

Weather.

Washington, March 5—Forecast for North Carolina for tonight and Saturday: Rising temperature, showers tonight or Saturday.

The Evening Times

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DRINK LICENSE BILL KILLED BY THE COMMITTEE

Morton's Bill Dead and Thirsty May Continue to Quench Their Thirst

MORE NEW BILLS

The Fifty-first Day of the House Met at 10:30 O'clock, Speaker Protem Morton Presiding—Not So Many Bills Reported by the Committees. Bill to Allow Osteopaths to Practice in the Hospitals of the State Turned Down by Committee—Bill Introduced by Currie to Amend the Act As to the Formation of School Districts.

The fifty-first day of the house of representatives was called to order at 10:30 o'clock by Speaker Protem Morton, and the morning prayer was conducted by Dr. Lay, of St. Mary's School.

The journal of the preceding day was reported as correctly recorded and the same stood approved. The call for petitions was unheeded, and the call of the committees brought a lighter crop than on former days, showing the business is nearing the end.

The bill to allow osteopaths the rights to practice in the hospitals of the state was turned down by the committee on health.

Mr. Morton's bill to license drinkers was killed in committee.

Bills Introduced. By Currie: To amend law as to formation of school districts. By Albritton: To protect young turkeys and quail in Green, Johnston, and Forsyth.

By Connor: To allow the town of Lucama to levy tax on soft drinks. The senate sent over an unusually large batch of bills passed by that body, filling the calendar of the house again.

Mr. Carver rose to a point of personal privilege, to say he voted against the Koonce bill and for the Blow-Bassett bill, and to say he had been misrepresented by the morning paper in that it said the republicans voted solidly against the trust bill, while he voted for it.

Mr. Rascoe was allowed to introduce out of order, a bill regarding the oyster industry.

Mr. Bowie made a motion that the oil bill from the senate be made a special order for tonight, and Mr. Turlington moved to limit the debate, but withdrew it and the time was so set.

Mr. Doughton rose to a point of personal privilege as to a reference to himself in the morning paper as to his words in the debate of last night.

Mr. Gavin's resolution to pay the clerks one dollar per day extra was amended by Mr. Wallace to read fifty cents per day, and include all the assistants. This passed second and third reading.

The Medical Bill. The special order, the medical bill, was taken up at 11:30, and read and Mr. Dowd amended that nothing in this act shall bar a citizen who has the necessary qualifications for practice, and who has the qualifications necessary for voting.

Dr. Bolton defended the bill, saying the amendment was intended to kill the bill, and he hoped it would not be adopted. Continuing he said the medical profession only asked for a reasonable preparation; that they did not want to drive out young men.

Mr. Dowd said the bill had been thoroughly described, and his only object was to kill section five, as to qualification. He favored education, but the legislature had no right to bar any man who could pass the medical board. He stuck to the point that he only wanted to allow aspiring young men to practice medicine, if able.

Mr. Hayes said it was a serious question, and the aim was for the best and he hoped it would pass.

Mr. Currie wanted the bill passed. Mr. Connor said if the bill would chill the ardor of any young man it ought to be defeated, but he did not so consider it, and wanted the bill passed, as the great safeguard to the noble medical profession.

Mr. Henderson spoke for the bill, saying he had been cut off time and again when he wanted to speak on something he knew nothing of, and was glad of it, but this was one he did understand. Time was called on him, and "vote," "vote," "vote,"

came from everywhere, and the chair rapped loud for order.

Mr. Pool was recognized and spoke for the bill.

Dr. Campbell amended that a first grade certificate from the county superintendent be sufficient.

Mr. McCrary spoke against the bill, saying that in four years in school, then four years in medical college would blast the ambition of most young men.

Mr. Kitchin spoke against the bill, citing the dentists and the pharmacists as not requiring such.

Continuing Mr. Kitchin presented an examination for teachers and said if the advocates of the bill would go in the room and pass it he would vote for it.

