

THE IRON RING IS BEING CLOSED BY MARSHAL OYAMA

Japanese Have Cut Off the Railroad North of Mukden and General Nogi is Heading for Tie Pass, Kurapatkin's Objective Point.

Entire Russian Front Has Caved in Before the Terrible Japanese Onslaught and the Several Wings are Retreating in Great Confusion. Crisis Passed.

By Associated Press. HAVE JAPS TAKEN TIE PASS? New Chungking, March 9, via Tien Tsin, March 9.—It is reported that Tie Pass has been invested by the Japanese and that General Kurapatkin, having no alternative, will probably be forced to surrender within a week.

The Japanese are apparently closing in to the north and west of Mukden, and today's dispatches show that Field Marshal Oyama is making desperate efforts to interpose a Japanese force between the retreating Russians and Tie Pass. That he in a measure succeeded is indicated by a dispatch from General Sakharoff, saying: "Several fierce attacks were made on our north front last night," and a Tokio dispatch asserting that the Japanese cut the railway north of Mukden. Fighting is now raging around the Ancken Tombs. Kurapatkin reported that the Japanese assumed the offensive toward Mukden from the north and northwest. The Japanese reports indicate that the whole attacking line has advanced, and the retreat of the Russians is progressing.

New Chungking, March 9.—Gen. Nogi's army made a forced march 25 miles daily, and in conjunction with General Oku's army, surrounded eighty thousand Russians in the direction of Tie Pass, cutting off their supplies. The hurrying Japanese armies passed the decision of the Russians without giving them any attention until the enveloping movement was completed, when they crushingly attacked the Russians on all sides.

Tokio, March 9.—The headquarters of the Japanese armies in the field reported today as follows: "In the Sinking (Yemden) direction our force, after defeating the enemy at Maguntun, is still pursuing him in the Shakhe river direction. East of the Shakhe the enemy is showing signs of retreat. Our whole line opened a general attack from midnight, March 7th, and dislodged the enemy from his positions, pressing his force towards Hun river."

"The whole district west of the railroad and south of Hun river is in our hands."

"On the right bank of the Hun river operations continue."

"The enemy in the neighborhood of Yangsolun and Likanpaio still makes stubborn resistance. The enemy made several counter-attacks, but we repulsed them, inflicting heavy loss. Our force is now pressing the enemy toward Mukden."

The Japanese have occupied Siao-chium, five miles northwest of Mukden, Fachatu, two miles northeast of Siao-chium, and Santaitse, five miles north of Mukden, and have destroyed the railroad north of Mukden.

ADMITS KUROPATKIN'S DEFEAT.

Veil is Thrown Over His Efforts to Extricate His Beaten Army, Which is in Great Peril.

By Associated Press. St. Petersburg, March 9.—(2:30 p. m.)

TREATY PASSES BY PARTY VOTE

President Roosevelt's Recommendation in Santo Domingo Matter Officially Endorsed by Senate Committee, all Members Being Present.

By Associated Press. Washington, March 9.—The Senate Committee on Foreign Relations today agreed to report favorably the Santo Domingo treaty as amended. The vote was on party lines, the Republicans for and the Democrats against it. All members were present. The vote stood: For—Cullum, Frye, Lodge, Clark, Keane, Agnew, Morgan, Bacon, Money, and McCleary. There is one vacancy on the committee caused by the election of Fairbank's to the Vice Presidency.

A veil is drawn over the progress of General Kurapatkin's heroic effort to extricate his beaten army but the General Staff insists that while he has been defeated, yet there has been no disaster. The peril of the whole army, especially the rear guard, is admitted.

Yesterday General Bilderling's army, which held the center, fell back upon Hun river, clinging all day desperately to the Madyapu at Apex, southwest of the city.

One of General Linevitch's corps was hurriedly withdrawn during Wednesday and despatched to the support of General Kaulbar's hard-pressed forces who were fighting off General Nogi's flanking legions west and northwest of the city. At the same time the remainder of General Linevitch's army fell back to the North bank of the Hun river, where it checked temporarily the pursuing columns of General Kuroki, who hemmed him in the west, south and east.

All day yesterday and last night the wounded, munitions, baggage, and stores streamed northward, trains were run under Japanese guns westward, some projections reaching the railroad. General Nogi, according to latest reports, has already reached a point opposite the station of Souhaitai, half way between Mukden and Tien-Pass, but it is believed that his left is swinging still further north at the line of communications, which would realize Field Marshal Oyama's plan for closing the iron ring.

