THE SALT LAKE HERALD.

Established June 6, 1870. SALT LAKE CITY, UTAH, FRIDAY, DECEMBER 1, 1905 Price, Five Cents.

LAST EDITION

WEATHER FOR SALT LAKE. Probably rain or snow.

Silver, 65⅝c per ounce. Copper (casting), 16⅝c per pound. Lead, in ore, $3.50; New York, $3.75.

WITTE'S POWER WANING; BLOODSHED INEVITABLE

Russian Socialists and Reactionists Grinding the Premier Between Them.

Hourly the Horizon Grows Darker—Little Known Concerning the Condition of Affairs at Sebastopol—Rebel Leaders Said to Have Been Executed.

St. Petersburg, Nov. 30.—The most alarming indication of the spread of the disaffection in the army, extending even to regiments near the person of the emperor, was given in the arrest at Tsarskoe-Selo today of a number of soldiers belonging to the Yellow Cuirassiers of the guard, the Hussars of the guard and the Life Guard riflemen, for presenting a series of petitions, including one against the use of troops for police purposes.

The regiments in question are those which have been specially selected by General Trepoff to guard the emperor and his family. They have been counted upon as being loyal to the last, ready even to be torn to pieces in defense of his majesty, like the Swiss guards of Louis XVI. The arrest, although not for open sedition, shows how the leaven of discontent is working, even within the precincts of the imperial park at Tsarskoe-Selo.

The incident gave rise to most alarming rumors in St. Petersburg, including one to the effect that the emperor actually had been attacked, and that a grand duke had been wounded while defending himself, but the Associated Press is assured by a member of the imperial entourage at Tsarskoe-Selo that this is absolutely untrue.

St. Petersburg, Nov. 30.—Communication with the outside world ceased at 3 o'clock this afternoon, when a strike was called in the general telegraph office. By a ruse, however, the management succeeded in reopening the cable shortly after 6 o'clock.

At 3 o'clock, when the strike went into operation, many of the Russian operators were reluctant to leave, but a walking delegate promptly smashed a bottle of hydrochloric acid on the floor, and the fumes soon drove the men from their keys.

ST. PETERSBURG, Nov. 30, 2:15 p. m.—The situation is very alarming. Russia is a complete blank so far as direct news is concerned, all telegraphic communication with the interior having ceased. The workmen's council has decreed that the general postoffice in St. Petersburg shall close at 3 o'clock this afternoon, when communication with the outside world may cease.

The most disquieting reports are in circulation regarding the disaffection of the guard regiments, two of which the workmen boast have definitely resolved not to fire on the people.

The government will manage with the aid of the administrative officers along the line to keep communication open with Sebastopol. The manager of the Moscow office is himself working at a key there. The contents of the cipher dispatches received by the emperor from Vice Admiral Birileff, minister of marine, however, are carefully guarded.

FIVE THOUSAND SLAIN.

Meager Accounts of the Conflict at Sebastopol.

St. Petersburg, Nov. 30, 2:30 p. m.—The navy department is closed not only to the public, but to officers except those on the general staff. No official statement on the subject of the battle of Sebastopol yet has been issued and the public remains in the dark, compelled to be content with the countless rumors which are in circulation. It is reported from a semi-official source that although the Ochakoff, the Dnieper and a transport were set on fire and sunk during yesterday's battle, all the mutineers have not yet surrendered. Vice Admiral Choukin was in command of the loyal vessels, some of which, including the Panteleimon, participated in the engagements. General Baron Meller Gakomelskie, commander of the seventh army corps, with 21,000 infantry and artillery, was in chief command ashore.

The newspaper accounts of the details of the fighting at Sebastopol, which are based on the reports circulating in the city, are very conflicting, but they all say the battle ended at about 5:30 this afternoon, when the ships of the mutineers surrendered. The Novosti says that 5,000 men perished on both sides. The leaders of the mutineers, it is added, have already been executed, two battleships have been blown up and mines have been laid at the entrance of the roadstead.

Mutineers Began Attack.