Dr. Campbell withdrew his amendment.

The Dowd amendment was put and on an aye and nay vote the amendment was lost by a vote of 47 to 50, and on a division vote the bill was killed, 47 to 49.

The revenue bill came back from the senate with amendments which were not concurred in and the chair appointed Dowd, Doughton, Wallace, Rascoe and Grant as conference committee.

Mr. Rascoe called up a resolution as to settlement of the shell fish debt, and asked it be put upon its passage. This was passed, and appoints Doughton, Ormond, and Gordon to investigate and settle the same.

Leave of absence was granted Mr. Butler.

Passed Second and Third Readings.

To amend the charter of Charlotte. The appropriation bill, carrying the annual appropriation to all the state institutions was put upon its passage and passed second and third

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ANNUAL DEBATE HERE

Raleigh and Greensboro Meet Here Tonight

"Resolved, That the Breaking of the Solid South, Politically, Would Benefit the South, and the Whole Country"—A Hot Question—Raleigh Takes Affirmative, Greensboro Negative—Public Invited.

The regular annual debate between the Raleigh and Greensboro high schools will take place at 8:30 this evening in the Ramey Hall. The public is cordially invited to attend. The judges selected for the debate are Dr. Charles Lee Smith, Judge Robert Winston, and Mr. R. N. Simms.

The marshals are as follows: Chief, Mr. Herman Briggs of the Syncretic Society; assistants, Messrs. Hubert Wyatt and Amzie Ellington, of the Pierian Society, and Messrs. Hubert Holding and Julian Rand, of the Syncretic Society.

Mr. Seymour Whiting, president of the Syncretic Society, will preside at the debate, while Mr. Carl Betts, president of the Pierian Society, will act as time-keeper and secretary. The Ramey Hall will be gorgeously decorated in the colors of the Greensboro and Raleigh high schools.

Music will be furnished by an orchestra. "Pete" Harris, the chief rooster, is training his band of singers and yellers to a very high stage of development, and is confident of so disconcerting the Greensboro speakers and enthusing the Raleigh representatives that Messrs. Ivey and Smethurst will have a walk-over. But doubtless Greensboro's preparations have been quite as thorough and her hopes are quite as sanguine as Raleigh's.

Messrs. White and Alderman will speak for Greensboro. The question for debate is: "Resolved, That the breaking up of the Solid South, politically, would be beneficial to the South, and to the whole country." Raleigh has the affirmative and Greensboro the negative.

MANY VISITORS THROG CAPITOL

Washington, March 5—Thousands of visitors thronged the capitol today. There were many soldiers in the crowds. Statuary Hall and the rotunda were special points of interest to the crowds. It was estimated that 10,000 persons went up to the dome of the capitol. The whispering gallery was of especial interest to the visitors. In the hall of representatives it resembled a busy express office, for the house employees were busy in cleaning out the desks and bundling up the papers and records of the session. Over in the senate wing the Utes scouts were received by Vice-President Sherman. They had with them their mascot goat and presented a fine appearance.

THE COOPER TRIAL NOW NEARING THE CLOSING SCENES

State Will Probably End Its Proof in Rebuttal Sometime Today

SMALL CROWD IN COURT

Delay of Over an Hour at Resumption of the Cooper Trial Caused by Illness of Attorney-General McCann—Judge Hart Said Today No Night Sessions Will Be Held, as Sessions Are Long Enough Now. Some of the Jurors Are Chafing Under the Confinement and Are Anxious to Get Back to Their Crops—State Now Nearing the End of Its Proof in Rebuttal.

(By Leased Wire to The Times)

Criminal Court Room, Nashville, Tenn., March 5—There was a delay of over an hour at the resumption of the trial of the Coopers and John D. Sharp for the killing of former Senator Carmack. The delay was on account of the illness of Attorney-General McCann.