The losses already exceed those of any battle of the war. While defeat of Kurapatkin has revived the talk of peace it is too early yet to measure its full effect. If Kurapatkin succeeds in drawing off his army, no matter how badly shattered, the War Office insists that the situation will be unchanged.

St. Petersburg, March 9.—The General Staff received the following despatch from General Sakharoff, General Kurapatkin's chief of staff, dated today: "Several fierce attacks on our north front were made during the night. All were repulsed. In other directions the night was quiet."

POLITICAL CHAT ON ROUNDS TODAY

Ex-Mayor Brevard McDowell Mentioned in Connection With Forthcoming Race. The Members of the City Executive Committee.

There is something doing in the old town these days.

The article in yesterday's News, which was practically the entering wedge in the municipal campaign, was widely read and generally discussed.

This morning early little squads of the faithful were here and there talking earnestly of the coming campaign. All agree that it is practically settled that a lively campaign will soon be issued in.

A rumor was afloat today that Mr. Brevard McDowell, a former mayor of the city, might be induced to come out and announce his candidacy. It is known that "feelers" have been put out in the interest of Mr. McDowell for the purpose of ascertaining how he would take with the masses.

The opposition to the present administration, one and all, firmly believe that Mr. S. S. McNeice will make the race on the essential features of the Brown platform and that he will receive the support of a majority of the supporters of Mayor Brown.

In view of this practically assured fact it is said the opposition feels that no time must be lost in selecting their leader. But this is where the trouble lies.

If Capt. Thomas S. Franklin would give his consent to run, this stumbling block would be removed. It is generally conceded that he is the most formidable candidate the opposing forces of the administration could bring out.

Capt. Franklin still maintains a dignified silence. He is frank to admit that he does not abhor the idea of being chief executive of the best city in the State—an honor that any man might feel justly proud of.

The city executive committee will, in all probability, meet within the next week. A meeting could be called for an earlier date but it is the desire of all that the coming campaign, no matter how strenuous, be as short as possible.

The city executive committee, of which Mr. W. C. Dowd is chairman, is as follows: Ward 1, John P. Kerr, C. H. Duls, J. J. Williams and D. R. Yarborough.

Ward 2, W. C. Dowd, E. T. Canster and J. Stoneypher.

Ward 3, W. A. Gresham, W. B. Kidd, E. F. Cresswell.

Ward 4, J. I. Blakely, T. P. Ross and J. K. A. Alexander.

The Laboring Men's Club meets tomorrow evening at 8 o'clock to hear the reports of the platform, nomination and Ward Committees. The public generally are invited. Meeting place is the second floor over Nathan's store, East Trade street.

WILL HARRIS CAUGHT.

Sheriff Wallace Will Arrive in His Morning From Atlanta With His Prisoner.

A telegram to the city editor of the News received this afternoon at five o'clock from Sheriff Wallace states that Will Harris, the noted desperado and barn burner, has been caught and is now in jail in Atlanta. Sheriff Wallace writes in his telegram that he will arrive in Charlotte in the morning at 9.25 with his prisoner.

SENATOR BATE FALLS VICTIM TO PNEUMONIA

Distinguished Tennessean and One of the South's Ablest Statesmen Dies at His Hotel in Washington Today After a Very Short Illness.

His Death was as Sudden as it was Unexpected. A Weak Heart was Unable to Bear Him Through the Crisis. Official Funeral.

By Associated Press. Washington, March 9.—Senator Bate, of Tennessee, died at six o'clock this morning at the Ebbitt House of pneumonia and a defective heart.

He was seventy-eight years old. He attended the inauguration ceremonies and his death is believed to be due to exposure on that occasion. He suffered a slight chill that day. He occupied a seat in the Senate last Tuesday and became suddenly ill that evening at the dinner table and grew steadily worse. His lungs improved but the weakness of the heart continued. He was entirely conscious and asked yesterday to be buried at Nashville. The remains will be taken to Nashville and interred at Mount Olive. The date is not fixed.

The official funeral will be held in the Senate Chamber tomorrow at two o'clock and the remains will be taken to Tennessee tomorrow evening.