According to the Slovo, the mutineers themselves began the attack. After waiting until 3 o'clock in the afternoon for a reply to the demands of the mutineers, which included the convocation of a constituent assembly and the immediate realization of the reforms promised in the imperial manifesto, Lieutenant Schmidt opened fire on the city from ten vessels. Vice Admiral Chouknin replied from the loyal warships, and General Baron Meller Gakomelski from the southern forts and with the coast artillery. The mutinous sailors used rifles and machine guns upon the entrenched infantry.

The fight, the Slovo says, lasted for two and a quarter hours. The mutineers made a heroic struggle, but the odds were too heavy, and when the Ochtakoff, battered to pieces and on fire, sank with the cruiser Dnieper and a transport, Lieutenant Schmidt, who was mortally wounded, surrendered the mutinous squadron, and the mutinous sailors on shore hauled down their flag to the Brest and Bielostok regiments.

Different Account.

According to the Russ, however, Admiral Chouknin and General Gakomelskie called on the mutineers to surrender, whereupon, under the orders of Lieutenant Schmidt, the mutinous vessels, which had replaced the flag of St. Andrew with a red flag, responded by hoisting the battle flag.

When the battle began the batteries on the north side, which were supposed to be loyal, instead of firing upon the mutineers, joined cause with them and directed their fire on the city and on the south side batteries. The Brest regiment thereupon stormed the northern batteries with fixed bayonets, and the guns were soon turned upon the ships and the barracks of the mutineers.

Officers Did Not Suspect.

The Listok says the conspiracy which led to the mutiny went on under the noses of the officers, and that even Vice Admiral Bierileff, the minister of marine, who was at Sebastopol a fortnight ago, suspected nothing. The sailors waited until they were assured of the support of the troops, most of whom, however, refused to go over to the mutineers when the die was cast.

During the first three days the mutineers were orderly. They sent delegates to the shopkeepers, requesting them not to close, as there would be no disorders, and asking the inhabitants not to leave the city. They also sent out patrols with instructions to arrest the roughs who were seeking to take advantage of the situation. In all their demonstrations the mutineers intentionally sang the national hymn in order to prove that the only traitors were those who refused to satisfy their demands.

BATTLE AT SEBASTOPOL.

Mutineers Did Not Last Long After the Action Began.

St. Petersburg, Nov. 30.—The admiralty announces that it has received from General Kaulbars, governor general of Odessa, the following telegram, addressed to him by Vice Admiral Chouknin at Sebastopol, dated Nov. 29:

"We wished to terminate the affair on Nov. 28 by surrounding the mutinous division with troops and issuing an ultimatum for unconditional surrender. The mutineers, however, commenced to attack on the night of Nov. 27, seizing the torpedo boat Svirepoi and three others, which had drawn near the cruiser Otchakoff.

Hoisted Red Flags.

"All these vessels hoisted red flags, after which the Otchakoff flew the signal that Lieutenant Schmidt was in command of the fleet. Then the lieutenant, who was on board the Svirepoi, sailed along the squadron, his crews cheering, but the other vessels did not respond to these cheers.

"Lieutenant Schmidt afterwards proceeded to the port and released those who had been arrested under his orders.

Armed detachments of mutineers continued to seize the small craft in the harbor which were not guarded by troops.

"Armed parties in sloops from the Otchakoff went to the Panteleimon, on which there were no arms, captured the officers and took them on board the Otchakoff.

"We were compelled to tolerate such doings inasmuch as the fleet had been disarmed in view of the dangerous attitude of the sailors.

First Plan Abandoned.

"One after another the craft on the eastern shore of the southern bay were seized by the mutineers and red flags hoisted. The plan which was first proposed was abandoned and it was resolved to adopt energetic measures to prevent the situation from becoming worse.

"The officers captured by the mutineers were taken on board the Otchakoff in the belief that their presence on that vessel would prevent fire being opened on it. Lieutenant Schmidt informed the assembled officers that he would hang them if the troops on shore took action.

"At 3:30 o'clock in the afternoon of Nov. 29 fire was opened by field artillery on the ships in the southern harbor flying red flags. These flags were immediately lowered and Lieutenant Schmidt signalled:

"'I have captured officers.'

Mutineers Opened Fire.

