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TESTIMONY OF THE SURGEON

Trying to Raise Doubt as to Cause of Death

NO AUTOPSY ON BRANCH

Dr. Stone, of Naval Academy Staff, Says Death Was Due to Oedema of Vessels of Brain, Though This Was Not Disclosed by the Operation.

(By the Associated Press.)
Annapolis, Md., Nov. 23.—The second day of the court martial proceedings in the case of Midshipman James Meriwether, Jr., charged with manslaughter and other offenses growing out of the death of Midshipman James R. Branch, which occurred after the two had engaged in a fight in which light gloves were used, was not nearly as eventful as the first day, nor was so much ground covered.

The principal witness called was Surgeon E. P. Stone, of the Naval Academy staff, who was the first medical officer to see Branch after he had received his injuries, and who had much connection with the case from that point to his death.

The examination of Dr. Stone covered a wide range, the prosecution taking up the thread of the matter at the point where Pritchard, Branch's room mate, left off at the close of yesterday's session, when, as he testified, Branch's condition was such that he thought it imperative necessary to turn him over to the medical authorities.

He gave a detailed account of Branch's symptoms, his treatment and the changes in his condition leading up to his death. The death, he said, was primarily due to oedema of the vessels of the brain, though this was not disclosed by the operation, and no autopsy was performed, as Branch's parents would not consent.

The cross-examination of Dr. Stone by Lieutenant Commander Robinson counsel for the defense, was very searching, and several members of the court also asked questions on different phases of Dr. Stone's testimony. The defense evidently wished to raise a doubt as to the positiveness of the proof that Branch's death was necessarily caused by the blows received from Meriwether, and asked many questions of the medical officer as to the possibility of some unhealthy condition of Branch's bringing about the death. He was also examined as to the effect of the absence of an autopsy, and his ability under the circumstances to testify positively as to the cause of the death.

A large part of the time of the session this morning was taken up in reading over and verifying the record of yesterday's proceedings. This is required by regulations.

Use of Gloves.
According to the practice of naval court martials further questions are allowed to be made of witnesses who are recalled, and one of two important points developed in this manner.

Midshipman A. W. Fitch, the referee of the Meriwether-Branch fight, who admits to acting as referee in similar encounters, was questioned as to the use of gloves at the academy. Those gloves are used to protect the hands when punching the bag, but Midshipman Fitch said that there was no regulation as far as he knew against their use in the friendly boxing matches at the Academy gymnasium. He also said that he had never seen them so used.

In answer to a question by a member of the court, Fitch said he believed gloves used at regular prize fights weighed about a half or three quarters of an ounce.

The only witnesses called during the morning session besides Surgeon Stone were Lieutenant Commander H. J. Ziegemeier and hospital steward John E. Mahanokee. The former was called to prove that the articles for the government of the navy which contain the prohibitions against fighting were read to all midshipmen during the summer cruise, during which the witness commanded the Hartford, on which Meriwether was stationed.

Branch's Symptoms.
Hospital Steward Mahanokee was summoned to have his testimony fill the gap between the testimony of Pritchard, as to the development of Branch's unfavorable symptoms, and his reception by the hospital authorities. He told of being summoned to Bancroft Hall, seeing Branch and recognizing his serious condition. This he reported to Dr. Stone, and was ordered to bring Branch to the hospital. He had him carried in an electric carriage to the hospital, and delivered him to Surgeon Stone. The transfer, he testified, was accomplished without anything to disturb Branch.

A SURPRISE WITNESS VEILED THREAT

Former President of Company In Burton Case

IN TURK'S NOTE

Talk of Mussulman Uprising Against Christians

SITUATION IS MENACING

(By the Associated Press.)
St. Louis, Mo., Nov. 23.—The government provided a surprise in the trial of United States Senator J. A. Burton, of Kansas, charged with being the paid attorney for a corporation in matters pending before the Postoffice Department, by introducing as a witness to-day Charles H. Brooks, former president of the company which was the predecessor of the Hinto Company, and former president of the National Securities Company.

