

fore the killing. Just as the confer-ence closed Governor Patterson tele-inened for Colonel Cooper. It is the defense's theory that while going to the governor's mansion the Coopers met Senator Carmack and that the

killing resulted. The cross examination of Colonel Cooper is easily the most striking fea-ture of the trial thus far. The Colonel had the reputation of being high spirited and easily moved to anger. It was common rumor that he took It was common rumor that he took the stand against the advice of his counsel. However in Tennessee the defendant who does not take the stand is looked upon with suspicion. Nevertheless all efforts of the state to confuse the witness on the subject confuse the witness on the subject matter of his direct examination tailed.

eution did some execution in its efforts to show that Colonel Cooper as clerk and master in chanery was short \$100,000 and that a investigating committee charged that a defaulting committee charged that a defaulting state treas-urer used nearly \$100,000 of the state's funds in promoting a Mexican silver mine and a walnut og company which Column a which Colonel Cooper managed. The witness insisted, however, that every dollar of the chancery shortage, due except in the watching of jurors, and to faulty office system, had been re-

to faulty office system, had been re-pald, and that he did not know that the state treasurer, M. T. Polk, was using the state's funds in the invest-

Consideration of the sundry civil bill was continued into the night. The conference report on the post-office appropriation bill was agreed to during the day and the naval bill was sent back for further conference.

Smith Vitriolic. Vitriolic denunciation of the secret service of the treasury department

service of the treasury department was uttered by Mr. Smith during the consideration of the sundry civil bill. The discussion arose over an amendment by Mr. Bennett of New York striking out the provision lim-ting the field of operations of the A feature of the game was the numper of foul goals. Jemison for Atlanta throwing twenty, and Brown for Asheville throwing fourteen. Atlanta threw only two field goals to Asheville There were about thirty people, foriting the field of operations of the secret service. A similar paragraph in the last appropriation is what gave nine. Lipinsky, of the Asheville Y. M. rise to the president's strictures upor C. A., was the star of the game, throwing five out of nine goals. Boger members of congress. When Mr. Smith arose to reply it

When Mr. Smith arose to reply it was apparent to every one that he was thoroughly wrought up. He wehe-mently declared, in speaking of the secret service that it was a matter of common knowledge that one of the reputation of the thete was that he made three and Allen one. made three and Alten one. The manager of the home team, after the game, made a statement to the effect that the Asheville boys rich-ly deserved the victory and that they requisites of detectives was that he

Colorado

lows:

should be a common l'ar. The secret service men, he charged were worthless, and he said "no where except in the value of the star how mere of Chief Wilkie and the testimony of men who don't know anything about it did I find that it had done anything

Disobeyed His Counsel. Colonel Cooper today gave frequent displays of temper and disregarded the orders of his own counsel. The state's attorneys, to add to his annoy-ance, jumped from one point of his

"But it took a man with a black

tistical impulse, pretending to throw

was Mr. Cook that he was denied the

Senate on Farmer's Bill.

lating to new legislation were stricken

The entire time of the senate was

Mr. Cook, republican, of

Foul Goal.

ed a winning game, their chief fault being the number of fouls made.

ed the game.

(Special to The Citizen.) ATLANTA. Ga., Feb. 25.—The what of a disadvantage because of the for the knowledge that the referee ATLANTA. Ga., Feb. 29.— The what of a disadvantage because of the knowledge that the reference of the Asheville Y. M. C. A. basketball team floor, which is twenty feet longer than the southern championship from the Atlanta Athietic club in a fast game played here tonight. However, they got together and play. There was more rough playing by

both teams than was necessary.

fleges of the club rooms of the At to that of the home team. There were about thirty people, for-merly of Asheville, who reserved ons-end of the field and waved Asheville banners and gave Asheville yells that imade the building fairly ring and at times drowned the yells of the Atlanta sympathizers, A large crowd witness-ed the same. lanta Athletic club by the manage-ment, also the Country club, which is located in the suburbs, and gave each player a two weeks' memberahip tick-

r. f. Hudson Atkinson

Maj. Lawrence Young, of Asheville. completely played their opponents off who accompanied the visitors, ref- Thornton their feet.



