

NAVY DEPARTMENT ORDER AN AUTOPSY ON BRANCH'S BODY

Action is Taken After Consent of Deceased's Parents was Granted. Is Deemed Necessary. Surgeon Stokes Detailed to Assist in Prosecution.

Midshipman Corstein Testifies. Appears That Old Grudge had Existed. Corstein Said Fighting was Considered Only way of Settling Disputes.

Washington, Nov. 25.—The Navy Department has ordered an autopsy over the body of Midshipman Branch, for whose death Midshipman Meriwether is now undergoing a Court Martial at Annapolis.

This action was taken after a consultation with the parents, who gave their consent. Details of Trial. Annapolis, Nov. 25.—At the Meriwether Court Martial, the announcement was made that Surgeon Stokes had been detailed by the Navy Department to assist the prosecution on account of the importance of the medical question involved.

As to the fighting among midshipmen, Corstein said, it was regarded as the only means of settling certain disputes and that the contestants generally left one another alone after the fight.

Lieutenant Commander Ziegler testified that as the executive officer of the Hartford, he had received a report from Midshipman Branch against Midshipman Meriwether. He considered there was a personal feeling between the two.

A Spirited Champion. Meriwether found a spirited champion in his classmate, Midshipman Pasley, who had a personal knowledge of both reports made against Meriwether by Branch on the Hartford and later at Bancroft Hall.

He said that he himself would have fought under the circumstances and that Meriwether would have been an "outcast in his class" if he had not fought, and "worse than an outcast" if he had refused Branch's challenge.

Fights, he said, have been going on for a long time, and he had never known any one to be reported or punished for Meriwether had at least one other fight during the last term.

FOLK AT BEDSIDE OF DYING CONVICT Governor Folk Vainly Attempts to Persuade Dying Convict to Make Full Confession. Was Victim of Muting at State Prison Yesterday.

Jefferson City, Mo., Nov. 25.—Convict Charles Blake, who was shot during the mutiny at the State prison yesterday, died during the night. Writing on his deathbed, Blake would mean "You don't know us; I'll never tell," and that all the authorities have learned in their efforts to fix the responsibility for the outbreak.

Governor Folk sat beside the dying convict and endeavored to persuade him to make a full confession, but Blake steadfastly refused and finally died, he sealed his lips.

His death made the third resulting from the mutiny of prison officials, Allison and Clay having been killed at the prison gate. The wounded men are Deputy Warden Seay, Guard Young, Convicts Vaughn and Raymond. All will recover.

SPIRIT OF MUTINY SPREADS. Sailors and Soldiers Mutiny and Join Workmen—City in State of Panic. Sevastopol, Nov. 25.—The sailors of this port and the Brest regiment have mutinied and joined the workmen who are holding a meeting under a red flag. The city is in a state of panic.

TREATIES RATIFIED. Between Japan and Russia—Ceremony To Be Simple. Washington, Nov. 25.—The exchange of the ratified treaties of peace between Japan and Russia will take place at 4 o'clock this afternoon at the State Department. The ceremony will be very simple.

GOMPERS RE-ELECTED.

President of American Federation of Labor. By Associated Press. Pittsburg, Nov. 25.—Samuel Gompers was re-elected President of the American Federation of Labor by practically a unanimous vote.

Other Officers Chosen. Other officers elected were: Vice presidents, James Duncan, of Quincy, Mass., first; John Mitchell, of Indianapolis, second; James O'Connell, of Washington, third; Max Morris, of Denver, fourth; Dennis A. Hayes, of Philadelphia, fifth; Daniel J. Keef, of Detroit, sixth; W. D. Huber, of Indianapolis, seventh; Joseph F. Valentine of Cincinnati, eighth; Frank Morrison, of Washington, secretary; John P. Leman, of Bloomington, Illinois, treasurer.

THE CARTER CASE RESUMED After Protracted Adjournment Expert Accountant First Witness for Carter. By Associated Press. Chicago, Nov. 25.—After a protracted adjournment, the case of Oberlin M. Carter, who is endeavoring to prove his legal title to funds which he is declared by the United States to have embezzled, has been resumed.

The accountant who has gone over the books of Carter, was placed on the stand as first witness for Carter. It is expected that the evidence to be submitted by Carter will consume several days.