Brooks testified that at a conference between Senator Burton, H. H. Kastor and himself, Senator Burton was introduced by Kastor, who said the Senator was willing to represent the National company. Brooks said he did not see how the Senator could be of any use to him.

"Kastor replied," continued the witness, "Here is the man (pointing to Burton) who defeated your fight against Major Dennis, president of the Hinto Company, by preventing the issue of a fraud order by the Postoffice Department."

"I replied that in that case it might be well to employ Senator Burton, as Kastor assured me that all speculative companies in St. Louis were under investigation, and that trouble might be made for me.

There was some general discussion between myself and Senator Burton as to terms and other matters, but no definite arrangement was reached."

On cross-examination the defense attempted to show that the testimony of Brooks was secured by certain promises of immunity made by the Federal authorities. Brooks denied this.

MARCHING HOME IN THEIR GLORY

(By the Associated Press.)
Victoria, B. C., Nov. 23.—Great preparations are being made for celebrating the return of the Japanese armies from Manchuria, according to advices brought by the steamship Shawmut.

Major General Saki and the Tumen army from North Korea were landing at Ujima amid great acclaim when the steamer sailed, and 38 transports were waiting at Dalny for other troops. Traffic on Japanese railroads has been interrupted and preparations are being made to make a record for celebrity.

All the troops are expected to be home in six months. Officers of the rank of major general and upwards will proceed at once to Tokio to have an audience with the emperor, while the different divisions will be sent to the divisional headquarters to be demobilized. Kuroki's army will arrive after the Tumen army.

Marshal Oyama and staff are expected at Tokio in December. Merchants of Yokohama have erected an arch costing \$5,000 at the railway station in honor of the troops.

DR. WADDIN ON QUARANTINES.

(By the Associated Press.)
Memphis, Tenn., Nov. 23.—Dr. Eugene Waddin, of the United States Public Health and Marine Hospital Service, before the Tri-Medical Association, told of his observations along the Mississippi coast during the recent yellow fever epidemic.

He advocated Federal control of quarantines, and suggested an amendment to the act of 1893, providing for the cessation of jurisdiction to the United States over the infected area, or infective territory during the prevalence of disease from which protection may be asked; and giving the representative of the Federal power the responsibility of issuing such ordinances as he may under the higher power at Washington deem necessary.

HARVARD'S CAPTAIN HAS CLOT ON BRAIN.

(By the Associated Press.)
Boston, Mass., Nov. 23.—Captain D. J. Hurley, of the Harvard Varsity football team, who was ordered to the city hospital yesterday by the surgeon in charge of the Harvard football squad, has a blood clot on the brain, according to a statement made by the doctor to-day.

His condition is not considered as present critical, but he will be unable to play Saturday.

JAPS MAD WITH BRYAN

Say He Tried to Buy Sacred War Stool

DEADLY FIGHT

IN DANCE HALL

NEEDS OF THE NAVY

What Congress Will Be Asked to Provide

TOOK MONEY TO CLEAN THE SHOP

Equitable Building, at Least, Was Immaculate

FUND FOR THE JANITOR

Witness at Insurance Hearing Says Twenty-Six Thousand Dollars Was Not Too Much for the Work—He Wouldn't Undertake It for Less.

(By the Associated Press.)
Washington, Nov. 23.—Three first class battleships of at least 13,000 ton displacement and 18 knots speed, three scout cruisers of 1,800 ton displacement, one gunboat of the Tacoma class and four other gunboats of light draught, two for use in the Philippines and two for service on the rivers of China, with additional torpedo boats and torpedo boat destroyers, are the principal recommendations of the general board of the navy in its program of new construction to be authorized by the next Congress, which is now under consideration by the Board of Construction.