SENATE HONORS HIS MEMORY. Adjourns Out of Respect to Dead Member—Eulogized by Senator Gorman.

By Associated Press. Washington, March 9.—After a session of seven minutes the Senate adjourned out of respect to the memory of the late Senator Bate. In the absence of Senator Carmack, of Tennessee, Mr. Gorman brought the Senate's death to the notice of the Senate. He said: "I am charged with the duty of announcing the death of Hon. W. B. Bate, late Senator from Tennessee. He died at his hotel at 6 o'clock this morning and the end came after a brief illness. This is not the time for eulogy, but I will add that he met the Dread Messenger with the same calmness and Christian fortitude which had characterized his conduct throughout his long and eventful career."

Tennessee Honors Him. By Associated Press. Nashville, Tenn., March 9.—As a token of respect to the late Senator Bate, the Tennessee Legislature adjourned soon after it was called to order today.

It was decided to elect a successor to Senator Bate on March 21. The impression prevails that the Legislature will decide upon former Governor McMillin, who was Bate's most active opponent during the last campaign, and withdrew in favor of Senator Bate. It is the understanding that should Senator Bate retire, Mr. McMillin would become the candidate.

Nashville, Tenn., Marh. 9.—Both Houses of the General Assembly took appropriate action on the death of Senator Bate. Adjournment will be taken from day to day until the Senator's remains arrive and the funeral is held. The funeral services will be conducted by Frank Cheatham, of the United Confederate veterans, of which Senator Bate was a member.

The funeral party will leave Washington at 10:50 tomorrow evening over the Southern Railway for Tennessee.

TO CANVASS FOR EXHIBITS. General Fitzhugh Lee Will Aid Jamestown Exposition.

By Associated Press. Norfolk, Va., March 9.—The board of governors of the Jamestown Exposition Company will begin at once a campaign among the States with a view to securing early and substantial appropriation for exhibits in Hampton roads in 1907.

General Fitzhugh Lee, president of the company, will travel in the interest of the exposition, and the governor will keep him supplied with engagements.

Now that North Carolina has taken favorable action on the bill to make an appropriation for a State exhibit, it is expected that other States in the South will be brought into line without delay.

General Lee is waiting to hear from the West Virginia, Pennsylvania and Illinois legislatures, and when he is notified of the time they will hear him, he will leave immediately to fill the appointments.

SOUTH CAROLINA FIEND. Shot and Killed Colon Policeman and Wounded Two Others.

By Associated Press. Colon, March 9.—An American negro, named John Wells, from South Carolina, on being refused admittance to a dance here last night shot and killed a policeman and wounded two other persons. The murderer was arrested and probably will be sentenced to a term of imprisonment in Chiswell jail as there is no capital punishment in Panama.

Mr. W. T. Parker, of High Point, was a Charlotte visitor today.

MUSIC AT SHELBY.

Delightful Entertainment Tuesday Night—Other News Notes.

Special to The News. Shelby, March 9.—A delightful musical was held in the parlors of the Shelby Hotel on Tuesday evening from 8 to 11. The musicians were Mrs. J. L. Suttle and Misses Helen Dover and Alice Kendall. After the music, delicious refreshments were served. Those present were: Mesdames K. Kendall, L. P. Walker, Jno. R. Dover, R. H. Morrison, L. M. Hull, of Shelby and Misses Emma Smith, of Davidson and May Kendall, of Shelby, and Messrs. Dr. R. H. Morrison, L. M. Hull, of Shelby; W. G. Head, of London; Enslin and Warren Chenhall, of Devonshire, England.

Two big fires broke out near Lattimer last week which damaged several farmers in that section at least \$700. One was started by a negro, who carelessly set some sage afire, while the mind was blowing. It spread rapidly and burned over a big portion of the timber land of Messrs. A. M. Lattimer, H. I. Washburn and others. The other fire destroyed some very fine timber, and it was set on fire by a spark from a passing train.

The school at Casan, taught by Mr. J. H. Brackett, will close on Friday, March 17th, with appropriate exercises at night. Prof. B. T. Falls will deliver the address.

A new corporation has been organized in Shelby for the purpose of manufacturing sash, doors, blinds and all kinds of building material. The principal stockholders are Messrs. W. H. Thompson, Z. J. Thompson and Everett Brouton. The capital stock is \$4,500, with a total authorized stock of \$10,000.

