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

Burning to the Socket

COOPER'S ATTORNEYS BUY WITNESS FROM THE STATE AND PUT HIM ON THE STAND

Defense is Rounding Out its Case in Many Minor Points

BINNING SAW AFFAIR BUT WENT ON HOME

Identification of the Revol vers Still as Vague as

Ever

NASHVELL, Tenn., March 7 .- The spectacle of counsel on one side not only selling a witness to the opposifion but haggling over the terms, was one of the elevating and extraordi incidents today in the trial o Col D. B. and Robin Cooper and John D. Sharp for the slaying of Senator E. W. Carmack. The subject of the commercial transaction was Dr. Mc-Pheeters Glasgow, one of the most eminent surgeons of the state, who had been employed by the prosecution to go to Columbia and perform an autopsy on Senator Carmack's body. He did so, and reported his findings to the prosecutors. He was subpecnaed 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 his services as an expert had been retained by the state, and that he would not discuss the case except with the attorney general. The defense asked the court this morning to instruct the doctor to talk to its counsel. The court complied par-tially 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 killing. The state objected and the doctor stood firm. Bought "Pig in a Poke."

The state suggested that the defense resented the suggestion and declared it would put no witness on the stand without knowing to what he vould testify. Then the state's counsel made this astounding proposition: That if the defense would pay the state the costs of the autopsy, includstate the costs of the autopsy, includ-ing 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 was that any one of the

three wounds was necessarily and instantly fatal, and that if the senator did not fire the first shots he could not have fired at all.

Jury Disgusted.
The only other sensational witness of the day was S. J. Binning, who claimed to have seen Senator Carmack fingering his revolver and test-ing the cylinder a few moments before the shooting began. He was badon cross-examination. confused however, and contradicted himself on

many important points. The defense called Dr. G. B. Edwards as the first witness. He made ordinary in intelligence. He produced we reached home.

"I think there was not an excepshoulder, disclosing no bullet.

bullet never entered the body but ty has broken down party lines, but it has not broken down, I am glad merely ploughed through the flesh.

ed through the heart. Four and one- can understand except those who are half inches below the right nippie members of the party.

Fecis Impeding Burden. from which a bullett had been taken.

An inch from the left median line of that I am not going to resign from, the neck was another wound which but it is one that doubtless will grow was black, the others were clean. The heavy at times and lighter at times. bullett came out of the mouth, two But whatever the burden I shall have teeth being loosened and held by the the sympathy of those who sailed out

The state reserved te right to cross- with me in 1905.

Robin Cooper used. He said he car- of the office is sufficiently wide to ried it when at the mines and lent it include them both."

(Continued on page six.)

ALL LEARNED TO LOVE EACH OTHER ON TRIP

mial Expedition In His - Honor.

HOLDS PARTY AND 78'ERS IN HIS HEART

Near-President Makes Felicitous Speech Promising Them Riders Place.

WASHINGTON. March 1 .- A rush of morning callers, interrupted for a long walk in the afternoon, and attendance tonight at the special din ner given in his honor by the "Taft Philippine expedition," brought Pres ident-elect Taft to within two days of his inauguration with less serious demands on his time than he had experienced any day since his landing from Panama at New Orleans.

The day was begun with an exident-elect and Senator Knox. Mr Knox is giving much attention to the prospective organization of the state department. Besides, he is being consulted freely by Mr. Taft re-

and Representative McKinley. illinois, and was the most preten-tious of the enjoyable occasions which this famous party indulges in every year. The trip attained most of its fame because of the matrimonial accomplishments resulting.

Nicholas Longworth and Miss Alice Roosevelt became betrothed; Bourke Cochran met Miss Ide, daughter of Judge Ide, of the Philippine commis-sion, who is new Mrs. Cockran, and Swager Sherley, of Kentucky met Miss Mignon Critton, of Staten Is-

in response to the first toast.