"The Otchakoff then opened fire, to which the north shore battery and the loyal ships, whose breech blocks had been restored, replied. The Svirepoi advanced to the attack, but was met with a strong fire from two cruisers, the Captain Sacken and the Pamyat Merkurya, and from the battleship Rostislav.

"The Svirepoi was immediately put out of action, as were also two other torpedo boats, one of which sunk.

"The Otchakoff had fired barely six shots when she hoisted the white flag and the squadron ceased to fire.

"A conflagration broke out on the Otchakoff and boats were sent to rescue the survivors and to transfer those who had been wounded.

"Lieutenant Schmidt, who was dressed as a common sailor, escaped, but was arrested later.

"When the firing began a mining vessel which had on board 300 mines was sunk by the commander, who feared an explosion.

"Captain Slavotschinsky, commanding the Seventh naval corps, started for the mining ship but was severely wounded while on the way.

"During the firing against the Otchakoff the field batteries bombarded the naval barracks, which replied.

Casualties Unknown.

"The number of wounded has not yet been ascertained.

"The Otchakoff is still burning, and it is impossible to extinguish the fire."

General Kaulbars telegraphed later that he had just received a telegram from Captain Berget, chief of Admiral Chouknin's staff, saying that during the night about 1,500 mutineers had surrendered, with ten quick-firing guns, to the Brest regiment, and that the barracks were occupied by troops.

General Kaulbars also forwarded an

Continued on Page 2.

HAMILTON IS OUT OF HIDING

Lobbyist Located by the Associated Press in Paris.

PREPARING A STATEMENT

GERMANY ON TRAIL OF THE EQUITABLE.

PARIS, Nov. 30.—The correspondent of the Associated Press today located Andrew Hamilton, who was confidential legislative representative of the insurance companies at Albany, and had half an hour's talk with him concerning his plans and his answer to the requests of the Armstrong insurance committee that he gave orders to his agents in New York to surrender his papers to the committee, and that he go to New York to testify.

Mr. Hamilton arrived here a few days ago from Badnauheim Springs, where he had been for some time taking the cure, under the care of doctors. He looks very well. His face is ruddy, but he still complains of the effect of his ailment, and remains under the doctors' treatment pending their determination as to whether it will be necessary for him to resume the cure at the springs.

A Friend With Him.

When seen by the correspondent, Mr. Hamilton was with one of his intimate friends who is familiar with his affairs, and who explained some details which Mr. Hamilton did not wish to be publicly discussed at this time. Mr. Hamilton did not seek to avoid the meeting. On the contrary, he said that he had not the slightest desire to conceal his whereabouts, although, owing to his continued ill-health and the attention required in making up his answer to the Armstrong committee, he did not desire to see visitors. Answering the correspondent's request for a statement concerning his answer to the committee's request, Mr. Hamilton dictated the following textual reply:

Preparing a Statement.

"I am preparing a reply to the requests of the committee which will be sent when completed to President McCall of the New York Life Insurance company."

Mr. Hamilton said this was the only formal statement he would now make; but, continuing his informal talk, he pointed out that it would be manifestly improper to disclose or discuss the nature of his reply before it had been submitted to the committee. Moreover, he was now engaged in framing his reply so that his work was not yet completed.

"You can say, however," Mr. Hamilton added, "that my answer will be complete. You can also say that President McCall undoubtedly will submit my reply to the committee."

Concerning the length of his reply, Mr. Hamilton said he could not say anything concerning that point.

As to the Charges.

The correspondent suggested that Mr. Hamilton might, without entering upon details of his reply, give his personal view upon the charges put forward in New York.

Mr. Hamilton's friend thereupon replied:

"But there are no charges. During the course of the legislative inquiry certain statements have been made relative to Judge Hamilton's relations with the subject, but no charges have been formulated, and he is now engaged to the best of his ability in answering the statements made from time to time concerning him."

May Remain Abroad.

When Mr. Hamilton was asked whether he would return to New York, he said it would depend entirely on the determination of the doctors. The friend of Mr. Hamilton added:

"Mr. Hamilton has been asked to take a prolonged cure at the springs. His illness is now manifesting itself in a cutaneous affliction of hips and shoulders. Should the doctor decide that his return to the springs is imperative, Judge Hamilton will probably have to comply, as saving his health is far more important to him than this insurance controversy."