At its meeting to-morrow the latter board, of which the chiefs of the bureaus of ordnance, steam engineering, equipment and construction, and repair are the members, will complete its report upon the practicability of the proposed types of ships contained in the general board's program, and the two reports will be forwarded to the secretary's office for guidance in the preparation of that portion of his annual report dealing with new construction.

Important subjects which will be called to the earnest attention of the President include the urgency of legislation providing for some scheme of retirement of officers in grade, that promotion in the navy may be quickened, and officers enabled to reach command and flag rank at from ten to fifteen years younger than do the captains and rear admirals of today.

BALFOUR WILL RESIGN SOON

(By the Associated Press.)
London, Nov. 23.—The recent rumors of an early dissolution of Parliament and an appeal to the country are gradually crystallizing into more definite form, and while no official intimation has yet been forthcoming, the idea is prevalent in well informed political circles that Premier Balfour will take an early opportunity to place his resignation in the hands of the King.

Should this materialize the Liberals will be invited to form a government.

On the stock exchange a definite announcement of the resignation of the cabinet is expected at any time and the whole market to-day was flat in consequence.

THE PAN-AMERICAN RAILROAD CO.

(By the Associated Press.)
Mexico City, Nov. 23.—J. M. Neeland, vice president and general manager of the Pan-American Railroad Company, arrived in this city, accompanied by a party of capitalists, will inspect the road.

The Pan-American line now has 125 miles of track completed and in operation. There are two hundred miles more in course of construction, which, it is expected, will be completed in a few months.

The Pan-American is one of the links in the proposed chain of railroads from the northern part of the United States down through Mexico, through Central America and into and through South America.

FIVE KILLED IN B. & O. COLLISION

(By the Associated Press.)
Albion, Ind., Nov. 23.—Five men were killed and one was fatally injured to-day in a head-on collision one mile from here between a work train and a gravel train on the Baltimore & Ohio Railroad. The dead:

ENGINEER ODENSKIRK, of the work train.
FIREMAN BICE of the gravel train. Fireman of the work train, name not ascertained.

Two workmen, names unknown.
Fatally injured: Engineer Strouse, of the gravel train.

The trains collided in a dense fog. Traffic is delayed on account of the damage to the track. Engineer Strouse has been taken to a hospital at Garrett.

MURDERER WAS FOUND DEAD

(By the Associated Press.)
New York, Nov. 23.—The body of William H. Jones, who last night shot and killed Harry Britton and wounded Frank Britton, was found this morning at the rear of the Baptist Church, near the scene of last night's murder.

Jones had shot himself through the heart, a revolver being found near the body.

The discovery of the body followed an all night search for Jones, which began soon after the shooting at the Britton home. It is believed that Jones, after wandering about for several hours, returned to the vicinity of the Baptist Church in the hope of seeing Jesse Britton, and not being able to safely approach the house, decided to kill himself.

The murder and suicide followed an attempt of Jones to see Jesse Britton, with whom he was infatuated. Her brothers refused him admittance to the house, whereupon he drew a revolver and began firing.

At the hospital to-day it was said that Frank Britton would probably recover.

Jones was a decorator, employed in a painting shop. He was about thirty-five years of age and claimed to be a Cuban.

DR. CHILES WAIVED EXAMINATION

(By the Associated Press.)
Norfolk, Va., Nov. 23.—Dr. L. R. Chiles and James E. Franklin, arrested in connection with the case of Miss Sarah Atkinson, who died at the Norfolk Protestant Hospital from peritonitis following an alleged criminal operation, both waived examination in the police court to-day, and were sent on to the December grand jury.

Dr. Chiles, who it is alleged performed the operation which caused the girl's death, was held upon a charge of second degree murder, and young Franklin, the girl's former lover, who it is charged paid Dr. Chiles to perform the operation, was held as an accessory. Dr. Chiles was re-bailed before Corporation Court Judge Hanneke in the sum of \$10,000, and Franklin was re-bailed in the same court in the sum of \$1,500. Both bonds were renewed with the same surety.