Mart ante

The visitors were extended the priv

Asheville c. Lipinsk 1. g.

no weight with me whatever." Lynch Brow

ne could not understand. Mr. Wilkerson argued that the fine under the could's ruling would serve as a license to a great corporation. Judge Anderson said, in effect: "That is a consideration which has

of the tuberculous insane, terminaling this evening by a unanimous tota by the joint committee on insane for each institution to nave its insane department properly isolated from the other buildings of the institutions in-stead of segregating these patients at one place. Morganion, for instance, as the hospital commission had recom-mended that they should be. The WOULD PUT STOP TO COTTON GAMBLING

the hospital commission had recom-mended that they should be. The committee spent the whole afternoon thrashing out the malter, hearing from Dr. McCampbell) superintend-ent of the Western hospital and Dr. Picot of the Central hospital and then hearing the indvidual opinions of the members of the committee which were varied until there came about a general rally to the suggestion for WASHINGTON, Feb., 25 .- Characterizing those who deal in cotton and grain futures as vicious gamblers, free noters, and buccaneers, and claiming that the gambling in cotton is worse than that at oMnte Carlo, C. T. Lad-son, of Atlanta, Ga., counsel for the Farmers nion and dressed the house committee of agriculture today on leg-bladion proposed to prevent deating in members of the committee which were varied until there came about a general rally to the suggestion for cheap wood buildings at each insti-tution for the tuberculous patients, made by Dr. Campbell, representative from Stanley. The idea of having wooden buildings was that if too bad-ly infected with the serve Way output islation proposed to prevent dealing in cotton and grain futures.

SOUTHERN CONGRESS PURCHASES HOME.

WASHINGTON, Feb. outhern Commercial through John M. Parker of New Or-leans, president and ficharles M.

25.-The ly infected with the germ they could Congress be burned down and replaced.

states attorneys, to add to his annoy-ance, jumped from one point of his narrative to another, asked discon-nected and involved questions, but at four this afternoon gave up the task and left the witness, prespiring, flushed and angered, but self satisfied Counsel for the defense stated that Counsel for the defense stated that tenance he slowly remarked; they required a few hours to meet the new charges brought out by the state promised to make the re-direct examination very brief. Upon the assur-ance Judge Hart ordered an adjourn-much freedom of speech and referred brief. Upon the assurment uptil § a. m. tomorrow. When court opened Judge Hart an-

nounced that he would refuse as ev-idence the Lancet editorial which the Colonel Coope r again took the his lariat of execution at the heels

stand and Captain Fitzhugh resumed and broad horns of capital for the the cross examination, commencing delection of voting labor, and ending with the debate between Carmack and with the debate between Carmack and Patterson during the last gubernato. So denunciatory of the president rial empaign.

Likes Word "Hell." Witness said that Carmack attack-im nearly every day in this debte. "What were the facts of this debate him nearly every day in this debte.

the words?" Fitzhugh asked. "T con't recall except the one about "T con't recall except the one about -the words?" Fitzhugh asked.

angel with the smell of hell on administration, the president, and his Don't you know he never said pliant attorney general have not sent his wings."

hell?

It's a favorite occupied today with the consideration You use the word hell often." "I certainly do, it's a tavorite of the agricultural appropriation bill Many items of the bill providing for

Fitzhugh was on his feet firing various investigations and matters requestions rapidly and Judge Anderson said, "I wish counsel would avoid these exciting demonstrations." "Let him alone," said Colonel Coo-

"Let him alone. He can't burn. The senate at 6.08 o'clock adjourn-

(Continued on page four.)

COLLECT DUTY ON ALL PRECIOUS

have been selfing in nearly all cigar and Saturday; light to moderate north stores under the regular prices, to northeast winds.

cle Rob Clemets told me that he had tion for a preliminary injunction retion that Franklin MacVeagh, of Chl- them in the house and would set use straining the re-organization comcago, has been selected by Mr. Taft as to the house that night and barn them mittee of the Southern Sgeel com his secretary of the treasury, are breeby removed. Mr. MacVeagh ac-cepted the place vesterday and three.

cepted the place yesterday, and there-by the Taft Cabinet made complete of a sector of Bob Clemets, the United State circuit court. Georga as heretofore announced by The As-solated Press.

