

DEFENCE IN COOPER-SHARP TRIAL RESTS CASE IN CHIEF; STATE HAS MORE WITNESSES

Take Adjournment Until Thursday so They May Be Summoned EVIDENCE WAS OF TECHNICAL NATURE

Statement That Each of Carmack's Wounds was Fatal Corroborated.

(By Associated Press.) NASHVILLE, Tenn., March 2.—The defense rested its case in chief today in the trial of Col. D. B. and Robin J. Cooper and John D. Sharp for the slaying of former United States Senator E. W. Carmack, re-serving the right however to introduce new witnesses on any new issue which might develop. A moment later Attorney General McCormack for the state asked an adjournment to 9 a. m. Thursday in order that absent witnesses might be brought on, which request was granted.

The testimony today was very technical. Dr. Glasgow was re-called to describe again the wounds on Senator Carmack's body. Dr. Duncan Ewe was then called to say whether or not the wounds described by Dr. Glasgow would have been instantly fatal. He said they would.

Adjutant General Tully Brown, who attended the conference in Judge Bradford's office an hour before the shooting, described what took place there, as did Judge Bradford himself. General Brown was not cross examined but the state did not let Judge Bradford escape.

Gave Warning Statement. The prosecution concentrated its fire upon the part he played in preparing the famous statement for the press the night of the killing. Judge Bradford said he was at the police station that night, saw W. J. Ewing, editor of The American there with a stenographer and heard several men giving information. He declared, however, that the only part he took in the affair was to write out in long hand all the facts in the case of which he had a personal knowledge. This memorandum he gave to Ewing for use in the press. Later he prepared a brief which contained the theory of the counsel for defense as to how the shooting occurred. He claimed he always was friendly to Carmack and denied that he was waiting at the telephone that afternoon for a message to come telling of Senator Carmack's murder.

The first witness today Dr. R. L. Thompson testified that Carmack entered his drug store for a soft drink and a cigar about five minutes before the shooting occurred. The state did not cross examine.

W. M. Setter, an expert on fire arms, testified that the bullets of the Colts automatic revolver were not steel jacketed but were covered with copper and with some hard composition. On cross-examination he was asked whether the cylinder of a Smith and Wesson revolver can be turned by the finger without pulling the trigger.

"Some can, some cannot," he said. He examined Senator Carmack's revolver and said it could be turned only by pulling the trigger. Testimony Contradicted. This flatly contradicts the testimony of S. J. Benning, who yesterday swore that he saw Senator Carmack testing his revolver a few minutes before the tragedy by whirling the cylinder with his finger.

W. S. Morgan testified that he met Mrs. Eastman immediately after the shooting and that she was hysterical. He said Mrs. Eastman did not tell him that Colonel Cooper said to Carmack "now we have the drop on you." On cross-examination Morgan said: "Mrs. Eastman was crying and grabbed the lapels of my coat. She said that Senator Carmack jumped in front of her and that Colonel Cooper then said, 'That is like a dastardly coward, hiding behind a woman.'" He said Mrs. Eastman gave him the impression that Colonel Cooper had shot Senator Carmack without giving him a chance. Morgan heard only three shots fired.

Each Wound Fatal. Dr. Duncan Ewe in describing Senator Carmack's wounds said: "If the first wound described, the one on the left side did not kill him at once and fell him instantly, he would be prostrated at once by the shock and would soon die." The second wound, also through

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THREE VOTES DEFEAT SHIP SUBSIDY BILL

House Turns Down Measure Previously Passed by Senate

DEFEAT A VICTORY FOR THE DEMOCRATS

"An Infernal Fraud, Designed to Plunder Treasury," says Moon.

(By Associated Press.) WASHINGTON, March 2.—The ship subsidy bill was rejected by the house of representatives today by a vote of 172 to 175. The principal feature of the bill is the provision that American steamships of sixteen knots or over and of not less than 5,000 gross tons shall be paid \$4.50 per nautical mile outward bound on routes of 4,000 miles or upward to South America, Philippines, Asia and Australia.

Mr. Landis of Indiana made an earnest plea for the passage of the bill. Mr. Moon of Tennessee led the opposition to the measure. "It is an infernal fraud designed to plunder the treasury," he declared.

