

SCORE POINTS FOR COOPER OF IMPORTANCE

Judge Rules Out Testimony As to Carmack's Mood on Day of Shooting

REVOLVERS ARE ACCOUNTED FOR

Ninth Day of Trial Finds Defense Still Presenting Its Case.

NASHVILLE, Tenn., Feb. 26.—The ninth day of actual testimony in the Cooper-Sharpe trial for the slaying of former United States Senator E. W. Carmack was marked by lengthy and bitter argument between opposing counsel, and closed with a decided advantage for the defense.

The defense early in its case in chief offered proof that Colonel Cooper was told by Edward Craig, whom the Colonel had sent to see Senator Carmack, that Carmack was in an "ugly humor."

The defense fought the admission of the testimony with more vim and bitterness than has characterized any argument since the trial began. Learned counsel offered two reasons why it should be excluded.

In the question of Major Vortrees testimony of Judge Hart excluded the jury and permitted the state to examine the Major for the court's benefit.

Colonel Cooper resumed the stand when court opened and said: "I wish to make one statement. My testimony yesterday as to helping an old soldier was misinterpreted."

Cooper was then excused. After some delay waiting for a witness who did not arrive, Lieutenant M. B. Plicher, U. S. A., who found the revolver near Carmack's body, was called by defense.

Sergeant Meadows of the Nashville police force was the next witness. He went to Fort's infirmary and got

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SENATE SITS UP SUDDENLY IN SURPRISE

When Tillman Offers Resolution to Bar President's Messages From Mails.

BOTH HOUSES ARE ALIVE WITH DOINGS

Last Days of Session Crowded With Happenings That Are Unusual

WASHINGTON, Feb. 26.—Senator Tillman today astonished the senate by the introduction of a resolution instructing the committee on postoffices and post roads to inquire whether messages and reports recently sent to congress by the president should not be excluded from the mails as obscene literature unfit for circulation.

The resolution includes not only the president's message but the report of the commission and the committee on postoffices is directed to consider whether the use of the mails should not be prohibited to the entire matter.

Charging the existence of a trust in naval stores, Mr. Tallaferra had read a memorandum of agreement of March, 1905, between the Patterson-Douglas Company of West Virginia; S. P. Shottor Company of West Virginia; The Societe Anonyme Des Resineux of Belgium; Nickoll and Knight of London, England, and the Globe Naval Stores Company of West Virginia, relating to the formation of a company to deal in naval stores and stipulating terms upon which each of the parties to the agreement should sell turpentine, rosin, etc.

Mr. Tallaferra charged the parties to the so-called trust with having practiced various offenses such as false grading and giving short weight, manipulation of the market for turpentine and rosin below the cost of production, the coercion and ruin of their competitors, and "about every other reprehensible practice adopted by those who prey upon trade."

The fight on the floor of the house over the passage of the senate ocean mail subsidy bill opened today when the majority members of the committee on postoffices and postroads submitted a favorable report on the bill, and the minority members were given until Monday, noon, to submit theirs.

