## DESERET EVENING NEWS: THURSDAY, NOVEMBER 23, 1905.



Porridge with cream and toast will tone you up. Delicious-light and all right. In two pound packages. Sealed to protect its purity and flavor. All good grocers. Pacific Cereal Association I do hope this letter will be the means of helping some other sufferer."

### San Francisco, California nt at the beginning of the session to-

The accused is defended by Lieut.-Commander James K. Robinson, U. S. N., and James M. Monroe of the Annapolis bar.

FIRST WITNESSES,

The first two witnesses called were Midshipmen James P. Van Decarr and Earl W. Pritchard, classmates of Branch, and their evidence bore directly on the second charge, that of quar-reling with a person in the naval ser-vice with an indirect relation to the

Vice with an indirect relation to the main charge of manslaughter. Midshipman Van Decarr said that his seat at the table was next to Midship-man Meriwether and that on the even-ing of Oct. 31 Meriwether had told him that Branch had done all he could to make his (Meriwether's) life miserable while he had been at the academy, that he hated Branch and was going to make him fight if there was any fight in him; that there were only a few peo-The first and gravest charge is man-plaughter in having caused the death of Midshipman Branch, but there are two two other charges, the second support-ed by two specifications and the third in one. The second charge is of viola-ion of the third clause of the eighth arthe norther the rules for the government of the navy. The first specification is that Meriwether applied to Branch the names of sneak and coward, and the second that he assaulted him. The third barge, of conduct to the prejudice and good order and discipline, specifies that deriwether engaged in a fight with

make him fight if there was going to make him fight if there was any fight in him; that there were only a few peo-ple that he hated and that Branch was one of them. The next day, Midship-man Van Decarr testified, Meriwether had said that it was all fixed, that he and Branch had arranged to light. Midshipman Earl W. Pritchard, the next witness, was the roommate of Branch and is also from Louisiana. His testimony was of the utmost import-ance, covering the whole facts in the incident that led directly to the fight. Michipman Larl by Midshipman Yeager. Branch had gone to bed, but rose on his elbow and turned on a light just above him, remaining in that position during the conversation. during the conversation

#### SAID BRANCH WAS UNFAIR.

Meriwether accused Branch of acting infairly toward him by using his offi of the floor to report him about the matter of a dress suit case containing civilian clothes, and charged Branch with batting a suid case to be With having a grudge against him. The latter Branch admitted. Merl-wether then said that Branch was a "damned low-down, sucaking coward." Branch then told Meriwether that his base could compet him to leave the class could compel him to leave the academy, and to this Meriwether anwered that he did not care if they that he was not going to be used badly by any one. The conv

conversation continued, and

Branch told Meriwether that he had on-ly reported one man since he had been at the academy and that he could not lp it. Meriwether rejoined that if ever reported him he would have to fight. There was some further talk about the standing of the families to which they belonged, and the affair closed with Meriwether calling Branch a "smeaky coward," a "damn coward" and "no gentleman."

After Meriweather and Yeager had left Branch asked the witness what he should do, and was told that a fight was necessary. After Branch had told him that he had not reported Meri-And you will ward off colds, pneumo-nia, fevers and other diseases. You need to have pure, rich blood and good digestion. Hood's Sarsaparilla makes the blood rich and pure as no other medicine can do. It icones the stomach wother. An upper classman, Noyes, had spoken to him about it and he had ne to the conclusion that it would be dirty trick to do so. CALLED MERIWETHER NAMES. medicine can do. It tones the stomac Ralp Yeager, a classmate of Meri-



Another cure by Cuticura is told of by Mrs. Caroline Cable, of Wanpoca, Wis, in the following grateful let-ter: "My husband suffered agony with salt rheum on his hands, and I had to keep them bandaged all the time. We tried everything we could get, but nothing helped him until he used Cuticura. One set of Cuticura Soap, Ointment, and Pills cured him entirely, and his hands have been as smooth as possible ever since.

# about soreness in one arm and parts of his head, but had talked naturally about the fight and other matters. Prichard had noticed some movement of the leg during Branch's sleep, but had thought nothing about it. The witness retired at 2 p. m. and arose at 5:30 o'clock. He then saw that Branch was unconscious and one leg and arm had a convulsive movement. He then no-tified the medical authorities

tified the medical authorities. Midshipman Prichard said that when Midshipman Prichard said that when Branch first returned to his room in his weakened condition he had suggested a drink of whisky as a stimulant, but that Branch refused it, saying he had promised his father not to taste intox-icants until he was 25 years old. Tomorrow the medical officers, includ-ing Dr. J. M. Finney of Johns Hop-kins university. Baltimore, who oper-

kins university, Baltimore, who oper-ated upon Branch, will probably be called to testify.