"I often wondered what made our B. Ed. party such a uniform success from the state and especially that of the the beginning. I never wanted to get department of justice. No payments wards as the first witness. He made to beginning. I never wanted to get department of justice. No payments as much discussion as that of Dr. that each senator should have the er's shoulder. The doctor was called the Manchuria; certain it was that the various hospitals for the insane, upon to qualify as an expert by tell-ing what an x-ray was. He did so in scientific terms, to the great disgust that was shown to all of us by the of the jury, which is not above the emperor of Japan, that lasted until

n x-ray photograph of Robin's houlder, disclosing no bullet.
On cross-examination Dr. Edwards other when we came home—everysaid he was of the belief from the scar on Robin's shoulder that the loving a particular person. The par-Describes Wounds.

Dr. McPheeters Glasgow was then there is Philippine legislation on, if called by the defense. Describing the you will examine the votes in the wounds on Senator Carmack's body, senate and house, you can trace the he said: "here was one wound two influence of the Philippine party. It inches below the left nipple and one has mingled republicans and demoinch to the inside. The bullet pass- crats together in a way that no one

William Kenny, a traveling sales- relation to the coming administration man, the next witness, heard the as the rough riders do to the outgo-shots. Two came together and were ing administration. I should be deloud, he said. Then there was an in-lighted to take them into the same tervals and three shots came rapidly, degree of confidence as I have the R. H. Wright, a mine promoter class of Yale '78. I hope my heart is the automatic gun that big enough and I hope the patronage

hearty round of applause

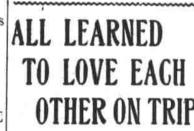
COHORTS OF THE ENTHUSIASTS

tional capital is the mecca toward ray of keen-eyed detectives have been which the inaugural hosts are making The advance guard their pilgrimage. visit Washington to witness the induc- tors. ton into office of a new president began today in earnest.

From every point of the compass every train and steamboat entering arrival of each military organization with a blare of trumpets, tooting of died later. fifes and beating of drums-

WASHINGTON, March 1 .- The ns- of arrival and at other places an ar-

The first casualty incident to the inaugural preparations occurred at the pension office building today. where the inaugural ball is to be held. Washington today was burdened with While working on one of the stands, humanity, military, civic and other E. Melville Swann, a carpenter, fell ns being represented. The a distance of fifteen feet, striking his head on the stone floor below, receivunion station was signalized ing a fractured skull from which he



Reunion of Taft Matrimo

The Philippine dinner tonight was arranged by Miss Mabel Boardman

land, to whom he became engageds

All Loved Each Other. The president-elect was in a par-ticularly happy mood as he recalled the various places of visit and the lasting memory which had been left

from San Francisco on the steamer "This party might bear the same

Mr. Taft said good night amid a

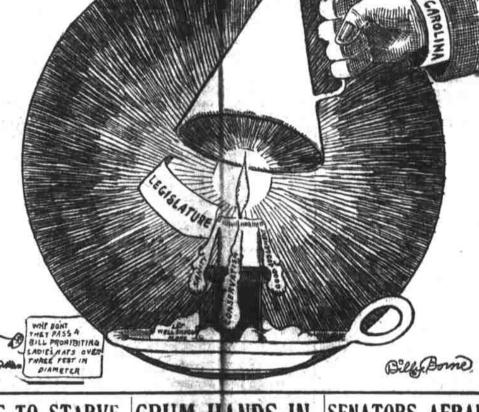
PENITENTIARY ARE MASSING AT THE CAPITAL

of the throngs which quadrennially watch out for the unwelcome visi-

Among the organizations which Extraordinary precautions are be- came in today was that of the Donald

jury had been out for nearly fiftythree hours a verdict of guilty was returned late today against President of Common Council William placed on guard to keep a sharp Brand and Councilman John F. Klein and Joseph C. Wasson, charged with conspiracy. Former bank president W. W. Ramsey, who was in-dicted jointly with them, was acquitted upon the orders of the court and

Klein and Ramsey had already been convicted of bribery in individ-



TRYING TO STARVE CRUM HANDS IN **OUT TENNESSEE**

Officials of State Will Not be Paid Unless Runaways Returns.

NASHVILLE, Tenn., March 1 .- The thirteen senators who falled to answe roll call Friday morning, thereby breaking a quorum, are wtill outside garding the affairs of other depart-ments. the state's borders and the executive tangle continues. Today the "joint ession" reconvened from its "recess taken Saturday afternoon, and without accomplihing anything, another "re cess" until tomorrow morning taken. Beside blocking legislation, the absent senators appear to have in measure, tied up the financial mathinery of the state.