In conclusion Mr. Hamilton said he hoped to be able to complete and forward his answer in the next few days.

RECEIVER THREATENED.

Germany Has Served Notice Upon the Equitable Company.

Berlin, Nov. 30.—The imperial insurance office has informed the representatives here of the Equitable Life Assurance society of the United States that it will appoint a receiver to administer upon the company's property in Germany in the interest of the German policy holders unless the company increases its premium reserve invested in Germany as required by the insurance law of May, 1901. The company takes the standpoint that it is not subject to that law, since it no longer takes new insurance anywhere in Germany, but the imperial authorities will not accept this explanation, and insist that the company's existing investment in the premium guarantee fund must be increased.

After a receiver is appointed he will take possession of the Equitable's building in Berlin and other German cities and administer them, or, if necessary, will sell them in behalf of the German policy holders.

YOUNG MONTANA MAN LOST IN MOUNTAINS

Butte, Mont., Nov. 30.—A special to the Miner from Missoula says:

Lost in the Mission mountains, hemmed in presumably by deep snow, with little hopes held out for his recovery, if he is still alive, is the present predicament of John Corron, one of the best known young men of Missoula county. Five days ago he started out on a hunting expedition with some friends. While on the trail of game he became lost in the hills and nothing has since been heard of him. A posse left this morning to scour the mountains.

PIONEER CREMATED.

Scranton, Kan., Nov. 30.—Alex. Connor, a pioneer citizen, aged 80 years, was burned to ashes here at an early hour this morning. Mr. Connor occupied a house by himself near the depot and the fire was discovered by the agent. Mr. Connor was the first mayor of the town.

The Cold Gray Dawn of the Morning A fter.

BEYOND REACH OF POOR PEOPLE

Meat Scarce and Prices Prohibitive in Germany.

DEBATE IN THE REICHSTAG

GOVERNMENT NOT LIKELY TO TAKE ACTION.

Berlin, Nov. 30.—The reichstag today discussed a socialist interpellation asking Chancellor von Buelow what measures the imperial government proposes to take against the meat scarcity. Herr Scheidmann, socialist, quoted figures showing the decrease in the slaughtering of animals at the public abbattoirs and their lighter weight compared with previous years. The price of pork, he said, was 40 marks per metric hundredweight in Chicago, 79 in Rotterdam, 125 in Berlin and 135 at Stuttgart. He denied that the closure of the frontiers was necessary to protect German livestock against foreign diseases, since such diseases were very rare in France, Holland and Denmark, whereas 36,000 farms in Germany were reported to be affected with red murrain in 1904 and 45,000 in 1905. The dearness of meat, Herr Scheidmann declared, was partly due to the meat law, which necessitates heavy inspection charges.

Question for the States.

Vice Chancellor Count von Pusadowski-Wehner answered the interpellation in behalf of the chancellor. He said that the opening of the frontiers was a matter for the individual state governments to decide, but the Saxon and Bavarian governments had rejected such reciprocity. The relaxation of veterinary control at the frontiers would shake the foundations of the domestic animal industry and promote dependency upon foreign countries. The surest guarantee for reasonable meat prices rested in the protection of domestic livestock.

Due to Poor Crops.

The minister of agriculture, General von Podbjelski, maintained that the high prices of meat represented a transitory condition due to poor crops. He admitted that if the present prices became permanent it would be necessary to take steps to get cheaper meat, and said that the animals brought to market slaughtered in 1905 were 6 per cent lighter than the animals slaughtered in 1904. President Count von Ballstrem called General von Podbjelski to order for saying that Scheidemann had "made himself the mouthpiece for all the malicious nonsense printed about me in the newspapers."

ORE CARRIER AGROUND.

Captain of the W. E. Corey Says the Boat Is Not Injured.

Cleveland, O., Nov. 30.—The following telegram was received at the office of the Pittsburg Steamship line this afternoon with reference to the fate of the big ore carrier, W. E. Corey:

"We are ashore on the east end of Michigan island. We were running very slow. Went on very easy; did not know that she had stopped; sand and gravel bottom; don't think the boat is injured; ballast tanks full of water when she went on; will not pump out until we get the tug to help us; cannot tell whether tanks leak or not; notify Ashland to send tug to stay by us; send tugs from Duluth, also wrecking outfit."