MARSHALL FIELD'S CONDITION General Condition Good—Paralysis of Lower Limbs Rather Grave. By Associated Press. Chicago, Nov. 25.—The physicians of Marshall Field, declare his general condition is good, but that the paralysis of the bowels and lower limbs, due to an injury of the spinal cord, "makes the prognosis extremely grave."

Thousands of Harvard and Yale Devotees Encouraged Over Signs of Clear Day. Harvard Determined to Win. Captain Hurley III.

Cambridge, Mass., Nov. 25.—Broken clouds gave hope to tens of thousands of collegians, alumni and others who had thronged to see the great football contest between Harvard and Yale this afternoon, that the Weather Bureau prediction of possible rain might not be fulfilled.

Yale men were confident of an easy victory, but the supporters of Harvard showed no sign of discouragement. Captain Hurley's enforced absence from the game only urged the Harvard eleven on to a determination to put forth their utmost efforts to win.

Cambridge, Mass., Nov. 25.—First Half—Harvard 0, Yale 0. Harvard won the toss and chose the west goal giving Yale the kick-off.

University of Pennsylvania Wins. By Associated Press. Cambridge, Nov. 25.—The University of Pennsylvania won the Inter Collegiate Shoot, breaking 197 targets out of possible 250.

ALABAMA BANK CLOSED. First National of Lineville Ordered Closed by Comptroller. By Associated Press. Washington, Nov. 25.—The Comptroller of Currency has advised that the First National Bank of Lineville, Alabama, be closed by the directors and Bank Examiner Cooper has been appointed receiver.

COTTON TAKES SPURT. Closes Higher Than Yesterday. Some Higher Than New York Market. By Associated Press. New Orleans, Nov. 25.—Cotton took a spurt upwards during the last hour of trading, closing at 18 to 20 points higher than yesterday.

GATCHER SUPERINTENDANT. Washington Man Appointed Superintendent of the Nashville Division of the Southern Railway. By Associated Press. Washington, Nov. 25.—It is announced that W. H. Gatcher, of Washington, has been appointed superintendent of the recently acquired Nashville Division of the Southern Railway.

SULLIVAN WINS OUT. Gets Decision Over Gardner in 20th Round. Special to The News. San Francisco, Nov. 25.—Mike (Twin) Sullivan last night got the decision over Jimmy Gardner in the twentieth round. Gardner was a favorite at six to ten. The fight was at Catch Weights.

ORDERS ARE ISSUED BY GOVERNOR AND BY SECT. OF STATE

Governor Glenn Makes Order for Special Term of Duplin County Court. Sect. Orders Change of Companies Location. Charter Granted. Jury's Verdict.

State Auditor Dixon Prepares Statement of Pensions Paid by Various Southern States. Appears that N. C. is Behind Most of Them in the List.

Raleigh, N. C., Nov. 25.—Governor Glenn has ordered a special term of Duplin county Superior Court to convene on the first Monday in January for the trial of civil cases. Judge W. R. Allen will preside.

An order has been made by the Secretary of State authorizing the change of the location of the principal office of the Wilson Wood and Lumber Co. from Wilson to Elizabeth City.

A charter has been issued for the H. J. Moore Mercantile Co., of Walnut, Madison county, with a capital of \$100,000. H. J. Moore is the principal incorporator.

The coroner's jury has returned a verdict to the effect that James Hockaday, colored, came to his death by a pistol shot fired by Jake Evans. Hockaday died in the hospital last evening. He was called to the door of his house in Raleigh Thursday night and shot down. Evans had an old grudge against him. Evans has disappeared.

State Auditor B. F. Dixon who is in charge of the Pension Department of the State for Confederate Veterans has prepared a comparative statement of the pensions paid by the various Southern States to Confederate soldiers and says he is greatly surprised at the comparatively little that this State is doing in that direction.

For instance, he finds that Tennessee has 3,300 pensioners and appropriate \$275,000; Louisiana has 2,000 pensioners and \$150,000 appropriation; Georgia 16,000 pensioners and \$790,000 appropriation; Florida 3,000 pensioners and \$288,000 appropriation; South Carolina 15,000 pensioners and \$656,000 appropriation; Mississippi 7,000 pensioners and \$250,000 appropriation; Virginia 14,000 pensioners and \$300,000 appropriation while North Carolina has 14,000 pensioners and \$275,000 appropriation. He says it would seem that North Carolina is way down the line in the matter of caring for her Confederate veterans.