Practically all appropriations for ex penses of government run until March 19, and after that date nothing can be paid until a new appropria tion bill has been passed except appropriations provided for by special statute. The salary of the governor and the heads of the various depart ments 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 appropria

tion bill. This will have the effect of scriously

made for them in a general bill. of actual attendance

that they express a determination to firmation by the senate. remain out of the state until this end has been accomplished.

LAST MEETING OF

(By Associated Press.) WASHINGTON, March 2.—Presi-dent Roosevelt today gave a farewell luncheon at the white house to the members of the famous "tennis cabinet" and others who have been closely associated with him during the past seven years. Aside from the distinguished government officials who have served as among the president's chief aids during his administration, ent men whom the president had During all these years, so far as I made friends when he was roughing it in the West years are ing it in the West years ago and with brought against my moral character whom he had gone on numerous or a single adverse criticism made in hunting expeditions.

LINING UP THE **GRAFTERS FOR**

(By Associated Press.) PITTSBURG, March 1.—After the the request of the district attorney.

The three convicted men were charged with having conspired to secure the passage of ordinances for paving of certain streets with wooden blocks upon the payment of certain sums of money by a detective, posing as a wood block contractor and

ing taken by the authorities to pro-tect inauguration visitors from pick-pockets and thieves. At every point academy, at Decatur, Gs.

Frager Military institute and the been convicted of bribery in individ-set: North Carolina: Showers Tues-have more time to analyze my con-tent in the Georgia Military institute and the been convicted of bribery in individ-ual cases. An appeal will be taken day, Wednesday fair; moderate south dition before I will make any definite by the convicted men.

RESIGNATION AS COLLECTOR

Desires to Retire From Office on Same Day as His Sponso.

EVERYBODY TREATED HIM CONSIDERATELY

Doesn't Allude to Tillman Who Defeated Him for

Second Term.

(By Associated Press.) CHARLESTON, S. C., March

With the resignation of Dr. William D. Crum as collector of customs at this port, the resignation to take effect March 4th, a situation which Tuft considerable embarrassment is of the general assembly only for days Tillman and others when he was first of Wyoming, Depew, Overman, Dil-It is said to be the purpose of the Roosevelt in 1993, and within the last Arkansas; and the negative votes were runaway state senators to force a com- few weeks, following his re-appoint. Nelson, Kittredge, Culberson, Foraker promise in the selection of the state ment Senator Tillman conducted a and Rayner. Senator Bacon was not lection boards. It is further stated successful fillhuster against his con-

Dr. Crum says that no pressure has + + + + + + + + + + + + + + been brought to bear upon him now + to cause him to resign, but that he + TRIANGULAR DUEL does so in part because he wishes to save Mr. Taft, for whom he entertains + TENNIS CABINET great respect, from any possible embarrassment as to his re-appointment and chiefly because he feels that he has been especially identified with + President Room-velt's administration. In his letter to President Roosevelt. after thanking the president for appointing him six years ago and for re-nominating him recently for a second term, he says:

Everything Was Lovely. "Since assuming the duties of this regard to the performance of my ofthat those employed in this office under me, composed of both races, hav-

"When I became collector of the port the annual recipts of the offices were scarcely \$20,000. I am glad to say that they have shown a flattering increase each year. 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.

gether to make the office work suc

cessful and satisfactory.



WASHINGTON, March 1,-Fore-ast: North Carolina: Showers Tues-

SENATORS AFRAID OF THE BIG STICK

Has Not Lost Terrors Even at Late Day of "Teddy Rex" Reign.

