

SUBSCRIPTION PRICE: \$8.00 A YEAR.

CHARLOTTE, N. C., TUESDAY MORNING, MARCH 2, 1909.

PRICE FIVE CENTS.

SOLICITOR'S BILL KILLED

GOES TO THE HOUSE GRAVEYARD

The Senate Passes in Two Good Hours Discussing the Salary Measure, and Passes it on Second Reading Only to Have it Reported Unfavorably by the House Committee.

Special To The Observer.

Raleigh, March 1.—The Senate spent nearly two more hours to-day discussing the Ormond solicitor's salary bill that has passed second reading on Saturday and come over on objection to final reading, and then voted it through the final reading, 20 to 17, only to have the bill "knocked out" this afternoon by the House Judiciary committee by an almost unanimous unfavorable report without minority report to give it standing on the House calendar, so that it goes to the "house graveyard" or "do not pass" bill file. Its pigeonhole will be alongside of that in which the original House bill on solicitors' salaries reposes that was defeated in the House two weeks ago.

The Senate passed the Nimscocks bill to authorize counties to levy special tax of 2 cents on property and 6 cents on poll for supplementary pensions on second reading.

Another very important measure to pass the Senate was the Pharr resolution to levy such freight rates per ton per mile in North Carolina from Carolina ports inland as will counteract discriminatory rates from the same inland towns.

A joint resolution was introduced by Elliott and put through its immediate passage that no bills introduced after Wednesday will be sent to the House for concurrence.

The House devoted nearly the whole day to discussing a bill to amend the laws in Beaufort and Currituck counties by relieving these counties of relation with the Audubon Society, the counties to collect their own taxes for hunting, and to provide a school for the blind.

Representative Page, of the House, appeared before the committee asking for one dollar and a half instead of one dollar and a half in boys' and girls' school buildings.

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KILLED IN TRIANGULAR RAMP

UNUSUAL MURDER AT CAROLEEN

Broadus Moorehead Dead and Two Others Wounded as the Result of a Mysterious Misunderstanding in Rutherford County Saturday Night.

Special To The Observer.

Rutherfordton, March 1.—Broadus Moorehead was killed as a result of a difficulty between himself, Coley Fisher and Charles Stamey.

The facts, so far as your correspondent is able to obtain them, at this time, are as follows: The three young men were in Herbert Smith's barber shop, when Moorehead and Fisher became involved in a quarrel over a young lady that both were paying attention to, when it is said that Stamey butted in, and took sides with Fisher. The young men became so belligerent that they were ordered out of the house. As they left the house Moorehead had his knife in his hand, and Stamey a pistol, that he had been snapping and flourishing around in the shop.

Immediately after the killing Fisher and Stamey fled to Gaffney, S. C., and there gave themselves up to an officer early Sunday morning. It is said that Fisher was so weak from the loss of blood that he was unable to go further and he sent for a physician and the officers at the same time. Sheriff Tanner, who was on the lookout for the men, was immediately notified of their destination, and left for Gaffney for them. He returned with the prisoners and safely landed them in the county jail here to-day. They refuse to talk and only state that they were cut by Moorehead.

Moorehead and Fisher were heretofore considered quiet and industrious citizens of their home town. Stamey is a newcomer, having resided at Caroleen only a short time, and is reported as being quarrelsome and recently traveled with a circus. He stated on the night of the killing that he was a desperado, and was looking for trouble. It is thought that Stamey was responsible for the killing.

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DEFENSE BUYS A WITNESS

UNUSUAL PROCEDURE IN COURT

State Objects to an Examination by Defense of Dr. Glasgow, Who Performed the Autopsy on Senator Carmack's Body, Whereupon the District Judge, by the Evidence by Paying the Expense of the Autopsy—Defense Seeks to Prove by the Physician That Carmack Fired the First Shot—Witnesses Testify to Seeing Carmack With Revolver Just as from the Tragedy, But on Cross-Examination Becomes Badly Mixed.