Governor Glenn presided last night at a mass meeting at the Presbyterian church to hear an address by Mr. Marion Lawrence of Toledo, Ohio on "The Demands of the Twentieth Century on the Sunday Schools of the Country." The Governor in introducing the speaker declared that he takes great pleasure in his work of teaching Sunday school here and hopes the day may soon come when every young man and young woman in the State will be an interested attendant on Sunday school. Mr. Lawrence laid down ten demands that the Twentieth century is to make on the Sunday school; that the work be understood, every member of the church is required to attend, everybody have Bible in hand, building and equipment adapted to use, especially trained teachers, somebody responsible for the training of teachers, genuine and intelligent instruction in the Bible, comprehensive and intelligent missionary instruction, thorough results, W. N. Hartshorn of Boston was also here but was too unwell to attend the meeting.

CASE NOW WITH JURY IS BLOOD TAINTED? Celebrated Mandamus Case Closed and Issue Submitted to Jury. Question of Negro Blood the Only Issue. Locke Craig Closes Argument.

Asheville, N. C., Nov. 25.—The evidence is all in, the argument of counsel concluded, the charge of the Judge delivered and the Gilliland mandamus case instituted by Robert Gilliland to compel the reinstatement in the white free schools of this county, his six children who had been barred therefrom on the ground that they have in their veins negro blood, is now with the jury.

The evidence in the Gilliland case was finished yesterday and two arguments were made. Mr. Anderson, of the firm of Stevens & Anderson, made the first speech for the plaintiff; J. C. Martin, for the defendants, replied. This forenoon Judge Stevens spoke for the plaintiffs.

J. D. Murphy replied for the defendants, and the close of the argument was made by Hon. Locke Craig for the plaintiffs. The Judge's charge was brief, the only issue submitted being whether the children have negro blood.

ASSISTANT COUNTY ORGANIZER.

Mr. Walter P. Moore Will Assist His Father in Organizing Mecklenburg County. Mr. Walter P. Moore has been appointed by President H. K. Reid and Mr. McD. Watkins, chairman of the finance committee, of the Mecklenburg Cotton Growers Association, as assistant county organizer. The duties of Mr. Moore will be confined in the city. He will solicit funds from the merchants, bankers, lawyers and all professions who have been, and will be, benefited by the increased price of cotton. These funds will be applied to the treasury of the county association to be used in paying the expenses of delegates to the State Convention and to complete the perfection of the county organization. Mr. Moore will enter into his duties Monday morning.

BRYAN NOT REAPPOINTED. Much Interest Aroused Over The President's Decision—Mr. Judkins Probably Succeeded Him. By Associated Press. Washington, Nov. 25.—Considerable interest has been aroused by the President's decision not to reappoint Leander J. Brown, United States Marshal of the middle district of Alabama. The announcement was made recently that at the expiration of Bryan's present term January next he would not be reappointed.

Charges were made subsequently against Bryan and it has now been decided not to reappoint him. A Mr. Judkins will probably be Bryan's successor.

DOWIE ARRIVES IN NEW YORK. Leader of Zionists Says Hopes for 2,000,000 Acres in Mexico For Colony. New York, Nov. 25.—John Alexander Dowie, leader of the Zionists, and the party who have been in Mexico inspecting the offerings for the proposed Zion colony, has arrived.

Regarding the proposed colony in Mexico he said: "We were kindly received by President Diaz, and we hope to secure a 2,000,000 acre grant in Tanaulipas for our new colony."

TEXT OF DECISION IN JOHNSON CASE

The Decision was Handed Down by Justice Brown and is Short and Right to the Point. A Re-hearing Will Probably Take Place at Later Date.

One of the most interesting decisions the present session of the Supreme Court of North Carolina has handed down is the one by Justice George J. Brown, in the case of State vs. Monroe Johnston, from Mecklenburg.