(By Associated Press.) WASHINGTON, March 1 .- The voted to report a disagreement on the resolution providing for an investiga tion of the absorption of the Tennessee Coal and Iron company by the United States Steel corporation to determine under what "authority of law the president permitted "the merger." Any views submitted to the senate or the subject will be considered "individual," reports not having the sanction of the committee. This is gen erally regarded as a compromise as number of senators had drafted a report declaring the merger to be in violation of the Sherman anti-trust law and rebuking President Roosevel for his part in the transaction, while others declared that it was not the

resolution adopted to pass upon these questions. The decision not to submit either of avoided. No appointment made by the reports of the sub-committee was crippling the various depar ments of President Roosevelt during either of reached after a great deal of discushis administrations has given rise to that a disagreement be reported and at Charleston was vigorously opposed make such expressions of views to because of the fact that he is a new the senate as he desired. This motion nade for them in a general bill.

Treasurer Folk will pay members his confirmation was made by Schator affirmative votes being Messrs. Clark. named for the position by President lingham, Knox, Fulton and Clarke, of present

OVER A WOMAN

CHARLOTTE, N. C., March —A special to The Observer from Rutherfordton brings the news of a triangular duel with kniver and pistol in that county Saturday night in which Broadus Moorehead was shot and instantly killed and Coley Fisher and Charles Stamey, the other paticipants, were seriously stabbed. Stamey and Fisher made an effort to five to South Carolina but became so weak from loss of blood that they were com-pelled to seek a physician and were arrested. The quarrel was over a woman.

been at all times courteons, kind and IEFF NOT SURE WILL TACKLE **BURLY NEGRO**

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CHICAGO, March L.-"I will fight Jack Johnson for the heavyweight championship of the world if I am able to get into condition to do myself justice," said James J. Jeffries, who was in Chicago today on his way to New York.

"The report that I maid I would fight Johnson as soon as I finished my tion, including Oriental aliens and audeville engagement is not true," ontinued Jeffries. "I have never said definitely I would fight Johnson, and pology, congestion in large cities, I am not ready to say so now. My alien criminalty, competition of im-future depends on my ability to get migrants, school inquiries, adminisinto condition, and I am not certain tration of the immigration laws, dis-yet that I will be able to do myself tribution of immigrants and other justice if I return to the ring. I must

APPALACHIAN RESERVE BILL PASSES HOUSE

Is So Amended as to Be Al- Call on Rutherford Senator, most Sure of Death in Senate

PROVISIONS APPLY TO WHOLE COUNTRY

Bailey in Senate Insists on Right to Get Reports From Officers.

(By Associated Press.) WASHINGTON, March 1 .- Transacting its business amid scenes of great confusion the house of representatives today gave every evidence that the present congress is drawing to a close. In his endeavor to main tain a semblance of order the speaker was constantly pounding his gavel and admonishming members to cease onversation.

The so-called Appalachian and White Mountain forest reserve bill amended so as to apply its provisions to all states was passed in the house today by a majority of ten.

By the terms of the bill the national forest reservation commission is created to acquire by purchase condemnation the lands needed promote or to protect the navigability of streams along whose watersheds they lie. The house bill, a substi-tute for that of the senate, will now go to conference

Bill is General. The bill is general in its scope. It permits the acquirement of lands in any part of the United States where such acquisition can be shown to be senate committee on judiciary today advisable to the national forest reservation commission created by R. after the geological survey has determined that such acquisition will promote or protect the navigability of streams on whose watersheds the

Mr. Weeks of Massachusetts, who its second reading Saturday, and then in conjunction with Mr. Leyer of South Carolina, reported the measure explained in detail its purposes and called attention to what he sail was the paramount importance of enacting such legislation. He was plied from all sides with questions respect from all sides with questions regard-ing the method of acquiring the lands and said that it would be done by purchase and condemnation.

"It is one of the most victous meas ures ever presented to the house," asserted Mr. Madden, of Illinois. He said it provided for an expenditure of money for a purpose not needed and at a time when the treasury function of the committee, under the was bankrupt.

Representative Thomas of North Carolina, declared the establishment of forest reserves meant progress and salvation for the industrial South.

When the message from the house announcing the passage of a substitute bill was laid before the senate Mr. Hepburn objected to the appoint-ment of conferees. Insumuch as there senate adjourned.