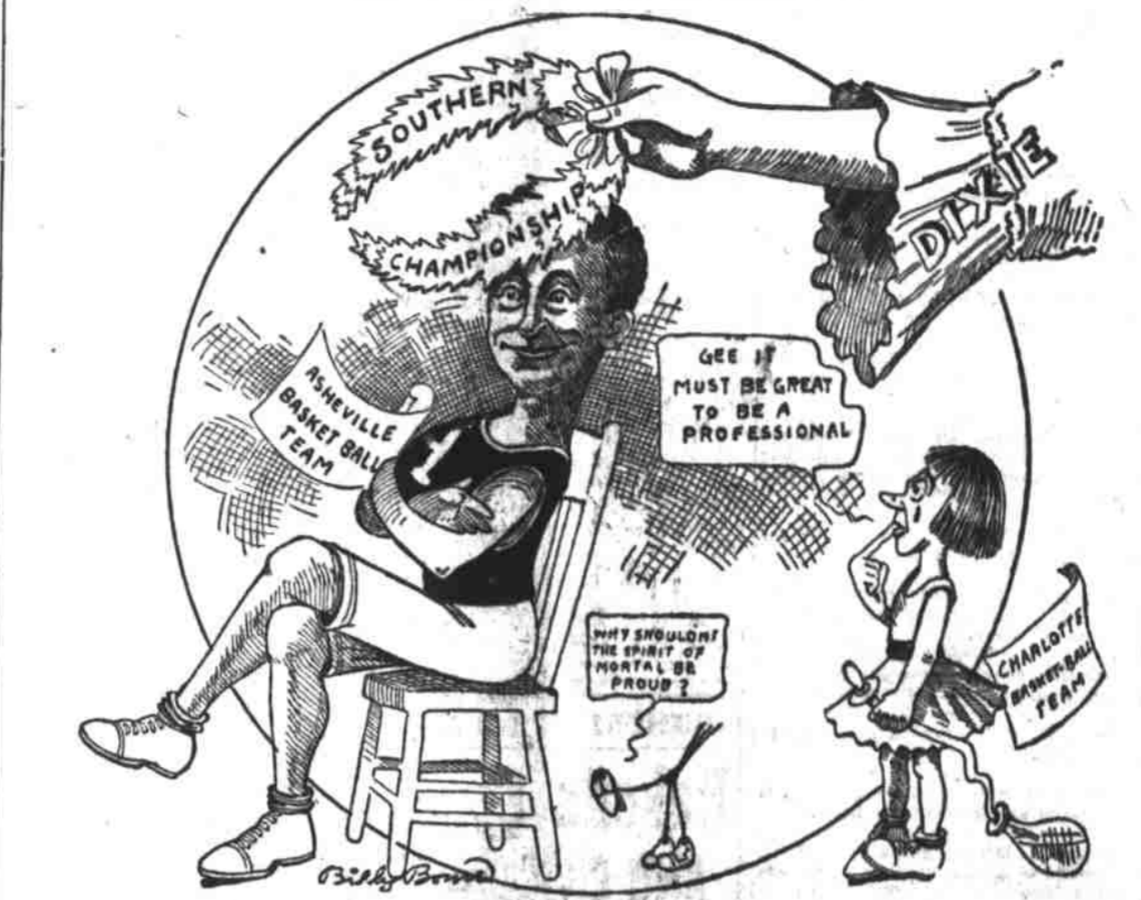
The majority report was prepared by Representative Goebel, of Ohio, and states that the principal provision of the bill is that American mail steamships of 16 knots an hour or over, and of 5,000 gross ton shall be paid \$4 a statute mile on mail carried on lines to South America, the Philippines, Asia and Australia.

It was explained that the bill would provide for a mail service to be equitably distributed on the Atlantic ocean, the Gulf of Mexico and the Pacific ocean. The ships, it was declared, must be of such a nature and so equipped that they might promptly and economically be turned into auxiliary and naval vessels.

A vote will not be taken until late Monday or Tuesday when a rule for the consideration of the bill may be reported. A proposition is being considered among the democrats to filibuster against the bill.

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"Behold The Conquering Hero."



DID NOT SLANDER TARIFF SCHEDULE

Taft Complains of Touch of High Life Reporters Give Him.

(By Associated Press.) NEW YORK, Feb. 26.—President-elect Taft made a vigorous protest tonight against what he said was an absolute misrepresentation in certain New York afternoon papers as to what he said during the day in answering questions regarding tariff revision.

He had stated, he said, that the present business depression was undoubtedly due in a large measure to the fact that the tariff is to be revised at an extra session of congress to meet March 15; that it was of the highest importance that this work of revision should not be delayed, but executed with all possible diligence.

Mr. Taft also said he favored the idea of a permanent tariff commission, the plan for which should be worked out with deliberation, the duties of such a commission to be to make a careful study of the operation of the proposed new tariff law, to the end that suggestions might be made in the future which would tend to place the whole question of the tariff on a more certain and scientific basis.

Upon this statement Mr. Taft was made to say that the present tariff schedules were responsible for the present business depression, and that when they were revised their own parents would not know them, all of which was amplified at length and made positive by appearing to be a vigorous and enthusiastic statement.

Mr. Taft was particularly perturbed over what he called a misrepresentation, particularly in view of the weight which is now given his words because of his official position. He had, he declared, changed his position in no way, and now the same views he had publicly announced during and since the campaign.

The subject of the tariff came up today because of a call upon Mr. Taft by J. W. Van Cleave, president of the National Manufacturers' Association, in which the subject of tariff commission was mentioned.

Mr. Taft spent the day at the H. W. Taft residence, where he received a number of callers. These visits, he said, produced no developments of any character.

CREMATING OF FAMILY MAY PROVE CRIME

BAKERSFIELD, Calif., Feb. 26.—Mrs. Minnie Beckman, widow of W. M. Beckman, who was a prominent resident of Kern county, and her four children were burned to death in their home four miles south of Bakersfield today. The police say they were murdered, and that the house was fired. The children were Verna, Raymond, Annie and Arthur, ranging from six to fourteen years. The charred bodies were found in bed. The half consumed mattress, on which Mrs. Beckman had slept, was covered with what appeared to be blood stains. It was sent to a chemist for analysis. Mrs. Beckman's husband died a year ago. He had two children by a former wife. To these he left \$100 each, and bequeathed the remainder of his \$75,000 estate to his widow and her four children.