## LOST WITH ALL ON BOARD.

Collier Turbine Believed to Have Gone Down Off Cape Sable.

Hallway, N. S., Nov. 21 .- Advices reeived here today from Cape Sable island are believed to confirm last night's report that the collier Turbine was lost with all on board Friday An official dispatch to the marine and

an once and asparen to the marine and fisheries department received by wire-less from Cape Sabple, says the steam-er struck a rock off Mud island and went to pieces 10 minutes afterward. The steamer Turbine was valued at

The steamer Turbine was valued at \$50,000. She was chartered by the Do-minion Coal company and had on hoard 800 tons of coal for Louisburg. B. C., valued at \$3,500. N. Knudsen was her commander and his first officers were K. Hansen and Chief Engineer A. An-derson. These, with 10 others said to comprise the crew, were all Norwe-gians. gians.

#### OLGA NETHERSOLE CONSENTS. To Change Play Objected to by Mont-

To Change Play Objected to by Mont-real Women. Montreal, Nov. 22.-Montreal women who are to take part in the Gueen Alexander charity matinee today announced their withdrawal of patronage unless Olga Nethersole, who arranged the benefit, took from her program an act from "The Labyrint." Miss Nethersole took off the piece in an announcement, in which she said: Miss Nethersole regretting the opinion held by the patroneness, is loath to allow anything to interfere with the success of Wednesday's performance, and has there-fore consented to substitute some recita-tions for the second act of "The Laby-rint." The Montreal newspaper condemn Neth-ersole's play as immoral.

THE INDIAN.

Ticket office 77 west Second South, Salt Lake City. Write us for rates and illustrated literature. L. H. Harding, central agent

#### The Secret of Beauty

Of skin, scalp, hair and hands is Cuticura Soap and Cuticura Ointment. Keep Yourself Strong

meets. These include investigations in to the recent occurrences in various parts of the country, the trial of loca officials and police who became cuipa bly involved in the disorders, the main tenance of public security, the procla mation of full amnesty for political an religious offenses up to the date of th imperial manifesto and the abolition capital punishment.

At the end of a long evening sessi-At the end of a long evening session the resolution was referred back to the committee for the incorporation of any modifications made necessary by the criticism of R, and it will be voted on tomograw. The leaders of the "October ists," ar the party taking a stand or the manifesto is called, and other mod-erates, concentrated their attack or the section of the resolution calling for charges, concentrated their attack on the section of the resolution calling for a constituent assembly, for which M. Guchkoff, Count Hayden, Prince Eu-sene Troubetskoy, Prof. Kovalievsky and others declared that Russia was not ready; but it is bolieved that any modifications, if made, will be in the direction of strengthening the condidirections, if made, will be in the direction of strengthening the condi-tion which have been laid down for governmental acceptance.

The decision practically of the con The decision practically of the con-gress to co-operate with the govern-ment of Count Witte is extremely dia-tasteful to the Social Democrate, the party organization of which sent a let-ter to the congress, saying the delegates had sold themselves to the government, but that the Socialists would show them up to the people as traitors, and would continue to prosecute the campaign for a democratic republic.

----Counterfeiting the Genuine.

Foley & Co., Chicago, originated nd Tar as a throat and lung remed Ask for FOLEY'S Honey will give the same ate persons. For sale by F. J. Hill Dru



Developing, Finishing, 21 E. Third So.



While it is true that Scrofula may be acquired under certain conditions, it is usually inherited. Parents who are related by the ties of blood, or who have a consumptive tendency, or family blood taint of any character, are sure to transmit it to their children in the form of Scrofula. Swollen glands, brittle bones, poor digestion, weak

brittle bones, poor digestion, weak eyes, Catarrh, emaciated bodies and general weak constitutions are the principal ways in which the dis-ease is manifested. The blood has been disensed from birth, and being in this condition caunot properly nour-ish the body and Scrofula is the re-sult. A hereditary disease like this can only be reached, by a constitu-tional remedy and nothing equals S. S. S. as a cure for it. It cleanses and strengthens the deteriorated blood.

S. S. S. as a cure for it. It cleanses and strengthens the deteriorated blood drives out all scrofulous and tubercular deposits, and there is a gradual but

sure return to health. S. S. S. supplies to the anaemic, lifeless blood the properties necessary to build back to strong, robust health, and doe this gently and so thoroughly that no signs of PURELY VEGETABLE. Purely vegetable S. S. S. is the best remedy for Scrofula; its harmless but healing ingredient

enter into the circulation and replace wax-like, bloodless faces with vigorou strength glowing with health. Book with information about Scrofula and medical advice free. THE SWIFT SPECIFIC CO., ATLANTA, GA.