Speaking of the provision for training of American pilots and answering the plea of patriotism advanced by Mr. Landis, he said that it was but a blind to hide the giving of the people's money to corporations of ship owners.

"Lobby" on Floor. The climax came when minority leader Clark declared that a lobby had been carried on "right on the floor of the house" in favor of the passage of the bill. "It is an outrage to a civilized country," he declared, "this thing of coaxing men or butchering men, and I undertake to say that when Mr. Moon of Tennessee denounced this bill as an infernal fraud, he used language he was justified in using."

The debate against the bill was closed by Mr. Cochran of New York. He denounced the sending of the American flag abroad by a subsidy "as an outrageous concession of the enslaving of the people through the agency of the government."

Among those to speak for the bill were Goebel of Ohio, Landis of Indiana, Humphrey of Washington and Hobson of Alabama; against it were Small of North Carolina, Kustermann of Wisconsin, Stafford of Wisconsin, Lloyd of Missouri, Sulzer of New York, Burton of Ohio, Saunders of Virginia, Wilson of Pennsylvania, Clark of Missouri, Stevenson of Minnesota, Finley of South Carolina and Norris of Nebraska.

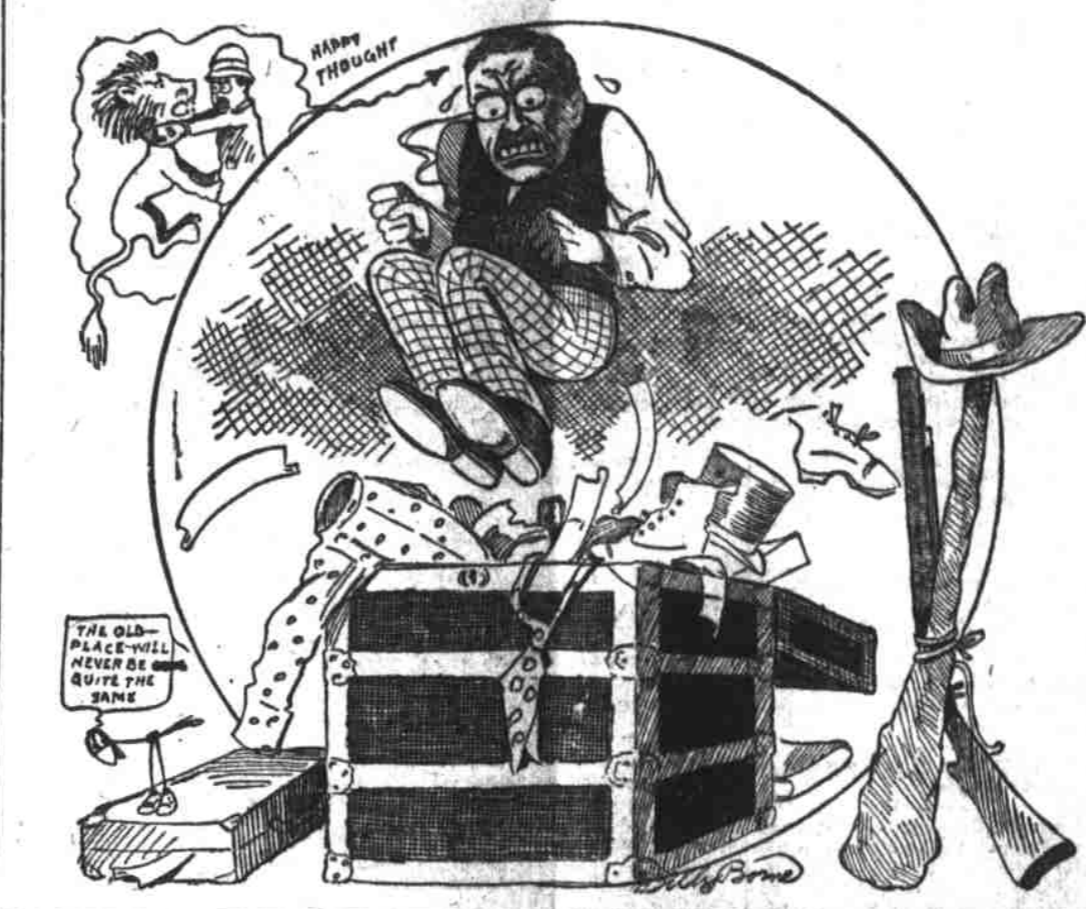
Interest Strong. The feeling in the house was strained as the hour of voting approached. The attendance was probably the largest of the session. Every one recognized that the vote would be close. Representative Goldfogle of New York who was operated on yesterday in a hospital was carried on the floor in a chair to vote against the bill.