Nashville, Tenn., March 1.—The spectacle of counsel on one side not only selling a witness to the opposition, but also selling a witness to the other side, was one of the elevating and extraordinary incidents to-day in the trial of Colonel Duncan B. Cooper and Robin Cooper and John D. Sharp for the slaying of Senator Carmack. The subject of the commercial transaction was Dr. McPheters Glasgow, one of the most eminent surgeons of the State, who performed the autopsy on Carmack's body. He did so and reported his findings to the prosecutors. He was subpoenaed by the State but was not used. The defense learned of the autopsy and summoned the doctor.

Now Dr. Glasgow is a very ethical man. He told counsel for the defense that he had never been retained by the State and that he would not discuss the case except with the Attorney General. The defense asked the doctor this morning to instruct the jury to talk to the doctor on the stand, but the judge refused, by telling the doctor that it would be proper for him to talk with the defendants' attorneys if he had any information that would throw light on the homicide.

The State objected and the doctor stood firm.

The State suggested that the defense swear the doctor and put him on the stand. The defense resented the suggestion and declared it would not be sworn on the stand without knowing to what he would testify.

Then the State's counsel made this astounding proposition: That if the defense would pay the State the costs of the autopsy, including Dr. Glasgow's fee, the state would waive its rights.

The defense finally "bought the goods in the bag" and Dr. Glasgow became their witness.

The significance of Dr. Glasgow's testimony is that any one of the three wounds was necessarily and instantly fatal and that if the Senator did not fire the first shot he could not have fired at all.

The only other sensational witness in the trial was Robbin Cooper, who was the day was S. J. Binning, who claimed to have seen Senator Carmack testing the cylinder of his revolver, where he was when he heard the shots fired and where Carmack and the others stood when he took that one look over his shoulder.

"Did you speak to the nigger?" "He asked me what it was and I said 'Senator Carmack must be in your room'."

"I saw a woman there. The nigger said he didn't know any one. I walked on, missed the man I wanted to see at the capital and went home."

"No sir, I didn't know until the next day, when my daughter read it."

On cross-examination Dr. Edwards said he had seen Robbin Cooper near on Robbin's shoulder, that the bullet never entered the body but merely ploughed through the flesh.

Dr. McPheters Glasgow was then called by the defense.

Describing the wounds on Senator Carmack's body he said:

"There was one wound two inches below the left nipple and one inch to the inside. The bullet passed through the shirt, four and one-half inches below the right nipple, and one inch outside was a wound from which a bullet had been taken. An inch from the left median line of the neck was another wound which was black, the bullet was dead. The bullet came out of the mouth, two teeth being loosened and held by the lips only."

The State reserved the right to cross-examine.

William Kinney, a traveling salesman, the next witness, heard the shots. Two came together and were loud, he said. Then there was an interval and then another shot.

R. H. Wright, a mine promoter, identified the automatic gun that Robbin Cooper used. He said he carried it when at the mines and loaned it to Robbin Cooper. He said he identified the weapon used by general appearance. The State still contends that this gun is the property of ex-Sheriff John D. Sharp.

Dr. L. Carpenter testified that on Saturday he took two revolvers, the automatic and one similar to the one Carmack is said to have used, and experimented as to the loudness of their reports.

"At 50 feet the difference in the sound was apparent but not marked," he said. "The larger revolver made more noise while the automatic was so loud but made more of a sharp crack."

"At 100 feet the detection of the difference in the sound was easier. The further I got away from the revolver the easier it was to distinguish between the reports up to 125 feet, which was as far as I stood."

MISS LEE CONTRADICTION.

Judge Anderson said they wanted to use the pistols in the case, "but it was deemed best not to shoot what is known as the Carmack pistol again."

Henry Chadwell, steward of the county asylum, corroborated Dr. Carpenter's testimony.

L. T. Rhea, a grain dealer, testified that James Bradford was accustomed to answer the phone himself. Miss Lee had testified that Bradford never did this until the afternoon of the tragedy, thus implying that a telephone message was expected.

