

Weather.

Washington, March 12—Forecast for North Carolina for tonight and Saturday: Rain tonight and Saturday; moderate easterly winds.

The Evening Times

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LAWYERS STILL TALKING IN THE MURDER TRIAL

Argument Has Dissolved Itself Into a Marathon Long Distance Talking Race

STATE GETS ATTENTION

Speeches Are Unprecedentedly Long. General Washington Spoke a Part of Wednesday, All Day Thursday and Was Still Talking This Morning—Up to the Present Time the Lawyers For the State Have Been Accorded the Better Attention by Both Jury and Spectators—General Washington Being Criticized For Talking Too Long.

(By Leased Wire to The Times) Criminal Court Room, Nashville, Tenn., March 12—Argument in the Cooper-Sharp case seems to have resolved itself into a Marathon long distance talking match. There have been four speeches up to date, or three, one being still incomplete and it is manifest that the jury is bored. Captain Pittsburgh opened with a rapid-fire speech Monday which consumed four hours and forty minutes. General Meeks spoke all of Tuesday. General Job Garner spoke four hours and ten minutes Wednesday and was followed by General Washington, who spoke more than one hour Wednesday afternoon. General Washington spoke all day Thursday and at adjournment had not finished. He resumed this morning at 9 o'clock, having already talked for nearly eight hours. In fact the arguments have been of unprecedented length.

Up to the present time the lawyers for the state have been accorded the better attention by both jury and spectators. Their speakers have been apparently in better form. General Meeks, for the defense, was a disappointment in that his voice was not in good condition and General Washington is being criticised for talking too long and injecting too much politics into his address.

The friends of the defense are hoping that Judge J. M. Anderson, leading counsel for the defense, will save the day for them in a masterly effort. General McCann will close for the state probably tomorrow.

After having spoken one entire day and parts of two others, General Washington closed at 11 o'clock this morning. He consumed nearly ten hours, altogether. In his final peroration and conclusion he made an eloquent appeal in behalf of Robin Cooper, but made no reference to either Colonel Cooper or John D. Sharp. He had previously argued for some time that Colonel Cooper had a right to go across and talk to Carmack and that Robin Cooper had a right to follow if he thought his father would be placed in any sort of danger. He declared Robin had a right to draw his revolver and have shot Carmack as soon as he saw the latter drawing one on his father. General Washington, in his conclusion, seemed to assume that Robin was the only one involved in the lawsuit. He asked the jurors to let the sunshine in their hearts, restore Robin to his foster mother, Mrs. Bradford, and to "Uncle Jim" Bradford, that they could then return to their homes with a satisfaction of duty well done, no matter who approved or disapproved.

General Washington, before he reached the concluding portion of his address, had likened Carmack's pistol and scabbard to the Bible story of Ruth and Naomi and said each were the compliment of the other; that each went through the smoke and fire of battle together and they bejinged together in the overcoat pocket.

At 11 o'clock Judge Hart took an adjournment until 1 o'clock, at which hour Judge J. M. Anderson was to begin the closing speech for the defense. It is assured he will occupy the entire afternoon and possibly more and that General Jeff McCann will speak tomorrow. The case will probably go to the jury on Monday, if not, certainly by Tuesday.

Bowling Team Record Broken. (By Leased Wire to The Times) Pittsburg, March 12—The world's record for two men bowling teams was broken today by A. T. Schwieger and Tony Schwieger, of Madison, when they rolled 1,304. The previous record was 1,254, held by Chalmers and Kiene, of Chicago.

BRYAN ON THE CABINET Makes Caustic Criticism of Taft's Officials

Says It Doesn't Look Like a Reform Cabinet—Past Connection of Those Who Form the New Official Family—The Interests Represented.

(By Leased Wire to The Times) Lincoln, Neb., March 12—In today's Commoner Mr. Bryan makes some caustic criticisms of Mr. Taft's cabinet. He says: "Does the president's cabinet strike you as a reform cabinet?" "Secretary of State Knox, ex-attorney of the steel trust, after a conference with Mr. Frick, an attorney-general, advises the killing of the only anti-trust bill passed by the house in recent years. Is he likely to encourage the president to attack the trusts?" "Secretary of War Dickinson, attorney for the Illinois Central Railway, an ex-democrat, drawn away from his party by his corporate connections."

"Secretary of the Treasury MacVeagh, ex-democrat, who left the party when the party separated from Wall street."

"Attorney-General Wickersham, not known for any activity in connection with regulation of railroads or the prosecution of monopolies of a national character."

