

DEFENSE ASKS FOR DAY TOGET CASE IN SHAPE

Cooper-Sharp Trial Adjourned Till Saturday Morning

MYSTERY OF THE REVOLVER HOLSTER

Two Score Witnesses Still to Be Called in Rebuttal.

(By Associated Press.) NASHVILLE, Tenn., Feb. 18.—Absence of some state witnesses and a desire on the part of the defense to arrange its plan of procedure caused an adjournment today until Saturday in the Cooper-Sharp trial for the murder of former Senator E. W. Carmack. The state first announced that it rested its case in chief. When the defense asked until Saturday to prepare and the continuance was granted Attorney General McCann announced that some witnesses would be here by that time and that he would offer their testimony.

The state has satisfied itself with offering testimony to prove that Senator Carmack was slain in Nashville by Robin J. and Duncan B. Cooper, that John D. Sharp when he heard the shots knew that they were without looking around, and that prior to the killing, several conferences had been held. This the state contends was the foundation for proof of conspiracy. The state stops here and waits for the defense to offer its case.

Attorney General McCann has subpoenaed sixty-four witnesses and has used scarcely a score. The others will be held in reserve for rebuttal. The defense has not issued a summons, but says its witnesses will be present without court process. By not issuing subpoenas it prevents the state from knowing its witnesses names.

Mystery of the Holster.
The only incident of today's testimony was the state's attempt to prove by implication that the pistol holster found in the dead senator's overcoat pocket was put there by one of the attorneys for the defense when, a few weeks ago he went to the morgue and tried on the overcoat. Two witnesses testified it was not in the pocket when the senator was killed. It was found in the pocket by General Washington of counsel of the defense when he tried on the overcoat.

The first witness today was Finley Dorris, a member of the undertaking firm which embalmed Senator Carmack's body. Dorris said he examined the pockets of the clothing of the dead man the night of the killing and again at the request of the state's attorneys before the hearing for bail. He was positive that he searched each pocket and that the scabbard was not in the overcoat pocket when the body was brought in, and was not in it at the time of the application for bail.

Has anyone else examined the clothing?
"Yes sir, General Washington and Mr. Meeks, counsel for the defense examined it with my consent."
"When?"
"Since the application for bail."
"Can that holster be crumpled up and be concealed in the hand?"
"It can, readily."

It will be recalled that W. G. Jones, the embalmer, was recalled last yesterday and asked by counsel for the defense to search the dead man's overcoat pocket and tell what he found. He produced the small rubber holster, to his evident astonishment, for he swore it was not in the pocket the night of the killing.

Attorneys Tried On Coat.
General Washington cross examined. The witness said the article was a rubber shield worn on the end of a revolver to prevent the barrel from wearing the pocket. General Washington was going more into detail when Judge Anderson, chief counsel for the defense leaned over and evidently disapproved for in the middle of a question the witness was excused.

William Murray, bookkeeper for Dorris told how General Washington and Attorney Meeks examined Senator Carmack's clothing a few days after the application for bond.

"They came in and examined the clothing carefully and General Washington put on the overcoat. He turned slowly around and put both

PENROSE AND LA FOLLETTE IN AN ANGRY TILT

Wisconsin Senator Claims Appropriations Bill Delayed Purposely.

TO SLIP IN ITEMS THAT ARE SHADY

House Passes Penal Code Amendment as to Traffic in Liquor.

(By Associated Press.) WASHINGTON, Feb. 18.—The postoffice bill, carrying appropriations of over \$22,000,000, was passed by the senate today after a very stormy debate during which Senator Penrose, in charge of the measure, made an angry assault upon Senator La Follette, who had entered into a general criticism of senate committees, because of what he termed their unwarranted delay in reporting great appropriation bills.

The day had begun by Mr. La Follette asking that the postoffice bill be allowed to go over until tomorrow as it had just been reported from the committee and he had had no time in which to examine it. Mr. Penrose had resisted this request. Later Mr. La Follette severely arraigned the senate for permitting legislation to accumulate until the last days of the session, when, he declared, important bills were rushed through with little or no time for senators to understand them.

Chance for "Snakes."
"It seems to be a part of the system that those most important legislative acts shall have little consideration," said Mr. La Follette. He charged that important legislation was placed on these measures and passed when it could not pass as a separate bill. He said also that the salary increases for the judiciary, for the high executive officers, and for the vice-president and the speaker of the house had been put through in that way and he insisted that committees unduly delay bills which might be reported earlier so that the senate would have more opportunity to study and understand them. He declared that if the senator from Pennsylvania had attended the session he would have reported more promptly. He added that the important legislation of congress was in the hands of seven committees, while over fifty senators were not assigned to any committee that has business.