When Judge Hart was asked about the talk of night sessions for the remainder of the trial, he indicated that the proposition did not have his approval. Judge Hart declared that the sessions of the court were long enough as they now are being held.

Some of the jurors, it is said, are chafing under the confinement and are very anxious to get back to their crops and early spring work on the farm. A majority of the jurors are farmers.

There was a small crowd in court again today. Mrs. Carmack and her little son were again in attendance.

The defendants appeared to be in good spirits today. They chatted pleasantly with friends, many of whom surrounded them. Ed. Craig, former state treasurer, who it is alleged carried threatening messages from Colonel Cooper to Senator Carmack, will be called today as a witness in rebuttal for the state.

The state is now nearing the end of its proof in rebuttal. It was given out this morning that the state will probably close today, unless the cross-examination of witnesses by the defense is lengthy. In the latter event the state expects to conclude by noon Saturday and argument will probably begin Monday.

Important evidence, contradicting Colonel Cooper on vital points was given by Ed. Craig, the man who carried Cooper's threats to Carmack the night before the day of the tragedy. The witness said that Colonel Cooper said that he was not armed and would like to see Carmack himself.

He denied that he (Craig) told Cooper that his name would not appear in the Tennessee again. He denied that he came back from Carmack and reported to Colonel Cooper that Carmack was in an "ugly, vicious mood," and he denied that Colonel Cooper said if his name was used again the town would not be big enough to hold them both. In fact he directly contradicted many of the important statements of Colonel Cooper on the stand relative to his two interviews with Craig.

Miss Ella Lamb and Frank Allen testified that they looked up Vine street when they heard the shots and did not see any man like S. J. Bennings or any man, stepping upon the opposite sidewalk. A weather man was introduced to show conditions of the atmosphere that afternoon, but the court would not permit him to testify.

The court adjourned shortly after noon until 2 o'clock in order to enable the state to get more witnesses into the court.

Charles and George Carroll, who conduct a shooting gallery on Cedar street, were the two first witnesses put on today by the state. They gave evidence contradicting Bennings, the defense's witness. Each of the Carrolls swore that after the killing of Carmack, Bennings came to their shooting gallery and remarked that if he had happened along by the spot five or ten minutes sooner he would have seen the shooting, or the he was five or ten minutes too late.

Judge Hart ruled on the testimony of George Wooten, a deputy in the office of the state comptroller, and also the testimony of Deputy United States Marshal A. V. McLane. The witness Wooten was to have been

used by the state to disprove statements of the defendants that Carmack shot Robia Cooper from between the posts, by showing it was a physical impossibility, but Judge Taft held this matter had been gone into and ruled it on a similar ground. Judge Hart also refused to allow McLane to testify as to the cloudy, smoky appearance of the afternoon of the tragedy. The state insisted that such proof was entirely competent to rebut John D. Sharp's statement that he recognized a blue steel revolver from a point far up the street. Judge Hart, however, ruled against the prosecution.

BACKBONE OF STORM BROKEN.

It Paralyzed Traffic and Trade From Norfolk to New York.

(By Leased Wire to The Times.)

New York, March 5—The backbone of the blizzard which has paralyzed traffic and communications of all kinds and caused much suffering all along the coast from Norfolk to New York, as well as for many miles inland, has been broken. The only inconvenience suffered by New Yorkers today is occasioned by the heavy slush under foot.

Telegraph and telephone communication to Baltimore and Washington has not been restored over direct wires but the telegraph companies are moving a limited amount of business in a roundabout way to these points.

STRAINING THE LAW

District Attorney Resigns His Position Rather Than Prosecute Indianapolis News

Rather Than Take Part in the Prosecution of the Editors of the Indianapolis News For Libel Joseph B. Keating, United States District Attorney For Indiana, Has Resigned. Points Out the Reasons Why He Is Unable to Remain in a Service in Which He Has No Sympathy. Principle a Dangerous One.