Senators Heyburn and Teller are both opposed to the Appalachian-White mountain reserves and a sharp contest is anticipated.

priation bills were agreed to and the amount of miscellaneous busi- delegating the duties of the office to ness was disposed of. A resolution, designed as a concession to the socalled insurgents amending the rules so as to provide one day each week 400 cach for stenographers, and to for a call of committees gave rise to

vote standing 168 to 162. After a short discussion, the house almost unanimously insisted on its ty thousand dollars. disagreement with the senate on the amendment to the legislative, executive and judicial appropriation bill tive and judicial appropriation bill ten to twelve o'oclock, debating the raising the salaries of the president, bill for a five hundred thousand dolvice-president, the speaker and the United States judges and the bill for

Senate Passes Supply Bill. sundry civil bill, appropriating \$139,000,000 and the military academy bill, carrying an appropria tion of \$2.541.000 were passed by the senate today.

(Continued on page two.)

OPPONENTS OF POLICE BILL IN THE LAST DITCH

a Democrat, to Help Britt

ARE OFFERING ANY KIND OF TERMS

Senate and House Split on Solicitors' Bill and Constitutional Call.

(Special to the Citizen.) RALEIGH, N. C., March 1 .- The Asheville police commission bill was called up today in the senate and on motion of Senator Mills was set as the special order for tomorrow, Tues day, at 12.30 o'clock. It is understood that at that time Senator Mills. who has undertaken the leadership in the effort to defeat the bill, will offer an amendment that the question be voted on by the people of Ashaville at the May election . He and Senator Britt have strong hope of getting this amendment, if they cannot defeat the bill, which is being pressed through the personal appeal of Representative Weaver to his friends in the senate.

The senate passed today the bill to acorporate the Asheville and East

Tennessee railroad. Representative Weaver. house, introduced a bill to smend charter of Asheville and create a text book commission for the city. A bill passed the house as to the apportionment of Asheville school funds.

Solicitor's Bill Dead. The senate spent nearly two mor hours today discussing the Ori solicitor's salary bill that had p

A joint resolution by Elliott was put through immediate passage that no new bills be introduced after Wednes-

The house and senate committee voted separately on the proposition of a constitutional convention, the former against it by 7 to 3, the latter In favor 3 to 2. Representative Koon

gave notice of a minority report.

Committee Reports. The senate branch of the commited to report favorably the Ormond bill to amend the constitution so as to relieve the legislature from acting granting, or amending charters of corporations and municipalities, the legislature to have authority merely to designate the department of state through which they should be asked. The same committee yoted favorably on Senator Gay's bill changing the time for the legislature to meet Concession on Rules.

from Monday after the first Wednesday in January to Monday after the army, naval and fortificatioans appro- first Wednesday in August biennially. priation bills were agreed to and the There was an unfavorable report measure will now go to the president decided on for Senator Pecie's bill for signature. In addition to this a abolishing the office of solicitor and

ounty attorneys-The senate tonight passed bills to llow the judges of supreme court repeal the immigration law of 1992 immediate discussion and was adopt- The house passed the senate Blow ed by the narrow margin of six, the education bill for a speical tax is countles, and a more equitable pointment of second hundred and fif-

No New Capitol. The house spent two hours, from lar loan for enlarging the state capthe third time went back to confer-ence. itol, and in the end voted it down, pitals and great need of state institutions for money. The influence of the advocates for supplementary of fice buildings around the square and leaving the state house in its present shape had much to do with the re-

IMMIGRATION LAW INADEQUATE

TO KEEP OUT UNDESIRABLE ALIENS WASHINGTON, March 1 .- Some Presages extensive legislation in the

facts showing the far-reaching char- future. acter of the work of the joint commission on immigration which was ly admitted by those acquainted with appointed by congress on February the subject that, notwithstanding the appointed by congress on February 20, 1907, were presented to congress to today through the publication of a provide for the exclusion of every preliminary report by the commission. The report deals with practically every phase of the immigration question, including Oriental aliens and other excluded classes, peonage, charity among immigrants, white slave traffic, conditions of steerage, anthro-

as its exclusions are concerned, is especially strong, but in effect, it is in one of the most important features of the work is connected with evasions of the law resulting in the imtrailon of the immigration laws, disperiation of immigrants and other questions.

No conclusions have been reported by the commission, but the scope of the work is shown in a manner which

The commission says it is general