LONG PARADE OF MOURNING JEWS

(By the Associated Press.)
New York, Nov. 23.—One of the most peculiar and impressive demonstrations which has ever taken place in the populous east side was held to-day, when several thousand Jewish men and women, with bared heads and lips moving in prayer, marched in a long procession through the Ghetto as a sign of their grief at the massacres of their people and a protest against the horrors of their condition in Russia.

Following the parade a benefit performance was given in the Thalia Theatre on the Bowery for the benefit of the Jews in Russia who have suffered in the recent outbreaks.

Black banners waved over the procession, which was headed by a band playing dirges. Spectators on the sidewalks joined with the marchers in singing mournful chants. The march lasted two hours.

OFF FOR CHRISTIANIA.

(By the Associated Press.)
Copenhagen, Nov. 23.—King Haakon VIII, Queen Maud and Crown Prince Olaf started to-day in the Danish royal yacht Dannebrog for Christiania. Great crowds gathered to witness the departure of the new ruler of Norway.

ONE MAN IS DEAD

(By the Associated Press.)
New York, Nov. 23.—Election frauds are believed by the police to have caused the murder last night of W. F. Harrington in the Little Naples dance hall, and also the probable injuries of Abraham Juckerman, who was found with a fractured skull some distance away from the Little Naples hall.

The dance hall is at 47 Great Jones street, and is conducted by Paul Kelly, leader of an east side gang.

From papers found on the dead man and from information obtained from nine prisoners, two of them women, who were arrested after the murder, the police learned that the quarrel started over election matters.

One of the prisoners had a marked ballot of the last election in his pocket. Harrington was killed in the bar-room of the Little Naples during a revolver battle which left the floors spotted with blood and riddled the pictures on the wall.

Bartender Bernard Escott, one of those under arrest, said that the fight started when four members of the Liberty Association, which is hostile to the Kelly gang, entered the room after midnight. One of these men, Escott says, immediately ordered drinks for the whole crowd.

When every one was drinking he insolently pounded with his fist on the bar and exclaimed: "My best friend was shot here Tuesday morning. Are there any of you here who know how to shoot? If you do I'd like to have you begin."

The challenge was accepted, and in the battle which followed the police say that fifty shots were fired. When the officers arrived Harrington was dead on the floor and all the others, including the women in the dance hall, had fled after turning out the lights. The dead man's dog was found crouched over his master's body and whining.

The police say that the friend of the Liberty gang whose name was made the pretext for the fight is John Ratta, who was wounded at the Little Naples last Tuesday morning. The police also believe that a quarrel over the division of election money was the original cause of the fight.

THE VIRGINIA ON HER TRIAL TRIP.

(By the Associated Press.)
Rockland, Me., Nov. 23.—The battleship Virginia started on her four hours endurance run to-day. From Whitehead to a point off Monhegan Island, where the straightaway southerly course begins, the battleship increased her speed, and when she entered the course probably was making close to nineteen knots.

It was planned that at the conclusion of the trip the trial boards would be transferred to a tug off Boston light, the Virginia proceeding to Newport News to receive the finishing touches from the builders.

ELECTION CONTESTS IN KENTUCKY.

(By the Associated Press.)
Louisville, Ky., Nov. 23.—Forty suits contesting the recent election of every city and county official in Louisville and Jefferson county were filed in the Circuit Court to-day.

The principal suit is that of Joseph T. O'Neill, the fusion candidate for mayor, vs. Paul C. Barth, Democrat, who has just been seated.

Charges of conspiracy, illegal registration, false returns, force and intimidation are made. The petition asks that the election of Barth be set aside; that O'Neill be declared to have been elected, or that it be decreed that there has been no election.

OPENING OF M. P. CONFERENCE.