A scene of wild confusion followed the roll call. With the announcement of the vote of 172 in the affirmative, the speaker hesitated to get a good breath, and then said "175 in the negative."

The democratic side of the house broke forth in cheers. Mr. Overstreet in charge of the bill was recognized and he asked to be permitted to change his vote. This would have allowed him to move to reconsider and have another vote on the bill. The speaker informed him that the vote had been announced and his request came too late.

RESUME WORK. (By Associated Press.) HUNTINGTON, W. Va., March 2.—Contractors here have received notice to resume their work immediately upon the Chesapeake and Ohio railway extension in Raleigh and Wyoming counties where the work was suspended more than a year ago. Eight hundred men will be employed.

He's Ready To "Flii"



SCHROEDER WILL SUGGEST SPERRY

Admiral Who Carried Fleet Around the World Asks to Be Relieved.

(By Associated Press.) WASHINGTON, March 2.—Rear-Admiral Charles S. Sperry today made formal application to be relieved from duty as commander-in-chief of the Atlantic battleship fleet, and Rear-Admiral Seaton Schroeder has been appointed in his place. Admiral Sperry was tendered the presidency of the naval war college, but declined the position, indicating his preference for other duty there.

TWO DIE IN COAL MINE EXPLOSION

Forty Others Trapped, But Escaped Uninjured. Four in Serious Condition.

(By Associated Press.) WILKESBARRE, Pa., March 2.—No. 14 colliery of the Pennsylvania Coal company of Port Blanchard, near here, was the scene of a terrible explosion of gas today which caused the death of two men and the serious injury of twelve others. The explosion set fire to the wood work in Pittston gangway, entombing forty men. A large party of rescuers were put to work but owing to the presence of black damp they made slow progress. Fortunately, there was a second exit from the mine and the employees behind the fire succeeded in making their way to the surface, none the worse for their experience.

ALL ROADS LEAD ON TO WASHINGTON

Gotham Ready to Turn Her Mighty Hosts to the National Capital.

NEW YORK, March 2.—"On to Washington" is the cry of the New York host of citizens and soldiers who are preparing today to commence the march to the national capital to elect the inauguration of President-elect Taft. Governor Hughes accompanied by his wife and his military secretary, left for Washington today and early tomorrow the various political organizations that will participate in the ceremonies of inducting Mr. Taft into the chief magistracy will leave for Washington.

BILL FOR POLICE COMMISSION PASSESSENATE

Goes Through Its Third Reading on an "Aye" and "No" Vote

NO DISCUSSION ON THE MEASURE

Mr. Weaver Introduces Bill to Amend Police Court Bill of 1905.

(Special to The Citizen.) RALEIGH, N. C., March 2.—The Asheville police commission bill came up as a special order at 9 o'clock tonight in the senate. Mr. Lockhart stated that it had been agreed that there was no need for further discussion of the bill, and he therefore called the previous question. The call was sustained by a vote of 18 to 17. The bill was then passed on its third and final reading on an "aye" and "nay" vote and ordered enrolled for ratification. The "clinch" was put on by Mr. Lockhart in moving to reconsider the vote by which the bill had passed, and then moving to table that motion, this being done.

SHIPS SAIL FROM HAMPTON ROADS

Some Go South For Spring Target Practice—Nevada Goes to New York.

(By Associated Press.) NORFOLK, Va., March 2.—The battleships Maine, flying the pennant of Rear-Admiral Arnold, the New Hampshire, Mississippi and cruiser North Carolina of the third squadron of the Atlantic fleet, passed out the Virginia capes last night, bound for Guantanamo, Cuba, for regular spring target practice. The battleship Nebraska passed out today bound for New York. With the departure of these vessels only about half of the combined fleets that sailed into Hampton Roads ten days ago now occupies anchorage off Fortress Monroe.