Mrs. Nancy Hartman, wife of Mr. Jno. Hartman, died at her home at Belwood Sunday of pneumonia. The deceased was 65 years old, and leaves two children. Her body was laid to rest Monday at Knob Creek Methodist Protestant church, Rev. T. F. McCullough conducting the services.

Mr. A. B. C. DePriest, of Rallsville, bought 4 1/2 acres of land from Mr. A. B. Jones, of Rallsville, on March 4th, paying \$30 per acre. Mr. C. E. Withrow bought 28 acres of land from Mr. Albert Whisman, paying \$12 per acre. Mr. S. A. Carpenter purchased 4 1/2 acres of land from Mr. A. B. Jones, paying \$30 per acre.

Hon. Robert L. Ryburn, Cleveland County's able representative in the Legislature, arrived in this city Tuesday. The people of this county are proud of their representative and of his faithful services.

Mr. J. M. Gold, of Greensboro, arrived in this city Wednesday, and will be the guest of his cousin, Thos. J. Gold, Esq., for several days.

Has Designs on Bank. Monte Carlo, March 9.—The Marquis of Anglesy is seriously ill here. The bankrupt marquis, who has been residing in France for some time on an allowance of \$10,000 a year from the trustees of his estate, had his allowance increased to \$12,500 last December on the strength of the satisfactory sales of his jewelry, paintings, furniture, curios and other effects, and also gave him \$150 a month for a carriage. But he seems to have lost his resources. The people of this county are proud of their representative and of his faithful services.

The State superintendent of public instruction is informed that Edgecombe county has out of the proceeds of a dog tax provided rural libraries for all the colored public schools in the county. Libraries had previously been provided for all white schools.

National Councilor W. E. Watson, of the Junior Order United American Mechanics, says the order in this State has grown in ten years from the tail of the procession to the second largest membership of any secret order in the State, there being 1,000 members. Applications were received yesterday for new lodges in Forsyth and Guilford counties. The national councilor has just returned from Florida, where he instituted a State council and will go soon to Louisiana to institute a State council.

Internal revenue officials here today sold to the Raleigh dispensary 240 gallons of whiskey that had been seized from John Blue at Hoffman, Richmond county, being found hid in the woods. The dispensary paid \$1.18 a gallon.

Governor Glenn is anxious to find S. A. Sledge, or some near relative of his, to whom can be delivered a blood-stained Testament picked up on the battlefield at Fort Fisher in 1864, by J. N. Reid, of Massachusetts, a Federal soldier. The Testament bears a valuable inscription.

The State board of education has just approved loans to the amount of \$21,742 from the State loan fund to thirty-one counties for use in building new school houses. The largest amount is to Pamlico county. Other notable loans are Sampson, \$1,250; Robeson \$1,500; Cleveland \$1,650; Duplin \$1,000. These loans are to be repaid in annual installments with interest within ten years.

The Legislature re-enacted the rural school library law, allowing each county ten dollars each for six libraries, and six supplementary libraries over and above any libraries that may have been gotten under the previous operation of the law. Already applications are coming in for them under the new law. Vance is first asking for five, Durham county for six and Guilford for five.

There is a hung jury in the case of Cunningham & Hinshaw vs. the Seaboard Air Line, suing for \$20,000 for the burning of cotton at the Hamlet compress two years ago. The case has consumed more than a week of the time of the court, and there is no probability of a verdict being agreed upon.

SEVEN MINERS KILLED. Cable Broke and Carriage Dropped 250 Feet.

By Associated Press. Wilkesbarre, Pa., March 9.—While seven men were being hoisted in a carriage in the Clear Springs colliery at West Pittston, the rope broken and the men were hurled to the bottom, 250 feet below. All were killed.

VERDICT FOR S. A. L. IN THE HAMLET COMPRESS FIRE

Case Involving \$21,000 Damages Decided in Favor of the Railroad by Wake County Jury After Deliberating Over the Matter for many Hours.

Standing Master Eugene Martin Investigating the Records in the Onslow County Bond Redemption Litigation. Current Happenings of a Day.

Special to The News. Raleigh, March 9.—A verdict for the Seaboard was returned by the Wake County jury in the case of Cunningham and Hinshaw vs. the Seaboard Air Line, involving \$21,000 damages for cotton burned in the Hamlet Compress fire two years ago, the jury finding that the fire was not due to any negligence of the railroad. The jury was out from 3 o'clock yesterday to 11 o'clock this morning.