News readers will recall that Monroe Johnston was indicted in the Superior Court of this county for retailing spirituous liquors without license. The case was heard before his Honor, Judge C. M. Cooke and a jury at the August term of the Superior Court. Upon the special verdict set out in the record, Judge Cooke held that the defendant was not guilty and an appeal was taken to the Supreme Court by Solicitor Clarkson, who prosecuted the case. In reversing the decision of the lower court, Judge Brown says:

"It is unnecessary to set out the lengthy special verdict. It appears therein that the sale of liquor is prohibited in the city of Charlotte and was on July 15th, 1905; that on the evening of July 15th, 1905, Tom Brown, between the hours of 6 and 7 o'clock p. m. near the Southern depot in the city of Charlotte, Mecklenburg county, North Carolina, met the accused, Monroe Johnston. The said Monroe Johnston told him that he was going to Salisbury and wanted to know if he wanted any whiskey. Monroe Johnston, the prisoner, agreed to bring him one gallon from Salisbury, for which he paid Monroe Johnston, one dollar. That he was not to pay Monroe Johnston anything towards his fare to Salisbury and return. It further appears that on the next morning defendant delivered to Tom Brown, in pursuance of his contract, the half gallon of whiskey.

"In the view we take of this case it is unnecessary to discuss the question of agency and the other legal aspects of the case, so ably and elaborately presented by the Attorney General in his argument and brief. We think the facts set out in the special verdict plainly disclose an agreement that defendant should deliver to Tom Brown, one-half gallon of whiskey entered into in the city of Charlotte on July 15th by the defendant and a receipt of the agreed price—also a delivery of the whiskey by the defendant the next morning in pursuance of the agreement. These facts constitute a sale of liquor upon the part of the defendant within the prohibited territory. The Superior Court should have adjudged the defendant guilty.

"Let the case be remanded with instruction to proceed to judgment."

It is understood that Mr. Plummer Stewart, who represented Monroe Johnston, will attempt to have a re-hearing of the case as soon as it is possible.

"GRAND ENTREE" INTO CITY. King and Queen of Norway Make State Entry into Christiansa. Christiansa, Norway, Nov. 25.—The State entry of King Haakon the Seventh and Queen Maud into Christiansa, Norway, was a most interesting and well welcomed with every demonstration of good will.

Mr. M. F. Kirby and Mrs. Sarah Austin returned from New York this morning. Mrs. Austin has been visiting her son-in-law in New Jersey for the past several weeks.

POWERS DECIDE TO CONTINUE NAVAL DEMONSTRATIONS

Ambassadors of Powers at Conference Decide to Proceed With Naval Demonstrations. Think it Best Reply to Part's Note. City in Normal Condition at the Present.

High Quarters can Only Start Anti-Christian Movement. Foreign Office Contend That Turkey's Attitude.

By Associated Press. Constantinople, Nov. 25.—The Ambassadors of the Powers at the Conference just held decided to proceed with the Naval demonstration as the best reply to the Porte's note. The aspect of the city is perfectly normal, and there appears to be no chance of an anti-Christian movement unless the word is given out from high quarters.

Berlin, Nov. 25.—The Foreign office emphatically denies that Turkey's attitude is due to German influence. It is said that the Sultan is actually angry at Germany because the Foreign office has repeatedly advised him to accept the Powers demands.

A SERIOUS ACCIDENT.

Mr. James McLeod Badly Injured at His Fire House. Mr. James McLeod, a well-known citizen of the Matthews section was seriously, if not fatally injured at his gin house yesterday evening.

Mr. McLeod was at work around the gin when some parts of his clothing caught on the seed spout. He was thrown violently against a portion of the machinery and his head, face and shoulders were badly crushed.

As quickly as possible, Dr. J. Bruner was sent for and aid administered to the injured man. Squire J. Watt Hood, who gave the information as to Mr. McLeod's injuries, stated that Dr. Bruner was of the impression this morning that Mr. McLeod would recover, but that he had a very narrow escape from death.

Mr. McLeod is a nephew of the late Major M. D. L. McLeod, who was well known in Charlotte.

Special Court This Afternoon. Fred Sanders, a young negro man, was tried before Recorder Shannonhouse this afternoon at 3 o'clock on a warrant charging him with a deadly assault on Joe Nesbit, also colored. It seems that the two negroes "fell out" over a woman one night last week near the corner of Caldwell and Stonewall streets. Sanders pulled his pistol and fired several times at the fleeing figure of Nesbit. None of the shots took effect.