The Pittsburg Steamship company officials in this city also had a telegram from the captain of the Corsica, from Ashland, Wis., today, from which place the boat started on its way Wednesday night to the Soo, where it is due Friday noon. They profess to have no fears as to the safety of the Corsica, and believe that no mishap has overtaken it.

WAREHOUSE BURNED.

Kansas City, Nov. 30.—The warehouse of the Standard Oil company at Kansas avenue and Baird street, Armourdale, a suburb, was destroyed by fire today, causing a loss of $175,000. An explosion of the oil tore down the walls of the building, making the destruction complete. Eighteen large storage tanks 200 feet from the warehouse were saved.

NOT AGREED AMONG THEMSELVES

Abdul Hamid Has Not Yielded to the Demands of the Powers and the Latter Seem Doubtful as to the Next Move in the Game.

LONDON, Nov. 30.—While in official circles it is not admitted that the powers do not expect the sultan to yield as the result of the occupation of Mitylene, it was stated that plans of the next step had not been definitely arranged, the other powers awaiting the British proposals.

The foreign office informed the Associated Press that the British government does not know exactly the extent of the coercion the other powers are willing to employ, but it is certain that none of the powers are willing to resort to actual warfare in order to enforce the demands for the financial control of Macedonia.

Indefinite Occupation.

This view of the situation makes it quite possible that demonstration by occupation may proceed somewhat indefinitely.

The present political situation in the United Kingdom naturally increases the reticence in official circles here, and, as Great Britain is taking a lead, the movements of the demonstrating fleet may be delayed for some time pending the decision of the cabinet concerning its resignation or the dissolution of parliament.

Trying to Force War.

The government has received information from Sofia through official sources that the Macedonian committee has issued what practically is an ultimatum that unless the demonstration of the powers shall be carried to successful issue the revolutionists are prepared to announce that they intend to create a situation which will be certain to result in war between Turkey and Bulgaria.

It is well known that Bulgaria has been preparing for eventualities since the revolution of 1903. An accord having been reached between Bulgaria and Roumania concerning Macedonia, these two governments are now prepared to try conclusions with Turkey, should the necessity for such action arise.

PLAN OF THE OHIO POLICY HOLDERS

State Convention Will be Called and Influential Men Sent to Annual Meetings of Insurance Companies to Represent Buckeye State Interests.

CINCINNATI, Nov. 30.—The executive committee of the Ohio Life Insurance Policyholders' association today issued an open letter as follows:

"Hundreds of policyholders are importuning us daily, asking advice regarding the giving of proxies to a New York person to vote their policies.

"To them we say: To merely change the personnel of the management of two or three life insurance companies, without making important amendments to the law in every state, including Ohio, would be in effect to throw away all of the good work now being done by Mr. Hughes and the legislative investigating committee in New York. This we can ill afford to do.

"In every county in this state local associations of policyholders are being formed. When this is perfected a state convention will be called to meet at Columbus. This convention will elect permanent officers and select committees to attend meetings of mutual companies and cast the vote of policyholders of Ohio for trustees, and in this way the mots capable and influential men in the state will be sent to the annual meetings, who will represent policyholders in a deliberate and effective manner.

"The first election in the large companies occurs in April next. We have ample time to perfect a substantial organization to represent us.

"Our insurance policies represent our savings and the protection of our wives and families, and every form of frenzied finance must be eliminated from these companies.

"We fully endorse the statement of the New York investigating committee: 'Hold on to your policies; we are in a better position now than for years.'"

FAILED TO HEED BISHOP'S WARNING

Several Prominent Omaha Catholics Excommunicated for Attending a Wedding in Which One of the Contracting Parties Hab Been Divorced.

OMAHA, Nov. 30.—Right Rev. Bishop Richard Scannell of the Nebraska diocese of the Catholic church has declared excommunicated ipso facto all members of the Catholic church who participated in the wedding of Congressman Kennedy and Miss Pritchett on Monday. There were a number of prominent Catholics present, including Mrs. Edward Cudahy, wife of the packing house magnate; Miss Mae Hamilton, whose individual fortune is rated at over a million, being one of the bridesmaids.