(By Leased Wire to The Times)

Washington, March 5—Joseph B. Keating, United States district attorney for Indiana, has resigned rather than take part in the prosecution of the editors of the Indianapolis News for libel.

Mr. Keating in his letter of resignation, which has been received at the department of justice, asks that he be relieved from duty by March 15, and points out the reasons why he is unable to remain in a service in which he would be compelled to carry on, in part at least, a prosecution with which he has no sympathy and which undertakes to induce the courts to place what he considers a strained construction on the law. Mr. Keating's letter, which is addressed to the attorney-general, is in part as follows:

"I am informed that indictments have been returned by the grand jury of the District of Columbia against Delavan Smith and Charles R. Williams, proprietors of the Indianapolis News, for criminal libel, and that steps will be taken to remove them to that district for trial. As both are in this district, under the law it will become my official duty to assist in such removal proceedings.

"For almost eight years I have had the honor of representing the government as United States attorney. During that time I have prosecuted all alike, without fear or favor, where I had an honest belief in their guilt. I have been compelled on several occasions to prosecute personal friends, but in each case I only did so after a thorough investigation had convinced me of their guilt.

"In this case I have made a careful investigation of the law applicable thereto. As to the guilt or innocence of the defendants on the question of libel, I do not attempt to say. If guilty they would be prosecuted, but properly indicted and prosecuted in the right place, viz: at their homes. Only with the question of removal that I have to do.

"I am not in accord with the government in its attempt to put a strained construction on the law, to drag the defendants from their homes to the seat of government to be tried and punished, while there is a good and sufficient law in this jurisdiction, in the state court.

"I believe the principle involved is a dangerous one, striking at the very foundation of our form of government. I cannot, therefore, honestly and conscientiously insist to the court that such is the law or that such construction should be put on it. Not being able to do this, I do not feel that I can, in justice to my office, continue to hold it, and decline to assist."

THE REVENUE ACT HAS PASSED ITS FINAL READING

The Senate Considers Revenue Bill in Committee of the Whole

A NEW COMMISSION

Joint Resolution Passed Senate This Morning Providing For a Public Grounds Commission to Investigate the Congested Condition in the Departments and Recommend Plans For Adequate Buildings to the Legislature of 1911—Senate Met at 9:30 O'clock With Lieutenant Governor Newland Presiding—Representative Latham Led the Prayer—Other Matters.

The senate met at 9:30 o'clock with President Newland in the chair. Representative Latham, of Beaufort, led in prayer. The following bills passed their final reading:

H. B. To amend law relative to fees of coroners.

H. B. To fix compensation of officers of Rutherford county.

H. B. To authorize boards of education of Lee and Moore to renew notes.

H. B. To regulate fishing Currituck.

H. B. To maintenance of school in Knotts Island township in Currituck.

H. B. Relative to macadam roads in Dare county.

S. B. To validate certain probates in Northampton.

S. B. To validate acts of certain justices of the peace in Northampton.

H. B. To increase number of commissioners of Nash.

H. B. Relative to court stenographer in Nash and Wilson.

H. B. To prohibit sale of cigarettes within two miles of Gallford College.

H. B. To permit the Elizabeth City and Albemarle Railway Company to use a certain county bridge in Pasquotank county.

The Revenue Bill.

At 10:10 the senate went into the committee of the whole for the consideration of the revenue act, Senator Spence in the chair. At 11:10 the work of the committee "arose." The president again took the chair, Senator Spence offered the report of the committee and the revenue act passed its third and final reading.

Senator Hankins offered a joint resolution providing for the appointment of a public grounds commission composed of Governor Kitchin, ex-Governor Aycock, ex-Governor Jarvis, T. F. Donaldson, R. F. Hoke, F. H. Fries, Chas. M. Stedman and C. E. Johnson to investigate congested conditions in the departments and recommend plans for adequate buildings to the legislature of 1911. The resolution passed its final reading.

Passed Final Reading.