Will of Rev. John F. Butt. The will of the late Rev. John F. Butt is on file at the office of the Clerk of the Court, though as yet has not been probated. The deceased gives to his wife, Mrs. Ella Butt, the residence at Dilworth and asks that all the remainder of his property be sold within a year after his death. The document was drawn in 1903. Mrs. Ella Butt, the widow of the deceased, is named as administratrix.

Tenth Avenue Presbyterian. Prof. W. J. Martin, of Davidson College, will preach at Tenth Avenue Presbyterian church tomorrow at 11 a. m. and also in the evening at 7:30 o'clock.

KOREAN AFFAIRS TO BE HANDLED HERE. Sect. Root Informs Jap. Government That Legation Here will Handle Korean Affairs. Existing Treaty to be Maintained. Legation Withdrawn.

Washington, Nov. 25.—Secretary Root has informed the Japanese Government that he will hereafter conduct the affairs relating to Korea through the Japanese legation here. The principle of the sovereignty of Korea is maintained and the existing treaty with that country will continue in force and the American Consuls there will be maintained.

SALISBURY ITEMS.

Ex-Legislator Violates Game Law.—Other News Notes of Interest. Salisbury, Nov. 25.—The city authorities will in the future enforce the building ordinance requiring contractors to obtain a permit before erecting a building.

Mr. S. A. Earnhardt, an ex-member of the Legislature, got slipped up on in violating the Rowan game laws and the magistrate before whom he was tried fined him \$5 and costs.

It will be good news to the many North Carolina friends and admirers of Rev. Dr. J. Rumpke, the venerable pastor of the First Presbyterian church of this city, to know that he is improving from his recent severe illness. He is with his daughter, Mrs. C. G. Vardell, at Red Springs.

The Junior Orders of Salisbury and Spencer will have a flag raising at East Spencer, Thanksgiving day. Mrs. J. R. Crittenden, of Knoxville, Tenn., has organized a lodge of the G. I. A. to the Brotherhood of Locomotive Engineers at Spencer. The membership of the G. I. A. is composed of the wives of engineers.

CORNELIUS POSTMASTER. Named Among Several Other Appointments Made Today. Washington, Nov. 25.—The following postmasters were appointed today: Alabama—Goldville, Willie P. Galloway; Walders, James D. Burson. Florida—Belmont, William R. Hunter; Port Orange, James L. Patillo. Georgia—Graysville, Charles A. Gray; Nicholson, John M. Harmon. North Carolina—Avery's Creek, Joel Ingram; Cornelius, Austin A. Torrence; Ebenezer, Marshall E. Mann; Turkey, William J. Shipp. Virginia—Grosses, John N. Barr; Mira Fork, Mrs. Ica L. Akers.

DASH TO DEATH IN AUTO WRECK

Mrs. Francis Burton Harrison, Wife of Late Candidate for Lieutenant-Governor of New York Ushered Into Eternity Almost Instantly.

New York, Nov. 25.—Mrs. Frances Burton Harrison, wife of the candidate for Lieutenant Governor of New York, at the last election, was almost instantly killed in an automobile accident in Long Island city today. Mrs. E. T. Scott of San Francisco, who was with Mrs. Harrison, received internal injuries. Mrs. Harrison was formerly Miss Mary Crocker. Mr. and Mrs. L. I. Scott and the chauffeur were also injured. Mr. Scott is suffering with a fractured rib. Mr. Charles B. Crocker of New Haven, was also injured in the accident.

Mrs. Harrison was the daughter of the late Charles F. Crocker of San Francisco. The accident was due to a break in the steering gear, while the automobile was travelling at a rapid speed. The chauffeur could not control the machine which made a sharp turn that upset it on the pavement.

Mrs. Harrison was pinned under the heavy car while the other members of the party were thrown clear of the machine. Mrs. Harrison lived until taken from under the machine and carried to the hospital.

Number of Injured. Mr. Scott is son of the late Henry Scott of San Francisco, a shipbuilder. Mrs. Scott, Charles Crocker, a brother of Mrs. Harrison and the chauffeur, were slightly injured. Mrs. Harrison was one of three children who divided a fortune of between 12 and 15 millions left by her father.

Mr. and Mrs. Scott were able to leave the hospital after a short time and came to this city. Party were bound down long Island on pleasure trip.

