, wherein he says:

"Enlightened statesmen and jurists have long held as insignificant all titles of territory that are not founded on actual occupation, and that title is, in the opinion of the most esteemed writers on public law, to be established by practical use."

With this as a basis, Mr. Foster made the following presentation of the American position regarding the boundary:

"There is no claim or pretense that the British authorities or subjects ever occupied any of the territory now in dispute except under the lease cited, or ever exercised or attempted to exercise any acts of sovereignty over the strip or waters inclosed by it."

"First, soon after the treaty of 1825 the Russian government published a

map claiming a strip of territory, and all the interior waters of the sea inclosed by it.

"Second, the Russian-American company established forts and trading posts within the strip.

"Third, by virtue of the lease cited, which was a recognized assertion of its sovereignty, Russia temporarily transferred these forts and posts to the British company.

Fourth, at the termination of the extended lease, it re-entered and took possession and remained in possession till the cession of Alaska to the United States.

"Fifth, it received the allegiance of the native Indians inhabiting the strip and exercised supervision over them.

Sixth, immediately after the cession of the United States likewise caused a map to be published setting forth the boundaries of Alaska in accordance with the treaty of 1825, and the same claim as to the strip was thereon made, as by Russia in its map of 1827.

"Seventh, upon the transfer of Alaska a portion of the United States army was dispatched to occupy the territory, and a detachment was stationed for some time on this strip of the mainland.

"Eighth, since the cession, post-offices and post routes have been established and maintained at various points on the strip.

"Ninth, custom houses have likewise been established and duties collected therein.

Tenth, government and mission schools have been maintained, and notably so for nearly 20 years at the head of Lynn canal.

"Eleventh, the revenue vessels of the United States have continuously since the date of the cession patrolled the interior waters surrounded by the strip to enforce the revenue and other laws of the United States.

"Twelfth, the naval and revenue vessels of the United States have for the same period exercised acts of sovereignty over the Indian tribes inhabiting the strip, and especially about the head of Lynn canal, and the latter have yielded unquestioned allegiance to the United States.

"Thirteenth, in the census of 1850 and 1850 all the Indian tribes inhabiting the strip were included in the population of the United States, and so published in the official reports.

"Fourteenth, the territorial govern-

ment of Alaska has exercised various and repeated acts of sovereignty over the strip and interior waters inclosed by it, and the writs of the United States courts have run throughout its whole extent.

"Fifteenth, under the territorial claim of the United States and the protection of the government, citizens of the United States have entered and occupied the strip, built cities and towns and established industrial enterprises there.

"All the foregoing acts have taken place without a single protest or complaint on the part of the British or Canadian governments, except that some friction has occurred between the customs outposts as to the exact debarkation of the eastern line of the strip."

SCHLEY A REPUBLICAN.

St. Louis Globe-Democrat.

The assertion of a democratic paper that Schley is probably a republican is, of course, reasonably sure to be correct. Like all other naval officers, Schley has taken no active part in politics. He has seldom voted, or been in a position in which he could have voted. Yet the chances are that he is a republican now even if he never was one before. Very nearly everybody who has won any reputation in the war against Spain or against Aguinaldo would vote the republican ticket now. Even Joe Wheeler, so some of the democratic papers are beginning to intimate, leans toward the republicans. It will be hard for the democrats to find any man engaged prominently in the army or navy in the past year and a half who would subscribe to democratic ideas at the present time. There is no copperheadism among Uncle Sam's land and sea fighters of 1898-9.

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