"Uncle Bob told me" continued the junction on the ground of inequality No official or unofficial declara- boy, "the whole Edmonson family got The Southern Steel company had to kill them or properties in Alabama and other tions of Mr. MacVeagh's appointment is to be by Mr. Taft until he promul-they would have killed him and then Southern state

Its affairs have been in process gates his entire Cabinet. But in this "pho has and be told to death." gates his entire Cabinet. But in this The boy said he told his mother, of impidation for some time and re case, as in other numbers of appoint. Tather and safer what his uncle had cently it was announced that the re ments, the facts are known to be cor- said. Rufus Luker, father of the boy lorganization committee has complet was placed or the stand and restited ad plans to take over the properties at a sale to be had within a few to the same facts.

weeks. Judge Noves in his decision.

DRY FOR TWO WEEKS. that as the properties of the Bouth Secretary of State-Philander C. (By Associated Press.) function of Pennsylvania. (By Associated Press.) COLUMINA S. C. Feb. 25. The up at public sale by the trustees in senate tonight passed an amendment senate tonight passed an amendment Secretary of the Treasury-Franklin to the production bill providing that the bankrupter court will take atep elections he wild in the various could to secure a fair price and distribute Secretary of War-Jacob M. Dick, the now wat on July 15. From July the proceeds among the creditor He added that to July 15 the entire state would and stockholders. be prohibition. Those counties roting fraud was not indicated by the fact Autorney-General George W. Wick- be promote the whiskey sale would do that the ste kholders who advanced so under the cresent law. Those colling new funds will receive far more Postmaster-General — Frank H. to do away with whiskey sale would new funds will receive far more in to do away with whiskey sale would new securities than those who ad-litchcock, of Massachusetts. Secretary of the Navy-George Von

Mr. Behaler should have the right to renew his application if the reorganization committee should carry out its present intention to put Wilson, of Iowa. Secretary of Commerce and Labor —Charles Nagel, of Illinos —Charles Negel of Missouri. With his neutronic of R. I: Broadnax, a Haynesville Interview of R. I: Broadnax, a Haynesville the properties at a judicia

With his postmaster-general, Frank H. Hitchcock, Mr. Taft, took a five-mile walk through Central Park in believed to personal differ-THIRTY DAYS IN JAIL

(By Associated Press.) LONDON, Feb. 25.-Refusing to give security for their future good whavior the women suffragists whd company, of Louisville, publishers of The Louisville Herald, for an indictwere arrested last night while attempting to reach Premier Asquith interests of the cause, were today ment in the Calloway and in Trigg sentenced to imprisonment. Most of circuit courts of Western Kentucky, the terms were for one month to present to him a petition in tht exception was made in the case of libeling Judge Thomas P. Cook and wealth's attorneys are selected to Mrs Pathic Lawrence, who, having commonwealth's attorney, D. P. Smith, held law and order, the only hope of a previous conviction against her, was the two officials preside in the dispermanent relief from such condia previous conviction against ner, was trict in which the greater part of tions is in enlightened sentenced to two months imprison-ment. Lady Constnee Lytton, daugh- the night rider troubles in Kentucky ment aroused by the press of the

of Pittsburg, chairman of the Davis. executive Fommittee, ascing as trusteen of the unincorporated organization, today acquired title to the old St. Matthews church property of Fifteenth and H streets. The necessary pepers were today passd over by Cardinal Gibbons and his representatives and well be immediately recorded.