SOCIAL. Mr. H. DeArmond Kirkpatrick leaves next Tuesday for Due West, S. C., where on Wednesday at high-noon he will be married to Miss Jennie Martha Galloway. Mr. Kirkpatrick will be accompanied by his brother, Col. T. L. Kirkpatrick who will be best man at the marriage. The ceremony will take place at the home of the bride-elect's parents, Mr. and Mrs. R. S. Galloway. Other attendants will be Miss Mary Galloway, maid of honor; Dr. J. B. Elliott of Pineville, groomsman, and Miss Louise Brown Lee, bridesmaid. Miss Lucy Wallace, of Linwood Seminary, will play the wedding music. The couple will make their home in Charlotte, living at the residence of Mr. Kirkpatrick's parents, Mr. and Mrs. J. Watt Kirkpatrick, to the south of the city.

Invitations reading as follows have been received: Mrs. John Reid Johnston Misses Johnston At Home November twenty-ninth, four to six.

A Small Fracas. Messrs. W. S. Hartis and Kid Pig, two young men from the county, met in front of Jordan's drug store this morning about noon and settled a difficulty that is seems has been existing between them for several months. The young men clinched, fell to the ground and the fight was over. They received a hearing before the Recorder this afternoon at 3 o'clock.

300,000 ACRES OF CAROLINA LAND BEING EXAMINED

The Great Stretch of M. C. Forest Land Covering 300,000 Acres is Now Being Examined by Two Agents From the Forest Service.

Land Situated in Swamp Region of Coastal Plains. Is Owned by State. To See if Region is Suitable for Profitable State Management.

Washington, Nov. 25.—Three hundred thousand acres of North Carolina forest land, owned by the State in the swamp region of the Coastal Plain are being examined by two agents of Forest Service.

It is with the view to determining the suitability of the forest region for profitable forest management by the State. "PENNANT FOR 1905 AWARDED. New Orleans Wins It—New Baseball Regulations—Officers Meet—Plans Adopted.

Memphis, Tenn., Nov. 25.—The presidents, managers and other officials of the Southern Baseball Association met with President Kavanaugh in annual conference. Kavanaugh will recommend that the League adopt a salary limit as provided for the class A clubs, and that a limit not exceeding 13 players be adopted.

Each player, according to Kavanaugh's plan, will be required to sign a semi-monthly payroll. Affidavit will be exacted from club officials that no player will receive directly or indirectly, or by subterfuge, any compensation other than that shown in the payroll.

For violation of the agreement it was proposed that an immediate forfeiture of franchise be made. The pennant for 1905 was formally awarded to New Orleans.

FLEET SAILS UNDER ORDERS. International Fleet Assembled at Piraeus in Support of Powers, Sails.

Athens, Nov. 25.—The International fleet assembled at Piraeus for the purpose of making naval demonstration against Turkey in the support of the demands of the powers for the financial control of Macedonia, sailed at noon under sealed orders. British and French torpedo boats were left behind to keep up communication with the fleet.

THE COMPTROLLER OF CITY OF NEW YORK

Mr. Herman Metz, in Charlotte the Guest of Mr. C. M. Patterson, His Business Associate. He is on His Way South For Business and Pleasure.

Mr. Herman A. Metz who was recently elected comptroller of the city of New York arrived in the city this morning and is the guest of his friend and business associate, Mr. C. M. Patterson, at his home on North Church street.

Mr. Metz is the senior member of the firm of H. A. Metz and Company, the well-known chemists and dye manufacturers. At the recent election in the city of New York Mr. Metz was elected by a large majority to the office of Comptroller of Greater New York. His majority was largely in excess of any Tammany candidate and this is due, it is said, to his popularity and the fact that he is one of the most successful business men in that great city. He belongs to the Brooklyn wing of the Tammany Democracy, is president of the King's County Democratic Club and the Democratic Club of Brooklyn. He is a man of splendid executive ability and is deserving of the splendid majority he received in the November election.

This evening Mr. Metz will be honored at a dinner at the country club by Mr. Patterson. Besides the guest of honor, the following will be present: Messrs. D. A. Tompkins, S. Wittkowsky, W. H. Twitty, A. T. Summey, T. C. Guthrie, H. E. C. Bryant, E. C. Clemence and Capt. Harrison Watts. Tomorrow morning Mr. Metz leaves upon an extended trip through the South, after which he will return to his home in Brooklyn.