The cost of the recent Legislature, according to the estimate made at the auditor's office today, was \$69,176.16. There may be straggling claims enough to come in to sum up \$70,000. The cost of the 1903 session was \$67,000.

Standing Master Eugene Martin, J. O. Carr, counsel for the bondholders, and ex-Judge E. K. Bryan, counsel for commissioners of Onslow county, are here examining the records in the case of the Onslow county bond case, in which the county seeks to repudiate \$40,000 bonds issued under an act of 1885. According to a ruling of the Supreme Court, both the vote and the no vote must be recorded in the Legislature when voting by roll call for bond issue bills. In this case the "aye" vote is recorded, and there is a mark after the "no" vote which the county commissioners contend is only a comma, and the bondholders insist that it is a "1" signifying one vote cast, they are right. The bonds are void under the ruling. If the it is only a comma then the bonds are no good.

The Secretary of State charters the Asheville Furniture Company, of Asheville, capital \$5,000, J. W. Ramsey, principal incorporator, and to the Lexington Mercantile Co., capital \$3,000, subscribed by S. J. Coly and others.

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ANOTHER VILLAGE ABANDONED. Desperate Fighting Today Around the Imperial Tombs.

By Associated Press. Mukden, March 9.—(2:30 p. m.)—The Japanese yesterday attacked the village of Pudissa, northwest of the Imperial Tombs, and a stubborn fight followed but the Russian advance guard was obliged to abandon the village. During the night, the Japanese attacked the village of Santaitse, north of the Imperial Tombs. The fight continues as this despatch is filed.

The Japanese outposts have reached Hinchuan, on the south front, and a heavy cannonade is in progress this morning.

CENTER IN CONFUSED RETREAT. Russians Can't Hold Out Against the Fierce Onslaught—Railroad Cut Off.

By Associated Press. With the Japanese Left Armies, Wednesday noon, March 9.—The left armies have cut and destroyed the railroad between Mukden and Tie Pass. The Russians are in retreat over the Northern roads. The left column of these armies is at Likampu, seven miles north of the Hun river and five miles west of the railroad, and has had a fierce fight with a Russian force thrice its number.

The Russian casualties number ten thousand. The Russian center is retreating in great confusion.

RUSSIAN LINES BROKEN. Heavy Fighting in Progress Early This Morning.

By Associated Press. Mukden, March 8, noon.—The Japanese during the night broke through the Russian lines, reached the railroad, and slightly damaged the line.

Early this morning heavy fighting was in progress against the Russian right flank division and a report was received of the presence of columns of Japanese far northward and marching westward.

FEES OF CERTAIN COUNTY OFFICERS

Senator Duls Interviewed in Regard to Legislative Action Abolishing the Office of Tax Collector for Charlotte Township. Reason for the Act.

"The incomes of our county officials are not so large as is popularly supposed," said Senator Duls in an interview this morning.

"Personally, I am opposed to starvation salaries, believing that skill and efficiency merit adequate (not unreasonable) compensation; but we found that some deductions could be made in clerk's and register's fees in the interest of the public and that money could be saved the county by abolishing the Charlotte township tax collector's office. Of course, these retrenchments do not become effective until the terms of the present incumbents expire, and the new schedule will, we believe, yield the county officials reasonable revenue."

The sheriff's office at this time, as is quite generally known, does not net the sheriff over \$1,000—a sum out of keeping with the dignity and responsibility of the office; and out of this sum he must support his family and meet his other private obligations unless he has other income from private sources.

"The tax collector's office, speaking in round numbers, pays about as follows: five per cent commission on \$29,000, state taxes, \$1,450; three per cent commission on \$130,000, county and special taxes, \$3,900; total, \$5,350. But, it must be borne in mind that this will be materially reduced by changes in assessments, losses in collections, office expenses, etc., so that it will probably not net over \$3,500."

"Now, by abolishing the tax collector's office and putting the collection of taxes in the hands of the sheriff and cutting the commissions on county and special taxes from three per cent to two per cent, we did not cut the five per cent commission on state taxes) we save the county from \$1,500 to \$2,000 per annum and at the same time give the sheriff a reasonable salary."