NAVY ADVISORY BOARD. WASHINGTON, Feb. 25-The pres-ident today submitted to congress two

preliminary reports of the commission he appointed to consider certain needs of the navy. The commission recom-mends an advisory body for the secetary, declaring that what the secretary needs above all is a clear understanding and firm graps of elading military considerations

FLORIDA SOLD CHEAP

NEW YORK, Feb., 25 .- The steam-Florida of the Lloyd-Italiano force. line, which last month rammed and sank the White Star liner Republic in a fog off Nantucket Island, was main who gave his name as M. A. for maintaining four months school misle, said to belong in Philadelphis. In every school district in the state. The sale is the result of the libel the sale is the result of the line inter none passed the bit carrying out the Lloyd-Italiano for the loss of its yes-

Thirteen "Agin" Trusts. With the unlucky number of thirteen votes cast against it, sub section " λ " or the proposed anti-trust legis-lation went down in defeat this afternoon in the state senate after the biggest argumentative contest that has characterized this session of the assembly, and one not inferior to the famous contest in the 1907 legislature when under the leadership of Hon. Reuben Reid Rockingham, sub sec-tion "A" was expunded from the anti-trust legislation on the narrow margin of one role. of one vote.

An anaysis of the vote shows that more than half of the strength of the Lockhart bill in the senate was actually represented in the senate committee that reported it unfavorably.

Teeth Not So Sharp. The Blow-Bassett bill is now to have its day in the house and is expected to pass without material change and become the actual "testh" pected of the anti-trust act of 1907 now in

today sold at auction for \$22,500 to a ties with increased state appropriation

The house passed the in favor of the White Star line, which provisions of the Bickett act of 1007 for the enlargement of the state hospitals for the insanc. twelve votes against it.

GOV. WILLSON DECLARES PRESS THE ONLY RECOURSE WHEN COURTS FAIL

Governor Willson wrote upon par-Teason:

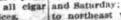
of the strongest defenses of the freedom of the press in criticism of pub-"Because the long series of crimes lic officials ever delivered in the in this district, which have not been South was written by Governor Aupunished under these officer's admina pardon to The Herald Publishing istration, make it necessary for the press to criticize all who can be held responsible.

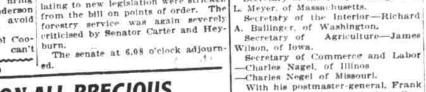
"If the courts do not put an end to the rule of crime in the countles charging the paper with criminally in which the judge and commoncommonwealth's attorney, D. P. Smith, held law and order, the only hope of ment. Lady Constnee Lytton, daugh-ter of the former viceroy of India-warned her friends that if they ge-cued her release by providing security she would repeat her offens.

NOT GUILTY: INSANE.

(By Associated Press.) MONTGOMERY, Ala., Feb.

WASHINGTON, Feb. 25-Forecast:





SOUVENIRS SAILORS BROUGHT the biting wind today. He saw a numher of New York city financiers during the day, but said the calls wer-

brought the American battleship fleet turning from an American cruise and from San Francisco to Hampton the inspection began today was out of Roads, left tonight for Washington, the ordinary only in the matter of the It is common gossip in the fleet that number of ships entering at one time. President Roosevelt intends to name Most of the officers who had purcha-the next commander in chief of the scs above the usual limit during the first before he retires from office one cruise were somewhat disappointed the price of cigarettes it is stated, is that they woud not be allowed free about to be raised. The interd, is that they woud not be allowed free about to be raised. The increase that they woud not be allowed free about to be raised. The increase customs officers boarded the ships

today and collected considerable mon- souvenits brought home for their im- ard prices are to be restored on today and collected considerable mou-souventes orought nome for their ine-ey from those officers who had made purchases abroad in excess of the there any suggestion of evading the bare been selfing in nearly all cigar and Saturday; light to moderate north purchases abs \$100 worth admitted free. It is atariff laws of their native land.

to express frienship and had no other (Bv Associated Press.) FORT MONROE, Va., Feb. 25.-Rear Admiral Charles S. Sperry, who CIGARETTES GOING UP.

(By Associated Press.) NEW YORK, Feb. 25.-As the result of conferences by prominent cig-

The Cabinet, as completed with the

election of Mr. MacVeagh, is as fol-

Knox, of Pennsylvania.

MacVeagh, of Illinois.

nson, of Tennessee.

rsham, of New York.

Hitchcock, of Massachusetts.

L. Meyer, of Massachusetts.