Divorced Wife Living.

Congressman Kennedy has a divorced wife living and for that reason the bishop issued last Sunday a pastoral forbidding all Catholics to participate in the ceremony. The bishop today declared excommunicated all members of his church who attended the wedding. The ceremony was conducted by Dr. E. H. Jenks, pastor of the First Presbyterian church, of which Congressman Kennedy is a prominent member.

The bride of Congressman Kennedy, who is a daughter of Mr. and Mrs. George E. Pritchett, prominent members of Omaha society, is a member of the Episcopal church. None of the members of either Mr. Kennedy's or Miss Pritchett's families is a Catholic. Mr. Kennedy's divorced wife is a Christian Scientist.

Scannell's Position.

Bishop Scannell today talked freely of his action. He said that he would take no steps in the matter, declaring that the Catholics who participated in the wedding ceremony and also those who attended the reception following were equally culpable, and said that they had excommunicated themselves by their action in the face of the warning issued by himself last Sunday.

The pastoral of Bishop Scannell discussed the laws of the Catholic church in the matter and closed with a paragraph, evidently directed at the forthcoming Pritchett-Kennedy wedding, at which it had been announced several prominent Catholics would be present and participate, which explained the reasons for the issuance of the pastoral. It recited that any co-operation of Catholics is unlawful and was an act of sin, and that any attempt to question it on the grounds of modern usages could not stand because the law of morals never becomes antiquated, and that "the divine prohibition to put asunder those whom God has joined together is as binding today as it was twenty centuries ago."

BANK SAFE LOOTED.

Shawnee, O. T., Nov. 30.—Robbers last night wrecked the safe of the Citizens' National bank at Oail, I. T., and escaped with over $3,000. The bank is owned by Beard Brothers of Shawnee.

EARNEST PLEAS FOR THE CADET

Argument Heard in the Meriwether Trial at Annapolis.

COURT NOW HAS THE CASE

FINDINGS WILL BE SENT TO WASHINGTON.

ANNAPOLIS, Md., Nov. 30.—Except for the announcement of the verdict after it shall have been passed upon by the secretary of the navy, the Meriwether courtmartial, insofar as the public is concerned, is at an end.

Today was almost wholly given over to arguments of counsel before the court which is trying Midshipman Meriwether on charges, the most serious of which is manslaughter in connection with the death of Midshipman James R. Branch, jr., after a fist fight in which he and Meriwether engaged. James W. Munroe and Lieutenant-Commander J. K. Robinson, the latter being handicapped by an attack of tonsilitis) spoke in defense of the accused, and Judge Advocate Marx and United States District Attorney J. C. Ross for the prosecution. At the conclusion of the address of Mr. Ross the court was cleared and consideration of the verdict begun.

Opened for Defense.

James Munroe then opened the case for the defense. His first line of argument addressed itself to the medical testimony produced by the defense. This, he said, was inconclusive except as to the fact that none of them had ever seen injuries such as were received in this case from fist blows, but all had seen injuries from impacts against hard substances, as was testified to, such as the deceased had received in the falls. Therefore the court should hold that the accused had no criminal connection with the death of Branch.

"So far as the charge of manslaughter is concerned," Mr. Munroe said, "we will rest the case there."

Sacrifice for a System.

Mr. Munroe said further: "If Meriwether is convicted of anything further than disorders, he will be made a vicarious sacrifice for a system and for the sins of generations, if they be sins. A condition has been shown in this case which makes it impossible that the accused should have refrained from the fight. As to the second charge, which includes the specifications of using provoking words and assaulting, we find that officers having charge of the interior discipline of the academy had a hazy idea of the position of fighting under these regulations. It was clearly established that fights for personal insults were not to be investigated."

As to the charge of using provoking language towards French counsel argued that Meriwether had not gone to Branch's room to provoke a fight, but merely to seek an explanation of a condition that had become intolerable to him and which, if not obviated, would have driven him from the academy.

Generous Spirit Shown.