UNION MEN WIN IN A NOTABLE FIGHT

Court Holds That No Contract Exists Between Typothetae and Union

(By Associated Press.) CINCINNATI, O., March 2.—The union men win in the long fought case of the Typothetae of America against the International Printing Pressmen's Union. A decision rendered this afternoon by the United States circuit court of appeals establishes an eight-hour day for work. The appellate court ruled that no contract exists between the union and the typothetae to maintain the nine-hour day as alleged by the typothetae.

DEFICIENCY BILL PASSED BY SENATE

Carries Appropriations Aggregating \$19,500,000—Part Added by Senate.

(By Associated Press.) WASHINGTON, March 2.—The deficiency bill carrying appropriations amounting to more than \$19,500,000, about \$2,250,000 of which was added by the senate, was passed by the senate today. Senator Hale met no delay in the disposition of the measure which was passed after two hours debate.

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PRESIDENT IS EXONERATED BY CLOSE VOTE

Seven Thought He Acted Without Authority in Merger Case

SAVED BY ABSENCE OF SENATOR BACON

Mr. Nelson Attaches No Blame to President. Probably Mislead.

WASHINGTON, March 2.—Seven members of the senate committee on judiciary signed the report declaring that President Roosevelt without authority of law sanctioned the absorption of the Tennessee Coal and Iron company by the United States Steel corporation, and that the merger was violation of the Sherman anti-trust law. Three of the majority of the committee, however, attached certain individual views.

Under an agreement reached in the committee on judiciary yesterday any views submitted have the standing of individual opinions only. Chairman Clark today reported the disagreement in the committee and soon afterwards Senator Culberson presented the views of seven members of the committee. Those views were signed by Senators Nelson, Kirtledge and Foraker, republicans, and Culberson, Bacon, Rayner and Overman, democrats. The additional views were given by Senators Nelson, Bacon and Foraker.

In the opinion of Mr. Nelson, the president was not authorized to permit the absorption, which is declared to have been in violation of law. Mr. Nelson thinks, however, that the president may have been misled or duped by the officials of the United States Steel corporation, Messrs. Frick and Gary, who urged upon him the necessity of permitting the steel corporation to buy the Tennessee concern in order to save a business institution in New York city during the panicky days of October and November, 1907.

Might Have Agreed. From the report signed and submitted today it appears that had it not been for the illness of Senator Bacon and his absence from the committee of yesterday the report declaring the president acted without authority of law, would have been adopted as the opinion of the committee. In any event Senators Culberson and Kirtledge take the position that a majority of the committee has reported that the merger was illegal and that the department of justice should proceed against the United States Steel corporation and dissolve it.

Senator Foraker declared that he did not think it necessary for the committee to consider whether the transaction was a violation of the anti-trust law. He said that the reply of the committee should be confined to the one question as to whether the president was authorized to permit the merger and that this should be answered in the negative. In view of the fact that representatives of the steel corporation called upon the president and asked his advice concerning the transaction and the question also was submitted to Attorney General Bonaparte, Senator Foraker took the position that the steel corporation should not be condemned for its action.

DOESN'T WANT TO GO TO WASHINGTON

NEW YORK, March 2.—Theodore H. Price, who was indicted by the federal grand jury in Washington, D. C., with Moses Haas, Frederick A. Peckham and Edwin Holmes, Jr., on charges of conspiracy to defraud the government by securing advance information from the cotton crop report of 1905, was today held by the United States Commissioner Shields to await the issuance of a warrant for his removal to Washington for trial.

To prevent Price's removal, his counsel immediately obtained writs of habeas corpus and certiorari from Judge Ward.

MAURETANIA BREAKS PREVIOUS RECORDS

QUEENSTOWN, March 2.—The steamer Mauretania passed Daunt's Rock at 9:47 a. m. today establishing a new record for the east-bound passage from New York of four days, twenty hours and two minutes. Her average speed for the run was 25.28 nautical miles per hour.