SHIPS OF FLEET GO TO STATIONS

Disintegration of Famous Aggregation of Fighters Begins.

(By Associated Press.) FORT MONROE, Va., Feb. 26.—The disintegration of the powerful naval force, which has been at anchor in Hampton Roads since Monday last, began this afternoon. The Minnesota and Virginia, late in the day, left for the Norfolk navy yards to undergo docking and to receive preparation for the summer maneuvers. The three recent cruisers, Chester, Birmingham and Salem, sailed for Newport, R. I. The battleships New Jersey and Rhode Island are ordered away tomorrow, the former to Boston and the latter to New York.

Other ships are to follow the New Jersey and Rhode Island very shortly. It having been determined that "admiral's inspection" shall be delayed until later in the year. Just what is to be done with the ships of the third squadron, the so-called stay-at-homes, has not been determined. It is said that the third squadron undoubtedly will be given a West Indian cruise.

One of the most picturesque sights Hampton Roads has ever known was presented today when Admiral Farragut's old flagship, the Hartford, "Damn the Torpedoes" fame, came steaming in from Annapolis and cast anchor near the modern 16,000-ton Connecticut. With her wooden hull and bark rick, the Hartford presented a striking contrast to the armor-clad of today. She will be used in helping to transport blue jackets to Washington for the inaugural parade.

REVENUE CUTTER IS FAST ON ROCKS

Mohawk May Be Wrecked by Having Hole Cut Through Her Bottom.

(By Associated Press.) NEW YORK, Feb. 26.—The United States revenue cutter, Mohawk, bound from New London for Tompkinsville, ran on the rocks in Hell Gate, off Ward's Island, known as Little Hog Back, late today and at a late hour tonight was still hard aground, despite the efforts of several tugs to move her. The cutter's bow was resting on two-level rocks and it is feared they will tear a hole in the ship's bottom.

The wireless telegraph brought news that the Mohawk is leaking badly and that there is some water in the fire-room but the pumps are keeping ahead of the flow. Several plates in the cutter's bow are broken and others are bent.

The Mohawk was running at half speed through Hell Gate, one of the narrowest spots hereabouts, when she struck the reef. The tide rushes through Hell Gate like a mill race, and it is presumed this carried the cutter onto the reef. The moment the Mohawk struck, the men of the crew were ordered to station and the wireless sent out a call for help. Captain Staley M. Landrey is in command.



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WEAVER TO OFFER SUBSTITUTE BILL

New Measure Designed to Meet Objection to Police Commission.

(Special to The Citizen.) RALEIGH, N. C., Feb. 26.—Representative Weaver will have a substitute bill for his original police commission bill for Asheville offered when the measure comes up in the senate for passage. The substitute is drawn to obviate some of the objections which have been urged against the original, but conform in the main to the original bill.

The substitute bill makes several important changes in the measure originally proposed and eliminates some of the features that were objectionable even to the friends of the police commission. In the first place the commission is to be made elective after the expiration of the terms of those named in the bill who are the same as those originally proposed. Provision is made for the filling of vacancies by the board of aldermen. The substitute makes the term of the chief of police two years, and makes that of the officers under him subject to the will of the commission, but provides that no officer shall be removed except for cause. The pay of the force is to be provided and paid by the aldermen, but may not be reduced without the consent of the commission, nor can the number of men on the force be reduced without the commission's consent. The commissioners themselves are to serve without pay.

The other provisions of the substitute are practically identical with those of the original bill. The commissioners are given full authority and control over the police department, and may make rules, regulations and orders for its government. It may summon witnesses to testify and administer oaths, but only in matters pertaining to the department or for some breach of the department rules.

By substituting the new measure in the senate Mr. Weaver obviates the necessity of the reference and readings when the bill goes back to the house. All that will remain to be done will be for the house to concur in the senate amendment if the senate passes the bill.

There is but little reason to expect Senator Britt to be any more in favor of the substitute measure than he is in favor of the original, but Mr. Weaver may be able to muster enough of his friends in the upper house to get his bill through in spite of Britt's opposition.

BOY'S EVIDENCE MAY SAVE LIFE OF HIS FATHER

DECATUR, Ala., Feb. 26.—Corbin Clements, the nine year old son of Bob Clements testified today in behalf of his father who is on trial for the killing and burning of the Edmondson family near Woodland mills last November.