"Twice Meriwether," he said, "had shown the most generous spirit in refusing to hit Branch when the rules allowed him to strike and in offering to give up the fight after having committed an unintentional foul and had shown the possession of the very quality that made our Farragut and Decatur and that could cause men to follow him into the very jaws of death. No motive has been shown in this case as the specifications allege; on the contrary, his conduct has been generous.

"On the third charge of disorder, in a spirit of candor we must admit that these acts were disorderly, but the accused has had his punishment. The superintendent said that, judging from precedent, dismissal was too severe a penalty for that offense. We expect the consideration of the court."

Autopsy Was Favorable.

Lieutenant Commander James K. Robinson spoke with great difficulty on account of an attack of tonsilitis. He said he was delighted that the autopsy had been asked and performed. It has made Meriwether feel that he did not cause Branch's death, and that was better than being acquitted on the ground of reasonable doubt. Lieutenant Commander Robinson then read from "Tom Brown at Rugby" about schoolboy fights, and appealed to the court to say if the principles did not appear to them to be the right ones.

"He may have not been exactly right from my standpoint," he said, "but the traditions of the academy and the position of the academy authorities towards fighting were responsible for Meriwether's mistaken idea. I grant that fighting is wrong, but there may have been a minor penalty inflicted if Branch had lived, and the accused is not responsible for his death."

The testimony shows that Branch had a much better chance of living, he said, had he been treated judiciously first by his companions and then by the surgeons to whose hands he fell.

Argument of Prosecution.

Judge Advocate Marix opened for the prosecution. He said:

"There is voluntary and involuntary manslaughter, the latter being the charge in the present case. The court listened to an especially fine set of witnesses, particularly the midshipmen, but there are two exceptions. These are Midshipman Humphrey, who stammered too much when he came on the second time, and told a story that was contradicted by Captain Colvocoresse and Midshipman Fitch, whom I shall impeach. All of the doctors who had part in the question testified that death had resulted from first blows. Opposed to these was the testimony of only one medical witness, Dr. Ames. Dr. Glazebrook, in defiance of the practice of courtsmartial, had been kept in court and then put on the stand, and his testimony should not be given much weight."

Captain Marix then called attention to certain phases of the medical testimony and argued that the great weight of evidence sustained the view of the officers connected with the operation. The signs of the oedama which had caused the death had disappeared when the autopsy had been made nineteen days from death.

Cause of Death.

"If," said the judge advocate, "the evidence does show that death was caused by clots, and the clots came from a fall and not first blows, I will join in congratulating the accused and not ask for conviction on the charge of manslaughter. But have the falls been proved? It is on this point I will impeach the testimony of Midshipman Fitch. Before the board of inquiry and on the stand the first time Fitch said nothing about any fall, but when

Continued on Page 2.

GOSHEN BATTLES WITH "HOLDUPS"

Whirls Cane in Front of Two Greeks on Brigham Street.

DASHES FOR STREET CAR

HURRIES AWAY AND SENDS ALARM TO POLICE.

REV. ELMER I. GOSHEN cut swaths in the air with his cane about 10 o'clock last night when accosted at Fifth East and Brigham streets by two men, who afterwards gave their names as James Kothopolo and Theodore Kothopolo at the police station. The alleged holdups fell back out of range of Mr. Goshen's weapon and stood aghast.

"P-r-r-r-r," hummed the cane again through the crisp night air.

"Stand back, you wretches," he exclaimed, as he backed down off the sidewalk into the street, "don't come near me."

The cane still cut semi-circles back and forth in front of the retreating clergyman. At this moment Mr. Goshen bolted across the car tracks in front of a car. The motorman applied his air brakes, but whizzed by him. Mr. Goshen lost no time, however, and swung onto the car while it was traveling at a rapid rate. He stood on the rear platform of the car and watched the two men closely. With their hands sunk deep into their pockets they started down Brigham street at a lively pace. When the car reached the University club Mr. Goshen jumped off and made for a telephone.

In an excited voice he called for the police station. His message was short:

"There are two hold-ups coming down Brigham street. You can find me at the University club."

A dozen patrolmen were dispatched immediately to surround the vicinity where the "hold-up" occurred. Some went up First South street. Others rushed up Brigham, and two men were detailed to patrol First street.