S. B. To fix time of holding courts in eighth judicial district.

S. B. To provide for separate schools for Indians in Scotland.

S. B. To amend sections 1689 of revision relative to contracts known as futures.

S. B. For relief of sheriffs and tax collectors in certain counties.

S. B. For relief of N. G. Phillips, a laborer, allowing him actual expenses.

Senator Powell offered a resolution limiting speeches on all subjects to five minutes. The resolution was adopted.

On motion of Senator Bassett the bill to extend state aid for the erection of a monument to Henry L. Wyatt was made a special order for tonight at 9 o'clock.

S. B. To provide for an amendment to the state constitution to change the time of the meeting of the legislature from January to August.

Senator Gay introduced this bill and called it up for consideration. Senator Gay opposed it. The roll was called and the bill failed by a vote of 24 to 15, a majority of three-fifths being required for passage.

Anti-Audubon Society Bill.

The question of concurring in the house amendments to the senate bill exempting Beaufort and Carteret from the provisions of the Audubon Society law came up as a special order at 1 o'clock. Senator Martin opened the discussion for the friends of the measure. He showed the inadequacy of the Audubon Society to protect game in his and other counties, declaring that it was unjust for his county and other counties who

contribute to the revenues of the Audubon Society to have no protection as is now the case. He explained his position on the bill, saying that he and his associates were willing for the Audubon Society to retain control of those counties where they could afford adequate protection, but that they demand now the protection from the state, which the Audubon Society could not or would not give.

Senator Manning followed, showing that the passage of the law would mean absolute destruction to Audubon Society. He attacked the contents of those favoring the bill that the enforcement of the game law was dependent entirely upon the Audubon Society, saying that such a contention was not founded on the statute law of the state. Inefficient wardens could easily be removed. He showed that he amount which the proposed law would give to the school fund would be a negligible quantity.

Senator Travis opposed the bill in one of the strongest speeches of the debate. He declared that there was work, especially in the eastern part of the state, that the counties themselves could not do and that an agency of statewide jurisdiction was necessary.

Senator Godwin spoke for the bill, following the line of argument laid down by Senator Martin. Senator Spence made a strong speech along the same lines.

Senator Hankins made a short but effective speech against the concurring in the house amendments.

Senator Empe came to the aid of the Audubon Society, showing the great work done by the society in the protection of sea birds and of song

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PROTEST AGAINST BILL

Wilmington Audit and Finance Trouble

Senator Empe Introduces Bill to Reappoint Entire Old Board of Audit and Finance, Which, if Passed, Would Nullify Governor's Action.

A delegation of prominent Wilmington people arrived in the city today to protest against the passage of Senator Empe's bill, which provides for the reappointment of the old board of audit and finance of Wilmington. The result of the passage of this bill will be to nullify the action of the governor, who last Tuesday appointed the old board.

The governor is given authority and empowered to make the appointments, under the laws made by the general assembly, which he did after hearing both sides of the question. This year there was a contest over the membership of this board, many citizens asking for the re-appointment of the old board, and many other citizens asking that two new members be placed on the board. Both sides desired that the appointments be made as early as possible, and both sides were given several hearings. The matter was thrashed out Tuesday, delegations representing both sides being in the city. At the conclusion of the hearing governor appointed three old members and two new members, the new members being Messrs. M. J. Heyer and W. B. Cooper.

The action of the governor was supposed to be final, and many of the citizens of Wilmington wrote letters to the governor commending his action in the matter. But, as it seems in the above matter was not settled. Another phase of the matter was opened yesterday when Senator Empe introduced his bill to appoint the entire old board. The news of the new move was conveyed to Wilmington people immediately, and as the result thereof a large delegation is in the city today.

The bill over which the controversy has arisen, passed its first reading in the senate yesterday and then on objection went over until today.

FEW ADMITTED AT THE WHITE HOUSE

(By Leased Wire to The Times.)