The boy proved the strongest witness yet produced in his father's behalf. "I was asleep when the fire commenced," he said. "Mama woke me up and I woke papa and he hurried to the barn." The boy said he was at the Edmondson house before dark on the evening of the fire and saw all the Edmondsons at home. Previous testimony had been to the effect that Clements killed the family the day before the fire. Clements himself took the stand and his testimony was to the effect that Edmondson himself had killed his family and fled. The case will probably go to the jury tomorrow.

ROOT SEVERE ON THOSE WHO SLANDER JAPS

Calls Them Gentlemen, Scholars, Deprecates Our Insults

GUEST OF HONOR OF PEACE SOCIETY

Mr. Taft Tells How He Learned to Serve Under Root.

NEW YORK, Feb. 26.—The peace society of New York brought together around the banquet table at the Hotel Astor tonight a notable gathering of men prominent in national, state and city affairs. The dinner was in honor of Senator-elect Ellihu Root, of New York, and Joseph H. Choate was toastmaster. President-elect William H. Taft, Governor Charles E. Hughes, Rt. Hon. James Bryce, the British ambassador, Baron Goporo Takahira, ambassador from Japan, and Joaquin Nabuco, Brazilian ambassador, were the speakers, and the guests numbered about 300.

President-elect Taft arrived early and as he came in with Judge Alton Parker the guests arose and gave him an ovation. Mr. Root, the guest of honor, and Joseph H. Choate, who in the absence of Andrew Carnegie, president of the society, presided, followed Mr. Taft and Judge Parker. Root lauded Jap.

Mr. Root dwelt upon the causes that lead to war, and said: "In this country of ours we are far from free from being guilty of all these great causes of war. The gentlemen who introduced into the legislature of California, Montana and Nevada, the legislation regarding the treatment of the Japanese in those states numbered about 300. President-elect Taft arrived early and as he came in with Judge Alton Parker the guests arose and gave him an ovation. Mr. Root, the guest of honor, and Joseph H. Choate, who in the absence of Andrew Carnegie, president of the society, presided, followed Mr. Taft and Judge Parker. Root lauded Jap.

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"But a few days ago a member of the house of representatives, with no other apparent purpose than to make himself prominent by an attack upon an American, charged upon the chief magistrate of the little republic of Panama a fraudulent conspiracy with regard to a contract under negotiation by the government of that country regarding the forests of Panama. All Panama was instantly alive with just indignation. This insult was felt all the more keenly because we, with our ninety millions and our great navy and army, presented an overwhelming and irresistible force with a little republic whose sovereignty we are bound, trebly bound, in honor, to maintain and respect. These are the things that make for war, and if you would make for peace you will frown upon them, condemn them, ostracize and punish by all social penalties the men who are guilty of them. Now this is the subject for you to deal with. The government cannot reach it; laws cannot control it. Public opinion, public sentiment, must deal with it."

Ambassador Bryce in concluding his address said: "President Roosevelt and Mr. Root will be long remembered as statesmen who have deserved well indeed of the sacred cause of peace."

Taft Learned to Serve. Every one in the room arose and with a waving of handkerchiefs and cheering greeted Mr. Taft as he took the speakers' tribune.

"The first thing that I want to say," in an apologetic tone, began Mr. Taft. "It is Ellihu Root ought to be president-elect and I a prospective member of his cabinet, because I know how to serve under him."

"It fell to my lot to be invited into a far distant country, where, if I had not gone I should not be here. At least that is the way it fell out. And I owe the fact that I went there to the clear, lucid, forcible statement and advice of the guest of the evening, who pointed out to me that as between the course that involved risk and pioneering and doubt and that which was comparatively easy, it was the business of a man who believed himself strong enough to take the rougher course, if it seemed to any whose opinion he had respect for, that it was his duty to do so."

"BILLY" SUNDAY HORSEWHIPPED, WALLOPS ASSAILANT IN CHURCH

(By Associated Press.) SPRINGFIELD, Ill., Feb. 26.—Rev. William A. Sunday, better known as "Billy" Sunday, a former baseball player, who is now an evangelist, was horsewhipped tonight at the Sunday tabernacle, where, in the presence of 8,000 persons he was conducting the opening meeting of a religious revival meeting.