He chided the senate with having put off interstate commerce legislation for nine years and having delayed the pure food laws seventeen years by applying the same method against which he was contending.

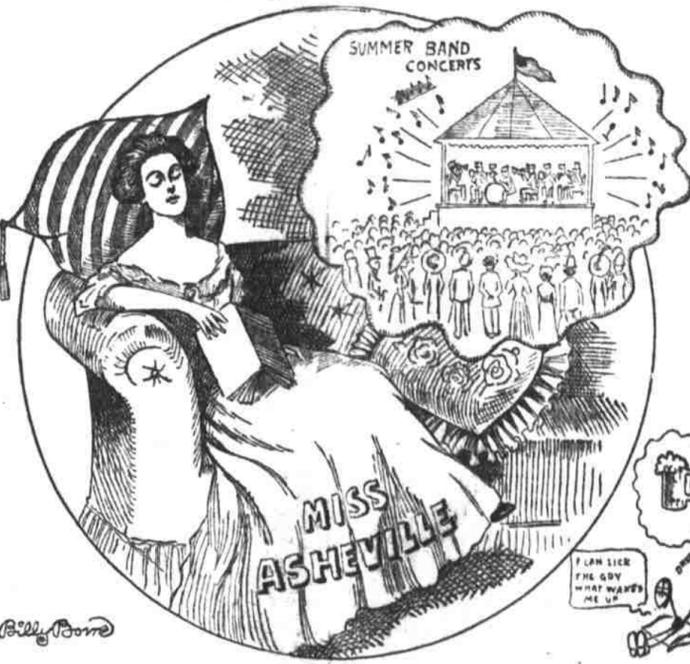
Penrose Bitter.
Mr. Penrose arose, and with evident anger said in a loud tone:
"I shall not sit silent in my seat when mis-statements are made of clap-trap statements are attempted. I make the statement without any fear of contradiction that the senator is on the important committee on Indian affairs, which every year considers a great appropriation bill, and he has seldom or never rendered useful service on it. There is no senator," continued Mr. Penrose, glaring angrily toward Mr. La Follette, "who has a greater record for absenteeism than he. If it be come him to criticize these committees, I shall not sit here and listen to arguments that might better be made by a vendor of a patent medicine from the tail of a cart in a village of Wisconsin than from a senator of the United States."

Mr. La Follette had remained standing while these remarks were directed toward him. Then addressing the chamber he said:
"Against his course and vulgar assault I put my record since I have been a member of this body."

House Passes Code.
The controversy over the legislative appropriation bill, in connection with the much discussed salary of the secretary of state, involving the eligibility of Senator Knox for that office, was settled in the house today when the bill was sent to conference and the committee authorized to consider the salary provision as if in disagreement. This gives the committee power to reduce the pay from

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Here's Hoping Her Dream Comes True



Z. T. DUCKER, OF THIS CITY, FATALLY STABS MAN IN BLACK'S FLORIDA SALOON

Ducker, Well Known Here, Lies in Jacksonville Jail Charged with the Murder of John Johnson, Black's Manager. Affray, it is Said, Grew Out of Ill-feeling Which Existed Between the Two Men.

Z. T. Ducker, of this city, lies behind the bars of a Jacksonville prison, charged with the fatal stabbing of John Johnson, in the saloon of Wiley P. Black, formerly of this city, at Jacksonville last Sunday afternoon. Letters received here yesterday stated that the killing grew out of an old feud of some weeks' standing between Ducker and Johnson. Ducker was at one time associated with G. W. Jenkins, the South Main street merchant, and lived in this city for many years. After leaving Mr. Jenkins, he formed a real estate partnership with Mr. Roberts, the firm being known as Roberts and Ducker. About a month ago Ducker left Asheville to work for

Wiley Black, who recently opened a saloon at Jacksonville. Johnson, a native of Jacksonville, was Wiley Black's manager, and apparently did not take kindly to the coming of Ducker. It is stated that Johnson had suspected Ducker of taking goods that did not belong to him, and had mentioned his suspicions in one of two parties. Feeling grew strong between the two men, and last Sunday afternoon Johnson came into the saloon and saw Ducker and Wiley Black talking together. "There he is," cried Johnson, "telling more lies." Some hard words then passed the two men, and it is alleged that Ducker, drawing a long-bladed knife, stabbed Johnson

twice in the back of the neck. The wounded man fell to the floor and was later removed to the DeSoto hospital. At the time Johnson's wounds were not considered dangerous, but he gradually sank and died at the hospital Wednesday afternoon. The charge of assault with a deadly weapon against Ducker was changed to murder. After the cutting affray Ducker made his escape across the river but was caught on Monday morning in the exposition grounds. Advice received here yesterday was to the effect that a vigorous defense will be put up for Ducker.