"When has a chief executive selected a more conservative cabinet? There are no reformers in it. The progressive element of the republican party is as completely ignored as was the progressive element by Mr. Cleveland during his second administration. Will the result be the same?"

"Mr. Taft's secretary of commerce and labor, the official who will be in chief charge of the work of gathering information concerning the trusts, is Mr. Charles Nagel, of St. Louis. Mr. Nagel was at the time of selection for the cabinet attorney for the Standard Oil trust."

After quoting a newspaper prediction of some months ago as to Nagel's coming appointment, Mr. Bryan continues:

"It is plain that all that was necessary to secure for this Standard Oil trust lawyer a place in Mr. Taft's cabinet was dignified presentation of his name from the right quarters."

"Can it be possible that the Nagel appointment was one of the subjects under discussion when Messrs. Taft and Rockefeller met in Georgia during the month of January?"

MADAME NORDICA WILL FIGHT WILL

Boston, Mass., March 12—Madame Lillian Nordica, of New York, with others, filed a notice today in the probate court at Cambridge of contest of the will of her aunt, Mrs. V. F. Allen, who died in Malden on February 21, leaving an estate of \$100,000 and nothing to Madame Nordica or other blood relatives "on the ground that they had enough." The hearing will be held on March 23.

Treasury Statement. Washington, March 12—Total receipts, 1,890,649; total expenditures, \$2,510,000; excess expenditures over receipts, \$619,350; available cash balance, \$135,397,895.

GIVEN PORTRAIT OF DAVID PATON THE ARCHITECT

His Portrait Presented to the State of N. C. Today by Captain S. A. Ashe

BUILDER OF CAPITOL

The Life History of the Remarkable Man Told by Captain S. A. Ashe, North Carolina's Prominent and Polished Man of Letters—David Paton at the Age of 33 Designed the Capitol—Modeled After the Most Famous of Greek Structures. Mr. Paton Was Architect Builder and Superintendent of Construction.

The presentation of the portrait of David Paton, architect of the capitol, took place this morning in the Senate chamber. A small body of 125 of the best people were in attendance. Governor W. W. Hoke presided.

Captain S. A. Ashe made the presentation speech. He discussed the beginning of the state's government with the capitol at Edenton. Raleigh was later selected for the capitol and on Union Square, amid great work then well-grown the first capitol building constructed of rough brick made near the square was constructed. It was later burned down.

Then came a fight between the east and the west. Senator Sewell, of Wake, immediately introduced a bill to rebuild. His bill was killed. In 1822 it was decided to rebuild on the old site and \$300,000 was appropriated for the building. By the time the foundations were laid this appropriation was exhausted. The next legislature increased the appropriation by \$50,000. In the following year David Paton, an educated architect, from Scotland, was employed by the commissioners. At this time he was thirty-three years of age. He came to Raleigh, took active charge of the work. He became builder, architect, superintendent, book-keeper and general manager of the work, having entire charge. He cut down expenses and pushed the work rapidly. In 1837 the Federal government failed to secure his services but he refused to leave his work.

The capitol was modeled on the lines developed in ancient Greek architecture, the portico and wings being copied after the Parthenon of Athens, the most beautiful piece of architecture of the ages.

The work was finished in the summer of 1836, after seven years of work, and a total expenditure of \$2,000,000. Mr. Paton then left for New York and later went back to Scotland. He returned to America in 1839, and became a professor of architecture in a great New York school, continuing his work for over thirty years.

He died in 1882 and was buried in Brooklyn, New York. His first wife he had one daughter, who married a banker of Glasgow, Scotland. His North Carolina wife, who was Miss Farrar, of Washington, North Carolina, had eight children, of whom Mrs. C. E. Fox, of New Bern, is the only one living in North Carolina.

Governor Kitchin made a short speech of acceptance, thanking graciously the donors of the portrait and thanking Captain Ashe for his speech, assuring him that the portrait was a prominent place in the great building that he designed and constructed.

The portrait is a fine piece of painting and was done by that talented young Tar-Head artist, Mr. Busbee.

STATETREASURER IS AN EMBEZZLER

(By Leased Wire to The Times) Salt Lake City, Utah, March 12—James H. Christianson, former state treasurer of Utah, is under arrest, a self-confessed embezzler of over \$70,000 from the state treasury. Mr. Christianson spent the night at the Hotel Cullen in the custody of a deputy sheriff. An attempt is being made to secure bondsmen for him today.