NATION'S CAPITAL IN HOLIDAY ATTIRE FOR THE INAUGURATION

(By Associated Press.) WASHINGTON, March 2.—With inauguration day near at hand the population of this city tonight is from 75,000 to 100,000 greater than usual, and by tomorrow night this surplus probably will have been doubled.

TAFT BEGINS OCCUPANCY OF WHITE HOUSE

He Will Be Guest of Roosevelts Until After Inauguration Tomorrow

TAFT FAMILY IS AT WASHINGTON

President-elect Plays Last Game of Golf Before He Takes Oath.

(By Associated Press.) WASHINGTON, March 2.—As the guests of President and Mrs. Roosevelt, President-elect and Mrs. Taft will begin their occupancy of the white house tomorrow night, going there for dinner and remaining.

After the inauguration, there will be a reunion of the various members of the Taft family at the white house.

The entire Taft family will be in town tomorrow. Charles E. Taft, of Cincinnati, his wife and two daughters, one unmarried and the other the wife of Albert Ingalls and her two children, are quartered in a house taken by C. P. Taft for the occasion. Dr. William A. Edwards and Mrs. Edwards, who is the president-elect's sister, are here from Los Angeles. Henry W. Taft, brother of the president-elect, his wife, daughter, Louise, and sons, Walbridge and William H. of New York, are also here.

Miss Helen, Mr. Robert and Master Charles, the three children of the president-elect, and Mrs. Taft, arrived here tonight and are with their parents at the Boardman residence, as is also Miss Della Torrey, of Millbury, who is the only representative of the Taft family of the last generation. Miss Torrey is in her eighty-second year. She is a sister of Mr. Taft's mother.

Horace D. Taft, the other brother of Mr. Taft, and his wife are here from Watertown, Conn., and are the guests of Secretary Garfield, of the department of the interior. The Garfield boys are students of the school maintained by Horace D. Taft, as is also Charlie Taft, the youngest son of the president-elect.

Physic GOLF. Mr. Taft enjoyed a golf game on the Chevy Chase course today, and said tonight he felt much better for the ride to the club and the four-mile walk obtained by the game. He defeated handily his opponent, General Clarence R. Edwards, and remarked with some regret that he believed he would be unable to get away for a game tomorrow, which makes the play today the last he will have at his favorite form of exercise until after he is the regular occupant of the white house.

Mr. Taft is a member of the Chevy Club, and intends to play golf whenever opportunity may afford, but at present he sees little chance for recreation during the first few weeks of his administration. Returning from the golf course in his new automobile, the president-elect somewhat enjoyed the spectacle of leaving behind in the mud a member of his secret service guard who had undertaken to make the trip on a motorcycle.

KNOW NOTHING OF FRAUD, SAY OFFICERS

(By Associated Press.) NEW YORK, March 2.—Testimony given today by officers and directors of both the American Sugar Refining company of New York, and the corporation on trial for alleged false weighing of sugar imports, and of the American Sugar Refining company of New Jersey, the parent corporation, practically concluded the presentation of evidence for the defense. Counsel for the company said that they expected to present their last witness tomorrow. All the officers examined explicitly denied knowledge of any fraudulent weighing devices in the company's possession or used by it to defraud the customs revenues. Secretary Heike, of the company, in his testimony declared that the average profit to the company on the sale of a pound of sugar was 1-8 to 1-4 of a cent.

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Of the 21,000 members of civic and military organizations who will participate in the inaugural parade, about one-third already have arrived within the shadow of the capitol dome. By tomorrow night fully nine-tenths of them will be here. The West Point cadets will reach the city tomorrow afternoon and will be quartered on special pullmans in which they come, while the Annapolis "Middies" will arrive on Thursday morning, as will also the boys from St. John's military academy, Annapolis.

Had the sun shone down tonight on Pennsylvania avenue its own brightness would have been dimmed by the brilliant illumination along the avenue. Long golden ropes of gorgeously glittering electric lights, waving American flags done in red, white and blue lights shone bearing in the midst of light the beaming face of the president-elect and other similar devices made the fronts of many buildings pictures of fairyland beauty.