"It is the almost universal rule in this state that the sheriff collects all the taxes—as he did in the county until recently. Several years ago we took away from him the collection of Charlotte township taxes, leaving him to collect the taxes in the country districts. Subsequently these latter collections were also taken from him. Experience along this line seems to have demonstrated two facts. (1) That under this system the sheriff's office is more convenient for the country people to have local tax collectors in their respective neighborhoods. The sheriff's office could not be put on a paying basis in any other way than we did it unless by appropriating him money out of the county treasury, which would be an additional burden on the tax payers."

"Mr. Duckworth is making a most capable and efficient tax collector so far as I know, and is accommodating and considerate. This deduction does not effect him; and if it did, private interests must give away to the public good. No man has a claim on a public office longer than the term for which he is elected and every citizen can run for any office within the gift of the people."

"I have heard no complaint coming from Mr. Duckworth. He is a man of sense and judgment and knowing the situation I believe he will himself appreciate our action."

SURFACE LINES ARE JAMMED BY THE STRIKE

Today Marked Some Improvement in the Interborough Trainmen's Strike in New York. No Strikers Appear to Receive Pay.

Traffic on the East Side Elevated Lines is Almost at a Standstill. Gompers, Mitchell and Other Labor Leaders Held a Conference Today.

By Associated Press. New York, March 9.—In the interborough trainmen's strike today there was marked improvement in the operation of subway trains. Traffic on the east side elevated lines is almost at a standstill. The surface lines are jammed. The strikers decided to ask the courts for an injunction to compel the company to restore the safety apparatus, alleged to have been removed when the strike began. No strikers appeared to receive pay today. Gompers, Mitchell and other labor leaders were in conference today, but they denied being here over the street car strike.

PAN-PRESBYTERIAN ALLIANCE.

Important Convention to Be Held in Washington This Month.

By Associated Press. Nashville, March 9.—Reports already received by the committee on arrangements point to a large and representative attendance at the convention of the Western section of a Pan-Presbyterian Alliance, which will assemble in this city the latter part of this month.

Among the eminent Presbyterian divines and workers who have signified their intention of being present are President Black of the Missouri Valley College of the Cumberland Presbyterian Assembly; Dr. James A. Worden, superintendent of the Sunday school publications of the Presbyterian Church; Dr. William R. Roberts, stated clerk of the Presbyterian General Assembly; Dr. John H. Pugh, moderator of the Reformed Synod; Dr. J. M. Shick, of Washington, editor of the Christian Intelligencer; Dr. George M. Richards, of the Theological Seminary of the Reformed Church at New Brunswick, N. J.; Dr. R. H. Varden, and Dr. John Schringer, of the Canadian Presbyterian Church.

HISTORIC COMPANY TO DISBAND.

Famous Charleston Command To Go Out of Service.

By Associated Press. Charleston, S. C., March 9.—The captain and two lieutenants of the Palmetto Guards have resigned, as a result of factional differences in the company and it is thought here that the historic company, which is more than a hundred years old, will be mustered out of the service.

The militia is now top-heavy in South Carolina and in order to get it into condition for acceptance under the Dick law, with the limited appropriation, made for its equipment by the legislature, the companies will have to be materially reduced from more than 3,000 to 2,500 and advantage will doubtless be taken of the lapse in commanding authority to disband the company.

"Long Live Anarchy."

By Associated Press. Barcelona, March 9.—A meeting of the unemployed was held here to protest against the holding of the carnival while 40,000 of the working classes are starving. Those attending the meeting shouted "Long live anarchy," and a number threw stones. The police charged the crowd and many persons were injured. A number of arrests were made.

DEFENSE CLOSES IN CHADWICK CASE

Witnesses Show That the Defendant Deposited Money in the Bank at Oberlin. Government Having Hard Time to Make Out Its Case.

By Associated Press. Cleveland, Ohio, March 9.—At the opening of the Chadwick trial today, T. C. Doolittle, book-keeping expert, testified that entries of \$10,000 and \$5,000 on the Oberlin Bank's books, dated November 3, 1903, were items of credit to Mrs. Chadwick. Even other testimony was introduced showing her credit there. The defense closed at 10:45 o'clock this morning.

Judge Wing made a motion to take the case from the jury and a verdict of acquittal ordered on the ground that no offense had been proven.

Arguments on this consumed the afternoon.