A clumsy attempt to tamper with the books in the state auditor's office led to the discovery of the embezzlement. Mr. Christianson was out of the state at the time, but upon word from a Salt Lake friend he hurried back to Salt Lake. He gave himself into custody shortly after arrival here and followed that shortly afterward with a confession of guilt. Christianson's bondsmen will make good the amount of the shortage.

(By Leased Wire to The Times) Pittsburg, Pa., March 12—It has been arranged with Theodore Roosevelt, private citizen, that one of the last things he will do on March 23, before calling on the Hamburg line to kill lions and things will be to shake hands with about 100 representative men of Pittsburg, who will leave here on the evening of March 22, by special train, and meet the ex-president at the Hoboken docks.

Oyster Bay, N. Y., March 12—The citizens of Oyster Bay have arranged to give ex-President Roosevelt and Mrs. Roosevelt a public reception in the town hall this evening from 8:30 to 10:30. The guests are restricted to residents of the village.

NEW SECRETARY TAKES CHARGE

(By Leased Wire to The Times) Washington, March 12—Secretary of War Dickinson arrived here at 10 o'clock this morning and went directly to the white house where he paid his respects to President Taft, Secretary of War Wright, who retired today was also at the white house waiting for him. Upon leaving the white house the new and the retiring secretaries went to the war department where Secretary Dickinson was introduced to the various chiefs and heads of departments. General Wright left to leave tonight for Memphis, where he expects to resume the practice of law. It is reported that Assistant Secretary Oliver will be retained in his present position although this has not been fully decided.

ANOTHER BOAT SAVED BY AID OF WIRELESS

New York, March 12—The rescue of the schooner Ann J. Traylor, which disappeared and with wreckage trailing at her stern, is being traced northward today by a "speaking" tug after a narrow escape from destruction in a storm in the latest demonstration of the immense value of wireless telegraphy at sea.

The flashing of C. Q. D. messages from shore to sea, which were picked up by two steamers, established the location of the schooner about 3 miles off Little Egg Harbor on the Jersey coast, and within a couple of hours and his crew rescued, however, to leave the ship and the captain's only remark was that it is best sent as soon as possible.

ARRESTED FOR THEFT.

Plight of a Noted Southern Woman of Lexington.

Lexington, Ky., March 12—Mrs. Eliza Bell Collins, member of a noted southern family, prominent in society in Lexington and St. Louis, where she lived for years, has been placed under arrest here on a charge of thefts committed in Cincinnati and taken there to answer. Mrs. Collins was reared by her aunt, Mrs. Mary Wetzel, a wealthy St. Louis woman, and married William Collins, son of a wealthy drugist.

CHIEF JUSTICE OF PORTO RICO DEAD.

(By Leased Wire to The Times) Washington, March 12—President Taft was today advised by cable of the death of chief justice of the supreme court of Porto Rico, Jose Cervero Quinones, whose death took place at San Juan, Porto Rico, last Saturday.

RECEPTION TO MR. ROOSEVELT

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Brother and sister were locked up in cells at opposite sides of the city prison and questioned separately.

According to a story told by the police by the Rev. Father Mazniel, of Elizabeth, the woman had annoyed Father Anson until he was compelled to discharge her.

STATE IS TRYING TO BUY REEFFOOT LAKE

(By Leased Wire to The Times) Union City, Tenn., March 12—Three members of the West Tennessee Land Company, Colonel R. Z. Taylor, Seid Waddell and J. B. Deasow are in negotiation with a legislative committee relative to the purchase of Reelfoot Lake by the state to prevent a recurrence of night rider troubles. It is rumored the company will ask a quarter million dollars. The committee will go to the lake today to investigate the surroundings. People of the county are opposed to purchase if fishing for profit is not allowed, otherwise ninety-nine per cent endorse the purchase. The company owns, including the ground covered by the lake, twenty-five thousand acres rich in fine timber and large canebrakes.

FREIGHT WRECK NEAR HICKORY

(By Leased Wire to The Times) Charlotte, N. C., March 12—While running thirty miles an hour this morning eight miles west of Hickory, fast freight No. 74 on the Western North Carolina branch of the Southern was wrecked and fifteen cars derailed to splinters. Three cars of cattle and horses were in the wreck. Scores of boxes and many head of cattle were killed, their flesh being torn and scattered along the track for 200 feet, presenting a most sickening sight. Through traffic will be interrupted for six or eight hours. The train crew escaped injury.

FORAKER FOR THE SENATE.

Will Succeed Dick if Plans of His Friends Go Through.

(By Leased Wire to The Times) Columbus, O., March 12—Friends of former Senator Foraker are to start a movement today for his return to the senate in place of Senator Dick two years hence.