"Didn't you tell Miss Lee, when getting the jury," he was asked, "that you told her to lie to get on?"

The defense called S. J. Binning. He said that just before the shooting he was walking on Seventh avenue.

Paul Davis, secretary of a land company of which Bradford is president and whose offices are next to the latter's, testified to the same effect.

"When I got near the alley," said Binning, "I paused to light a pipe and as I did so I saw Senator Carmack pass me. I started across the street behind the Senator and he did not seem to see me. As I passed over he put his right hand in his pocket and raised a revolver out of his overcoat pocket, his right thumb on the trigger and aimed the cylinder at the Senator and moved the cylinder back and forth. He then turned around and passed me. I saw him standing in the street."

TAFT READY FOR CEREMONY

DETAILS ARE ABOUT COMPLETED

With His Inaugural Address Completed and His Cabinet Selected the President-Elect is Taking Life Easing, Anticipating the Day of His Inauguration.

Washington, March 1.—A rush of morning callers, interrupted for a long walk in the afternoon, and attendance to-night at the special dinner given in his honor by the "Taft Philippine Expedition," brought President-elect Taft to within two days of his inauguration with less serious demands on his time than he has experienced any day since his landing from Panama at New Orleans.

Mr. Taft's final remark is that his inaugural address is prepared, his Cabinet selected, the inaugural committee is preparing all the details for the ceremony on Thursday and he should have the feet otherwise than comfortable.

The day was begun with an extended conference between the President-elect and Senator Knox, at which many important matters pertaining to the next administration were gone over. Mr. Knox is giving much attention to the prospective organization of the State Department.

March 4th. Besides his being consulted freely by Mr. Taft regarding the affairs of other departments, Mr. Taft having many times remarked that he should give his weight to the judgment of his junior.

Charles Nagel, of St. Louis, with Mrs. Nagel, are here and paid their respects to Mr. Taft. In the absence of the official announcement of the personnel of the cabinet, Mr. Nagel is somewhat shy when addressed as "Mr. Secretary."

The Missouri member of the Republican national committee is to be the new Secretary of Commerce and Labor, however, is known to be a fact.

HITCHCOCK ARRIVES.

Frank H. Hitchcock is here from New York. He spent some time at the Capitol to-day, and also saw Mr. Taft regarding matters which will arise directly after the inauguration.

A Federal judgeship in northern Alabama brought to the Boardman residence this afternoon a delegation in Congress from that State headed by the Hon. J. H. McMillan. Mr. Taft went over the situation with them and listened to their recommendations.

An informal tea, which was a farewell to the Boardman residence this afternoon, attracted there to-day many members of Washington's official and social life, and Mr. and Mrs. Taft met all callers.

The Philippine dinner to-night was arranged by Miss Mabel Boardman and Representative McKinley, of Illinois, and was the most pretentious of the enjoyable occasions which this famous party indulged in every year. There were present seven United States Senators and twenty-four members of the House of Representatives, besides a number of otherwise distinguished persons.

Representative Longworth and Representative Roosevelt became betrothed; Representative Bourke Cockran met Miss Ida, daughter of Judge Ide, of the Philippine commission, who is now Mrs. Cockran; and Representative Sawyer, of Kentucky, met Miss Mignon Critton, of Staten Island, to whom he became engaged.

Washington, March 1.—Dr. Crum's resignation did not reach the White House to-day and no statement was given out there in regard to the matter. Secretary of the Treasury Cortelyou when informed to-night of the resignation said it was the first he had heard of it and declared that, if Dr. Crum's resignation is accepted, before his resignation becomes effective, the special deputy collector of the port will fill the place temporarily.

SENATORS STILL ABSENT.

Runaway Members Declare They Will Not Return Until a Compromise Has Been Effected—Legislation Is Blocked and the State's Finances Tied Up.

Nashville, Tenn., March 1.—The 13 Senators who failed to answer roll call Friday morning, thereby breaking a quorum, are still outside the State's borders and the legislative tangle continues. To-day the joint session reconvened after its recess taken Saturday afternoon and without accomplishing anything, took another recess until to-morrow morning.