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### fled, Charging that Delegates Have Sold Themselves, Moscow, Nov. 22 .- At the end of four days' debate the executive com-

unive

douma doum

mittee of the gemstvo congress brough in the following resolution in favor a supporting the government, the reading of which was greeted with tremen dous applause: "Considering that the imperial mani-

Executive Committee of Con-

gress Brings in Resolution

Favoring That Policy.

IT WILL BE VOTED ON TODAY

Social Democrats Extremely Dissatis-

festo satisfies all the demands voiced since the zemstvo congress of a year ago and that the liberties accorded by the manifesto are indispensable to the tranquilization of the country, the cougress declares itself in complete solidar ity with the constitutional basis. The responsibility for the realization of the program rests upon the cabinet.

"The congress is convinced that the cabinet can count on the support of the

areat majority of the zensivos and municipalities so long as it follows the path for the accomplishment of liber-ties promised by the manifesto, bug every deviation will encounter decisivo

"The congress believes that the sol-means of guaranteeing the authority of

e government, the pacification of th untry and the support of the people i

into a constituent assembly with the ap

organization of territorial reforms. "Measures for the realization of

liberties granted by the manifesto regarded as imperative.

'It must, moreover, devolve on douma to establish a fundamental bas for land reform and to decide any m

mentous question in the domain of la

bor legislation." The resolution concludes by enumer

ating various measures which it samust be carried out before the doun

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the immediate promulgation of sal suffrage in elections to the the transformation of the first

probation of the emperor of tion for the Russian empire and the r

prosition.



CODE OF HONOR

Close Adherence to it Resulted

In the Death of Midship-

man Branch.

MERIWETHER DISOBEYED IT.

Fight Resulted, Ending in a Fatality

-Mid-hipmen, Before Court-Mar-

tial, Tell All About It.

Annapolis, ' Nov. 22,-Midshipman

Minor Meriwether, Jr., of Lafayette, Ia.,

member of the third class of the na-

val academy, was put on trial here to-

day before a naval court-martial on

charges that include that of manslaugh-

ter, in having caused the death of Mid-

shipman James R. Branch, Jr., of New

York, a member of the class above him,

as a result of a pre-arranged fist fight which took place on the evening of Sun-day Nov. 5, last.

THE CHARGES.

The sud incident of the death of

The sad incident of the death of young Branch under such circumstanc-os has been widely noticed and has called attention to the existence at the naval academy of an unwritten code governing the student body, but quite outside the authoritative regulations and generally in violation of them. Un-der the "code" avery detail of these

der the "code" every detail of these tights is fixed, the midshipmen on duty

bstaining from reporting them and ex-

using from formation those connected

These facts were very clearly ought out both by the judge advocate

and in the cross-examination by Lieut.-

The witnesses today includedBranch's commate. The referee and the time-keeper of the contest and all four sec-

inds were examined in a more or less legree about all the circumstances of

the fight, the connection of the "code" and their ideas of their duty under the regulations, although this subject was not pressed to such a degree that the midshipman was put on his defense as to the binding force of his oath upon entering the institution to obey all us regulations.

CODE NOT ON TRIAL.

The "code" system was therefore not lifectly put on trial although it was ery thoroughly ventilated along some lifes. In fairness to the midshipmen it

should be said that everyone of them gave indications of endeavoring to be perfectly frank and of believing that there was pothing about the system that they need conceal, or, if there were,

at they would tell it all notwithstand.

iranch.

vith them.

its regulations.

AT ANNAPOLIS.

Midshipman A. N. Fitch, who refereed the fight, which was followed by Branch's death, stated that he had offi-clated in 19 such contests, and Mid-shipman McKittrick testified that he had taken part in nine. Detailed ac-counts were given of the arragements by which midshipmen on duty acqui-seed in absence without leave and othc derelicitons in order that the fight night go on, and the testimony also howed that although frequently severe ajuries resulted from these lights and the recipients often had to be taken to the hospital, nothing further was even heard of them. This the defense brought but on cross-examination, it being evi-lently intended to show that the au-horities also winked at the code and the prearranged fights under it.