Washington, March 5.—Immense crowds surrounded the white house today, and for hours' long a line stood in front of the entrance. The general public was not admitted, however, as President Taft received only a few delegations and personal friends.

The president and Governor Hughes of New York, reviewed the seventh regiment of New York this morning, the president and the governor taking their places in the grandstand in the court of honor in front of the white house.

Among the organizations which paraded in Pennsylvania avenue opposite the white house was Troop A, of Cleveland, O.; the Boys' Band of Immaculate Conception of New York; the Young Men's Blaine Club, of Cincinnati, and the John McCleary Club of Philadelphia.

THE CONDITIONS IN WASHINGTON NOT YET NORMAL

Trains Are Running Late and Telegraph Service Still Badly Crippled

VISITORS GETTING OUT

While Conditions Are Improving It Will Be Many Days Before the Telegraph, Telephone and Railway Companies Recover From the Damage Inflicted by the Great Storm—Newspaper Correspondents Had a Hard Time in Handling the Business—The North Still Cut Off From Communication Except in Roundabout Way—Postal Company's Business Completely Prostrated.

(By Leased Wire to The Times.)

Washington, March 5.—Gripped yesterday by the fiercest blizzard Washington has experienced in many years, and practically isolated from the outside world while President Taft was inaugurated, the city last night succeeded in establishing partial communication with the rest of the country. Today conditions are getting back to normal, though it will be many days before the telegraph, telephone, and railway companies recover from the damage inflicted by the great storm.

All day yesterday trains came into the union station hours late, in instances as much as twelve hours. Some trains were so late that organizations scheduled to appear in the parade arrived barely in time to join the marching thousands. The seventh regiment of New York arrived too late for the parade, and were given a special review by President Taft at the White House this afternoon.

Last night the Baltimore and Ohio and Pennsylvania railroads began to make headway out of the chaos which existed as a result of several hundred trains jammed in central and this morning outgoing trains were running near schedule time. Incoming trains are all late. Thousands left the city during the night, and today there is a rapidly increasing exodus. The majority of the 100,000 or more inauguration visitors will be gone by tonight.

Telephone lines were badly crippled yesterday and for hours not a Morse key sounded. Newspaper correspondents and the news organizations had to resort to the wireless telegraph, but only a fraction of the business could be handled. The Western Union succeeded during the day in putting several lines into commission to the south, by means of which it was possible to communicate briefly with the north by round-about routes, but the Postal Company's business was completely prostrated. Today conditions are but little better, and the only wires working with any facility are those to the south, and in that territory only to a limited extent.

Telephone companies suffered equally with the telegraph companies, and today at 9 o'clock the only long distance lines out of Washington were to Pittsburgh, Pa., and Alexandria, Va. Communication by long distance to New York is still cut off, but may be resumed tomorrow. Neither Baltimore nor Philadelphia will be in communication with Washington by telephone today.

PRESIDENT AT HOME.

Slept Without Grounds Last Night. "Done Talking."

(By Leased Wire to The Times)

Oyster Bay, N. Y., March 5.—Ex-President Theodore Roosevelt arose early this morning, in spite of the late hour at which he reached home last night. One of the visitors today was Rev. Warren I. Bowler, to whom the ex-president said he would remain at Sagamore Hill for about two weeks and leave for his African hunting trip some time before April first.

When a number of newspaper men called Mr. Roosevelt sent them word that he was "done talking" and only wanted to rest.

There were no secret service men on guard at Sagamore Hill last night, the first time they have been absent when the owner was at home in over seven years.

Later Mr. Roosevelt told a friend he would sail for Africa on March 23, via the Hamburg-American line, for Naples.

Call For Caucus.

(By Leased Wire to The Times.) Washington, March 5.—A call has been issued for the republican members of the house to meet in caucus March 13 at 8 p. m., at the capitol. The caucus will decide on nominations for speaker and other elective officers of the house.