"Desperate" Men Nabbed.

A few moments later two suspicious looking characters came down Brigham street. Their heads were buried in heavy coats. One wore a cap and the other a slouch hat. This was the description of the men given to the police by Dr. Goshen. The men were headed off and grabbed by Detective George Sheets and Sergeant John Hempel. They were searched. From James Kothopolo's pocket was taken a .38 calibre gun, but nothing in the shape of a deadly weapon was found on the other brother. The prisoners were taken to the police station and booked, but the charge was left open.

Mr. Goshen identified the men. He stated, however, that he saw no gun. According to his story, one of the men approached him and the other went around behind him, with his hand in his back trouser pocket. From their actions, he said, he believed they intended to hold him up, and he did not propose to take any chances.

Neither could speak enough English to make himself understood. They made it plain that they were Greeks, but could give no account of themselves or what they were doing in the residence district of the city.

GUILTY AS CHARGED

Philadelphia Man Convicted of Conspiracy to Defraud in Connection With Wyoming Mines.

(Special to The Herald.)

Washington, Nov. 30.—F. S. Pusey of Philadelphia yesterday was convicted of conspiracy to defraud in connection with the operations of the North Platte Copper Mining & Smelting company of Converse county, Wyoming.

This company, with a capital stock of $3,000,000, professed through its prospectus to own the continuation of Grand Encampment (Wyo.) copper properties; that its lands were crossed by streams of water sufficient in volume to operate large concentrating plants; that running through its properties was a well-defined fissure vein of copper running 8 per cent copper, with more or less gold and silver; that openings on this vein showed values of $240 in copper, $4 in gold and $1 per ton in silver; that the property adjoined the War-Bennett mines, in which was blocked out $3,000,000 worth of copper ore; that the property was covered with timber valuable for mining purposes; that it adjoined the Oriole property, which was sold for $180,000.

These statements were all confirmed in a report made by F. S. Pusey, as expert, and made public by the company, and on the strength of them a large amount of stock was sold to eastern buyers. An investigation by purchasers of stock led to the arrest of Pusey and his trial for conspiracy. State Geologist H. C. Beeler of Wyoming, the principal witness, testified to the falsity of every item in the prospectus and every statement in Pusey's report. A verdict of guilty was rendered at New York Saturday and Pusey held under $3,500 bail pending the decision on his appeal for a new trial.

OBSERVED IN LONDON

Americans Celebrate Thanksgiving in the Time-Honored Manner at the Hotel Cecil.

London, Nov. 30.—Thanksgiving day was celebrated in London in the time-honored manner by leading Americans by a banquet in the grand hall of the Hotel Cecil. Among those present were Ambassador Reid, Captain C. H. Stockton, naval attache of the American embassy; Mrs. Stockton, Major John H. Beacom, the military attache; Delancey Jay, private secretary to Ambassador Reid, and Richard Westacott, deputy American consul general at London, who represented the consulate. Other Americans present included John D. Griffiths, consul at Liverpool; Lord Fairfax, William I. Buchanan, Douglas Slayden, Colonel Millard Hunsicker and Mrs. Hunsicker, and J. O. Richards. In all over 400 Americans were in attendance.

The guests of honor included Walter Vaughan Morgan, lord mayor of London, and Mrs. Hornby Steer, the lady mayoress; Randolph E. Lemieux, solicitor general for Canada; Sir Joseph Cockfield Dimesdale and Lady Dimesdale, Hon. Alan Gibbs and Sir Henry Edmond Knight.

F. C. VanDuser, chairman of the American society in England, presided. The great hall was unadorned except for an American eagle backed up by monster American and English flags behind the seat of the chairman.

The scene was particularly brilliant because of the presence of so many women. The band played American airs and concluded its programme with "God Save the King," and "The Star Spangled Banner."

RELEASED ON NEW BOND.

Sacramento, Cal., Nov. 30.—Former Senator Frank French, charged with bribery, and who was surrendered by one of his bondsmen last Tuesday, was released on a new bond furnished today, which was approved by Superior Judge E. C. Hart, before whom French is to appear for trial on Dec. 13.