Besides blocking legislation, the absent Senators apparently have in a measure, tied up the financial machinery of the State.

Practically all appropriations for expenses of government run until March 1st and after that date nothing can be paid until a new appropriation bill has been passed, except appropriations provided for by special statute. The salary of the various departments are provided for. Such is also the case with respect to the salaries of judges, but all clerks in the various departments at the Capitol were provided for in the general appropriation bill.

This will have the effect of seriously crippling the various departments of the State and especially that of the Department of Justice. No money can be made to the old soldiers' home, the various hospitals for the insane, the industrial schools and other State institutions until an appropriation is made for them in a general bill.

Treasurer Folk will pay members of the General Assembly only for days of actual attendance.

It is said to be the purpose of the State Senators to force a compromise in the selection of the State election boards. It is further stated that they express a determination to remain out of the State until this end has been accomplished.

Pittsburg Councilmen Convicted.

Pittsburg, Pa., March 1.—After the jury had been out for nearly 36 hours a verdict of guilty was returned late to-day against President of Common Council William Brand and Councilman John P. Klein and Joseph C. Watson, charged with conspiracy. Former Bank President W. W. Ramsey, who was indicted jointly with them, was acquitted upon the orders of the court and the request of the district attorney.

Equitable Wins Suit.

Washington, March 1.—An opinion by Justice Peckham, the Supreme Court of the United States to-day reversed the decision of the United States Circuit Court of Appeals for the second circuit in the case of the Equitable Life Assurance Society of the United States vs. F. Wilson Brown, in which many serious allegations were made against the management of the company. The decision of the court below was favorable to a hearing for Brown, but the opinion announced to-day failed to uphold the view there taken.

NEGRO COLLECTOR RESIGNS

DR. CRUM STEPS DOWN AND OUT

Charleston's Negro Collector of Customs Hands in His Resignation to Take Effect March 10th—His Action Threatened Embarrassment to the Government.

Charleston, S. C., March 1.—In a letter to-day to President Roosevelt who appointed him collector of this port six years ago, Dr. W. D. Crum resigned his position to take effect March 4th.

With the resignation of Dr. Crum a situation which threatened to embarrass President-elect Taft considerable embarrassment is avoided. No appointment made by President Roosevelt during either of his administrations has given rise to as much discussion as that of Dr. Crum, whose appointment as collector at Charleston was vigorously opposed because of the fact that he is a negro.

A long and hot fight against his confirmation was made by Senator Tillman and others when he first was named for the position by President Roosevelt in 1903, and within the last few weeks he has been given a commendation by Senator Tillman conducted a successful filibuster against his confirmation by the Senate.

Dr. Crum says that no pressure has been brought to bear upon him now to cause him to resign, but that he does so in part because he wishes to save Mr. Taft, for whom he entertains great respect, from any possible embarrassment which might result from his resignation, and chiefly because he feels that he has been especially identified with President Roosevelt's administration and he wishes to retire with his chief.

His resignation is regarded as a compliment to the President for appointing him six years ago and for re-nominating him recently for a second term, he says.

DR. CRUM'S LETTER.

"Since assuming the duties of this position I have striven diligently to discharge the confidence reposed in me. During all these years, so far as I know, not a single charge has been brought against my moral character or a single adverse criticism made in relation to the performance of my official duties. I wish further to add that those employed in this office under me, composed of both races, have been at all times courteous, kind and efficient and I have all worked together to make the office work successful and satisfactory.

"When I became collector of the port the annual receipts of the office were about \$200,000. In the present fiscal year 1908 being almost \$71,000, and the first eight months of the present fiscal year are more than \$17,000. I do not claim credit for this increase in business, much of it would have been brought about through the natural growth of the port, but I do wish to state that it is my belief that the increase is due to the fact that they have shown a flattering increase each year, the total for the fiscal year 1908 being almost \$71,000, and the first eight months of the present fiscal year are more than \$17,000. 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