PLEAD GUILTY TO SMUGGLING IN CHINAMEN

(By Associated Press.) BILOXI, Miss., Feb. 18.—Plans of guilty to the charge of smuggling Chinamen into the United States through gulf ports were entered before Judge Niles in the federal court here today by Nick Strakatos, Anastasia Alifiric and George Spoford, all Greeks. Four other Greeks charged with being in the alleged smuggling conspiracy, pleaded not guilty.

John Lyons, formerly deputy collector of customs at Gulfport, and the only American charged thus far with complicity in the smuggling cases, was not arraigned today.

Sam Hop Sing and Chin Ting, Chinamen, and Gus Lemontis and Charles Thikios, Greeks, are expected to be brought here within the next few days for arraignment. The first three were arrested in New Orleans and Thikios in Galveston.

Judge Niles suspended sentence of those pleading guilty until the next term of court, pending the trial of the others. All were released on bond.

CONFESSES TO BRIBING CITY COUNCILMEN

(By Associated Press.) PITTSBURGH, Feb. 18.—W. W. James, former bank president, convicted of bribery, was the witness today in the trial of Congressman John F. Kilen, who is accused of soliciting and accepting \$17,500 from the bank of which Ramsey was president, upon a promise to have the bank made a city depository. Hardly had a sealed verdict returned last night, been read in court today finding Ramsey guilty when Kilen's trial was started with Ramsey as first witness. He testified to having arranged with Kilen for the payment of the money and to directing his cashier, A. A. Viskok, to get the money. The said it was placed on a table in the room with Kilen, and that when he and Viskok returned after being out both Kilen and the money were gone.

The maximum sentence in Ramsey's case is fourteen years in the penitentiary and a fine of \$25,000. His attorney is preparing to appeal the case.

PROFESSORS BADLY HURT COASTING
(By Associated Press.) HORNELL, N. Y., Feb. 18.—As the result of a coasting accident at Alfred last night six professors and students in Alfred university were injured. Prof. C. L. Clark is in a hospital in a critical condition.

The men took a hob sled out on a hill and were sliding down on the snow crust. At the foot of the hill Prof. Clark lost control of the sled and it plunged into a river, throwing the men against the stone abutments of a bridge.

The injured are: Prof. C. L. Clark, knee smashed, injured internally; Prof. Neil York, ankle broken, foot smashed; Albert Davis, 39, Shanghai, China, both shoulders broken; Arthur Stodick, 30, general injuries; Charles L. Clark, 30, Brooklyn, both legs broken; and Fred Clark, 35, both wounds.

NO TRACE LEFT OF VILLAGES IN QUAKE REGION

(By Associated Press.) TEHRAN, Feb. 18.—The government of Behabad, a town in southwest Iran, has sent out agents to investigate the damage wrought by the earthquake of January 26. The center of intensity apparently was two days journey from Behabad. Up to the present time only meager reports have come into Tehran. The devastation was particularly severe in the mountainous region between Behabad and Laristan province. It has already been established that fifteen villages were wholly or partially destroyed, and it is estimated that the total number will undoubtedly be more than fifty.

Only a small proportion of the inhabitants of the area where the quakes were most severe escaped. Some villages disappeared completely, and no traces can be found of the remains of Behabad or of Lahan.

It appears that not a single soul is believed to have been killed. A severe quake was felt at Isfahan, 100 miles away the morning of January 25.

NEW AMBASSADOR COMING.
MEXICO CITY, Feb. 18.—Francisco de la Barra, the newly appointed ambassador from Mexico to the United States, left tonight for Washington. He expects to present his credentials to President Roosevelt shortly after his arrival. He made his departure earlier than expected as he wished to participate in the inauguration ceremonies of President Taft.

NOT TO HANG ON 22ND.
ATLANTA, Ga., Feb. 18.—At the request of a Georgia chapter of the Daughters of the Confederacy, Washington's holidays will not be the date for the hanging of a negro who was to die on that day in Griffin, Ga., for murder. Governor Smith today postponed the hanging until February 26 at the request of the Pulaski chapter, D. C. S.

HOTELS FULL OF VISITORS TO SEE WAR DOGS

Fleet Will Arrive Off Capes Saturday Morning and Manoeuvre Outside.