(Special to The Evening Times.)
High Point, N. C., Nov. 23.—This morning the first session of the Annual Conference of the Methodist Protestant Church was held here, organization taking up the time of the morning hour.

WITNESS AT INSURANCE HEARING

Says Twenty-Six Thousand Dollars Was Not Too Much for the Work—He Wouldn't Undertake It for Less.

FUND FOR THE JANITOR

Witness at Insurance Hearing Says Twenty-Six Thousand Dollars Was Not Too Much for the Work—He Wouldn't Undertake It for Less.

(By the Associated Press.)
New York, Nov. 23.—Grand R. Brown of the bond and mortgage department of the Equitable Life Assurance Society, who was on the stand at the adjournment of the insurance investigation committee yesterday, was recalled to-day.

He submitted a statement of the \$26,000 paid to the janitor of the society's main building in this city. The statement showed that twenty-eight assistants were paid out of this and the janitor received for himself, according to his last statement, \$1,350 a year. Asked if the care and cleaning of the building could be done for less than \$25,000 annually, Mr. Brown said he would not care to undertake it for the same price.

Mr. Brown was temporarily excused and George D. Eldridge, vice-president and actuary of the Mutual Reserve Life Insurance Company, was called. He first became connected with the company May 1, 1891. The company was organized in 1881 and was known as an assessment company, doing a post-mortem assessment business until April, 1902.

The various changes in forms of policies issued were taken up with Eldridge, and specimen policies introduced and read for the record. It was brought out that in 1891 the assessment was advanced.

Hughes had the witness look carefully over the policy, which was used as an illustration, and Mr. Eldridge said there was nothing in the policy to assure the policy-holder that the assessments could not be advanced at any time.

OFFICERS GRAND HERD OF BUFFALOES

(By the Associated Press.)
Richmond, Va., Nov. 23.—The first annual meeting of Grand Herd Convention of Buffaloes will adjourn to-night to meet next August in Cincinnati. The following officers were elected this morning for the coming year:

Grand Bison, Charles T. Bland, Herd No. 9, Portsmouth, Va.; Vice Grand Bison, John S. Burnett, of Herd No. 7, Bluefield, W. Va.; Grand Chaplain, Francis W. Lloyd, of Herd No. 10, Suffolk, Va.; Grand Scribe, T. H. Clay, of Herd No. 11, Huntington, W. Va.; Grand Treasurer, A. Rosenbaum, of Herd No. 3, Newport News, Va.; Grand Guide, J. S. Blustein, of Herd No. 12, Richmond, Va.; Grand Inside Picket, W. B. Savage, of Herd No. 4, Wilmington, N. C.; Grand Outside Picket, Louis Barden, of Herd No. 16, Cincinnati, O.; Past Grand Bison, Thomas A. Gregg, of Herd No. 1, Roanoke, Va.; Board of Grand Trustees, Grand Patriarchs, W. W. Gregg, of Cincinnati, O.; Dr. J. S. Tipton of Roanoke, Frank J. Korte of Roanoke, J. B. Morgan of Roanoke, A. Rosenbaum of Newport News.

ELECTION FRAUD CASES MULTIPLY.

(By the Associated Press.)
New York, Nov. 23.—The magnitude of the election fraud investigation was increased to-day by several new cases. John Elder was held in \$10,000 bail, charged with illegal voting and perjury, and James Gallagher was held in \$5,000 bail on a charge of perjury.

It is charged that Elder voted in an election district which was not his residence, and that Gallagher swore to Elder's residence in that district.

Frank D. Batzig, a Tammany member of a district board of election inspectors, arrested on a charge of neglect of duty, was held in \$5,000 bail.

W. R. Hearst's lawyers claimed that 91 voters were found in one election district of the 30th assembly district which should have been counted for Hearst and were not.

BANK ROBBERS GOT \$15,000.

(By the Associated Press.)
Los Angeles, Cal., Nov. 23.—Robbers broke into the Japanese bank last night and took cash amounting to \$15,000.