The evangelist was leaning against the pulpit when a powerful man, who later said his name was Sherman Potts, sprang forward and struck Sunday several terrible blows with a buggy whip. Sunday leaped from the platform and dashed his assailant to the floor in the center aisle. The audience was on the verge of a panic, with women weeping and children screaming, while Potts and Sunday rolled and tumbled in the aisle. Mr. Fischer, the choir leader, directed the choir and the audience to sing and in a few moments the entire audience was calmed, few leaving their seats. Several men soon seized Potts and they held him until policemen came and took him to jail. Sunday said he suffered several very painful bruises from the buggy whip. The prisoner said that his home was near Lovington, Ill. He made the attack, he said, in defense of the virtue of women which, he declared, had been criticized by the evangelist. The police say that Potts is a religious fanatic.

COMMITTEE EXONERATES ALL OFFICIALS

Investigation in Departments Show no Culpable Neglect

ADVISE CERTAIN CHANGES IN METHODS

Sensational Report of Last Auditing Committee is Not Sustained.

RALEIGH, Feb. 26.—In both houses of the legislature this morning was read the report of the select committee, appointed to consider the sensational report of the auditing committee of the last legislature that investigated the offices of state treasurer, auditor and insurance commissioner.

The report is signed by all the members of the joint committee, including the republicans. It finds that all the auditor's warrants criticized by the auditing committee were fully authorized by law, and as to the vouchers for the Goldsboro hospital for money to repair buildings, it states that no such warrant and no such voucher number can be found on the treasurer's and auditor's books, that the hospital owes nothing for furniture or repairs, but does owe for supplies authorized by the governor and council of state.

As to fish commissioner Meekins, the report, after going exhaustively into the evidence concludes that while his renting a house and boat from himself was technically in contravention of the law, it was all done with the approval of the board under which he served, was to the advantage of the state, and under the circumstances was the only way in which he could have discharged his duties.

Insurance Office. As to the insurance commissioner the report finds as a fact the statement of the auditing committee that no evidence of any dishonesty is disclosed on the part of anyone handling the funds of securities, and that there is no suggestion of any such; that the securities have been kept according to law in a safety deposit box in vault in a bank in this city, the state having provided no modern vault for any state officer, that a more modern and easily understood system of bookkeeping should be made at regular periods, and that the commissioner is installing changes by the expert accountant employed with the consent and at the expense of the commissioner, which latter fact the auditing committee failed to report to the legislature; that this statement of the expert accountant that he could not make an absolutely correct statement of this account without going back and checking up the entire business since the establishment of the office is erroneous in its belief that the statement of the expert that no cash book had been kept showing accurate receipts and disbursements was very misleading as the commissioner does keep a day book in which a record of all receipts in detail, while his bank book as insurance commissioner shows all disbursements and a separate ledger account shows disbursements of the fund for the investigation of fires; that the commissioner should, however, change this method and keep a regular cash-book and show the daily balance; and that he is adopting this recommendation of the auditing committee, that there has been no improper mingling of private funds with those of the department, that the law ought to be changed so that the commissioner would be directed to accept under section 4780 of the revised only the class of securities described in section 4781, the auditing committee having said that securities filed by the insurance companies were not properly transferred to the insurance commissioner; that no stocks deposited with the commissioner are payable to bearer as said by the auditing committee, and the bonds are North Carolina bonds and the like that are payable to bearer and the law is sufficiently complied with as to them without an actual endorsement.

Record of Securities. As to the record of securities each company depositing security, furnish the insurance commissioner with a duplicate record of each security, one receipted and returned to the company, the other kept by the commissioner.

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PATTERSON SENATORS SKIP OUT TO DEFEAT PURPOSE OF THE LAW

(By Associated Press.) NASHVILLE, Tenn., Feb. 26.—That thirteen members of the state senate have fled the state in order to defeat the purpose of the recent election laws passed over Governor Patterson's veto, is believed in well informed circles tonight. The thirteen members were this afternoon declared in contempt of the senate by that body and the sergeant-at-arms was instructed to go in pursuit of the absentees.

It is declared further that the absentees will remain away during the remaining twenty-two days of the legislative session, thereby leaving in the hands of Governor Patterson the election machinery of the state and defeating the expressed will of the majority of both houses in passing over the protest of the governor, laws

designed to relieve him of this authority. The joint resolution providing for a joint legislative session tomorrow for the purpose of electing the members of the state election boards, as provided for in the recently enacted laws, and a state treasurer and state comptroller, was vetoed by Governor Patterson today. There was no doubt of its passage over his veto, but the action of the 13 members of senate in remaining away from today's session, thus preventing a quorum, renders action on the veto message impossible. If the members remain away until the end of the regular session, it would then be necessary for the governor to call a special session to enact appropriation laws and elect a treasurer and comptroller.