NORFOLK PREPARES ROUSING WELCOME

Scheduled Events Will Begin Monday Morning When Ships Enter

(By Associated Press.) OLD POINT COMFORT, Va., Feb. 18.—The approach of the battleship fleet and its escort signalled tonight by wireless as less than 700 miles off the Virginia capes is reflected in the great crowds of visitors pouring into the hotels here. Many private houses in Phoebus and Hampton are to be thrown open to accommodate the overflow.

The tender Yankeon sailed today for Washington, but the big armored cruisers North Carolina and Montana are still in the roadstead. They finished coaling this morning off Sewell's Point, and dropped down to a new anchorage off the Old Point pier. It is planned now to have the cruisers leave tomorrow morning to join the incoming squadrons. The combined forces are expected to arrive at the Southern drill grounds, fifty miles off the Virginia capes, some time on Saturday. Minor evolutions and manoeuvres will be gone through in order to fill the time intervening before the time scheduled for their arrival on Monday morning next. The fleet will pass at the capes at 10 a. m.

Admiral Sperry, commanding the fleet, has accepted on behalf of himself and seventy-five other officers the invitation of the Navy league to the dinner to be given at the Chamberlain next Monday evening. Governor Swanson, of Virginia, will be among the speakers.

NORFOLK IS EN FETE.
NORFOLK, Va., Feb. 18.—Norfolk is preparing an elaborate welcome for the returning battleship fleet. Bunting is displayed everywhere and rings of electric lights festoon the principal downtown thoroughfares. The city is rapidly filling up with visitors and the hotels are already overflowing with applications for accommodations during "fleet week."

Norfolk is the home station of practically half of the battleships in the fleet, and even after the distribution from Hampton Roads begins the entertainments planned here for the officers and enlisted men will continue. A special steamer has been chartered by the entertainment committee to give free transportation to the men between Norfolk and Old Point Comfort so long as the fleet remains in the roadstead. A night parade of the anchors on Saturday, February 27, is to be one of the unique features of the week.

Countless excursions are to be run from here to the scene of the review by President Roosevelt. Many thousands of persons will gather along the Willoughby shore on the outskirts of Norfolk and just opposite Old Point Comfort. Other thousands will go all the way to Virginia Beach to catch a first glimpse of the incoming vessels.

Naval displays are not a new story to the people of Norfolk, but the interest in the homecoming of the fleet is unprecedented.

DEWEY CAN'T GO.
WASHINGTON, Feb. 18.—Because of his recent indisposition, Admiral Dewey has been compelled to decline the president's invitation to accompany him to Hampton Roads to witness the review of the battleship fleet.

YOUNG SPERRY TO BE THERE.
SAVANNAH, Ga., Feb. 18.—Of those who will greet the returning battleships at Hampton Roads, none will have a more ardent wish for Admiral Dewey's presence than Miss S. L. Sperry, of Savannah, manager of the local street car company, who will spend several days with her father. He will leave Sunday night to greet his father after the review of the fleet.

NEWLAND WAS DEATH OF THE MILEAGE BILL

His First Vote in Senate to Break Tie Defeats Measure

"SUB-SECTION A" IS UP IN COMMITTEE

Manning's Substitute Gets Endorsement and Will Be Reported.

(Special to the Citizen.) RALEIGH, Feb. 18.—For the first time at this session of the general assembly it became necessary for Lieutenant Governor Newland, as presiding officer of the senate, to cast his vote in order to break a tie this afternoon. It was on the passage of the Harringer bill to require that mileage slips shall be good on the trains, instead of the holders of books being required to present the books to agents at stations for mileage tickets. The senate had voted 22 to 22 and the lieutenant governor promptly declared his vote in the negative, thereby defeating the bill.

The bill for the creation of Avery county out of the eastern half of Mitchell county was set today as a special order in the senate for Saturday. There seems that there is a strong probability of the measure passing the senate although there is a likelihood of its encountering some fatal mishap further on in its legislative course.

New Equalizing Plan.
A bill introduced by Mr. Cox, of Wake, calls for a bond issue of \$750,000 for the erection of suitable buildings for the state, but no enlargement of the capital. Another bill by Mr. Cox, provides for the equalizing of tax assessment in the state by making tax districts correspond with the judicial districts, the chairman of the county boards of assessors to be members of the tax district board, the tax district board to organize by electing chairmen and then to equalize the assessment for the district; then the chairman of all the districts, with the governor, shall constitute a general board, to form the single board of equalization.

A bill by Speaker Graham, allows cities and towns to levy a tax on express, telegraph and telephone companies separate from state tax.