#### SIDELIGHTS ON "RUNNING."

Interesting side-lights to hazing, or "running" as it is called at the acad-ony, developed from the testimony of the midshipmen. Meriwether has been generally disliked, he said, because he was too "raity." that is, it was ex-plained, he did not abide by the rules laid down for the government of the owen classmen. Some of these work that he should never enter "Lover's Lane," an academy walk; that he should turn all corners at right an-sles, should not look at an upper class-man, and should answer most respect-fully when addressed by one of them; he must never touch the table nor ask for anything during a meal, and under no circumstances "fuss," that is,

be in the society of young women. These rules and many others are con-tained in that part of the "code" ro-lating to the government of under class-men. Branch had been one of the midshipmen who, according to the testi-mony, determined to make life "noi worth living" for Meriwether because aid not abide by these rules, and from that the enmity arose,

TO ASSIST PROSECUTION.

A surprise developed in the fact that United States Dist.-Atty, John C. Ross United States Dist.-Atty, John C. Ross of Baltimore would assist Capt. Marix, iudge advocate in the prosecution. It is most unusual for a judge advocate to have assistance and the incident in-licates how important the present case is regarded by the federal authorities, the personal element being entirely subjected to the question of the effect of the "code" at the academy and the subjects of fighting and hazing close-Ross ubjects of fighting and hazing closeconnected with it.

Mr. Rose was assigned to the work by the department of justice at the request of the navy department and was pres-



in in the family." dward A. Mars, Albany, N. Y.



atable, Potent, Taste Good, Do Good, Weaken or Gripe, 10c, 20c, 50c, Never The genuine tablet stamped C C C, one or your money back. Sterling Remedy Co., Chicago or N.Y. 602 ANNUAL SALE, TEN MILLION BOXES

the whole system. You will be wise to begin taking it now, for it will keep you wether and who went to the room with him on the night of the quarrel, testi-fied that Branch had called Meriwether strong and well. "a damn fool" when he came to the room and said that he was "damn rat-Hood's Pills are non-irritating. Price 25c

By the latter Yeager explained that was meant that he did things that the "code" did not allow for members of his class. It was explained that a THE SIGN OF fourthclassman, for instance, has to keep away from certain walks of the academy, turn squarely at corners, nev-er look at an upper classman, never talk to girls, observe certain regulations The Midland Route between Utah and the east is by far the most scenic route during any season of the year. The service is superior and equipment used is the perfection of modern car builders. Be sure and ask for your tickets via the Colorado Midland and get the best.

when eating and speak most respectful-ly when spoken to by an upper class-man. This, it appears, was still the unwritten law of the institution where hazing has been abolished. BRANCH MUCH STRONGER.

his

Dr. Robert E. Hoyt, head of the de-

partment of physical culture at the academy, furnished interesting data on the size and strength of Meriwether and the size and strength of Meriwether and Branch, taken from the actual meas-urements of the academy. While it is a fact that Meriwether was slightly old-er, heavier and tailer. Branch was larger of chest and arm and his total percentage of strength was about a fifth greater than Meriwether's.

ACADEMY AUTHORITIES' ATTI-TUDE.

Commander Colvocoresses was close y questioned by the judge advocate and the court in regard to the attitude of the academy authorities toward fighting. He said most emphatically that there was no hinting at it, but every such offense would be punished every such onense would be punished severely if known. He also testified that all midshipmen were made ac-quainted with the regulations of the navy by the copies which were put in their bands and he would force put in navy by the copies which were pu their hands and by oral instruction

He showed the court instruction. He showed the court the gloves which had been turned over to him as hav-ing been used in the fight. They are known as punchingbag gloves and are used as a protection to the hands when punching the bag, and have almost no padding

FIGHT TO A FINISH.

Midshipman Harold V. McKittrick, who acted as a second for Branch dur-ing the fight, told of their engagement and the insistence of both boys that the fight should be to a finish. The fight itself, he testified, lasted over 22 rounds of two minutes each, with one minute intermisedor. Early in the fight minute intermission. Early in the fight one of Branch's eyes was closed, but he was holding his own. At the end of the twentieth round Meriwether fouled

the twentieth round Meriweiter round by hitting in a clinch and offered to forfeit the fight. This Branch and his seconds would not allow, insisting on a finish. This is regarded as a strong point for Meriwether, showing that he wished the fight to stop. On cross-examination an effort was

On cross-examination an effort was made to show by the witness that fights generally had the effect of abrogating the ill-feeling between the fight-ers. The witness sold that it was al-ways the custom to have a general handshaking at the close of the fight, and that this was done in this case.

Meriwether, he said, begged the pardon of Branch for the insulting language he had used, and the apology had been accented. cepted.

AFTER THE FIGHT. Earl W. Prichard, the roommate of Earl W. Prichard, the roommate of Branch, was recalled to tell all the cir-cumstances connected with Branch's treatment after the fight, said that Branch had been given a hot shower bath and treated with towels soaked in hot water and applied to his head and body. Branch, he said, had complained



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