Until last fall Foraker and Dick were close political associates, but it is stated that Foraker will not let old friendship interfere with his ambition to return to the senate.

BRITISHER TO FIGHT JOE GANS

(By Leased Wire to The Times) New York, March 12—Jabez White, British scrapper, spent all of today resting up for his bout tonight with Joe Gans, of Baltimore. Jabez has two bugs by which he abides, namely, never over train and never go into the ring tired from exercise.

"Gans is the chap who ought to be doing the worrying," said the Englishman today at the National club, where the fight will take place. "The people seem to think that the negro will have it easy, but they will learn differently. I've studied Gans and his method of fighting and I am quite prepared for him. I'll be bloody careful about him, though."

Gans trained but little for the bout, but seems in fine fettle.

White is down to 134 pounds and Gans is a few pounds lighter. There was some light betting with Joe the favorite.

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JOHN LUMSDEN GETS EIGHTEEN YEAR SENTENCE

Will be Sent to Sing Sing and Will Not Appeal From Sentence

KILLED CURB BROKER

John C. Lumsden, the Young Inventor, from Raleigh Who Killed Harry B. Suydam, a Curb Broker, Last December, and Who Was Convicted of Manslaughter in the First Degree, Was Today Sentenced by Judge Malone to Not Less Than 18 Years Nor More Than Nineteen Years, Six Months in Sing Sing Prison—Will Not Appeal.

(By Leased Wire to The Times) New York, March 12—John C. Lumsden, the young inventor of Raleigh, N. C., who killed Harry B. Suydam, a curb broker, last December, and who was convicted of manslaughter in the first degree, was sentenced today by Judge Malone, to not less than eighteen years, or not more than nineteen years, six months, in Sing Sing prison. There will be no appeal.

Lumsden's conviction and heavy sentence came as a surprise to his relatives and friends in this city. From all accounts of the killing and the reassuring messages that reached Raleigh, they had been led to believe that his acquittal was almost a certainty. His attorneys, relatives and friends have done everything in their power for him, but the fate of a stranger in a strange land is hard.

John Lumsden was regarded as a quiet and peaceable man, and those who knew him intimately say that there is no doubt about his having sufficient provocation to commit such a deed.

John C. Lumsden was born and reared in Raleigh, and his parents, several uncles and cousins, reside in this city. His father, Mr. Charles F. Lumsden, who lives at 216 North Harrington street, was for a long time city tax collector and is well known here.

Although John Lumsden has been away from Raleigh for about six years, there are many people here who remember him and he has a great many friends in the city, who regret to learn of the unfortunate occurrence and the heavy penalty imposed therefor.

After leaving Raleigh he went to Birmingham, Ala., where he made hosts of friends, his magnificent voice gaining for him many admirers. He sang in the choir of one of the most prominent churches of the Alabama city. While in Birmingham he invented an electrical hair brush and massage machine that is said to have been a great success, but from which he received little or no remuneration on account of the crooked dealings of the deceased Suydam and his associates. He was about thirty years of age and married, his wife being Miss Miller, of Spartanburg, S. C. His wife has been with him during his terrible ordeal and was always hopeful of his acquittal, basing her hope on her implicit faith in his great desire to do no man an injury.

After his arrest Lumsden made a statement, in which he said he was attacked by Suydam, Downs and Collins before he drew his revolver. He said:

"I am an inventor of an electrical vibratory massage device and last April I was introduced to Suydam and told that he would be a good man to promote the invention. I turned over my patents and papers and plans to him and received notes in return. A company was incorporated and a man named Jenkins was put in as president.

I never received any dividends from the invention and was put off from time to time when I asked for money. I had been promised \$650 at his office this morning and I went there to get it. When Suydam came in we went over to the window to talk about the matter, and he called the other man over. The first thing I knew, the three men jumped on me and began to beat me and throw me about the room. I don't know how I happened to get my revolver out and shoot. I did not go to his office with any idea of shooting him.

His testimony of Wednesday is said to have complied with the above, but between times he made statements in which he denied having fired the fatal shot. His conflicting statements are thought to be partly responsible for his conviction.



These pictures, which have just arrived from London, show the camp equipment of President Roosevelt on his African trip. On the left is shown a bathroom in the sleeping tent, and on the right a picture of the dining tent. The medallion at the top shows ex-President Roosevelt as he is, inasmuch as it is the custom according to African travelers to allow the beard to grow at will while on the track, the picture in the medallion on the right shows ex-President Roosevelt as he probably will be when he comes back from the hunting trip.