"Sub-Section A" Bill.
"Tooth" and "teeth" for the North Carolina anti-trust act of 1907, were passed and discussed this afternoon in the senate judiciary committee pending consideration of the noted Lockhart "Sub-Section A" bill and the Manning substitute, neither of which came out of the conflict changed. In the end the committee voted 8 to 8, for an amended Manning substitute, and by the same vote against a favorable report of the amended Lockhart bill, notice of minority reports being given in both cases by Senator Lockhart.

The amended Manning substitute retains proposed sub-section "B", making it unlawful to conspire to "down and keep down" prices of any articles produced in this state that such parties to the conspiracy intend to buy. To this the sub-committee added a section putting in the hands of the attorney general instead of the solicitors of the districts the duty of prosecuting for violations. Amended "Sub-Section A" bill has additional machinery that is said to put it in line with the Texas and Arkansas laws, with power and duty imposed on the attorney general to institute prosecution on proper information and officers and agents of corporations to be immune from personal prosecution because of evidence disclosed. This was not provided in the Manning substitute.

There is another section added a section "E", which provides that any persons, corporations or associations guilty of the unlawful conduct denounced in the bill shall not be permitted to do business in North Carolina.

Senator Lockhart intimated that in this he had in mind particularly the Virginia-Carolina Chemical company, as much as any other, which he believed would be barred from the state in the light of its present alleged methods.

Thus goes the proposed anti-trust legislation to the floor of the senate

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EXPERT YEGGMEN ARE ROUNDED UP; ONE WILL BECOME AN EVANGELIST

(By Associated Press.) ATLANTA, Ga., Feb. 18.—Four confessed yeggmen and another man declared by three of the confessors to be the leader of their gang, are behind the bars in the city prison, the net result of the drug net thrown out by the Atlanta police this week in an endeavor to break up the operations of safe blowers in this vicinity.

Leroy Crozier, Jim Webb and Will Knight confessed to four recent safe robberies in Atlanta and declared that William Jones, another man under arrest, was the leader of the gang.

Following their confession the men took the officers to some nearby woods, where they dug up a box of dynamite caps and nitro-glycerine which they had buried a few days

POISONED SAUSAGE FATAL TO THEM.

(By Associated Press.) MEMPHIS, Tenn., Feb. 18.—Three persons are dead and five others are seriously ill as a result of eating sausage supposed to have been poisoned.

The dead are: Mary Priora, Mrs. Mary Cassini, Miss Mamie Cassini. The seriously ill, Joseph Priora, Joseph Cassini, three members of the Noversisa family. Several days ago Mrs. Cassina gave some sausage to the Priora family and the family of another relative named Noversisa, and practically all were taken ill.

HORRIBLE CRIME OF NEGRO RAVISHER

(By Associated Press.) RICHMOND, Va., Feb. 18.—A special to The Times Dispatch from Eagle Mountain, Va., says: "An unknown negro assaulted Miss Dobb, aged fourteen this afternoon at 5 o'clock at Glen Walton. After assaulting the girl the negro cut her throat and she died in a few minutes. A posse from here is in pursuit of the negro."

A later dispatch to the Times Dispatch states that the negro (name not given) had been captured and the mob have started with him in the direction of Clifton Forge.



WASHINGTON, Feb. 18.—Forecast for North Carolina: Rain Friday in west and at night in east portion; warmer Friday in east portion; Saturday clearing and somewhat colder; moderate to brisk south winds becoming northwest Saturday.

TAFT MADE MASTER MASON AT SIGHT IN SPACE OF THIRTY FIVE MINUTES

(By Associated Press.) CINCINNATI, Feb. 18.—William H. Taft, president-elect of the United States, is a master Mason. The impressive ceremony which brought him all these functions.

Frank H. Hitchcock, at the request of Mr. Taft, came here today from Chicago and after his conference left for Washington. That the discussion related to the undecided post of secretary of the treasury was admitted, but beyond the statement that no decision was reached, no information was obtainable. The suggestion that the place will likely go to Chicago or further west was made.

The president-elect will attend the dinner of the Knockers' club tomorrow night, when he will hear Cincinnati "hoisted." He will leave for Philadelphia Saturday.

FOR MASONIC BROTHERN AT THE C. P. TAFT RESIDENCE, THE CEREMONIES CONCLUDING WITH A BRILLIANT BALL.

The presence of the president-elect graced all these functions.

The experience of being declared a Mason at sight was not ended with the afternoon session of the grand lodge. Mr. Taft witnessed during the evening the regular form of initiating a member. Between the two sessions of the lodge there was a reception